
**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
MIDDLETOWN MUNICIPAL BUILDING
WEDNESDAY, January 6, 2016**

PRESENT:

Sandy Farry
Charles Parkerson
Fred Thomas
Robert Burnett
Pat Mallon, Jr
Nancy McCann
Pat Duffy, Zoning Officer
Larry Young, Township Engineer

ABSENT

George Hyjurick

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

- a. Ms. Farry called the meeting to order at 7:03 PM. The Pledge of Allegiance was recited. Ms. Farry took roll call with six members present (listed above). Mr. Duffy and Mr. Young were also present.

2. REORGANIZATION

- a. Ms. Farry was nominated and elected as chairperson by unanimous vote.
- b. Mr. Parkerson was nominated and elected as vice-chairperson by unanimous vote.
- c. Mr. Hyjurick was nominated and elected secretary by unanimous vote

3. APPROVAL OF PRIOR MINUTES

- a. Mr. Thomas motioned to approve the minutes of the November 4, 2015 regular meeting. Mr. Thomas seconded. The vote was taken and the minutes were approved by vote of 4-0. Mr. Burnett and Ms. McCann abstained.

4. Discussion of Huberfeld Minor Subdivision Plan, 301 Ellis Road, Langhorne, PA 19047, TMP# 22-031-013, S/LD 15-10

In attendance was Michael Alexander, applicant. The project is a minor two (2) lot subdivision that proposes to subdivide the existing 86,841 SF lot into Lot 1 with 59,841 SF and Lot 2 with 27,065 SF in the RA-2 Residence Zoning District. Lot 1 will feature the existing house and driveway access to Ellis Road and Lot 2 will be for future construction of a single family dwelling with access to Woodbourne Road. Zoning approval was obtained in July of 2014 to permit an undersized 27,065 SF Lot 2 where the ordinance requires a 30,000 SF minimum lot area.

This application was previously heard before the planning commission on November 4, 2015. Two issues needed to be addressed before the planning commission made a recommendation. One, the traffic engineer needed to confirm the plans adequately addressed the proposed driveway sight distance and the Township Engineer needed to provide a recommendation for the amount of curb extension and fee in lieu of along Woodbourne Road. Mr. Young stated that he spoke with the traffic engineer and the

proposed driveway did meet the sight distance requirement and that no curb extension or road widening of Woodbourne Road would be required. Mr. Young would work out the fee in lieu for curb and sidewalk with the applicant prior to the Board of Supervisors meeting.

The applicant agreed to comply with all the outstanding issues in the Township Engineer's review letter dated October 27, 2015, to pay the \$2,000 recreation fee for the new lot and contributing a fee in lieu of for curbs and sidewalk.

The applicant is requesting the following five (5) waivers:

1. Section 440-417.C- requiring a 10-foot wide landscaping easement to accommodate the planting of street trees.
2. Section 440-427 – States If requested by the Board of Supervisors, upon advice of the Township Planning Commission and consultants, land development plans shall contain bike paths, bike lanes and bike routes. The applicant is seeking a waiver from this provision of the ordinance.
3. Section 440-410.B.(1) – Requires an 80 foot wide right-of-way and a 40 foot wide cartway along collector streets (Woodbourne Road) and 60 foot right-of-way and 36 foot wide cartway a long primary streets (Ellis Road). It appears that the existing cartway width on Ellis Road does not meet ordinance requirements. A waiver would be required for cartway width on Ellis Road.
4. Section 440-509 – Requires sidewalks to be constructed on either side of existing or proposed streets within the subdivision or land development. If the Board of Supervisors deems it to be in the public interest to waive the requirements for sidewalks, the developer shall contribute a sum comparable to the cost if the sidewalks had been installed. We note the applicant has asked for a waiver from this provision of the ordinance. Due to slope constraints the installation of sidewalks in this area is not practical.
5. Section 440-510 – Requires curbs to be provided along both sides of existing and proposed streets, unless in the opinion of the Board of Supervisors, with the advice of the Township Engineer, they are unnecessary. We note the applicant has requested a waiver from this provision of the ordinance. Due to physical constraints, the installation of curbs would prohibit the flow of stormwater runoff into the existing storm sewer at the southeast corner of the property.

