

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
February 24, 2014

Minutes of the Regular Meeting of Township Council Held on, February 24, 2014 at 7:00 P.M., in the Township Administration Building located at 27 North Pennell Road

Present: M. Amoroso, L. Bradshaw, M. Kirchgasser, S. Galloway and C. Quinn

B. Clark, A. Rothe, P.E., R. Adams, Esquire, and M. Damico, Esquire

1. Chairperson Mr. Kirchgasser called the meeting of the Council to order at 7:04 P.M., and led recitation of the Pledge of Allegiance to the Flag.

2. Approval of the Minutes

Ms. Bradshaw motioned to approve the minutes for the November 6, 2013 meeting. Mr. Galloway seconded this motion and Council approved unanimously.

Ms. Bradshaw motioned to approve the minutes for the January 13, 2014 meeting. Ms. Amoroso seconded this motion and Council approved unanimously.

3. COMMENTS FROM THE PUBLIC

Lea Luzhansky, a sophomore student from the Pennsylvania State University Brandywine campus (PSU), introduced herself as Governmental Affairs Chair for PSU's student government. She explained she represented the Brandywine campus in a bi-monthly meeting every other month at the main campus to report any issues at her campus or the surrounding area. She also shared that on April 1, 2014 (referred to as Capitol Day), PSU would be taking part in a march on the State capitol in order to ask Governor Corbett to donate more money to PSU. Ms. Luzhansky went on to clarify that PSU was funded partially by public funds and government support, which is necessary to keep tuition low. In addition, Ms. Luzhansky informed Council and the audience that PSU Brandywine would be having a speaker on campus, as well as a voting booth for the November 2014 elections. She then asked the audience and Council for feedback on what PSU Brandywine could do to make the school more involved with the community. Mr. Kirchgasser suggested she could provide the Township with an email address for the Township's website for this purpose and asked the audience if they had any comments at present. No comments were provided.

4. REPORTS

A. CHAIRPERSON

Mr. Kirchgasser noted Council may be using electronic devices for meeting purposes and not private purposes during the meetings. He also congratulated the Public Works department for the regular, outstanding work they do in clearing the roadways during inclement weather. Mr. Kirchgasser reminded the audience that not all roads in the Township are municipality roads and some are serviced by the Pennsylvania Department of Transportation. Lastly, Mr. Kirchgasser

commented on the passing of Michael Fusco, President and leader of the Friends of the Chester Creek Branch and the Chester Creek Rails to Trails Program. He invited David Irving to speak further on Mr. Fusco's passing and contributions to the Township.

Mr. Irving went on to state that Mr. Fusco led a group of people approximately 15 years ago to start a campaign to have a bicycle trail in Aston and Middletown Township and provided a brief history on the Rails to Trails Program and its recent achievements in moving forward. Mr. Irving went on to share that Mr. Fusco passed away suddenly on February 22, 2014 at the age of 56. He voiced his opinion Mr. Fusco should be properly recognized for all of his hard work in making the trail a reality when the trail dedication takes place. Mr. Kirchgasser thanked Mr. Irving for his comments and expressed that Mr. Fusco would be missed and remembered fondly in the Township.

B. MANAGER

Mr. Clark reminded residents that due to the severe weather, the Township was able to postpone the regularly scheduled yard waste collection day for tree branches from February 19, 2014 to March 5, 2014. Mr. Kirchgasser asked Mr. Clark to remind the audience of the parameters for collection and Mr. Clark noted branches should be left on the curb and must be a maximum of 4 inches in diameter and no more than 4 feet long.

5. Public Hearing

- A. Proposed amendment of Zoning Ordinance, Article XIXA, SU-1A Mixed Use District, Section 275-117.3B to eliminate the age restriction on permanent occupants of residential dwellings; Section 275.117.4E to increase the number of permissible residential units from 200 to 350 on a tract; and amending the Land Use Plan attached as Exhibit "A" of the Design Standards for the SU01A Mixed Use District to permit "B" use (residential and related uses) along with "C" and "D" uses in the area designated on the Land Use Plan.
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Robert Adams, special solicitor for the Township for this particular project, introduced himself and explained the McKee and Dambly Group are requesting changes of use to their original application for the Franklin Mint Property. He noted the hearing would be transcribed, and introduced into evidence the following exhibits to Council:

