

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
ON-LINE ZOOM MEETING
WEDNESDAY, JULY 1, 2020**

PRESENT:

Rich Nuttall
Tom Piacentino
Holly Cunningham
Joseph Antonelli
Barry Harrison
Mike Lutz
Patrick Ennis, Zoning Officer
Jim Esposito, Township Solicitor
Isaac Kessler, Township Engineer
Phil Wursta, Township Traffic Engineer

ABSENT

John Pond, Jr.

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 five members present. Misters Ennis, Esposito, Wursta and Kessler were also present.

2. APPROVAL OF PRIOR MINUTES

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

3. PUBLIC SESSION

a. Discussion of the Final Minor Subdivision & Land Development Plan for Justin Costello & Carl Mokenhaupt, 320 Middle Avenue, Langhorne, PA 19047, TMP #22-044-041

Mr. Robert Snyder, PLS from Kelly & Close Engineers stated that they will comply with the comments of the RVE letter; they have submitted the necessary will serve letters to the various agencies and they have received an Adequacy letter from the Conservation District.

Mr. Nuttall asked the owners to clarify that this was a 2-lot subdivision with one new home on the subdivided lot.

Ms. Cunningham asked if the new home would be for sale, the owner response was “yes”.

Mr. Piacentino questioned if seepage bed was for stormwater runoff, the owner response was “yes”.

Mr. Nuttall questioned if the existing shed and concrete pad would be removed. The owner stated they would and clarified the trees to be removed.

Ms. Cunningham asked if there was any neighborhood opposition. The owner stated letters

were sent to 21 properties with no objections. They also reduced the subdivision from 3 lots to 2 based on opposition at the Zoning Hearing.

Mr. Piacentino asked the owner if they house would have a basement. The owner responded that there would be a basement and finished floor would be about 3' above grade and there was no evidence of a high-water table in this area based on prior building experience.

Carl Mokenhaupt added that there is a mix of ranch and two-story colonial and other styles of architecture in this neighborhood.

Mr. Kessler added that the owner revised the lot size of the subdivision to not need a variance.

Mr. Harrison made a motion to recommend approval of the minor subdivision and land development plan. Mr. Piacentino seconded and the motion passed 6-0.

b. Discussion of Final Minor Subdivision Plan for, 364 Cedar Avenue, Langhorne, PA 19047, TMP 22-009-027, S/LD #13-05

Mr. Kessler gave a brief overview of the subdivision plans and access to a paper street Bluebell Ave.

Mr. Meginniss, the applicant's attorney stated this project is identical the 2014 approval of this 2-lot subdivision. This project received 3 variances from the ZHB. Mr., Meginniss stated the applicant will comply with the comments of the RVE letters and will work provide the necessary deed restrictions that were requested. He then went on to speak about the requested waivers.

Mr. Nuttall questioned if the width of the water easement of 10' has approval by BCWSA. Heath Dumack the applicants engineer, responded that this issue was previously discussed the Tri-State Engineers and BCWSA. Mr. Dumack went on to describe the installation using a Vibra-Knife which will minimize disturbance and can be installed within a 10' easement.

Mr. Lutz questioned, why not use the 18' side yard setback on opposite side of existing house. Mr. Dumack stated that there was a propane tank on that side and in their estimation using the 10' side of the house caused the lesser amount of disturbance.

Mr. Harrison asked if the neighbor on the south side of exiting house was contacted or had any objection to this easement. Mr. Dumack stated there has not been any objections from that neighbor.

Mr. Piacentino wanted clarification on the location of sewer lateral. Mr. Dumack showed location in Bluebell Ave.

Mr. Kessler stated that there were no issues with the waiver requests.

Mr. Antonelli questioned if there was a count of the number of trees to be removed on this wooded lot. The variance request was for 40% of the wooded area to be removed, no count was conducted.

Ms. Cunningham asked if there were any flooding issues in this neighborhood. Mr. Dumack clarified that this site is elevated and flow is generally downhill toward the Neshaminy Creek.

Public comment:

Mr. Edell, 411 Bluebell Ave. stated that Bluebell Ave. is a 10' wide street which does not support 2-way traffic. There are safety problems with the intersection of Bluebell and Cedar Ave. An emergency vehicle got stuck using Bluebell Ave. There was a fire on Bluebell Ave. where the residents were killed because emergency vehicles could not access the site.

Ms. Nancy Lyons, 320 Bluebell Ave. she bought property 30 years ago and subdivided a lot to sell which would need access to Bluebell Ave. The road cannot handle more traffic. Trash pick up is a major problem with the smell associated with all the trash cans placed in one area by her house. Adding more cars to Bluebell Ave. would devalue her property according to a realtor she reached out to. Bluebell Ave. is a paper street and a safety concern if more development occurs. Ms. Lyons also has environmental concerns for more development. This area has wildlife and is wooded, more dense development would be a detriment to the environment.

Ms. Edell, 411 Bluebell Ave. Bluebell Ave. cannot pass 2-way traffic. Emergency vehicles cannot access.

End of Public Comment:

Mr. Meginnis stated that appropriate methods were used to receive variances, advertisements were issued and hearings were held and the Zoning Hearing Board approved the variances.

Mr. Dumack stated that Mr. Edell needed the same steep slope waiver to construct his home. Also, a Fire Marshall letter was issued and dated 4/16/14 and no change to the plans since that letter was written. Mr. Meginnis then read the Fire Marshall letter.

Mr. Piacentino stated that the Fire Marshall at that time, never addressed access to the site in the letter.

Mr. Nuttall asked Mr. Edell when the fire truck got stuck, which Mr. Edell said it was an emergency call for his mother-in-law.

Mr. Edell showed a code enforcement letter he was issued after the fire truck was stuck in this access.

