

TOWNSHIP OF MIDDLETOWN
PLANNING COMMISSION MEETING

January 12, 2016

Present: Mark Bradson, Anthony Mirenda, William Moran, Greg Reitze, Peter Schettler, and David Sharbaugh

Eric Janetka, Kelly & Close consulting Engineer, and Dave Petrosa, Esquire (For Granite Run Final Land Development Discussion)

A. Call to Order

Chairman Mr. Sharbaugh called the meeting to order at 7:35 PM.

Mr. Sharbaugh noted that Ms. Powell's position with the Commission has yet to be replaced and asked for approval of the draft meeting schedule. Mr. Schettler motioned to approve the meeting schedule for Planning Commission. Mr. Bradson seconded this motion and Council approved unanimously with a vote of 6-0.

B. Approval of Minutes

Mr. Schettler motioned to approve the December 2015 minutes. Mr. Bradson seconded this motion and the Commission approved the minutes unanimously with a vote of 6-0.

C. Old Business

None

D. New Business

Preliminary/Final Land Development: Tyler Arboretum—515 Painter Road—Applicant proposes amendments to expand rear patio of a stone barn, and to document several service buildings that have been constructed since 2001

Cricket Brien, the new Director of Tyler Arboretum, introduced herself and stated that Mr. Flandreau and Mr. Gould were also present as representatives of the Arboretum. She stated that she is excited about the project and went on to introduce the engineer, Gus Houtman.

Mr. Houtman went on to discuss the improvement to be made on the property, which includes a 1250 square foot patio on the rear of the stone barn, a small grading wall that would be 2 ½ to 3 feet high, a 440 square foot sidewalk on the north side of the building for

handicap use, and a rain garden on the south side of the building for stormwater management of the new impervious surface. Mr. Houtman stated there was nothing else on the project.

Mr. Houtman reported that he received review comments from Mr. Janetka on January 6th and responded on January 7th that the applicant would comply.

Mr. Bradson asked if the plantings at the southwest end of the structure were being moved for the flagstone patio. Ms. Brien responded that there was a garden at that location and that several of the plantings would be relocated. She noted one planting was being donated to the Philadelphia Flower Show. She reported that a larger garden would go there and connect with the fragrance garden. Mr. Flandreau added that the wall above it will always be there so it would remain a nice, quiet location in the Arboretum.

Mr. Reitze inquired about the recreation fee. Mr. Houtman explained that the Arboretum is set up for recreational purposes so the applicant will be asking that the recreation fee be waived.

Mr. Schettler motioned to recommend approval of the Preliminary/Final Land Development Plan for Tyler Arboretum. Mr. Bradson seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Final 6-Lot Subdivision—Behrle Construction Company—Barren & Middletown Road: Applicant is proposing amendments to a plan for the reverse subdivision of nine lots into one larger lot, re-subdivided into 6 new building lots for single family residential development given final approval in 2004

Tim Sullivan, legal representation for Behrle Construction, provided historical background on the plan, stating that it was intended to be the final phase of Country Way Village and originally included the existing Welsh house with a 9 lot subdivision and feature a cul-de-sac. It was part of a 1979 subdivision that never got built. Mr. Spano owned this property prior to Mr. Behrle and presented it to Township as 6 building lots with existing house. It was reconfigured to share a cul-de-sac with driveways coming off of it. This plan was approved by the Township, PADEP, and PADOT; however, Mr. Spano never saw this project through and lost the property in foreclosure.

Joe Behrle shared that he has done other projects in the Township, including Overlook Circle and Autumn Woods Lane. He believes he came up with a better way to develop this property. Mr. Sullivan agreed and stated the plan included a cul-de-sac with shared driveway off of Barren Road for 4 houses, a short driveway off of Middletown Road by the Chiropractor for 2 houses, and the Van Wyck property would keep the driveway off of Barren

Road. Mr. Sullivan explained that this is still 6 new properties like the original approved plan featured but the driveways were planned differently to be more direct.

Mr. Sullivan went on to point out that there are advantages to this set up. First, it would involve a significant decrease in earth disturbance and reduce impervious coverage from 55,000 square feet to 37,000 square feet. He went on to state that the applicant is aware that this portion of Middletown Road sees a heavy volume of traffic and is prepared to provide an open offer of dedication to the Township of 10 feet along the border of the property on Middletown Road from the intersection to Barren Road to their shared border with the Jehovah Witness property. He explained that this is favorable because PADOT has expressed interest in widening this area and by having an open offer of dedication, the State would not have to purchase the property in the future. If it is cheaper for PADOT to widen the road by not having to purchase properties that would be affected by the right of way (like this one), it may help with getting PADOT to move forward with the project.

Mr. Sullivan went on to note that the review comments for the project have been received and the applicant is responding to almost all of them with will comply.

Mr. Sullivan noted that there will be some tweaking to the plan that is presently in front of Planning Commission. For instance, Mr. Van Wyck requested the landscape buffer be put on a different side of the retention basin. They also plan to reposition the home attached to the single driveway and move the two houses to the left of the shared driveway apart more, with that driveway being moved a little further away from an existing property owner.

