

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MIDDLETOWN MUNICIPAL BUILDING
WEDNESDAY, March 6, 2019**

PRESENT:

Rich Nuttall
Charles Parkerson
Holly Cunningham
Nancy McCann
Joseph Antonelli
Thomas Piacentino
Pat Duffy, Zoning Officer
Isaac Kessler, Township Engineer

ABSENT

John Medaglia

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL.

- a. Mr. Nuttall called the meeting to order at 7:05 PM. The Pledge of Allegiance was recited. Ms. Cunningham took roll call with six members present. Misters Duffy and Kessler were also present.

2. APPROVAL OF PRIOR MINUTES

- a. Mr. Nuttall made a motion to approve the revised minutes of the February 6, 2019 meeting. Mr. Piacentino seconded and the motion passed 6-0.

3. Discussion of the Minor Subdivision Plan (no land development) for Philip Vitale, Sr., 519 Hulmeville Road, Langhorne, PA, 19047, TMP 22-017-073 & 22-017-074, S/LD #18-13, R-2 Residence Zoning District.

Mr. Vitale, Sr. represented himself and explained his minor subdivision creates a second lot with no land development. Three dimensional variances were granted by the zoning hearing board: 18.10 foot lot width where 80 feet is required, an 18.10 foot access width where 25 feet is required and a 9 foot side yard setback where 10 feet is required.

Mr. Vitale answered Mr. Parkerson and Mr. Nuttall that the existing garage on Lot 2 has a finished space and will become a separate dwelling and there are two separate driveways

Mr. Duffy stated there are no issues with County planning commission and fire marshal reviews. Mr. Kessler has no outstanding issues.

Mr. Parkerson made the motion to recommend approval for the minor subdivision. Mr. Antonelli seconded and the motion passed 6-0.

4. Discussion of the Everett Minor Subdivision & Land Development for Laura Fell, 1021 W. Maple Avenue, Langhorne, PA 19047, TMP 22-023-190, S/LD #18-7, R-1 Residence Zoning District

Bob Snyder of Kelly & Close Engineers represented Laura Fell the applicant and explained that the plan is to create two lots and demolish the existing house and construct a new house on each lot. Three dimensional variances were granted by the zoning hearing board: a 98 foot lot width where 100 feet is required, a 69% disturbance of 8 to 15% slopes where 50% is allowed and a 76% disturbance of 15 to 25% slopes where 30% is allowed.

Mr. Duffy stated there are no issues with County planning commission and fire marshal reviews. Mr. Kessler has no outstanding issues.

Mr. Visram of 10 Fairway Drive raised concerns of drainage, road restoration and erosion control during construction. Mr. Kessler assured Mr. Visram that his firm will be conducting the site inspections during construction to maintain the quality control of the site disturbance and drainage improvements.

Mr. Piacentino made the motion to recommend approval for the minor subdivision. Mr. Antonelli seconded and the motion passed 6-0.

5. Discussion of the Major Preliminary/Final Land Development Plan for 1222 W. Lincoln Highway, Langhorne, PA 19047, TMP #18-10, R-2 Residence Zoning District

Frank Dillon, Esq. and Heath Dumack, P.E. represented the applicant Mr. Beaumont. Mr. Dillon stated that eight variances were granted by the zoning hearing board to allow office and apartment use in an R-2 residential zone along with building coverage, impervious surface, setback and parking relief. The applicant is requesting five waivers: 1) to not require all existing buildings, utilities and natural features within 200 feet to be shown on the plans, 2) to not provide curb along the parking areas, 3) to not provide curb along Lincoln Highway, 4) to not provide sidewalk along Lincoln Highway and 5) to not widen Lincoln Highway.

The applicant agreed with Mr. Parkerson's requests to add an aerial sheet to the plan set, pay a fee in lieu of curbs and sidewalk.

Mr. Piacentino inquired about adding a second handicap parking space. Mr. Dumack responded that the one space does meet code requirements.