- T1: The ordinance under consideration and Land Use Plan, which has been provided to the *Delaware County Times* and the Delaware County Law Library.
T2: The proof of publication, which indicated the hearing was advertised on February 12, 2014 and February 17, 2014 in the *Delaware County Daily Times*.
T3: The letter from the Delaware County Planning Commission, which included a cover letter from the Planning Commission and an attachment from the Delaware County Planning Department that discussed the proposed amendment and concludes that it appears reasonable to support its purpose of providing a mixed-use land development scheme.
T4: A sufficient copy of the February 11, 2014 minutes from the Township Planning Commission meeting, which included the Commission's complete discussion beginning on page 5 for this amendment consideration. Mr. Adams

noted these minutes were accurate and comprehensive, and ultimately moved to approve the amendment be brought in front of Council for consideration of removing the age-restricted requirement and increase the number of units from 200 to 350, subject to modifying the manner in which the density per acre of the residential units component of the project is being described.

Mr. Adams then noted the Township's planning consultant, Thomas Comitta, was present in the audience. Mr. Kirchgasser also acknowledged that Al Federico, of McCormick and Taylor Engineering was present. This engineering firm was contracted to handle this specific project by the Township and Mr. Federico was present on the Township's behalf and acting as engineer for this project.

Mr. Rothe then commented that the minutes presented as evidence exhibit T4 have not been approved by the Planning Commission yet and noted he had changes that needed to be made to these minutes. Based on this information, Mr. Adams asked Council to reserve entering T4 into evidence until the minutes were approved. Mr. Adams commented, however, that he was present at that particular meeting and the action on the part of the Committee that he described in the last paragraph was accurate.

Mr. Kirchgasser then asked Mr. Comitta to provide background on the project and to discuss what the proposed amendment entailed. Mr. Comitta was sworn in explained he was testifying on behalf of the Township as the Township Planning Consultant. He went on to state there were 2 noteworthy threshold issues related to this amendment. First, he explained there was a "trade-off" of previously depicted commercial uses under the SU-1A ordinance amendment originally adopted January 23, 2012 as ordinance 725. Referencing the Land Use Plan Diagram Exhibit being shown to Council, Mr. Comitta explained the legend detailed how each area of the land was to be used and that it was in compliance with the ordinance. One of the alterations being considered was changing the area around the former Franklin Mint Museum, which was formerly designated for commercial use, to include residential use as well. As a result, the applicant would be replacing 2 "big box stores" with a series of residential units. Therefore, he felt the first issue for Council was determining how they felt about the trade-off of two box commercial buildings for more residential units.

Mr. Comitta noted that the residential unit request was to increase the amount of units from 200 to 350, and to remove the age-restricted requirement. He then noted that there were concerns expressed in meetings regarding this property in past years regarding traffic generation issues related to having big box, commercial properties at Franklin Mint. Mr. Comitta also pointed out that recently, the Granite Run Mall property was sold with plans of developing that property with more commercial retail stores. Based on these two facts, he believed Council should contemplate how this amendment would lessen the traffic concerns expressed in previous meetings and lessen competition with the retail stores at the Granite Run property.

Mr. Comitta then went on to explain the second threshold issue dealt with land density. He explained the procedure for determining gross residential density is "site-

wide," which included the areas marked for open space. If the open space is not considered, then the result is a net density. According to Mr. Comitta, the net density would be approximately 9-10 dwelling units per acre, depending on how many units are built (which would not exceed 350 if Council approved this amendment). Mr. Comitta compared this net figure to both Ponds Edge (16 dwelling units per acre) and Skycrest (13.5 dwelling units per acre). The gross density of the Franklin Mint property was declared to be more similar to Ponds Edge and Skycrest by Mr. Comitta. This concluded Mr. Comitta's summary.

