

TOWNSHIP OF MIDDLETOWN
PLANNING COMMISSION MEETING

February 9, 2016

Present: Anthony Miranda, William Moran, Greg Reitze, David Sharbaugh, Kevin Matson (engineer), and Patrick McKenna (solicitor)

A. Call to Order

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

B. Approval of Minutes

Mr. Moran motioned to approve the minutes for the January 12, 2016 meeting. Mr. Reitze seconded the motion and the Planning Commission approved unanimously with a vote of 4-0.

Mr. Sharbaugh noted that he was flipping the order of the meeting to discuss Item D first due to it not taking as long to discuss as Item C.

D. New Business

Review of Zoning Ordinance amendment to include the existing residential uses on nonconforming lots located within the B-2 Zoning District as permitted use and by applying the area and bulk regulations of the R-3 Zoning District.

Mr. Sharbaugh explained that there are 4 homes on Oriole Avenue that back up to the Granite Run property and are zoned B-2 like the mall. Since these are residential homes and not businesses, the residents have requested their zoning be reconsidered. The proposed revised ordinance would apply the area and bulk regulations of the R-3 Zoning District to these B-2 zoned properties.

Mr. Miranda motioned to recommend approving the amendment to the Zoning Ordinance. Mr. Moran seconded the motion and the Commission passed the motion unanimously with a vote of 4-0.

C. Old Business

Preliminary Land Development, Franklin Mint Tract (Wawa): 1442 W. Baltimore Pike—Applicant proposes a Wawa Convenience Store on 2.1 +/- acres of 1242 W. Baltimore

Pike within the 9.38 acres "Pennell Road Parcel" included in the 173.8 acres SU-1A zoning tract

Steve Polaha, attorney for the applicant, introduced himself and noted that the applicant was present before the Planning Commission on October 13, 2015 to present the Preliminary Land Development Plan for the proposed Wawa. Since then, the plan has been modified to meet the requirements of Township consultants. Mr. Polaha reported that these modified changes have been reviewed by the Township consultants, comments were provided, and the applicant has responded to the comments. The purpose of the current meeting was to review the modified plan.

Nicole Klein, traffic engineer for the applicant, used a diagram to provide an overview of the traffic circulation. She indicated where the proposed Wawa would be, along with the 2 access points on Route 1. She stated one access point would be a right in/right out entrance and the other would be an entrance only, with a left in and right in. To enter the property, they would use the existing left turn lane and a right turn deceleration lane. She noted that the existing left turn lane is longer than the applicant needs, so they plan to use only what is needed and provide the rest of the turning lane space to PADOT to serve the left turn onto Rt. 452 from Rt. 1 NB, which is where the extra lane space is actually needed. Ms. Klein also commented that while the right turn lane is not warranted, the Township traffic consultant has requested this addition and the applicant will comply. Mr. Sharbaugh asked if there would be an acceleration lane and Ms. Klein answered in the negative, explaining that PADOT does not recommend them. She went on to state that site access would also have to be approved by PADOT.

Ms. Klein reported that there is also a service road that will connect the Wawa to Pennell Road. This road would have left in/right in access to the property, but will only have right out access onto Pennell Road. She noted that PADOT denied the possibility of a left turn out. Ms. Klein stated that a separate left turn lane and right turn lane is not warranted as per PADOT guidelines and would present a problem with the properties immediately adjacent to the applicant's property line.

Mr. Mirenda asked if there was to be any new traffic signals and Ms. Klein answered in the negative. Mr. Sharbaugh asked if there would be a barrier to stop drivers from making an illegal left turn onto Pennell Road. Ms. Klein stated that PADOT would require the applicant to put in a "pork chop island" so there will be a physical barrier to disallow drivers from making a left turn onto Pennell Road.

Mr. McKenna inquired how drivers would be able to go Southbound Route 1 from the exits. Ms. Klein stated that would not be possible directly from either of the exits. In order to go Southbound at this point, the driver would need to exit right onto Rt.

1 and then make the left turn onto Rt. 452 and go down to Old Forge Road, to connect with Valley Road and then from there, the driver could get back to Southbound Rt. 1. She then commented that one of the applicant's goals is to extend the service road through the Franklin Mint parcels. If this is able to happen, then they would be able to tie into the YMCA/Chevrolet Dealer traffic light. This would provide Southbound access to Rt. 1. In order for that to happen though, the applicant would need to get 4 access easements granted. She was able to report that these possible acquisitions were moving forward in a positive direction.

