

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
ON-LINE ZOOM MEETING  
WEDNESDAY, DECEMBER 2, 2020**

**PRESENT:**

Rich Nuttall  
Tom Piacentino  
Holly Cunningham  
Mike Lutz  
Joseph Antonelli  
Keith Auerswald  
Patrick Ennis, Zoning Officer  
Jim Esposito, Township Solicitor  
Isaac Kessler, Township Engineer  
Bill Zadrovicz, Township Traffic Engineer

**ABSENT**

Barry Harrison

**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. Ms. Cunningham took roll call with six members present. Misters Ennis, Esposito, Zadrovicz and Kessler were also present.

**2. APPROVAL OF PRIOR MINUTES**

Mr. Piacentino made a motion to approve the minutes of the August 5, 2020 meeting. Mr. Antonelli seconded and the motion passed 6-0.

**3. PUBLIC SESSION**

a. **Discussion of Preliminary/Final Land Development Plan for, Performance Fleet Management, East Lincoln Highway, Langhorne, PA 19047, TMP 22-047-198, S/LD #20-71**

Mr. Meginniss the applicant's attorney, introduced the project and the team members. He stated there would be 40-50 vans which leave in the morning and return at night. This site would generate low trip counts with no repeat cycles. The prior use of this site was a commercial driving school.

Mr. Meginniss requested the listed design waivers and stated that the lot will be used as presently constituted. He offered that the light issues could be resolved with the consultants as a condition of approval. Lights will be turned off by 9:30PM every night.

Steve Cattani from Dynamic Engineering, the applicant's engineer reviewed the site plans and traffic movements. The aerial utilized in the site plan was dated sometime in 2019 and does shows the previous users of the site.

Rich Nuttall inquired about the hours and days of operation. The applicant's response was 10 hours a day starting a 6:00am, seven days a week.

Mr. Cattani explained the lighting and how the proposed fixtures would be aimed away from the residential neighborhood in Highland Park. The current fixtures on site are diesel powered portable/temporary LED fixtures and will be replaced by solar powered fixtures to minimize the operating noise.

Ms. Cunningham asked how the vehicles will access the site and if vehicles would exit to Highland Park Way.

Mr. Piacentino suggested vehicles use the access road on the Restaurant Depot site and access directly to Route 1 without going on to Highland Park Way.

Brendan Durkin from Performance Fleet Management stated that they would agree with the right turn on route 1 through the access drive.

Mr. Nuttall stated that he would prefer the lights to be permanent poles and not temporary movable bases for fear that someone would move the lights and cause a glare issue.

Mr. Cattani stated that the lights are LED and not High-Pressure Sodium and are less glare producing and would give more flexibility to re-aim if needed. Mr. Meginniss agreed that the lighting will be coordinated with the township lighting consultant as a condition of approval and will be worked out prior to this application going before the Board of Supervisors.

Mr. Piacentino agreed that the solar powered lights would reduce the noise.

Mr. Cattani stated that the solar powered would also not require infrastructure and electric. He suggested that the wheels could be removed from the light packs to make them have a permanent placement and it was unlikely that the vans and cars using this site would have the ability to move the lights.

Mr. Auerswald agreed the Mr. Nuttall that portability of the lights may become an issue and asked if wind might cause the lights to move. Mr. Cattani will check with manufacturer for the design wind loads.

Mr. Kessler agreed that removing the wheels could keep lights in place. He also stated that permanent lights could be solar powered as well.

Mr. Cattani stated that they will comply with the Township Engineer's letter with the exception of the requested waivers for beds and island plantings.

Mr. Kessler stated that the waiver request is acceptable if the PC agrees.

Mr. Cattani stated that they will comply with the Township Traffic Engineer's letter with the exception of the requested waivers. The concrete barriers are installed for security and to delineate the limits of their parking area. Also, since this is a low impact use the plan to

use the parking lot as-is and not repave. He also stated the applicant will comply with the impact fee.

Mr. Piacentino asked the applicant to explain the traffic flow pattern and if there would be room to pile snow on-site. Mr. Cattani explained that the entrance would be 34' wide and that there were areas at the end of the aisles for snow piles.

Mr. Nuttall asked about the Port-a-John cleaning schedule. Mr. Durkin stated that the maintenance was done on a daily basis sometimes twice a day during the early noon hours.

Mr. Zadrovicz stated that the barriers issues can be worked out with his office. The purpose of security and delineating the site are why a barrier is needed.

Mr. Piacentino asked if the site was patrolled at night. Mr. Durkin responded that Amazon has overnight security monitor the site.

Ms. Cunningham questioned if the vans were empty at night. Mr. Durkin stated that the vans return to site empty every night.

Mr. Kessler stated that the lights are placed at the perimeter of the property to shield the homes. Mr. Cattani referred to the fence placed along the properties for limited light spillage.

