

TOWNSHIP OF MIDDLETOWN
PLANNING COMMISSION MEETING

June 9, 2015

Present: Mark Bradson, William Moran, Susan Powell, Greg Reitze, Peter Schettler, and David Sharbaugh

Eric Janetka, Kelly & Close, and Donald Petrosa, Esquire

A. Call to Order

Chairman Mr. Sharbaugh called the meeting to order at 7:37 PM.

B. Approval of Minutes

Ms. Powell motioned to approve the May 12, 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

Mr. Sharbaugh noted that due to the nature of each agenda item, the Planning Commission members decided that 1 hour and 15 minutes would be allotted to each applicant to present their information and answer questions. If the applicant needs more time, then the discussion would be tabled until the following meeting.

Clock Date: August 3, 2015: Preliminary Land Development—BT Granite Run, LP; 1067 W. Baltimore Pike: Redevelopment of Granite Run Mall. Partial demolition of the mall (minus Sears and Boscov's buildings) and demolition of the building housing the movie theater and retail center. Numerous new retail/entertainment/dining buildings are proposed; total 321,723 SF of new building areas, as well as 2 new apartment buildings total 385 units.

Joe Riper, legal representative for BET, explained that the applicant filed the preliminary land development plan in May for the mall conversion overlay ordinance (MCO). He noted that comments have been received from the Township and its consultants and that the applicant has responded. He introduced Michael Markman of BET and the applicant's civil site engineer, Keith Lieberman. Mr. Riper reported that the notices to abutting land owners were

sent. He provided copies of this documentation to Mr. Petrosa and stated the originals would be provided to Township Manager Bruce Clark.

Using a diagram, Mr. Lieberman then provided an overview of the project. Mr. Lieberman explained the plan was to demolish the interior portion of the mall and replace it with outdoor, walkable space that would include retail, dining, entertainment areas and parking. He stated the front area that is currently parking would be converted to retail and dining. Mr. Lieberman reported that Kohl's, Sears, Sears Auto, Acme, and Boscov's would remain at their current locations, but JC Penney would be demolished and replaced with a movie theatre on top and junior-size anchor stores on bottom. The rest of the property would be redeveloped. He noted that the current AMC Theatres building would be demolished and Apartment Building 2 would be constructed in its place. The other apartment complex would be next to Acme, at the former Chi-Chi's site. These apartments would be considered upscale. In addition, some restaurants and retail centers would be constructed on the outskirts of the property. He described this redevelopment as revitalizing the property as a "lifestyle center," where patrons could play, eat, shop and live.

Mr. Lieberman reported that the site slopes from Middletown Road to Baltimore Pike and that this would be maintained to provide a favorable amount of elevation. He noted that both apartment complexes would be 5 stories; however, they would appear less from Oriole Avenue and Middletown Road because of the elevation difference. Specifically, the apartment complex by Baltimore Pike would appear 5 stories from the highway but only 4 stories from Oriole Avenue. The other apartment complex would appear to be only 3 stories from Middletown Road.

Mr. Lieberman then went on to discuss storm water management. He reported a watershed boundary was in the middle of the site and that the east part of the complex drains to the retention basin by PNC Bank. He emphasized that the improvements would boast a 2 ½ reduction for storm water management. Mr. Lieberman then explained that the existing retention basin along Baltimore Pike would be re-landscaped and redeveloped to better assist with runoff. He stated that the applicant would address water quality volume by implementing a porous pavement parking lot by the proposed movie theatre. He also explained that the movie theater would be raised to pitch away runoff and have it percolate through the parking lot in order to better control the water drainage.

Mr. Lieberman reported that access to the property would be unchanged and continue to be used. Using a diagram, he indicated each access point.

Mr. Bradson asked what type of impervious pavement would be used. Mr. Lieberman responded asphalt with directional swell so water could be directed to where it need to go and drained slowly over the course of 3 days through a single pipe.

Mr. Lieberman reported that the applicant received comments on the preliminary land development plan from Township representatives. While the applicant would comply with most of these comments, he went on to review comments that the applicant wished to discuss. He identified the first as #14 from Meredith Merino about design guidelines to permit banner signs that are not permitted in the zoning ordinance. He stated the applicant planned to make a modification to the proposed MCO in order to allow for this and provided examples of what types of banner signs could exist. For instance, a store putting a chalk board out with specials for the day or banners to help draw visitors' attention to areas within the complex (he noted this was a recommendation of Mr. Comitta). Mr. Lieberman commented that the consultants and Mr. Comitta seemed fine with this change.