Ms. Klein commented that concerns about the Aqua property owned by Media Borough were noted in the October meeting by the Planning Commission. She reported that they spoke with Aqua, who verified no additional tower would be needed and there were no issues with the easement.

Ms. Klein reported that there were a few technical comments in the McCormick Taylor review letter, which dealt with the covered access points comments. She also stated that she provided the consultant with the Franklin Mint Master Plan Base Traffic Analysis, which is for the entire tract. She noted that a full build out would be needed for the entire site in order to have a full understanding of the impact on Rt. 1 and Rt. 452 intersection. McCormick and Taylor previously requested more information about this, and Mr. Klein reported that the consultants agreed the next step was to sit down together to look at potential improvements for the intersection, and then to meet with PADOT to move forward with the offsite traffic impact discussion.

There were no further questions for Ms. Klein.

Lisa Thomas, landscape architect for the applicant, reviewed the landscape plan and noted where there would be sidewalks, benches, landscape, and tree buffering for Rt. 1. She also showed where the trees, lights, and landscape would be located along the service road.

Ms. Thomas reported Mr. Comitta provided a review letter and focused her presentation on the remaining issues from that letter, which dealt with architecture, signage and lighting. First, she stated Mr. Comitta requested that Wawa consider having the architecture compliment Wawa Dairy and their campus. The specific request was to review the façade and add stone, and to remove the white stripe on the building. Ms. Thomas stated that Wawa would comply as best they could, as it relates to their convenience store brand. She noted that the applicant would also comply with his requests regarding plan set site and master signage.

In terms of lighting, Wawa uses a LED 5700K (blue white light) as their standard; however, Mr. Stubbe has recommended 3000K. Wawa proposes to meet in the middle at

4000K. This would mimic the color tone of the parking lot lighting and can still be energy efficient. She also noted that the applicant would comply with Mr. Comitta's request that the light poles be black.

Ms. Thomas reported that Mr. Comitta requested that 1 handicap space be in the back parking lot, but the applicant wishes to keep all 3 in the front lot. The reason for this being that sometimes the back entrance is locked for security purposes. She noted that the size of the parking lot requires 3 parking spaces. Mr. Sharbaugh asked if 3 spaces were enough. Ms. Thomas stated this number was based on the number of parking spaces; however, because there are no curbs in the front of the building, disabled customers could park in other places as well.

Ms. Thomas stated that Mr. Comitta also requested detail to be provided for stormwater management specifications and the color of retaining wall be on the final plan. The applicant will comply.

Ms. Thomas noted that Mr. Comitta requested the dumpster door be black; however, the applicant wishes for the enclosure to mimic the color of the building. She also stated that Mr. Comitta wished to have plantings instead of a barricade where 2 properties could potentially be connected. Ms. Thomas stated the applicant wished to keep the panels for their reflective purposes, but would agree to adding trees behind it.

Ms. Thomas reported that the EIA Report was resubmitted for the residential tract and the Wawa tract.

Mr. Thomas reported that Mr. Stubbe has requested the light poles be pushed back 5 feet and be 30 feet tall and made of concrete. She wished to stick to the applicant's original plan of 3 feet with a security baler in front.

Mr. Moran asked what would be done about Rt. 1 drivers cutting through the Wawa property to get to Pennell Road. Ms. Klein noted this was talked about at the last meeting. She stated the deterrent would be that Wawa is very busy. It would not be ideal to cut through this property since it would go through a busy parking lot. Mr. Moran felt drivers in a hurry may think differently. Ms. Klein stated the applicant could put up "no cut through" signs. She also noted she could sit down with the Township's consultant and PADOT to hopefully find a solution satisfactory to all.

Mr. Matson asked if there was an additional relief of landscape medication requested and Ms. Thomas answered in the negative.

There were no further questions for Ms. Thomas.

Barry Archambault, civil engineer for the applicant, reported that the applicant would comply, resolve, or modify requests related to the initial comments for the first review letter. He noted that the applicant's response was will comply, will provide clarity, or refer to stormwater management report for the new comments from the January review letter. Any further questions that Mr. Matson may have could be clarified during a phone conversation. Mr. Archambault noted most of those were related to stormwater management and minor in nature. Mr. Matson stated that was acceptable.

