

August 30, 2019

Middletown Township
3 Municipal Way
Langhorne, PA 19047

Attn: Mr. Patrick Duffy, P.E.
Director of Planning and Zoning

Re: Middletown Township
Lennar - Woodbourne Road
Preliminary / Final Major Subdivision and Land Development Plans
Middletown Permit No. 18-8
RVE File No. PBMTP271 (Third Review)

Dear Mr. Duffy:

Remington & Vernick Engineers (RVE), on behalf of Middletown Township, has reviewed the following submission materials in connection with the above mentioned minor subdivision plan review:

- > Preliminary / Final Major Subdivision and Land Development Plans (43 sheets) dated August 29, 2018 and last revised August 12, 2019 as prepared by Bohler Engineering, Chalfont, PA.
- > Response Letter dated August 12, 2019 as prepared by Bohler Engineering, Chalfont, PA.

I. Submission Information

Owner: Orchards Industrial Land Associates, L.P.
8 Zelkova Drive
Holland, PA 18966
Attn: Mahmood Choudhury

Applicant: Lennar Corporation
2465 Kuser Road, 3rd Floor
Hamilton, NJ 08690
Attn: Sam Carlo
609-245-2200

Plan Preparer: Bohler Engineering
 1600 Manor Drive, Suite 200
 Chalfont, PA 18914
 Attn: Joseph S. Baran, P.E.
 215-996-9100
 Fax: 215-996-9102

Attorney: Marte and Toadvine
 344 Bellevue Avenue
 Langhorne, PA 19047
 Attn: Alan W. Toadvine, Esq.
 215-757-0344
 Fax: 215-757-3048

Proposal: The Applicant proposes to develop the approximately 15.86 acre tract into a 111 unit townhouse community. The project also includes construction of access roadways, utilities, landscaping, lighting, stormwater management facilities and erosion control.

Zoning Compliance Summary Zone MR – Multi-Residential District

Overall Property

<u>Required Item</u>	<u>Required</u>	<u>Proposed</u>
Site Area (AC)	5	15.742
Maximum Density (DU/AC)	8	7.05
Minimum Open Space (%)	35	36
Maximum Impervious Cover (%)	45*	43
Minimum Buffer Yard (FT)	25	25
Min. Non-residential Buffer Yard (FT)	25**	25
Dwelling Unit Mix (#)	1***	1
Off-street Parking Spaces (#)	508****	508

- * Variance Granted to allow a maximum of 45% instead of the required 40%
- ** Variance Granted to allow a 25 foot buffer instead of the required 75 foot buffer
- *** Variance Granted to allow one unit type rather than the required two unit types
- **** Per Condition 12 of the Stipulation Agreement

Townhouse Criteria

Maximum Units per Building (#)	8	8
Maximum Floor Area Ratio (%)	75	N/A
Maximum On-Lot Impervious Cover (%)	35	N/A
Minimum Building Spacing (FT)	30	31.1

<u>Required Item</u>	<u>Required</u>	<u>Proposed</u>
Minimum Street Line Setback (FT)	30	30
Minimum Other Property Line Setback (FT)	20	39.9
Minimum Paving Area Setback (FT)	20	20
Minimum Pedestrian Walkway Setback (FT)	15	N/A
Maximum Building Height (FT)	35	35

Street Line is defined as the Ultimate Right-of-Way or the dividing line between the street and the lot.

II. Engineering Comments

Based on our review of the plans received, we have the following comments. Any underlined comments must be addressed in writing by the Applicant using the same numbering system.

1. Show the intersection clear sight triangles on the Landscape Plans (§500-2308). *Item Satisfied.*
2. Parking stalls shall be striped using two (2) parallel stripes which are two feet apart, measured from the outside edge of each stripe. Each stripe shall be four (4) inches in width (§500-2704.F(2)). *Item Satisfied.*
3. Provide reviews and approvals from Bucks County Conservation District (BCCD) (§430-402.A(4); 430-403.A(1)). *The Applicant states that they will forward to the Township all approvals from BCCD.*
4. Provide the Drainage Plan Checklist (§430-402.A(7)). *Item Satisfied.*
5. Provide a Blanket Easement over the property for the periodic inspection of the stormwater facilities by the Township or their representative (§430-402.B(19); §430-402.B(26)). *Item Satisfied.*
6. Provide the statement, signed by the Applicant, acknowledging the stormwater management system, including all BMPs, are a permanent fixture that can be altered or removed only after written approval by Middletown Township (§430-402.B(24)). *Item Satisfied.*
7. Provide the design engineer's signature block certifying that the drainage plan meets all design standards and criteria of the Delaware River South Watershed Ordinance (§430-402.B(25)). *Item Satisfied.*