He went on to comment #5 from Kelly & Close regarding the 24 foot wide aisle required for fire lanes within the parking structure. He noted the MCO would be modified to allow for this. In addition, he noted there was a comment regarding the need for open space or to pay a fee. Mr. Lieberman reported that the zoning ordinance states this requirement was not applicable to the MCO but the "land development ordinance points to the zoning ordinance." He recommended amending the MCO so it is not applicable to the applicant or to request a waiver. His argument for the waiver was the fact that the applicant was putting in a walking trail along the Oriole Avenue perimeters and loop road of the property, through the mall and along Middletown Road to Rose Tree Road where the proposed Township park would be located. In addition, it was possible this walk way could be connected to the Township building in the future. Since pedestrian mobility will be greatly enhanced and the property included recreation facilities, Mr. Lieberman argued the fee should not apply to the applicant.

Mr. Lieberman then discussed comment #10 of the engineer regarding slopes greater than 3 to 1. He stated that the applicant was complying with this requirement except where the deviation already exists on the property. He stated the applicant feels it is compliant but if the engineer felt differently, then a waiver would be asked for. Similarly with comment #17 of the engineer regarding trees being 10 inches in diameter or greater, he stated that very few trees were to be removed and that the applicant felt he was compliant. The ones that would be removed were either in bad condition or did not look aesthetically pleasing. Mr. Lieberman expressed he would like to meet with the necessary authorities on the property to view the foliage to see what can be saved or if a waiver could be attained.

Another comment Mr. Lieberman discussed related to the storm water design and how it was discussed. The current ordinance identifies net difference whereas volume is discussed with infiltration. He stated that because the applicant cannot infiltrate, percolation was to be used. He reported this meets the DEP guidelines and proposed to allow an alternate design consistent with DEP regulations. He commented the current ordinance as amended allows the

Township to grant waiver of infiltration but the applicant wished to consider best management practices. Therefore, the applicant felt a modification to the MCO would be more appropriate than requesting a waiver.

The last engineer comment he discussed was in regards to requiring the storm water management retention basin being a maximum of 4-to-1. He noted one retention basin was being enlarged to 3-to-1. He recommended modifying the storm water management ordinance to make the 4 to 1 requirement a guide and allow Council to grant deviation. He stated that additional volume was needed at this property to make the 50% reduction rate.

Mr. Lieberman then moved on to the traffic consultant's comments. Mr. Petrosa noted that Al Federico of McCormick & Taylor, the Township's traffic consultant, was present to answer questions if necessary. Mr. Lieberman noted that the applicant would comply with most of the comments but needed clarification on a few of them. He stated that he met with Mr. Federico earlier in the day and made a preliminary proposal to address the comments. Mr. Lieberman indicated that Mr. Federico expressed the suggestions would probably suffice.

Mr. Lieberman then moved on to the landscaping consultant's comments. The first comment he addressed was #2.1 regarding sidewalks and crosswalks throughout the site. He stated Mr. Comitta made recommendations and the applicant would comply with most of them; however, he described some as excessive and others to be unbuildable. For instance, the applicant does not own the property along Baltimore Pike in front of McDonalds and Riddle Ale House. Therefore, walkways cannot be installed there by the applicant. He also said that crosswalks were recommended in areas that would be low volume and constructing them would take away from the aesthetics of the area. He stated he would meet with Mr. Comitta to come to an agreement.

Mr. Lieberman reported that the applicant would comply within reason to comment #4.9 regarding foundation plantings around the new buildings. He noted the MCO stated the plantings had to be "reasonably close" and that it would be infeasible to have foundation plantings against the building. Therefore the plantings would be around the front of the building and serve the same purpose Mr. Comitta discussed. He explained this would look similar to how Main Street in Exton looks.