Mr. Parkerson made a motion to recommend approval and the granting of the five (5) waivers for the minor subdivision subject to the applicant satisfying the review comments of the Township Engineer, Township Traffic Engineer and Fire Marshal; and the applicant agreeing to pay the \$2,000 recreation fee for the new lot and a fee in lieu of curb and sidewalk. The motion was seconded by Mr. Thomas. A vote was taken and approved by unanimous consent, 6-0.

5. Discussion of Alexander Minor Subdivision Plan, 139 S. Elmwood Avenue, Langhorne, PA 19047, TMP# 22-008-150, S/LD 15-11

In attendance was Michael Alexander, applicant. The project is a minor two (2) lot subdivision that proposes to subdivide the existing 19,000 SF lot into two (2) 9,500 SF lots in the R-2 Residence Zoning District. Lot 1 will contain the existing house and driveway access to S. Elmwood Avenue and Lot 2 will be for future construction of a single family dwelling with access to S. Buckthorne Avenue. Zoning approval was obtained in February of 2015 to permit two lots with 9,500 SF area where the ordinance requires a 10,000 SF minimum lot area, a 3,150 SF building envelope for each lot where the ordinance requires a 3,500 SF minimum and to allow an existing 6.5 foot side yard setback for the existing house where the ordinance requires a 10 foot minimum side yard setback.

The applicant agreed to comply with all the outstanding issues in the Township Engineer's review letter dated December 29, 2015, to pay the \$2,000 recreation fee for the new lot and contributing a fee in lieu of for curbs and sidewalk.

The applicant is requesting the following seven (7) waivers:

1. Section 440-415.A(3) – Requires all driveways be provided with a stopping area, not to exceed four percent (4%) grade, twenty feet (20') behind the right-of-way line. The applicant is seeking a waiver from this provision of the ordinance.
2. Section 440-417.B- Requires small street trees to be provided at twenty five foot (25') intervals and larger trees be provided at forty foot (40') intervals. We would require two (2) large street trees along S. Buckthorne Avenue and one large tree along S. Elmwood Avenue due to a utility easement. The applicant is seeking a waiver from this provision of the ordinance.
3. Section 440-417.C- Requires a 10-foot wide landscaping easement to accommodate the planting of street trees. The applicant is seeking a waiver from this provision of the ordinance.
4. Section 440-427 – States If requested by the Board of Supervisors, upon advice of the Township Planning Commission and consultants, land development plans shall contain bike paths, bike lanes and bike routes. The applicant is seeking a waiver from this provision of the ordinance.
5. Section 440-410.B.(1) – Requires a 50 foot wide right-of-way and a 26 foot wide cartway along secondary streets (S. Elmwood and S. Buckthorne Avenues) It appears that the existing cartway widths do not meet ordinance requirements. A waiver would be required for cartway widths on S. Elmwood and S. Buckthorne Avenues.
6. Section 440-509 – Requires sidewalks to be constructed on either side of existing or proposed streets within the subdivision or land development. If the Board of Supervisors deems it to be in the public interest to waive the requirements for sidewalks, the developer shall contribute a sum comparable to the cost if the

sidewalks had been installed. We note the applicant has asked for a waiver from this provision of the ordinance.

7. Section 440-510 – Requires curbs to be provided along both sides of existing and proposed streets, unless in the opinion of the Board of Supervisors, with the advice of the Township Engineer, they are unnecessary. We note the applicant has requested a waiver from this provision of the ordinance.

Mr. Young explained that the sanitary sewer connection is on S. Elmwood Avenue and the water connection is on S. Buckthorne Avenue. Consequently, Lot 1 will have an easement on Lot 2 for its water connection and Lot 2 will have an easement on lot 1 for its sanitary connection. The applicant agreed to move the sewer lateral away from the driveway on Lot 1. Ms. Farry recommended that the utility easements and the stormwater maintenance agreements be added to each deed. The applicant agreed to the request.

Mr. Burnett made a motion to recommend approval and the granting of the seven (7) waivers for the minor subdivision subject to the applicant satisfying the review comments of the Township Engineer, Township Traffic Engineer and Fire Marshal; and the applicant agreeing to pay the \$2,000 recreation fee for the new lot and a fee in lieu of curb and sidewalk. The motion was seconded by Mr. Mallon. A vote was taken and approved by unanimous consent, 6-0.

6. Discussion of the Middletown Township Draft Act 537 Plan Update, presented by John Swenson, P.E. of Carroll Engineering Corp.