8. Provide the plan note that the stormwater management facilities are a permanent part of the development and shall not be removed, altered or modified (§430-402.B(27)). *Item Satisfied.*
9. Provide the expected project time schedule (§430-02.C(d)). *Item Satisfied.*
10. Provide approvals for the appropriate permits listed in §430-403.A and §430-502. *The Applicant*
11. The Applicant shall be responsible for completing as-built drawings of all stormwater management facilities (§430-404.H). *A note has been added to the plans specifying this requirement.*
12. This project requires an NPDES Permit (§430-503.D). *The Applicant acknowledges this requirement.*
13. The Post Construction Stormwater Management Calculations confirm that the project meets the Delaware River South Watershed, District A, Ordinance requirements for Stormwater Peak Rate Control (§430-508.B(1)). *A Letter of Consistency dated January 30, 2019 has been mailed to the Applicant and all appropriate cc's.*
14. The maximum ADT of a Residential Access Street (Road A) shall be 200 at any section of the street (§440-411.G(2)). Provide the ADT at various points along Road A. *The Applicant, in conversations with staff, notes that the proposed streets are classified as residential sub-collectors and the comment is not applicable.*
15. The maximum ADT at the intersection with Woodbourne Road shall be 200 (§440-411.G(7)(a)). *The Applicant, in conversations with staff, notes that the proposed streets are classified as residential sub-collectors and the comment is not applicable.*
16. The distance from Woodbourne Road right-of-way to the point where the single-access street intersects itself shall not exceed 400 feet (§440-411.G(7)(b)). *The Applicant, in conversations with staff, notes that the proposed streets are classified as residential sub-collectors and the comment is not applicable.*
17. The maximum grade within fifty (50) feet of an intersection is four (4) percent (§440-411.G(8)(f)). Road A at the station 9+86 intersection exceeds the allowable slope. *Item Satisfied.*
18. On Plan Sheet 1 – List of Waivers Requested from the Middletown Township Board of Supervisors – #1 – change §430-403.C to §440-403.C. *Item Satisfied.*

19. On Plan Sheet 1 – Conditions to the Grant of the Listed Variances - #8 – obtain the original conditions wording and revise the listed wording. *Item Satisfied.*
20. On Plan Sheet 2 – Parcel 22-57-1-1 – separate the ‘Plastic Shed’ and ‘Play Area’ word overlap. *Item Satisfied.*
21. On Plan Sheet 5 – Sixty-four (64) overflow parking spaces require three (3) handicap parking stalls – adjacent to the proposed sidewalk system. *Item Satisfied.*
22. On Plan Sheet 5 – Parcel 22-57-1-1 – separate the ‘Plastic Shed’ and ‘Play Area’ word overlap. *Item Satisfied.*
23. On Plan Sheet 6 – Project Notes - #5 – coordinate this statement with the fact that Plan Sheet 7 shows areas of slopes 8% or greater. *Item Satisfied.*
24. On Plan Sheet 6 – General Grading & Utility Notes - #22 – Line 1 – after ... Class III with (add the word watertight) joints when *Item Satisfied.*
25. On Plan Sheet 7 – Parcel 22-57-1-1 – separate the ‘Plastic Shed’ and ‘Play Area’ word overlap. *Item Satisfied.*
26. On Plan Sheet 9 – Parcel 22-57-1-1 – separate the ‘Plastic Shed’ and ‘Play Area’ word overlap. *Item Satisfied.*
27. On Plan Sheet 11 – Parcel 22-31-92 – provide permission to construct proposed grading across the corner of the property. *The Applicant states that they will coordinate the reconstruction of the driveways with the property owners.*
28. On Plan Sheet 12 – revise the grading in several locations to provide a maximum 3:1 slope. *Item Satisfied.*
29. On Plan Sheet 20 – list the Limit of Disturbance Area in acres. *Item Satisfied.*
30. On Plan Sheet 20 – revise the Legend to remove the 30” High Silt Fence. *Item Satisfied.*
31. On Plan Sheet 20 – revise the Legend to add 18” Filter Sock. *Item Satisfied.*
32. On Plan Sheet 20 – change the Legend Symbol for Inlet Protection – the crosshatching does not show up at the 1” = 60’ scale. *Item Satisfied.*