Council did not have any questions for Mr. Comitta. Mr. Kirchgasser then invited the audience to ask questions. John Bartholomeo, 16 E. Glen Circle, asked how density is normally calculated. Mr. Comitta explained it is normally calculated as gross units per acre; however, due to the SU-1A ordinance requirements designating certain areas for open space, this formula is not best suited for this type of property. Mr. Bartholomeo then asked how this site compared to Ponds Edge and Skycrest. Mr. Comitta repeated the net figures noted previously. He then went on to state that although the Township usually measures density in gross figures, the entire parcel of this property is "the most unique zoning body of work" ever seen in Middletown. He used the example of the Granite Run Mall property; commenting that it had no open space in comparison and was a different zoning district. Therefore, Granite Run is much easier to calculate gross density. At this point, Mr. Kirchgasser interjected and explained to Mr. Bartholomeo that based on Mr. Comitta's testimony, the net density and gross density for the Franklin Mint property would be at or below comparable applications in the Township. Mr. Bartholomeo still persisted that he wanted to know the comparison for gross density. Mr. Comitta explained the gross density with 350 dwelling units would be approximately 3.8 dwelling units per acre, while Skycrest and Ponds Edge were both 4 dwelling units per acre.

Ms. Bradshaw asked Mr. Comitta to remind her if the commercial area's density for Ponds Edge was based off of net density or not. He answered she was correct in thinking it was calculated as net density. Mr. Rothe then asked Mr. Comitta to explain where the calculation of 16 units per acre came from for Ponds Edge, because he recalled it being closer to 10 units per acre. Prior to Mr. Comitta being able to answer, Mr. Rothe commented that even if that calculation was 10 units per acre at Ponds Edge, he did not believe Franklin Mint would be able to go over 10 units per acre. Mr. Comitta agreed with this comment, stating his original calculation was 8.66 units per acre; however, he could not be sure of this figure until the plan was finalized. Mr. Rothe then asked if the 3.8 gross density-figure was calculated using all the open space areas on the property, and Mr. Comitta answered in the affirmative. Mr. Adams asked Mr. Comitta to explain where the original 15 units per acre discussed came from. Mr. Comitta explained, using the diagram, that the existing B area by itself was the area reserved for 200 age-restricted units and, based on that area and with that many units, the calculation of approximately 15 units per acre was reached.

Mr. Quinn asked if Mr. Comitta was using 30% of the open space to calculate the numbers reported today and Mr. Comitta answered in the affirmative. Mr. Adams

asked Mr. Comitta to clarify, as he stated earlier all of the open space was used for the calculation. Mr. Comitta explained that even though 60% is the limit of coverage, when you calculate the open space areas on the land use plan, it is approximately 30%. He noted there will be pedestrian gathering areas and other similar types of areas that will increase the achievable open space beyond 30%.

Dr. Grove, 275 New Darlington Road, commented that open space was miscalculated in previous public hearings and then inquired where the figure of 200 units came from. Ms. Bradshaw explained the original ordinance allowed the developer to build 200 age-restricted residential units. Mr. Comitta then provided a brief history on the original ordinance's plans for residential ordinances. Dr. Grove then asked if the open space calculated took into consideration setbacks, spaces between buildings, etc. Mr. Comitta confirmed these types of things were taken into consideration for the open space calculation. He then went on to state that the developers were seeking approval for a maximum of 350 proposed residential units, and that this number of units may actually be less.

Mike Makos, 306 New Darlington Road, inquired if the 350 proposed units would put a significant amount of stress on the Township's fire department. Mr. Kirchgasser identified that he was a volunteer fire fighter and then informed Mr. Makos the fire department could handle the added burden. The Chief of the Rocky Run Fire Department was in the audience and confirmed Mr. Kirchgasser's response.

Tony Abi-Salloum, 149 Barren Road, asked for the benefits of the trade-off to be identified. Mr. Comitta responded there would be less box stores and less traffic, noting that Mr. Federico was in the audience and would be able to provide more information on the lessening of traffic. Mr. Adams noted Mr. Federico would comment on this matter after public comments. He noted, however, that a formal study was not yet completed.

David DiFebo, 210 Chestnut Avenue, asked how this amendment would affect the rest of the parcel. He also noted that he felt the elimination of the age restriction on the residential units was a very significant change. Mr. Comitta informed the audience no other land use changes have been announced by the developer at this time. He then deferred further comments on this matter to the developer.

Mr. Quinn asked Mr. Comitta how the ordinance addressed parking. Mr. Comitta responded that current parking ratios would apply to the dwelling issues and that SU-1A zoning required at least 1.5 spaces per residential unit. He then asked Mr. Rothe for further comment. Mr. Rothe replied Ponds Edge and Skycrest were both required by the Township to allot for 4.5 parking spaces per unit. Mr. Comitta asked what the requirement is for a townhome and Mr. Rothe responded 2 spaces per unit.