Mr. Archambault noted that there were 3 modifications on the plan set and 3 additional modifications from comment letters received that he wished to discuss. The first would be related to pipeline design and requested that the storm sewer be reinforced concrete pipe. He stated that the applicant would use this on the service road but wanted HPP pipe on the actual property. The reason for this is that it is light weight, easier to construct and acceptable by PADOT. The second modification was that trees not be planted within 30 feet of the road lines and 15 feet of the drive way. Mr. Archambault stated that if this was complied with, there would barely be any trees on the property; however, the trees would be located in areas that would not affect site distance. The third modification dealt with the draw time for storm water facilities being a minimum of 24 hours. Mr. Archambault stated that the plan proposed 15 hours. While the 24 hour minimum is not met, there are other things being done in support of stormwater management that meets this requirement in spirit. For instance, debris, oil, greese, etc. will be collected in a sump pump and cleaner water would make its way to the facility only. In addition, 25% of runoff will be infiltrated during the storm. Both of these help meet the requirements.

The fourth modification was that there is a 20 foot curb radius minimum. Only 1 does not meet this (the first right turn entrance on Rt. 1). Since there is no right turn out and there will be signage, he did not feel this would be a problem. The fifth modification was about the grading of the driveway. Requirements stipulate the driveway should not exceed 2%, with a maximum of 8%. The 1st entrance is 5 1/2 % and the 2nd entrance is 3 1/2%. He stated that he reviewed this with Mr. Matson and it was determined that if the applicant maintained 2% for the whole driveway for the full 25 feet, then the entire site would be significantly cut even further and may disrupt the stormwater management plan. The sixth modification dealt with having pedestrian walkways on both sides of the service road. The intention of the applicant is to add an extra sidewalk on the service road as future projects develop when they know more about the grading and earth work to be completed. Therefore, the applicant is essentially not seeking a waiver; only a delay.

Mr. Archambault reported that all comments for the engineer consultant of MTSA are complete or to be addressed during final planning. MTSA's engineer recommended the Authority not take exception.

Mr. Sharbaugh commented that the degree of the slope did not seem as significant a problem as it did during the October meeting. Mr. Archambault agreed and noted the slope was not in the parking area. Mr. Sharbaugh asked if the slope would be a problem for delivery trucks or oil tankers. Mr. Archambault noted Mr. Matson asked for additional information on this; however, he did not foresee a problem with turns related to grade. Mr. Matson verified this was discussed in detail and seemed acceptable.

Mr. Matson noted this was a leased area and asked if Wawa would be taking care of stormwater management, or if this would be the applicant's responsibility. He also asked if the applicant would consider using two separate stormwater management systems instead of consolidating on the site. Using a diagram of the utilities plan, Mr. Archambault noted there were 3 different stormwater management facilities. There was an infiltration/detention facility to the left of the Wawa building. The second and third facilities are to the right of the building and for detention only. At this point there was no further thought on service road runoff versus Wawa runoff; however, he stated they could look at this and come up with a solution. Mr. Matson commented that the service road is currently private but this could change in the future, and if it is dedicated at some point, this could present a problem. Mr. Reitze asked why this would matter if the Landlord owns both and Mr. Matson stated it does not matter now but could if a dedication took place in the future. Mark Dambly, applicant, asked if that could be discussed at the time dedication took place, if that even occurred. Mr. Matson answered in the affirmative.

Mr. Matson stated that there are no hard regulations about underground fuel tanks with stormwater management but that he wanted to see if it was possible to maximize the distance between them underground. He commented this would not be a major change, but that he wished to discuss this further with Mr. Archambault.

Mr. Reitze asked if alarm systems are used on the diesel tanks. Mike Ridell, Wawa, answered in the affirmative. Mr. Reitze felt that seemed more important than the distance between the tank and stormwater management facilities. Mr. Matson expressed that anything they can do to further facilitate with the conservation district should be considered, even if it is not a hard rule with PADEP.

Mr. Sharbaugh motioned to recommend approval contingent upon full resolution of all consultant concerns and subject to the 6 modification requests. Mr. Miranda seconded the motion and the Planning Commission approved unanimously with a vote of 4-0.

Mr. Sharbaugh adjourned the meeting at 8:32 PM.

Respectfully Submitted,

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

Amanda Allen, Recorder