The applicant answered Mr. Antonelli's question that Mr. Beaumont will house his real estate for bank owned properties business in the office building during normal work hours and the two second floor apartments would be rental units.

Mr. Duffy noted that a PennDOT HOP permit is required and any approval recommendation would be conditional upon an approved HOP permit.

Mr. Antonelli made a motion to recommend approval for the land development plan and the requested waivers subject to paying the fees in lieu of for curbs and sidewalk,

meeting all the township engineer and township traffic engineering review comments and the acquisition of an HOP permit. Ms. McCann seconded and the motion passed 6-0.

6. Discussion of the Major Preliminary Land Development Plan for Provco Pinegood Middletown, LLC, for a proposed Wawa Ford Market at 639 East Lincoln Highway, Langhorne, PA 19047, TMPs 22-041-077, 22-041-078 & 22-041-079, S/LD #18-9, C Commercial Zoning District

Ed Murphy, esq., Bill Reardon, P.E. and Mark Roth, P.E. (traffic) represented the applicant. Mr. Murphy stated that they are seeking a recommendation for conditional preliminary approval tonight and then appear before the supervisors on April 1 for a conditional use for gas service and conditional preliminary approval. Mr. Murphy reiterated that the Wawa in Penndel is not happening. Nine variances were granted by the zoning hearing board covering not providing full landscape areas along Lincoln Highway, steep slope and woodlands disturbance, front yard setback for the fuel canopy, buffer area and plantings and signs.

The applicant agreed to provide an access for public works through the Wawa parking lot to the township open space. Mr. Piacentino confirmed that the access would be 12 foot wide and the plan would be revised accordingly. Mr. Nuttall confirmed that the park access was not for the public. The applicant stated there would be no gate but it would be a stabilized access.

Four waivers are being requested: 1) parking within 15 feet of the building, 2) parking within 15 feet of the ultimate right of way, 3) allow parking island trees to be planted elsewhere on site and 4) allow parking areas with a grade exceeding 3%. Mr. Kessler offered no objection to the requested waivers.

Ms. Cunningham inquired about the proposed traffic light. The applicant explained it would be full turn access and activated from Wawa and the driveway across Lincoln Highway. The light will be green for Lincoln Highway traffic until activated by Wawa or Denny's driveway across the street. The light would be connected to the existing adaptive system along Lincoln Highway. Mr. Roth explained a right turn on red would be based on sight distances and PennDOT approval. Mr. Nuttall confirmed there would be left turn access from Lincoln Highway.

Mr. Antonelli asked about the proposed height of sign and its direction relative to adjacent properties. Mr. Reardon explained that the sign will be 100 feet high (same height as many signs along Lincoln Highway and that it is two sided facing the traffic on Lincoln Highway. The sign will not face the residential properties behind the township park.

Robert Nowicki, owner of Magic Cure Auto at 521 Lincoln Highway, voiced concerns about traffic backing up in front of his property due to traffic light. Mr. Roth explained that the queue will not extend to the Magic Cure Auto driveway.

Mr. Murphy confirmed to Ms. Cunningham that the Wawa is a 24 hour operation.

Ms. McCann made a motion to recommend conditional preliminary approval, the conditional use and the waivers based on the applicant addressing all the review letter comments, getting conditional use approval from the supervisors, revising the plans to show the park access and getting the PennDOT permits. Mr. Nuttall seconded. The motion passed 5-0 with Mr. Parkerson abstaining due to professional relationship with Bohler Engineering.

7. ZONING ISSUES

Mr. Duffy discussed upcoming zoning appeals that deal with dimensional requirements in Levittown.

8. OTHER BUSINESS

The Lennar Orchards tract will be on the planning commission meeting on 3-20-19, rescheduled from the cancelled due to weather 2-20-19 meeting.

Ms. McCann made a made a motion for adjournment. Mr. Piacentino seconded. The motion passed 6-0. The time of the adjournment was 8:35 P.M.

Respectfully submitted,
Pat Duffy, Zoning Officer

cc: Planning Commission
Township Manager