Mr. Lieberman went on to comment #6.2 about language within the design guidelines. Currently it reads "should," "could encourage," etc. Mr. Comitta recommended using more stringent terms like "shall comply," "prohibited," etc. Mr. Lieberman expressed that the MCO obligates the applicant to design and follow guidelines but they have to be "guidelines" to allow for a level of flexibility. He noted this was necessary because of changes in technology and architecture throughout time. Mr. Lieberman stated he would meet with Mr. Comitta to craft language that meets the goals of the Township and the applicant.

Mr. Lieberman reported that comment #5.2 regarded design guidelines specific to amenities, like gazebos. While he noted the applicant was willing to comply, he did not want to lock into specific types of structures and needed to have flexibility with design. He then went on to discuss another comment about changeable signs. He stated the current ordinance allows this and that the applicant planned to have an LED lit sign along Baltimore Pike. Mr. Lieberman stated the sign would meet the requirements and noted it would be a "static sign," not "animation." This concluded the applicant's discussion on the comments. Mr. Sharbaugh asked the Planning Commission if they had any questions or concerns.

Mr. Reitze asked if environmental testing was completed for remediation. Mr. Markman reported that a Phase 1 Environmental Assessment was conducted when the property was bought and no anomalies were found. He stated some asbestos was found on the JC Penny building but that it would be removed properly.

Mr. Reitze asked if the applicant was aware of the proposed changes to the Cloverleaf. Mr. Lieberman stated the applicant was aware and that a meeting was held with PADOT to discuss the redevelopment plans. Mr. Lieberman expressed that the plans for the Cloverleaf are still unknown but that he did not think it would impact the mall.

Mr. Bradson asked if Mr. Comitta specified the types of plantings along Oriole Avenue and Mr. Lieberman answered in the negative. He noted that the plan included 12 foot evergreen plantings with some indigenous plantings. Mr. Bradson emphasized that this area needs to look aesthetically pleasing on both sides of the property line and expressed he would like the plantings along Oriole Avenue to be more mature. Mr. Lieberman stated that the applicant is compliant with the ordinance and the plantings currently along this border are mature white pines. The plan is to try to maintain these plantings because of their size, but some would need to be removed in order to construct the walking trail. He emphasized that the applicant would preserve what could be preserved and augment the area with additional diverse evergreens. He stated it would look more pleasing than it is in the current state. Mr. Sharbaugh expressed he felt this issue appeared to be addressed and the proposed border with Oriole Avenue appeared to be "well screened."

Mr. Moran asked if there were only plans for 1 changeable sign. Mr. Lieberman answered in the affirmative, noting the intention was to have it two-sided along Baltimore Pike.

Mr. Petrosa asked if Mr. Janetka or Mr. Federico wished to add anything. Mr. Federico confirmed he met with the applicant and that while some issues still needed to be addressed, he was confident they would be resolved. He noted a scoping meeting took place with PADOT the previous week and that the intersections identified in the review letter would be included in the study when it took place.

Mr. Bradson asked what the height maximum for the Baltimore Pike apartment complex would be on the Oriole Avenue side. Mr. Lieberman stated 60-65 feet. Mr. Janetka noted that elevation differed at this location and the rear of the building would appear to be 4 stories because elevation is 10 feet below Oriole Avenue. Therefore, from Oriole Avenue, the building would really only appear to be closer approximately 3 stories. Mr. Markman commented that the apartment complex was also pulled back 10 additional feet from the property line with Oriole Avenue compared to the original proposed plan.

Mr. Sharbaugh then invited comments from the audience. Judy Petrizio, 58 Forge Road, expressed she thought the traffic analysis was completed for the Cloverleaf. Mr. Lieberman stated that PADOT was doing the analysis and that he was not informed of the project timeline. He noted that he met with PADOT and the Township's consultant and as a result of the meeting, PADOT would do an assessment taking into consideration the traffic from the mall redevelopment. Ms. Patrizio asked if the public would have access to these studies prior to the project starting and if the bypass would be made bigger. Mr. Lieberman stated this information would be available through the Township and that the applicant was not involved with the Cloverleaf project. Ms. Patrizio asked if they were considering how traffic would affect the community and Mr. Lieberman answered in the affirmative, adding it would be coordinated with PADOT.