Abe Boughner, 332 Howarth Road, expressed concern with the proposed amendment and asked how increasing the number of units would affect the Township's schools, police, and fire department. Mr. Comitta noted this was a legitimate concern and the applicant would provide "comfort" to those points during their testimony.

Mr. Adams then introduced Mr. Federico, noting that he would be able to provide additional information on traffic related concerns. Mr. Federico informed Council and the audience that residential dwellings produce significantly less traffic than retail stores. By reducing the retail on this property, a significant reduction of traffic could be expected. By exchanging 2 big box stores and 200 age-restricted units for 350 non-age restricted residential units, the evening peak for new traffic would be less than half the previously projected amount. Therefore, from a traffic perspective, the proposed amendment would reduce the impact on traffic.

Mr. Federico also explained that he believed the number of parking spaces would be reduced significantly for the property. There would also be lower light impact during the evening with this proposed amendment.

Mr. Federico reported that while age restricted units would have had less of an impact on the schools, it would have a higher impact on EMS services and that big box stores tend to put more stress on police services. He then noted the developer would be able to explain any impact on public services in more detail.

Mr. Quinn asked what the trade-off at peak hours of traffic would be. Mr. Federico responded that based on a rough calculation, 365,000 square feet of retail and 200 age-restricted residential dwellings could expect 1,070 new evening trips in and out of the property. In comparison, the proposed 66,000 square feet of retail and 350 residential units would expect only 486 new evening trips. Mr. Rothe asked for morning peak hour calculations. Mr. Federico did not have those figures prepared but commented that most forms of retail usually creates less traffic in the morning than residential dwellings.

Mr. Bartholomeo commented that he believed 1.5 parking spaces per units was not realistic and asked Mr. Federico to comment on what the impact on traffic flow with this parking space amount would be. Mr. Federico stated he was unable to answer this question at this level of the planning stage, but noted the impact would depend on if parking would be permitted on the streets, if there are garages, etc. Mr. Kirchgasser commented that given the Township's past requirements of 4 or more parking spaces per unit, it would be likely to expect the Township to require more parking in these types of applications. Ms. Bradshaw stated that she believed a higher minimum on parking should be made a contingency of any change. Mr. Federico also commented that the developer would need to cater to his prospective customers, which would likely mean providing ample parking to residents.

Mr. Makos asked if additional stop lights would be planned if this change took place and Mr. Federico answered in the affirmative. Mr. Rothe commented the new light proposed is by the new SEPTA train station.

Following the conclusion of audience questions, Stephen Polaha, Esquire, representing the applicant, was introduced. He commented that Mr. Comitta's summary of the issues at hand was accurate and that the density compared favorably to what has been

approved in the past. He then asked Council if they had any questions for the applicant to answer.

Mr. Adams asked the applicant to address the concerns related to the SEPTA train station. Kevin McLaughlin of the McKee Group reported the Pennsylvania Senate recently approved a bill that would provide funding for the Wawa train station and the parking lot. He then noted that it is the developer's hopes that having the train station at this location would draw in commuters to the residential units. Ms. Bradshaw asked if the applicant would consider making an internal connection to the train station instead of having the residents drive out of the development to access the station. Mr. McLaughlin reported it was their intention to make a pedestrian connection. Ms. Bradshaw felt she did not think people would want to walk down and would be more likely to drive to the station. Mr. McLaughlin noted it was only about a 500 foot walk, but that they understood the topography and were considering how to make this easier on residents.

Mr. Rothe asked if it was true big box stores would not be built in the areas on the diagram he referred to as the "B,C,D" area. Mr. McLaughlin responded that the proposed plan gives the developer the flexibility to choose the B, C, and D uses in those areas; however, he doubted big box stores would be built in these locations. Mr. Rothe asked if there was any plan of putting in apartments and Mr. McLaughlin stated apartments were not the plan. Mr. Rothe asked if the applicant was considering single family houses, noting 350 units seemed like too many for the area. Mr. McLaughlin reported the actual density would likely be less than 350 and commented that the 350 units in the proposed amendment would be a maximum limit. Mr. Rothe then asked the applicant to comment on the parking situation. Mr. McLaughlin noted they would abide by the Townships minimum standards; however, they would also need to consider the customer's wish for additional parking for multiple personal vehicles and guest parking.

