

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MARCH 2, 2022**

PRESENT:

Tom Tosti, Chair
Tom Piacentino, Vice Chair
Holly Cunningham, Secretary
Rich Nuttall
Keith Auerswald
Joseph Antonelli
Jim Ennis – Building and Zoning Director
Jim Esposito, Township Solicitor – Curtin & Heefner
Isaac Kessler, Township Engineer – Remington & Vernick, RVE

ABSENT

Jacqueline Ratner

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

Mr. Tosti called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. Ms. Cunningham took roll call with six members present.

Mr. Tosti announced to the audience of the postponed appearance for the Popeyes at 1791 E. Lincoln Highway and the addition at 2462 Trenton Road applications in case anyone was in attendance for those Land Developments.

2. Approval of Minutes

Mr. Piacentino made a motion to approve the minutes of the February 2, 2022 Planning Commission meeting. Mr. Nuttall seconded and the motion passed 6-0.

3. Discussion of Application for Minor Subdivision at 750 Olive Street, S/LD #22-02, TMP #s 22-017-159 and 22-017-160

Dan Leach, Property Owner and Applicant, Bryce McGuigan, Attorney for the Applicant, and Kris Reiss, Design Professional for the Applicant, were all in attendance to represent the application.

Mr. McGuigan covered the essential details of the project. 750 Olive Street is an existing lot containing an existing single family detached home. The neighboring lot to the east is undeveloped and undersized. The application proposes to adjust the lot line between these two properties to create a large enough property for the construction of a new single family detached dwelling on the undersized lot. Aside from dimensional requirements of the Zoning Ordinance, nothing will be changed to the existing property at 750 Olive Street. The existing single family detached dwelling and all other aspects associated with the property will remain. The project appeared

before the Zoning Hearing Board last December and received the necessary variances to create two lots not meeting the lot size and impervious coverage requirements of the R2 Zoning District.

Mr. Piacentino asked if the fee-in-lieu for required sidewalks and street trees will be pursued. Mr. McGuigan described how no sidewalks currently exist on neighboring properties and they will pursue the fee-in-lieu for sidewalks. As an alternative to street trees, the property owner will either pursue the fee-in-lieu or plant the required number of trees elsewhere.

Richard Nuttall requested clarification and more details on the existing driveway for the existing house. Portions of the existing drive appear to be on the neighboring property to the west of 750 Olive Street. Mr. Reiss did confirm the existing driveway does spill over on to the neighboring property, but nothing is proposed for this area, so the driveway will remain as is.

Ms. Cunningham asked if the new single family detached dwelling will be used for family members. Mr. Reiss stated the new lot and new home will be put up for sale.

Mr. Auerswald requested more details on the lot size calculations and Mr. Reiss provided those details.

Mr. Piacentino inquired on the proposed stormwater management. Mr. Reiss detailed the level of stormwater management proposed for installation and Mr. Kessler confirmed the stormwater management is a good approach.

Mr. Nuttall asked what level of stormwater management is needed for the existing lot since the impervious coverage will be increased. Mr. Kessler answered the existing lot does not need any level of stormwater management because everything will be handled on the newly expanded lot.

Mr. Antonelli asked if there will be a 2nd floor and basement at the new single family detached dwelling. Mr. Reiss answered there will be a 2nd floor, but no basement.

Mr. Nuttall asked if the property owner intends to sell the expanded lot as a buildable lot. Mr. Leach answered it is still undecided. The first option is to build the new home but depends on the market.

Mr. Auerswald asked if the required setbacks include the driveway. Mr. Reiss answered the required setbacks only pertain to the dwelling.

Mr. Reiss distributed the requested waivers letter to the Planning Commission.

Mr. Nuttall raised the issue of what stops an applicant from changing the plan once it gains the necessary approvals. Mr. McGuigan covered all of the enforcement mechanisms in place like plan recording, permitting, and consistency with what was

presented to the Zoning Hearing Board that act as preventative measures from changing the plan post approval.

Ms. Cunningham made a motion to recommend approval of the application, which was:

Recommendation of approval of S/LD #22-2 - Application proposing Minor Subdivision and construction of a single family detached dwelling at 750 Olive Street/BCTMP#'s 22-017-160 and 22-017-159 (the Properties). Recommendation is based on Plan entitled "Minor Subdivision Plan," comprising 5 sheets and dated January 14, 2022, prepared by Boucher and James, Inc., Bethlehem, PA. Recommendation is further based on comments provided in the following:

- a. February 24, 2022 letter from Isaac E. Kessler, P.E., of Remington and Vernick Engineers, Middletown Township Engineer*
- b. February 14, 2022 review letter from the Bucks County Planning Commission*

The Recommendation is further based on the waivers requested in the March 2, 2022 letter prepared by Kris J. Reiss, P.E., of Boucher and James, Inc.

Mr. Piacentino seconded and the motion passed 4-2. Mr. Nuttall and Mr. Antonelli voted against the recommendation of approval.

4. Review of Zoning Hearing Board Advertisement.

An update of Zoning Appeals, which if granted, would become Land Developments was given by Mr. Ennis.

5. Other Business

The Planning Commission discussed the upcoming applications scheduled for April and agreed the high number calls for the scheduling of an additional meeting on the third Wednesday in April.

6. Adjournment

Mr. Tosti made a motion for adjournment at 7:40 P.M. and Mr. Nuttall seconded the motion, which carried on a 6-0 vote.