Mr. Meginnis commented that the road not being maintained by the current residents is not a valid reason to deny his clients project. He also suggested conditioning the approval of this project on a new Fire Marshall letter.

Mr. Piacentino stated that the home owners along Bluebell need to address the street maintenance, including this new home if approved.

Mr. Esposito responded that an easement and maintenance agreement would be recommended.

Mr. Kessler commented that the applicant is to provide a driveway easement as was part of the 2014 approval.

Mr. Harrison asked if an access from Forest Ave. is feasible. Mr. Dumack responded that there is too great a slope in that direction for a feasible access.

Mr. Meginnis added that new home owners along Bluebell could be a benefit to the maintenance and upkeep of the private road.

Mr. Piacentino asked the owners how they plan to build the home and get equipment such as a concrete truck to the site. Mr. Pintozzi the owner stated that the road hasn't been maintained there are trees in the paper right-of-way. Mr. Barner also stated that they would access site for construction in the same manner that Mr. Edell did. Mr. Barner also stated that he intends to place 2 pull over locations on the road to improve the situation.

Mr. Nuttall stated that the owners need to commit to the road improvements using more definite terms.

Mr. Meginnis state the he has in draft form a maintenance and access agreement document that would be provided as part of subdivisions conditions.

Mr. Kessler requested that waiver #5 be revised to more accurately state the road improvements that will be made to Bluebell Ave. and can be reviewed by him and the Fire Marshall as a condition of approval.

Mr. Nuttall aske the solicitor if this issue could be continued or could be approved with conditions. Mr. Esposito state that either is an acceptable option.

Mr. Nuttall made a motion to continue this hearing with the following conditions: 1.) the owner submit a road improvement plan to be reviewed by the Township Engineer and Fire Marshall, 2). A draft driveway access and maintenance agreement be submitted for review by the Township Solicitor. Mr. Piacentino seconded and the motion passed 6-0.

c. Discussion of the Final Land Development Plan for a four-story hotel for 2345 Lincoln, LLC, 2345 Lincoln Highway, Langhorne, PA 19047, TMP #22-040-026-008, S/LD #20-69

Mr. Murphy, the applicant's attorney gave an overview of the project. This hotel is phase II to the previously proposed Outwash on the same lot. Mr. Murphy stated that they have discussed the consultants letters and will comply with the comments.

Mr. Murphy and Mr. Geonnotti discussed the project waivers requested.

Mr. Lutz asked if there would be a restaurant at this hotel. Mr. Geonnotti responded that there would not be a full restaurant with a kitchen but the hotel would serve a continental breakfast.

Mr. Nuttall asked the question why put a hotel at this location. Mr. Geonnotti responded that according to the owner's study the area is under served for hotels. Mr. Murphy responded that this would be the 3rd or 4th location for a hotel carwash combination for this owner.

Mr. Harrison asked if a Traffic Study was done. Mr. Wursta responded that they did review the traffic study. The hotel is a light trip generator, and the applicant will need PennDOT approval.

Ms. Cunningham asked about access from Lincoln Highway. Mr. Geonnotti described the traffic movements on a map that was shared via Zoom.

Mr. Antonelli inquired about the square footage of the dining area. The information was not readily available but the owners engineer will look into this.

Mr. Nuttall noted that the Traffic Study was done in February when Sesame Place is not operating.

Mr. Kessler noted that the applicant will comply with the review comments of his letter.

Mr. Murphy stated that the applicant would revise and resubmit clean documents prior to the Board of Supervisors meeting if preliminary and final approval was granted by the commission.

Mr. Nuttall requested proof of the owner's study which states the area is under served for hotels.

Mr. Nuttall brought up traffic concerns of people crossing Lincoln Highway. Mr. Geonnotti stated that the hotel will provide a shuttle service to Sesame Place.

Ms. Cunningham voiced concerns over the hotel being in close proximity to an elementary school. Pearl Buck Elem. Is located on an adjacent lot to the hotel property.

Mr. Antonelli questioned is this hotel good for Middletown.

Mr. Piacentino asked the question will this hurt other hotels in Middletown.

Mr. Lutz brought up traffic concerns on Rt 1. Mr. Wursta explained the Target intersection improvements that are in the process of approval from PennDOT. This includes pedestrian movements and will benefit all business along Rt 1, not just Target. Mr. Geonnotti stated the designs would be coordinated as plans become available.

Mr. Nuttall stated that the commissions primary objective is to approve things that benefit Middletown. He stated that he does not see a need for a new hotel, the location does not work, there are concerns about the school being so close and that other hotels in Middletown would struggle with the addition of this hotel.

Mr. Nuttall made a motion to deny approval of the minor subdivision and land development plan. Ms. Cunningham seconded and the motion passed 5-1. (Mr. Piacentino opposed this motion).

d. Presentation and Discussion of the Middletown Township Comprehensive Plan, Isaac Kessler, PE and Ashton Jones, PP, AICP of Remington & Vernick Engineers.

Mr. Kessler and Mr. Jones presented the Comprehensive Plan highlights via PowerPoint slides.

Mr. Nuttall made a motion to approve the Comprehensive Plan. Ms. Cunningham seconded and the motion passed 6-0.

4. ZONING ISSUES

Mr. Ennis discussed upcoming zoning appeals that deal with dimensional requirements for an in-ground pool and garage additions and front yard setback issues for a shed and privacy fence.

5. OTHER BUSINESS

There will be no meeting in August. A land development for the Oxford Valley Mall Redevelopment is projected to be on the August meeting.

Mr. Piacentino made a made a motion for adjournment. Ms. Cunningham seconded. The motion passed 6-0. The time of the adjournment was 9:54 P.M.

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

cc: Planning Commission
Township Manager