Ms. Bradshaw asked for residential unit to be defined by the developer. Mr. McLaughlin indicated this meant multi-family dwelling or semi-detached dwelling. Ms. Bradshaw asked if condos were permitted under the definition and Mr. McLaughlin answered in the affirmative. Ms. Bradshaw commented that removing the ability to build condominiums may be a condition Council should consider. Mr. Quinn asked if apartments were permissible and Mr. McLaughlin answered in the affirmative, adding they would fall under the category of multi-family units.

Mr. Kirchgasser asked the audience if they had questions for the applicant. Dr. Grove, 275 New Darlington Road, asked if this amendment was truly to be seen as a trade-off then why are they not removing the possibility of big box retail from the ordinance. Mr. McLaughlin responded that the developers wanted to maintain flexibility and a large employer in the area was interested in building. Dr. Grove commented that Wawa is not considered big box retail and believed keeping flexibility doesn't make it a trade-off. Mr. Makos then noted he agreed with Dr. Grove.

Mr. Boughner asked if the developer considered the effect having 4 parking spaces per unit would have on building 350 units. Mr. Poloha did not have a response for this question.

Following the audience's questions, Mr. Galloway motioned to close the hearing, Ms. Amoroso seconded this motion and Council approved unanimously.

6. NEW BUSINESS

- A. Consideration for Adoption. An Ordinance of the Township of Middletown, Delaware County, Pennsylvania Amending Chapter 275, entitled "Zoning," Article XIXA:SU-1-A Mixed Use District, of the Code of Ordinances of the Township of Middletown, by deleting the phrase "provided that the permanent occupants of such dwellings are restricted to individuals 55 years of age or older" found in Section 275-117.3.B., increasing the number of permissible residential units from 200 to 350 on a tract as provided in Section 275-117.4.E, and permitting residential and related uses (a "B" use) in the area currently limited to retail and related uses (a "C" use) and cultural, religious and charitable uses (a "D" use) as identified on the Land Use Plan attached to this Ordinance as Exhibit "A" and repealing all ordinances or parts of ordinances inconsistent herewith
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Mr. Kirchgasser asked the audience if they had any questions regarding the abovementioned matter. Doreen Makos, 306 New Darlington Road, asked why it was necessary to remove the age restriction. Mr. Kirchgasser reported the applicant's prior testimony noted the market for age-restricted developments is no longer favorable. Mr. Kirchgasser asked the developers if they wished to comment on this matter. Mark Dambly responded, confirming removing the age restriction was necessary for the marketability of the units. He also emphasized that these residential units will be age-targeted for the older population if the amendment was approved by Council. He also commented that Mr. Comitta provided a comprehensive summary of the trade-offs, noting the significant decrease to traffic, increase to quality of life, and the opportunity to revitalize the area. He then went on to express the biggest issue for the developer's right now is credibility in the marketplace. Because of this, they are not able to take away the flexibility.

Mr. Boughner commented that the developers previously came before Council stating that big box retail was the best plan. Mr. Dambly responded that the project started 8 years ago and the economy has changed drastically. He also noted that the buyers are changing yearly and the market is currently more favorable to residential units.

Dr. Grove commented that he believed the conference center and hotel previously discussed were attractive for this area. In addition, he noted big box retail could still be built elsewhere on the property. Mr. Dambly reported the areas Dr. Grove referred to were not changing; the proposed amendment was only for the area indicated in the application.

Mr. Kirchgasser commented that when this project originally began, the town centers in Concord Township had not yet been developed and there are more options in retail in this area now than there was then. As a result, he noted the delay hurt the potential for retailers to build on the Franklin Mint property. Mr. Kirchgasser summarized key issues throughout the development, noting the controversy throughout the planning was the retail

and the impact retail traffic would have on the Township. Mr. Kirchgasser noted the amendment before Council lessened these impacts greatly and, if looked at in broader terms, the tradeoff is a 350,000 square foot shopping center being replaced by 150 additional homes. He also commented that if this plan was presented 2 years ago, it would have been seen as very favorable. Mr. Kirchgasser also asked the audience to consider the broader application of the building activity occurring along Rt. 1. Since the Granite Run Mall property is about to be revitalized and the Township has committed to improving the intersection of Rt. 1 and Rt. 452, this lower impact solution the developer is presenting should be seriously considered.