Diane Wendel, 5 Blacksmith Lane, asked how many entrances and exits there would be. Mr. Lieberman stated that with the exception of the current entrance to the former Chi-Chi's property on Middletown Road, all existing entrances and exits would remain. Mr. Janetka asked Mr. Lieberman to address parking. He stated there would be a reduction of 474 parking spaces (5,133 current to 4,659 proposed). He emphasized the site as it stands is considerably "over parked," but that the applicant would remain consistent with requirements and include some excess. Mr. Lieberman noted the residential units would have 661 total spaces with an excess of 100 parking spaces over the requirement of 1.5 spaces/residential unit. He noted this allows the property to reduce impervious area and increase landscaping.

Mr. Moran asked about the plans for public transportation. Mr. Lieberman noted that a SEPTA site needed to be located on the property and the applicant was looking for Township guidance on where to place it. He explained it would need to be a bus stop and routes would need to be discussed with SEPTA and the County Planning Commission. He noted this meeting was not yet scheduled. Sarah Claypoole, 206 N. Middletown Road, requested the SEPTA stop be removed from her property. She stated there is consistently trash on her property and damage to her fence as a result of its current location. She also asked that the wooden privacy fence along Oriole Avenue be extended to the border between her property and the mall. Mr. Sharbaugh stated that was a valid comment and suggested she inform Council of it. Mr. Lieberman stated the fence would remain and the landscape would be enhanced. Ms. Claypoole

asked if the fence and tree line would exist between her property and Building K. Mr. Markman said they could discuss that. Ted Lucas, 201 N. Middletown Road, stated he has a bus stop on his property too and would like it removed. He then asked what would be in Building K and what the lighting and trash arrangement would be. Mr. Markman said it is currently proposed to have Franklin Mint Federal Credit Union and Pappone's Pizza at that location. He stated the lighting would not leave the property and the trash enclosures would be against the building, adjacent to the Middletown Road entry access, opposite of the neighbors side. Mr. Lieberman noted the size of Building K was 4,770 square feet.

Mr. Bradson asked if there are interested tenants in the property. Mr. Markman reported he was actively negotiating with 25 prospective tenants but could not disclose what businesses they were due to confidentiality. He stated the site would include a movie theater, entertainment building, shops and restaurants. He emphasized he had good momentum with getting favorable tenants.

Wendy Hunsicker, 208 S. Pennell Road, explained her mother was a resident of Oriole Avenue and asked what the barrier would be. Mr. Markman stated the plan was for plantings but a fence could be considered. Melissa Reynolds, 38 Oriole Avenue, stated there was already a lot of "cut through traffic" on her street and asked if the mall traffic would add to this. Mr. Lieberman expressed he didn't see why this would be the case because there were so many access points to the mall and there was a loop around the whole complex. In addition, there are turning restrictions on the Middletown Road intersection with Oriole Avenue which lessens the efficiency of taking that road as a shortcut for the mall. Ms. Poole asked if Oriole Avenue could be part of the traffic study. Mr. Lieberman stated that road's traffic is due to local traffic and commuter traffic so it shouldn't be impacted; however, it would be part of the assessment.

Ms. Wendel asked if there would be a sign on the Middletown Road side and expressed she wanted the ordinance to be written in a way that would not allow signs to be in other places within the Township. Mr. Petrosa stated that Mr. Comitta addressed this issue in his comments and the applicant requested flexibility. He stated the Township would want to maintain control. Mr. Lieberman stated changes to the ordinance were not made and the applicant would comply. Mr. Petrosa instructed Mr. Lieberman to look into Comment #2.4.

Mr. Riper indicated no major issues were voiced and requested a recommendation for approval. Mr. Reitze motioned to recommend approval of the preliminary land development of 1067 W. Baltimore Pike subject to satisfaction of various review comments by the Township and its consultants. Mr. Bradson seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Clock Date: July 29, 2015: Preliminary Reverse Subdivision and Land Development and Conditional Use—Pennsylvania State University; 25 Yearsley Mill Road: Proposes a campus extension to add 2 new buildings consisting of a 72,824 s.f. Residence Hall and a 30,550 s.f. student union/dining hall and reverse subdivision of 3 peripheral parcels to consolidate to the campus parcel.