Ms. Cunningham asked what the distance was from the Port-a-Johns to the homes. Mr. Cattani approximated a distance of 70-80 feet.

Mr. Esposito requested that the access agreement be submitted between the adjacent property owner and the applicant.

#### Public Comment

Mr. & Mrs. Young 76 Handy Road, stated that currently people arrive on-site at 5:30am and they hear loud music and yelling when operation begin. Headlights from vans shine into her property. They also have not seen any security at night on the parking lot. The current lights arrived on-site in June. Vans in general do not stop at the stop sign when leaving the site.

Mr. Cattani stated that the current lights on-site are diesel powered and will be replaced by solar powered lights when they are up and running.

Mr. Meginniss stated that the occupant of the Restaurant Depot building is a separate entity from the operators of the parking site. If the fence along the Highland Park properties needs to be repaired the applicant will fix.

Mr. Durkin was not aware of the morning noise complaint until now. They will work on a crew with a later dispatch time for this site and perhaps other procedures that will operate in a quieter manner.

Mr. Cattani added that the existing lights near building shine down. The proposed lights will be focused away from the neighborhood.

Mr. Piacentino asked what are the ordinance requirements for noise. Mr. Ennis stated that the ordinance allows work from 7:00am – 10:00pm.

Mr. Moore, 6 Hemlock Road, inquired how long will the site be occupied. Mr. Meginniss stated approval would grant them use of the site in perpetuity.

Mr. Durkin stated that action will be taken by the applicant and operator when complaints are called in.

Ms. Cunningham questioned whether an evergreen buffer could be planted to help with light and noise issues.

Mr. Esposito stated that noise and glare issues can be reported to the township code enforcement official.

Dennis Sutter (Highland Park Resident) asked if the amazon parking could be moved to another site like the Oxford Valley Mall. This site has not had truck testing for a long time. Mr. Meginniss stated that the current parking use is permitted in this zone.

Mr. Nuttall closed public comment and offered the following statements. A solid fence could be placed along Highland Park, the morning noise is a problem and lights not on permanent bases should be installed if the use will be long term.

Mr. Lutz commented that the headlight glare sounds like more of a problem then the site lighting.

Ms. Cunningham stated that no work should start before 7:00am per the current ordinance. Mr. Meginniss agreed that the applicant is obligated to follow the ordinance. He also stated they will work out the lighting issue with the consultants.

Mr. Kessler offered to work out lighting issues on the final plans. Mr. Cattani suggested an on-site meeting at night to work out lighting issues with adjacent home owners and consultants.

Mr. Meginniss stated that if permanent lighting is to be installed, he would need to check with lease agreement and property owner to see if they are permitted.

Mr. Antonelli asked if approval could be temporary with the lights being temporary. Limit the time on the approval. Mr. Esposito explained that any approval would be permanent, there was not a method for temporary approval.

Mr. Piacentino proposed that an 8' high fence with soundproofing could be installed along the properties. Mr. Meginniss stated that the applicant would comply with installing an 8' high fence.

Mr. Piacentino proposed that the vans will exit the site through the Restaurant Depot parking lot using the access drive by Steve's Prince of Steaks and make a right turn only onto Lincoln Highway (US Rt. 1). Mr. Durkin stated that he will address this issue.

Mr. Nuttall would like to see a night meeting with adjacent owners present to evaluate lighting levels.

Mr. Nuttall made a motion to recommend approval of the land development plan with the stated waivers and the following conditions:

- Vehicles will exit the site through the Restaurant Depot parking lot using the access drive by Steve's Prince of Steaks and make a right turn only onto Lincoln Highway (US Rt. 1)
- Work will start no earlier than 7:00am in compliance with the township ordinance.
- A lighting test trial will be scheduled with the neighbors to evaluate lighting levels.
- An 8-foot-high fence will be installed along the southwest lot line to screen headlight glare for the residents along Handy Road. (approx. 300ft.)
- A compliance letter from Suburban Lighting. The lighting consultant will also provide an opinion on permanent poles vs. mobile based lighting.
- Parking lot lights will be scheduled to go on at dusk and be shut off by 9:30pm.
- Parking barriers will be marked with reflective paint to increase visibility at night.

Mr. Piacentino seconded and the motion passed 6-0.

#### **4. ZONING ISSUES**

Mr. Ennis discussed upcoming zoning appeals that deal with dimensional requirements additions and front yard setback issues for a shed and privacy fence.

#### **5. OTHER BUSINESS**

A land development for the Amazon Fleet Parking along Rt 213 Maple Ave. is projected to be on the January meeting tentatively.

Ms. Cunningham made a made a motion for adjournment. Mr. Antonelli seconded. The motion passed 6-0. The time of the adjournment was 8:58 P.M.

Respectfully submitted,  
Patrick J. Ennis, Director of Building & Zoning

cc: Planning Commission  
Township Manager