Mr. Abi-Salloum felt the plan was good but restrictions needed to be in place. Mr. Bartholomeo expressed that the property needed to move forward and if this is the plan, "get it done." He then said he felt there needed to be restrictions. Mr. Adams responded that there are restrictions within the zoning ordinance and if future changes are desired, the applicant would have to receive approval from Council.

Cathleen Smith, 58 S. Pennel Road, requested the Township to keep the 40% open space in place; not 30%. Mr. Dambly noted that figure wouldn't change.

Jeffrey Waterfield, 80 War Admiral Lane, asked Council to confirm they completely understood all the ramifications of this amendment, providing the examples of sewer flows, taxes spent for services to this area, taxes accrued, fire, EMS, sewers, and the clientele using it. He believed Council has not considered everything.

Ms. Bradshaw commented that "Zoning is not a Bible" and that it changes and adapts to the circumstances. She believed the idea of getting rid of 2 big box stores with parking lots was favorable. Ms. Bradshaw noted she was originally concerned about density; however she felt the concern had been addressed. Ms. Bradshaw also commented that Mr. Federico's testimony about the lessening of evening traffic flow by this trade-off is beneficial. Nevertheless, based off of what Council learned about townhouses through other projects, she believed the parking needed to be more than 1.5 spaces per unit. She specifically felt consideration need to be made for residential guest parking, as well as places to plow the snow. Mr. Dambly responded that he was not in a position to change the zoning ordinance; however, the developers would be coming in front of Council for Land Development in the future. At that time, the plan would be refined to the satisfaction of Council.

Ms. Bradshaw asked Mr. Adams if changing a parking requirement would be considered de minimis. Mr. Adams answered in the negative, stating the ordinance amendment "would be back at square one," as it would require readvertising, resubmitting to the planning agencies, and having another public hearing. Mr. Adams reminded Council that when the SU-1A ordinance was adopted, it was agreed a few things would need to be revisited at a later point. That was completed, an amendment was made, and Council adopted the amendment. Mr. Adams went on to state that it appears Mr. Dambly was willing to work within this structure and Council has time to unilaterally propose a new amendment and go through this process again. He also suggested that Council could seek the developer's to agree to do what other developers have done before when Council changed some of the use and characteristics of the SU-1A adoption.

Ms. Bradshaw then asked Mr. Adams if it was possible for a condition of an approval of this amendment could be made to revisit the parking issue. Mr. Adams said Council could do this; however, it would only be a statement of intent and not binding in any way. Mr. Dambly noted that it is the Developer's wish to work with Council on this project and that while 1 ½ parking spaces per residential unit was appropriate at that time, it was not feasible now. He agreed the plans would need to be developed further than they are now. Mr. Dambly also pointed out that the developers would have a hard time selling the units for the prices they want if there was only 1 ½ spaces per unit. Therefore, from a marketing standpoint, Mr. Dambly felt the developers would want to change this anyway.

Ms. Bradshaw noted a plan is usually in place prior to a decision being made and asked Mr. Adams what Council would be able to do moving forward with Land Development in order to resolve this issue. Mr. Adams explained that Council maintained leverage because there will be many issues that surface throughout this process and agreements will have to be reached to resolve each issue. Mr. Adams then commented that this project has been going on for 8 years and it is important to put the developers in a position where they are able to move forward. He then expressed that he felt parking is a minor issue that could be addressed at a later time during the development phase. Mr. Dambly commented that he agreed with everything Mr. Adams said, adding the developers needed to move forward to maintain credibility in the marketplace and would need to work with Council in order to achieve that goal

Ms. Makos noted that she didn't see any plans for play grounds, dog parks, etc. Mr. Dambly commented the plan was not fully developed to include things like that at this point; however, the developers had no intention of adding play grounds since they are not targeting families, but older residents. He identified that there would be some "pocket parks" and places to walk dogs, but not playgrounds. Mr. Makos then asked how the public played a role when it comes to leverage and opportunities for change. He asked specifically what the public's impact on these negotiations and decisions would be. Mr. Kirchgasser noted that any and all decisions made by Council are opened for public comment. Therefore, any time the developers come before Council for approval at any stage of the plan, the public would have the opportunity to comment at the agenda meetings. Mr. Adams interjected, noting if this ordinance was amended, the next step requiring Council action would be review and approval of a land development plan. When the developers present this plan to Council, it will be done formally during a meeting opened to the public.