Tim Sullivan, legal representative for the applicant explained Pennsylvania State University was seeking a recommendation for approval for preliminary reverse subdivision and land development, with conditional use. This was needed in order to construct a student union building and residence hall. He noted copies of the affidavit of land development application and proof of notices to abutting property owners were turned into Mr. Petrosa and Mr. Matson. He stated the originals will be provided to Council. Mr. Petrosa asked if any more notices were returned since the copies were provided. Mr. Sullivan reported a few more notices were returned and that all but about 8 or 9 of the 45 remain outstanding still. He stated he would provide the updated notices prior to presenting to Council.

Mr. Sullivan then introduced Kristin Woolever, Chancellor of Pennsylvania State University Brandywine Campus (PSU). Ms. Woolever noted that she also lives in the Township at 122 Yearsley Mill Road. She reported that PSU has been in operation at this location since the mid 1960s and originally provided 2 year degrees only. She explained that in the past 15 years, PSU started offering 4 year degrees as this location, including 12 Bachelor Degree programs. Other degrees may be started at this location and completed at Main Campus. Ms. Woolever noted that PSU is the only university in the County currently without dormitories that offers 4 year degrees. She reported that statistics show students who live on campus have a higher rate of graduating compared to commuters. She emphasized that PSU is a “proud campus” with some distinguished faculty. The school takes pride in maintaining the property, which would not change if the proposed construction is approved.

Ms. Woolever went on to explain that if approved for the student union and residence hall, the university police force would be increased in order lessen the burden of the State Police. She stated that the housing would not be visible from the street and the Student Union would become a strong focal point for the campus. She emphasized that PSU has always been and would continue to be “good neighbors.”

Mr. Sullivan then introduced Stephen Crew, architect for the applicant. Mr. Crew presented slides to Planning Commission that illustrated the proposed improvements to PSU. He explained that the site originates around an academic quad, and that the buildings around this area fit into the sloping site. Parking exists along the outskirts and the middle of campus is “pedestrian-friendly.” He noted that the administrative building has been updated and renovated.

Mr. Crew showed a diagram that illustrated the layout of the proposed 250-bed residence hall. The north side would be 350 feet from the property line and the structure would complement the existing stone and brick architecture of the campus. It is proposed to be 4 stories and L-shaped. Due to the slope, it would be seen as 4 stories on the uphill side and only 3 stories on the downhill side. Mr. Crew reported the ground floor would be mechanical and maintenance, the 1st floor would have the main entrance at the corner of the L-shaped structure and consist of residential units and office space, the 2nd floor would consist of residential units with restroom facilities, the 3rd floor would have more residential units with restroom facilities and study rooms at the corners, and the 4th floor would have residential units on the upper wing only. The residence hall would have a flat roof and comply with height requirements for the zoning district. Mr. Crew reported it would be a "sustainable green building" and occupy a footprint of 4/10 of an acre.

Mr. Crew showed another diagram that demonstrated there would be a walkway to the right of the residence hall that would take students to the Student Union and quad. He then explained the Student Union would be 20 feet tall in the front and 36 feet tall in the back. It, too, would be a sustainable building with a 4/10 of an acre footprint. The front side of the building would have a walkway taking students to both the Tomezsko Building and library. Mr. Crew explained that the 1st floor would consist of a loading area, meeting area and book store. The 2nd floor would have the main dining area. Like the residence hall, the Student Union would feature a similar stone, brick and glass design.

Mr. Sullivan then introduced the landscape architect for the applicant, Patrick Stewart. Mr. Stewart noted that he reviewed the comments from Mr. Comitta. He stated that the ordinance requires a lot of landscape buffers for the parking area, which would include hard wood, indigenous trees, shrubs, etc. Mr. Stewart reported there are 7 rain gardens throughout the site.

In terms of lighting, Mr. Stewart reported it would be pedestrian-scale lighting that is 12 feet high. This is necessary as a safety precaution. Using a diagram, he indicated where the lights would be located and where the lighting would fall on the ground for each light. He noted the lights would be LED and state of the art.

Mr. Sullivan then introduced Eric Ostimchuk, traffic consultant for the applicant. Mr. Ostimchuk reported that a traffic study was completed in September 2014, specifically for the main access point on Middletown Road and the access point on Yearsley Mill Road. This study considered the projected future volumes and revealed that the types of use on the property would actually decrease rush hour traffic at the location. He stated that while there is an increase of 140 projected students, 250 would be staying on campus. This means that there would be 1,380 commuters, which is less than there is at present. Parking spaces would increase from 865 spaces to 877. The ordinance only requires 481 spaces. Mr. Ostimchuk reported that the study

showed that there are currently 607 spaces being used at present. The proposed project would increase this figure to a projected 678 occupied spaces; leaving nearly 200 spaces empty throughout the campus.