Mr. Janetka asked if there were waiver requests. Mr. Sullivan explained that this is an existing plan already and has approved permits through July 2016, with the MPDS having a longer life. He stated that Mr. Behrle could build this property the way that it was previously approved but that would not be in the best interest of the Township since the advantages he discussed would not be achieved. Mr. Sullivan went on to note that he has met with Mr. Damico and Mr. Clark and requested the 150 foot buffer requirement be waived and 25 feet be permitted since the repairing buffers were not in place prior to original plan approval.

Mr. Houtman, engineer for the applicant, reported that Mr. Behrle met with PADEP and they are on board with the new plan. He emphasized that if a new application was needed, PADEP would require the 150 foot buffer; however, by amending the original plan PADEP gets the benefit of less earth disturbance and a significant reduction in impervious space. Since this is the case, PADEP expressed to the applicant that they were satisfied with waiving the 150 foot requirement. Mr. Sullivan noted that was the way Autumn Woods land was developed; by getting PADEP to agree to amending with less impervious of the driveway. Mr. Sullivan also pointed out that this new plan also has no stream crossings.

Mr. Bradson commented that he felt this was a better plan and that it also has the benefit of avoiding all the wetlands in the middle of the property.

Mr. Janetka asked Mr. Houtman to discuss stormwater management for this property. Mr. Houtman reported that the applicant would treat stormwater management as per current regulations, which are much more stringent, instead of using the stormwater management requirements of the old plan. The only exception to this would be the buffer waiver previously discussed.

Mr. Reitze asked if a perk test was done. Mr. Houtman answered in the affirmative, stating it was completed where infiltration was shown. Mr. Reitze asked for information on the pond on the property. Mr. Houtman stated that Mr. Spano was planning to reconfigure it to be a stormwater management facility with a retaining wall. The new plan would leave the pond as-is.

Mr. Schettler asked if the demolished structure on the property would be cleared. Mr. Behrle answered in the affirmative, noting this would occur soon as it is the location of Lot 4. Mr. Schettler then asked how big the homes would be and the price range for them. Mr. Behrle reported that he planned to use the same design he used for Overlook Circle on the Barren Road homes. They are about 3,000 square feet with a 3-car garage. He expected to sell them starting around the mid \$600,000s.

Mr. Schettler asked Mr. Janetka if the distance between the homes were sufficient. Mr. Janetka stated it depended on perspective. He would recommend to the extent that they can, to incorporate gravity walls to maximize the distance between the dwellings and wetland areas. However, he conceded that this would depend on the closeness of the houses and that additional things may be able to be done. He reported 25 feet is the minimum requirement for the Township through an Ordinance. If it is to be less than that, then something should be incorporated to keep wet areas from getting into basements.

Mr. Moran asked how far the driveway for the one Barren Road house would be from the intersection of Middletown Road. Mr. Houtman reported 180 feet from the closest travel lane of Middletown Road. Mr. Moran felt the driveway seemed hard to get in and out with traffic and that there would be no off-street parking for the dwelling. Mr. Sullivan stated the house was to be rotated to be further away from the stream and face out to the intersection, which will allow for the maximum amount of distance from Barren Road. Mr. Behrle commented that the driveway would be 30 feet and have a turn-around area for cars. At least 10 cars should be able to park here.

Mr. Bradson asked if the plan would be presented to Council with the revisions Mr. Sullivan noted earlier and Mr. Sullivan answered in the affirmative.

Mr. Janetka asked if the waiver for a decrease in a buffer to 25 feet would be noted. Mr. Sullivan responded that it would be, and commented that where the applicant can provide an even large buffer, he would.

Mr. Sharbaugh asked the applicant for his opinion on Mr. Janetka's review comment #8D. Mr. Sullivan stated that the applicant does not wish to do 18 feet as it would add impervious and that 16 feet is the usual for the Township.

Mr. Bradson inquired how maintenance to the property, like snow removal, would be handled. Mr. Sullivan stated it would be covered by a declaration. Mr. Bradson asked if this would be more like a Home Owners Agreement and not an Association. Mr. Sullivan answered in the affirmative.

Mr. Sharbaugh asked if there was any other way to structure the one driveway so it would not be on Middletown Road. He felt it was a dangerous location and an inconvenience for the homeowners. He inquired if it was possible to make an agreement with the Jehovah Witness property to have them come out on their road. Mr. Houtman stated there was no way to make that work for both of the homes and that it would add a lot more impervious coverage.

Mr. Janetka commented that he does not have the Township Landscape consultant's review letter and would recommend any decisions made be subject to the satisfaction of all Township consultants.

Mr. Sharbaugh commented that this plan was definitely better than the original

Mr. Sullivan noted a neighbor to the property, Mr. Traconi, was present at the meeting.

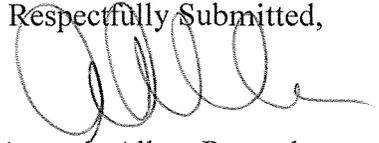
Mr. Bradson motioned to recommend approval of the plan subject to the satisfaction of Township consultants, and to leave the decision of the positioning of the homes and movement of the driveway up to Council. Mr. Schettler seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Mr. Sharbaugh motioned to approve reorganization of the Planning Commission and retain himself as Chair and Mr. Schettler as Vice Chair. Mr. Moran seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Mr. Sharbaugh read out loud Ms. Powell's resignation letter, effective January 2, 2016. He noted her resignation was accepted by the Planning Commission.

Mr. Sharbaugh adjourned the meeting at 8:28 PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Allen', written in a cursive style.

Amanda Allen, Recorder