Lastly, Mr. Comitta asked the developers what the plans were for the Pennell House. Mr. Dambly stated it was designated as a historic site and would be preserved; however, it may be repurposed, possibly as a club house for the residential units.

Mr. Galloway moved to approve the adoption of Ordinance as introduced and Ms. Amoroso seconded this motion. Council approved Ordinance 746 with a vote of 4-1 (Mr. Quinn).

B. Review of Revised Final Land Development-Rocky Run YMCA-1299 W. Baltimore Pike

Mr. Kirchgasser recognized that Mark Damico was present, acting as Township Solicitor on this matter.

Peter Mardinly introduced himself as a representative of the Rocky Run YMCA. Mr. Mardinly explained there is a plan for an additional 99 parking spaces in the rear of the property. He was before Council at this meeting, asking for approval of the Land Development plan, subject to the satisfaction of the comments provided by Mr. Rothe. Mr. Rothe commented that the requirements he identified came down to "a landscaping issue." He asked for landscaping around the retaining walls and for 4 foot high trees around the woods. He also noted their landscaping plan called for landscaping to hide the parking area from the Granite Farms property. Other than that, Mr. Rothe stated that he believed the applicant agreed and adjusted their plan accordingly. Mr. Comitta agreed with what Mr. Rothe indicated. He went on to state that if Council approved the additional parking, he would be happy to work with the applicant to address Mr. Rothe's landscaping concerns.

Mr. Galloway asked Mr. Mardinly if he would abide by the review of Mr. Comitta's office and Mr. Mardinly answered in the affirmative.

Ms. Bradshaw motioned for approval of the final Land Development plan for Rocky Run YMCA to build an additional 99 parking spaces in the rear of the property. Mr. Quinn seconded this motion and Council approved Resolution 2014-26 unanimously.

C. Acceptance of Bid Proposal—Custom Pumper/Rescue Vehicle for Rocky Run Fire Company

Mr. Clark reported that Chief Cairns was present from the Rocky Run Fire Company. Mr. Clark then explained that the fire company was seeking to obtain a replacement vehicle for one piece of existing apparatus at both Lima and Lenni Fire Company. This would reduce the overall vehicle fleet by one at present. The replacement vehicle would be a pumper/rescue vehicle. 4 bids were received for this proposal under the COSTAR program, which allows municipalities to purchase under state contracts in satisfaction of municipal bidding requirements. The lowest bid received was for \$559,250 from Marion Body Works in Marion, Wisconsin. The Township has access to a loan program through the State for fire vehicle purchasing at a 2% interest rate, up to \$200,000. It is proposed to take advantage of this loan for the purchase. Mr. Clark reported the remaining money would be paid for out of the tax proceeds from the Fire Apparatus Tax that is levied every year. This vehicle has a projected life of about 20 years and will take about 1 year for the truck to be built and delivered.

Mr. Kirchgasser thanked Chief Cairns for being present on behalf of the fire company, noting he had a busy year due to the merging of Lenni Heights and Lima Fire Companies into one fire company (Rocky Run).

Ms. Bradshaw motioned to approve the purchase of the custom pumper/rescue vehicle for the Rocky Run Fire Company. Mr. Quinn seconded this motion and Council approved Resolution 2014-27 unanimously.

D. Approval of Bill List

Mr. Kirchgasser read aloud the bills presented for Council's consideration for approval for payment.

Mr. Galloway moved that payments under the February 24, 2014 Bill List be authorized for payment by the Finance Department:

	<u>General Fund</u>	
Aqua Pennsylvania, Inc.	January Hydrant Rental	\$11,280.75
Petrikin Wellman Damico Brown & Petrosa	Professional Services	\$9,880.00
	Total General Fund	<u>\$21,160.75</u>
	<u>Recreational Enterprise Fund</u>	
Touriffic Travel	Phillies Spring Training	<u>\$6,132.40</u>
	<u>State Fund</u>	
International Salt	Salt	<u>\$15,050.87</u>
	<u>Capital Reserve</u>	
Computer Network Professionals	Camera	<u>\$6,504.91</u>

Ms. Amoroso seconded the motion, and Council approved Resolution 2014-28 unanimously.

7. ADJOURNMENT

Mr. Kirchgasser adjourned the meeting at 9:03 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Allen', with a long horizontal flourish extending to the right.

Amanda Allen, Recorder

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