

MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, JANUARY 2, 2025

PRESENT:

Richard Nuttall

Tom Piacentino

Keith Auerswald

Ryan Leighton

Amber Watson-Tardiff

Jim Ennis – Building and Zoning Director

Dominic Cundari– Township Engineer – Remington & Vernick, RVE

Jim Esposito – Township Solicitor Curtin & Heefner

ABSENT:

Guy Triano

Joseph Antonelli

1. Call to Order, Pledge of Allegiance and Roll Call

Mr. Nuttall called the meeting to order at 7:00 PM. The pledge of allegiance was recited. Amber Watson-Tardiff took roll call with 8 members present.

2. Approval of Minutes –December 4, 2024

Keith Auerswald made a motion to approve the minutes of the December 4, 2024, Planning Commission meeting. Ryan Leighton seconded, and the motion passed with a vote of 5-0.

3. Discussion of Application for Preliminary & Final Land Development for proposed Construction of a new Chick-fil-A Restaurant with Dual Drive-Thru Lanes, a Bypass Lane, Order Point/M Meal Delivery Canopies, and other Site Improvements, TMP 22-057-046, GB – General Business, S/LD #24-6

Ed Murphy, representing this project discussed the construction of this new Chick-fil-A. Mr. Murphy explained that the existing building is being replaced with a newer building that is up to date on building codes. He had also stated that they will comply with all review letters done by Remington & Vernick. Mr. Murphy has also gone over that there was a concern of both, the new Chick-fil-A that is being built and this location being under construction at the same time. He stated that the construction of this site will not take place until the location on Lincoln

Highway is finished and operating smoothly. Richard Nuttall asked if this building was going to be the same size and/or if there was a traffic change. Mr. Murphy replied this should not affect traffic due to the building being in the same location. Tom Piacentino made a comment based on the bus stop that is on Buckstown road while also being concerned about the pedestrian traffic during the summertime with Sesame Place being across the street and the hotel across the street having people walking over, he wanted to recommend a sidewalk be put in. Mr. Murphy stated that in that area where Mr. Piacentino recommended a sidewalk be installed, they do not control the Right of Way. Mr. Nuttall agreed to a sidewalk being put in place. Chris Riggle, representing Chick-fil-A, stated that N Oxford Valley Road where they were proposing the sidewalk is indeed a state road and they would have to file an application with PennDOT to propose the sidewalk. Ed Murphy discussed that there will be a fee in lieu of the sidewalks. Mr. Nuttall continued asking as to why a fee in lieu for the sidewalks if we do not know who owns the property. Jim Ennis replied that as a part of SALDO this requires a fee for sidewalks. Mr. Jim Esposito stated that this can be conditionally approved to put a sidewalk in place.

****No public comment****

Recommendation of approval of S/LD #24-6- Application proposing the redevelopment of an existing site containing a fast casual restaurant with a drive-thru service. The redevelopment will include the new construction of a 5,335 square foot building with site improvements that include dual drive-through lanes for the continued use of a Chick-fil-A restaurant at 2424 E Lincoln Highway/ BCTMP #22-057-046 (The Property). Recommendation is based on Plan entitled "Preliminary and Final Major Site Plan for Chick-fil-A" comprising 21 sheets and dated September 24, 2024 and last revised December 3, 2024. Plan is prepared by Christopher John Riggle, PE, of Colliers Engineering and Design of Exton, PA. Recommendation is further based on the compliance with the comments provided in the –

- a. December 26, 2024 letter from Isaac E. Kessler, P.E., of Remington and Vernick Engineers, Middletown Township Engineer
- b. December 27, 2024 letter from Phil Wursta, P.E., of TPD, Inc Middletown Township Traffic and Transportation Engineer.
- c. November 4, 2024 review letter from the Bucks County Planning Commission
- d. December 13, 2024 letter from Alan Welsh, Middletown Township Fire Marshal
- e. October 31, 2024 letter from the Middletown Township Environmental Advisory Council (EAC)
- f. December 3, 2024 waiver request letter from David Bilinski of Colliers Engineering and Design.