Mr. Swenson explained that Carroll Engineering is the engineer for Bucks County Water and Sewer Authority (BCWSA) in Middletown Township. There are two sewage watersheds in Middletown Township. The sanitary sewer in the southeast portion of the Township is owned and operated by Lower Bucks Joint Municipal Authority. This area is not part of this Act 537 Plan Update. The north and western areas of the Township flow to the Neshaminy interceptor which is owned and operated by BCWSA. The Neshaminy interceptor flows to the Northeast Philadelphia Wastewater Treatment Plant.

The Act 537 Plan Update addresses Middletown Township's sanitary sewer capacity needs to the estimated future buildout per the Pennsylvania Department of Environmental Protection's (DEP) requirement of all municipalities tributary to the Neshaminy Interceptor. The Plan's objective is to generate future wastewater growth projections to evaluate the Township's existing collection and conveyance systems, identify potential deficiencies and recommend alternatives for addressing such deficiencies.

Mr. Swenson explained the Act 537 future flow projections are based on a zoning analysis and are arranged in three categories: 5 Year, 10 Year and Ultimate Service Area. The 5 Year is projected at 316 future EDUs, the 10 Year at 558 future EDUs and the Ultimate Area at 1,017 future EDUs. An EDU (equivalent dwelling unit) is equal to 250 gallons per day which is equivalent to the daily flow of a single family home. The zoning analysis included five steps: (1) all Township parcels with a lot area greater than two times the minimum required lot area per zoning were tabulated and mapped, (2) the maximum EDUs per parcel were calculated by dividing the actual lot area by the minimum required lot area,

(3) the calculated maximum EDUs were reduced by 25% to account for road and stormwater improvements and environmental constraints with wetlands, streams, steep slopes, forests, etc., (4) each parcel was assumed to have at least one EDU and (5) all built out parcels, open space, parks and Township owned land were removed from the projections.

There are three sewage facilities planning alternatives being considered: (1) continued use and expansion of the BCWSA conveyance system; (2) non-structural planning alternatives; and (3) a no action alternative, which would be to maintain the status quo. Alternative 1, continued use of the BCWSA regional wastewater disposal system is the selected alternative. This alternative best meets the needs of the community, is the most cost effective from a capital cost perspective since the infrastructure exists, and is currently being implemented by Middletown Township. Therefore, no new municipal commitments or capital cost funding are necessary to implement the Act 537 Plan.

Implementation of expansions to collection and conveyance capabilities to the BCWSA system subsequent to approval of the Township's 537 Plan will be the responsibility of the BCWSA. The existing intermunicipal agreements, ordinances, and regulations are in place for the project implementation. There is no projected capital cost to the Township as a result of the selected alternative initially. Any needed expansion of the BCWSA system will involve the incurring of debt by the BCWSA. A portion of that cost will be shared by the Township through sewer rental rates to be determined when the BCWSA determines the extent of the project.

In addition to the draft Act 537 Plan Update discussed this evening, Mr. Swenson indicated that DEP is requiring two supplements which are the inclusion of additional conveyance measures with the Neshaminy interceptor and the completed I&I (Inflow & Infiltration) study results from the testing within the Township performed by Carroll Engineering on behalf of BCWSA.

Mr. Duffy opined that the Township should wait to advertise the adoption of the Act 537 Plan Update until receiving the two supplements. Mr. Swenson would find out if it was possible to advertise before the supplements were in place. The supplemental data was about 75% complete per Mr. Swenson.

Mr. Thomas made a motion to recommend the adoption of the Act 537 Plan Update with the addition of the two supplements. Mr. Parkerson seconded the motion. A vote was taken and approved by a 6-0 vote.

7. ZONING ISSUES

Mr. Duffy stated that the upcoming scheduled cases were mostly residential sheds, garages and fences. The Planning Commission would be hearing the proposed zoning amendment for the Stone Farm subdivision at the February meeting.

8. OTHER BUSINESS

Next meeting will be February 3, 2016 with the proposed ATM drive through in the Shoppes at Flowers Mill and the proposed zoning amendment for the Stone Farm subdivision.

9. ADJOURMENT

Mr. Thomas made a motion to adjourn the meeting, seconded by Ms. McCann. The vote was taken and the motion to adjourn was unanimously approved. The time of the adjournment was 8:53 P.M.

Respectfully submitted,
Pat Duffy, Zoning Officer

cc: Planning Commission
Township Manager