33. On Plan Sheet 22 – Temporary Soil Stockpile Detail – verify that silt fence is being replaced by filter sock and then revise the detail accordingly. *Item Satisfied.*
34. On Plan Sheet 23 – Standard Construction Detail #4-6 Rock Filter Outlet – revise the detail and notes to reflect the use of Compost Filter Sock. *The Applicant states that they will coordinate revisions to the DEP detail with BCCD during the NPDES application process.*
35. On Plan Sheet 27 – Lighting Compliance – SALDO §440-421.F – requires a minimum level of one (1.0) footcandle of light in parking areas. The lighting plan shown on Plan Sheets 26 and 27 is not compliant. Revise the parking area lighting. *The Applicant states that they are in receipt of a letter from Suburban Lighting Consultants dated October 8, 2018 in which they state that the lighting design is approved. **Please forward a copy of that letter to this office.***
36. On Plan Sheet 29 – provide a detail for the standard parking stall line striping. *Item Satisfied.*
37. On Plan Sheet 29 – provide details for handicap parking signs. *Item Satisfied.*
38. On Plan Sheet 29 – provide a detail for handicap parking stall line striping. *Item Satisfied.*
39. On Plan Sheet 31 – provide a detail for the utility lateral services showing the sanitary lateral to be at least 18” below the bottom of the water lateral (10 foot horizontal separation not available, < 5’ shown). Criteria from General Grading & Utility Note #25. *The Applicant has revised the note to indicate that the separation is for sewer mains, not laterals.*
40. On Plan Sheet 33 – POI-2 Infiltration Trench 1 – redirect the leader. *The leader line has been removed. The label is intended for the entire drainage area, not for the infiltration trench itself.*
41. ADDITIONAL COMMENT - It is recommended that additional ADA compliant handicap ramps be incorporated into the design at corners with sidewalk on both sides of the roadway that have a stop sign for vehicular traffic. The current plans show limited handicap ramp locations for accessibility through the site. *Item Satisfied.*

42. Residents in this area of the Township have raised issues of noise levels caused by train traffic along the railroad. Provide current noise level measurements during train activity to ensure proposed buffers and fencing will provide the necessary measures to have the properties in the proposed development in compliance with the Township's Noise Ordinance requirements (§320). *The Applicant states that they are currently coordinating this item.*

III. REQUESTED WAIVERS

1. Chapter §440-403.C – to allow a block length less than 500 feet (Road 'B' is less than 500 feet).
2. Chapter §440-411.H(4) – to allow a 28 foot cartway where 22 feet is required when off-street parking is provided.
3. Chapter §440-411.H(7)(c) – to allow a minimum roadway centerline radius to be less than 140 feet (Road 'A' centerline radii are 50 feet).
4. Chapter §440-415.A(1) – to allow driveways to be closer to an intersection than 40 feet.
5. Chapter §440-417.A – to allow Road 'B' to not have street trees due to the locations of sidewalks and utilities.
6. Chapter §440-417.B – to allow the large tree and small tree spacing be modified due to the location of sidewalks and utilities.
7. Chapter §440-419.B – to allow the planting strip between the curb and sidewalk be less than seven (7) feet wide.
8. Chapter §440-421.C – to allow overflow parking areas to be perpendicular parking along the proposed streets.
9. Chapter §440-424.H – to allow storm drainage facilities (underground infiltration basin, storm drainage piping and inlets) to be located within the recreation area.
10. Chapter §440-509.A – to allow sidewalks to be constructed on only one side of the proposed streets.

IV. GRANTED VARIANCES

1. Chapter §500-1204.A – to allow an impervious surface coverage of 45% instead of the maximum permitted 40%.
2. Chapter §500-1204.C – to allow 123 dwelling units of a single type instead of the required two separate types of dwelling units.
3. Chapter §500-2601.D.2 – to allow disturbance of 100% of the woodlands instead of the permitted 50%.
4. Chapter §500-2605.A.1 and §500-1204.B.1 to permit the proposed residential development to have a buffer yard of 25 feet instead of the required 75 feet where it abuts existing non-residential uses or districts.