The board would also like to recommend that the fee in lieu of the sidewalks do not put determined until the owner of the property decides whether they would like to install the sidewalks. The board would also like to recommend a sidewalk be put in to approve.

Keith Auerswald made a motion to approve. Amber Watson-Tardiff seconded the motion which carried over a 5-0 vote.

4. Discussion of Application for a Text Amendment Request, 1492 Woodbourne Road, Levittown, PA 19057 – Former Knights of Columbus Property, TMP 22-055-196, P - Professional Zoning District, S/LD 24-9

Ed Murphy, the attorney, presented the application for the text amendment for 1492 Woodbourne Road. Mr. Chris Canavan the President of W.B. Homes then presented the proposed townhomes to be built on the property given the text amendment for approval. Mr. Canavan stated that he thought this build would be best for this property. Canavan discussed the goal they were trying to reach with how they could provide the townhome use and how these could be attainable and continued to discuss the plan for attainable housing. Jim Ennis then explained how Chris Canavan came forward about how to make this plan happen and worked with the township on how to slightly change the code and meet the goals of this project and listened to the items that the township provided in order to make it work. Mr. Richard Nuttall had a concern that this would open up a gate for others trying to do work in the Professional zoning district to try and do the same. Amber Watson-Tardiff questioned as to who will develops the attainable housing aspect. Mr. Canavan then explained that there is a Township definition in the ordinance that explains the term Attainable Housing, then the next step would be meeting about putting an agreement in place to be part of the conditional use and this will be deed restricted. Mrs. Waston-Tardiff then asked who will be managing this agreement in the future. Mr. Esposito stepped in and stated that if Habitat would go under there would be a docket transfer. Keith Auerswald asked if there would be an HOA for the property and Mr. Canavan stated that a third party will carry on the contract.

Florence, a member of Habitat, stepped in to explain the history of Habitat and the projects that they worked on similar to this one in the past. She stated that there will be a very detailed process for these homes that way the attainable housing percentage is kept. Mrs. Watson-Tardiff asked if the 15% was the set percentage for these homes. Mr. Canavan stated that the 15% was an appropriate number to still be able to accomplish the goal. Mr. Auerswald then questioned if the tenant would own the home. Florence explained further that they will not own the land just the deed to the home, if looking to sell the documents in place will still need to be matched for someone to potentially buy that home. Mr. Nuttall asked when Habitat would come in during the project. Mr. Canavan answered at the start of the build, with two being built one would be Habitats. Ryan Leighton asked if there was any way to raise the percentage of attainable housing to 20% instead of the 15%. Mr. Canavan stated that it would all depend on the density of the property, but they would be willing to work to get it to the 20%. There was then a discussion about how all the townhomes will be built the same with some minor interior designing differences.

Public Comment:

The homeowner of 360 Green Ridge Road spoke in support of the proposed construction but was concerned about other non-profit organizations trying to come and change other zoning around the township.

Peter Tantana stated he had three concerns about the property, there was no language that addresses any change of environmental, would allow less open area and greater density, the EAC would like the be part of the procedure on a case by case approach. Mr. Tantana stated the EAC is not apposed to this construction just the following concerns.

Executive Session: 8:38pm

Resumed: 8:53pm

The board made a recommendation of approval of S/LD #24-9 – Petition of W.B. Homes Land Acquisitions, LP to amend the Middletown Township Zoning Ordinance by allowing residential options with an attainable density bonus in the P Professional Zoning District. Recommendation is further based on the comments provided in the December 31, 2024 memorandum from Remington and Vernick Engineers and the unofficial January 8, 2025 letter from Bucks County Planning Commission while also adding they would like to recommend the proposed 15% attainable housing and raise that to minimum 20% attainable housing.

Tom Piacentino made a motion to approve, Keith Auerswald seconded the motion and passed with a 4-1 vote with Ryan Leighton being the opposed vote.

5. Review of Zoning Hearing Board Advertisement

Jim Ennis mentioned the property of 201 Cherry Street presenting at the Zoning Hearing Board meeting.

6. Other Business

N/A

7. Adjournment

Richard Nuttall made a motion for adjournment at 9:04 PM. Ryan Leighton seconded the motion, which carried on a 5-0 vote.