

**MIDDLETOWN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY, APRIL 20, 2022**

**PRESENT:**

Tom Tosti, Chair

Tom Piacentino, Vice Chair

Holly Cunningham, Secretary

Rich Nuttall

Joseph Antonelli

Guy Triano

Jim Ennis – Building and Zoning Director

Jim Esposito – Township Solicitor – Curtin and Heefner

Isaac Kessler – Township Engineer – Remington & Vernick, RVE

Bill Zadrovic – Township Traffic and Transportation Engineer, TPD

**ABSENT:**

Keith Auerswald

**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 the postponed appearances requested by the applicants for the Capital Health and CFT Plaza applications.

**2. Approval of Minutes**

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

**3. Application for Preliminary and Final Land Development: proposed construction of restaurant and retail pad sites at 1300 Middletown Boulevard and 2340 Lincoln Highway (Old Ballys)/BCTMP#'s 22-057-020-006 and 22-057-022**

Edward Murphy, Attorney for the Applicant, and Justin Geonnotti, Engineer for the Applicant, presented the application.

Mr. Murphy covered the details of the project. The application proposes to demolish the existing Bally's building and construct 3 buildings; two of which – a retail building and a restaurant – will be constructed in same general location of the Bally's building. The third building will be constructed closer to Lincoln Highway

and contain a mix of retail and restaurant with drive-through service. Mr. Murphy noted the proposed buildings will be less square footage than that originally contained by the Bally's building.

Mr. Geonnotti gave a detailed explanation of the design aspects of the proposed development. He covered off-street parking and how loading and unloading do not interfere with traffic circulation and pedestrian mobility. He added that the applicant is working with the Township's Traffic Engineer and will comply with their recommendations; as well as comply with all comments from the Township's Engineer related to storm water management.

Mr. Geonnotti covered the requested waivers for the Planning Commission's benefit. Mr. Tosti raised concern about the requested partial sidewalk waiver. His reasoning is because Miller's is supposed to construct a foot bridge for pedestrian connectivity to the proposed apartment development at Oxford Valley mall. The sidewalk waiver is requested for the area that would be directly next to this bridge. Mr. Tosti pointed out the Township is committed to pedestrian connectivity and sidewalks and one in that area should be installed. Mr. Murphy stressed to the Planning Commission that his client would work with the Township Traffic Engineer and comply with whatever is suggested.

Mr. Piacentino asked if bumpers will be placed at the parking spaces. Mr. Geonnotti stated bumpers will not be installed because there are existing curbs.

Mr. Triano requested more description on the open area detailed between the two buildings proposed at the Bally's location. Mr. Geonnotti described it as an outdoor patio area to be shared by both the restaurant and the retail building.

Mr. Nuttall refocused on the partial sidewalk waiver and reiterated the Planning Commission's concern about connectivity to the proposed apartments, as well as the mall. Mr. Murphy restated that his client will demonstrate full compliance with the Traffic Engineer's recommendations.

Mr. Triano made a motion to recommend approval of the application:

*Recommendation of approval of S/LD #22-4 - Application Proposing Construction of 3 commercial buildings at 130 Middletown Boulevard and 2340 Lincoln Highway/BCTMP#'s 22-057-020-006 and 22-057-022 (the Property). Recommendation is based on Plan entitled "Preliminary/Final Land Development Plan for RP 130 Middletown, LLC," comprising 22 sheets and dated February 22,*

*2022, Justin A. Geonnotti of Dynamic Engineering, Newtown, PA. Recommendation is further based on comments provided in the following:*

- a. April 11, 2022 letter from Tyler Williams for Isaac E. Kessler, P.E., of Remington and Vernick Engineers, Middletown Township Engineer*
- b. March 30, 2022 letter from Phil Wursta, P.E., of TPD, Inc., Middletown Township Traffic and Transportation Engineer*
- c. April 14, 2022 letter from Jim Ennis, Middletown Township Director of Building and Zoning*
- d. April 9, 2022 letter from Ronald B. Smith, Senior Engineer for Suburban Lighting Consultants, Middletown Township Lighting Consultant*
- e. March 24, 2022 review letter from the Bucks County Planning Commission*
- f. March 9, 2022 letter from Don Harris, Middletown Township Fire Marshall and Director of Fire and Emergency Management*
- g. March 31, 2022 letter from the Middletown Township Environmental Advisory Council (EAC)*

*The Recommendation is further based on the waivers requested in the April 20, 2022 letter prepared by Dynamic Engineering.*

Ms. Cunningham seconded and the motion passed 6-0.

#### **4. Other Business**

A resident in attendance for the postponed Capital Health land development application gave public comment, but was politely told that his comments weren't entirely applicable for the current meeting proceedings, due to the inability for the Capital Health developers to participate in the discussions. The resident was told that if he stated his concerns in an email to Mr. Ennis, then they would be forwarded to the Planning Commission and the Capital Health developer in preparation for a future meeting when Capital Health is scheduled to appear before the Planning Commission.

Mr. Ennis informed that there will not be a Planning Commission meeting in May.

#### **5. Adjournment**

Mr. Tosti made a motion for adjournment at 7:35 PM and Ms. Cunningham seconded the motion, which carried a 6-0 vote.