CONDITIONS TO THE GRANTING OF VARIANCES

1. A beige vinyl fence, six (6) feet in height, will be erected:
 - a. Along the property line of the Orchards at Middletown, which roughly parallels Woodbourne Road.
 - b. Along the property line with Cornerstone Enterprises.
 - c. Along the property line bordering the I-95 ramp.
 - d. Along the property line bordering the North Pennsylvania Railroad Company.

The vinyl fence shall be set back two (2) feet from the property line with Cornerstone Enterprises, except it shall be set back six (6) feet behind the building known as the Kiddie Academy and the fenced play yard (approximately 230 feet in length).

2. The plantings along the Applicants side of the Cornerstone Enterprises fence shall be installed by the Applicant.
3. The Homeowners' Association documents for the Orchards at Middletown shall specifically provide that it is the Homeowners' Association responsibility to maintain the fence noted in 1.a above.
4. The Homeowners' Association documents for the Orchards at Middletown shall provide that the Homeowners' Association shall be able to regulate and control any residents creating unnecessarily loud noises which would emanate beyond the property lines.

5. The Applicant, Lennar Corporation, shall make a contribution of \$15,000.00 to the Cornerstone Executive Suites Condominium Association (CESCA) in order for the CESCA to put plantings on their side of the beige vinyl fence being erected by the Applicant. It shall be the responsibility of the CESCA to maintain the plantings.
6. The Orchards at Middletown Homeowners' Association (OMHA) will accept the responsibility to address and resolve, within the limits of the Orchards at Middletown property, any complaints from residents at the Orchards at Middletown property about the currently existing lighting at the Cornerstone Executive Suites as shown on the approved plans for the Cornerstone Executive Suites Buildings 1 through 4.
7. Lennar Corporation will, if reasonably feasible, lower the height of the rear decks, or install ground level patios in lieu of the decks, on the condominium units immediately to the rear of the playground of the Kiddie Academy (Building 2 of the Cornerstone Condominiums). This involves 4 or 5 Lennar Corporation proposed condominium units.
8. Lennar Corporation acknowledges that the Kiddie Academy utilizes an outdoor play area adjacent to the daycare facility and that this play area generates a certain amount of noise and, nonetheless, seeks a reduced buffer width variance of the Zoning Ordinance with knowledge of the existing condition.
9. The members of the CESCA and the CESCA itself agree that if an appeal is filed to any of the variances granted by the Middletown Zoning Hearing Board to the Applicant, that all of the conditions set forth above, as agreed to by Lennar Corporation, shall be removed from the Zoning Hearing Board's conditions on the grant of the requested variances, as well as any conditions for additional or higher plantings by Lennar Corporation along its common property line with Cornerstone properties.
10. Ownership of the townhouse units in the proposed development shall be a condominium form of ownership and a condominium association shall maintain all common areas within the development.

At this time, the applicant has addressed engineering comments with the exception of:

Comment #42: Provide current noise level measurements during train activity to ensure proposed buffers and fencing will provide the necessary measures to have the properties in the proposed development in compliance with the Township's Noise Ordinance requirements (§320).

Comment #35: Lighting Compliance – Applicant states that they are in receipt of a letter from Suburban Lighting Consultants dated October 8, 2018 in which they state that the lighting design is approved. A copy of that letter to is to be forwarded to this office.

Should you have any questions, please feel free to contact our office in Conshohocken, PA at 610-940-1050.

Very truly yours,

Remington & Vernick Engineers

A handwritten signature in blue ink, appearing to read 'Isaac E. Kessler', written in a cursive style.

Isaac E. Kessler, P.E.
Township Engineer

cc: Orchards Industrial Land Associates, L.P, Owner
Lennar Corporation, Applicant
Bohler Engineering, Applicant's Plan Preparer
Marte and Toadvine, Attorney
Thomas F. Beach, P.E., C.M.E., Executive Vice President
Christopher J. Fazio, P.E., C.M.E., Executive Vice President
Michael Joyce, P.E.