Lastly, Mr. Sullivan introduced PJ Close, engineer for the applicant. Mr. Close presented a diagram of the campus from above and noted that it consisted of 112 total acres. He explained that the original campus was only 87 acres, but the university acquired surrounding parcels since then. He described these parcels as follows:

- Davis Tract—2 tax parcels for a total of 24 acres
- Evans Tract—4 acres

Mr. Close explained the applicant is requesting approval for reverse subdivision to combine all of these parcels into one parcel of 112 acres. He noted that the highest elevation on the property was the north property line at 390 feet. The lowest is at the corner of Old Forge Road at 250 feet. Mr. Close reported an unnamed tributary flows throughout the property to Rocky Run. The drainage pattern goes from Middletown Road to Old Forge Road, forming a valley and flows to the center.

Mr. Close explained that in context with the campus as a whole, the union is in line with the existing building and the residence hall is close to the library. The L-shape of the residence hall blends in with the hill side. He reported that both buildings are 18,000 square feet. The residence hall is 44 feet wide. One side of the L-shape is 260 feet long and the other side is 160 feet long. The Student Union is 100 feet by 180 feet.

In terms of "horizontal relations," Mr. Close reported that the residence hall is between 408 feet and 810 feet away from abutting properties. It is 1,300 feet away from Wedgwood Lane. The Student Union will be 1,000 feet away from Middletown Road, 1,100 feet away from Yearsley Mill Road and 2,500 feet away from the closest house on Old Forge Road. In terms of "vertical relations," Mr. Close reported that the residence hall is 44 feet high and the Student Union is 28 feet high. He noted the roof lines are in sync with the other buildings.

Mr. Close reported that the distance between the residence hall and Wedgwood Lane was 1,300 feet, but elevation is 262 feet. From the top of the hall's roof is 392 feet; however, he noted a large hill is to the side with trees. The trees and hillside actually acts as a visual buffer between the proposed location of the residence hall and Wedgwood Lane. To illustrate this, he showed a diagram of the natural topography, unnamed tributary and Rocky Run in back of property.

Mr. Close explained that the original parcel and Evans parcel are both zoned I-2. North, south, and to the left of the property are zoned R-1-A. The applicant wishes to reverse

subdivide the property in order to remove the property lines and make it 1 parcel of land. He noted the development would be occurring in the I-2 zoning district and conditional use approval is required. He reported that the current buildings are 1,947 square feet per acre and the proposed work would still comply with the ordinance at 3,087 square feet per acre.

Mr. Close went on to report that the applicant is well below the impervious coverage requirements. Using a site plan, he illustrated that the Yearsley Mill entrance would be expanded to become a two-way access point for delivery trucks and emergency vehicles specifically. The access way to the union would be 25 feet wide. Mr. Close emphasized that a lot of thought went into the layout, specifically with fire safety considerations and how to minimize the footprint to keep the campus "green." He discussed this desire with the Township's Fire Marshall and came up with the solution of making the access way 10 feet of concrete and 10 feet reinforced grass in order to hold the weight of emergency vehicles. Mr. Close reported that there would also be a new fire lane between the Tomezsko Building and Student Union.

Mr. Close reported that the proposed structures water main and sewer would connect with the existing water line and sewer line for the existing buildings. He noted that consultants were hired to study the capacity of the sewer and water line to make sure they could service the additional water needs and waste. He explained that the Sewer Authority did an analysis of the existing pump station on Yearsley Mill and have suggested the pump station by the main building be decommissioned and use gravity to connect to the Yearsley Mill pump station. He noted that there would be 5,400 additional gallons per day in sewage flow (1,200 gallons from residence hall).

Mr. Close reported the storm sewers would consist of an underground seepage bed by the maintenance building. It would utilize the retention basin by Middletown Road and the unnamed tributary. It would have a Municipal Separate Storm Sewer System (MS4), which is an ongoing maintenance response reporting requirement. As a result, PSU is required to monitor outfall to make sure streams are not polluted. He noted a link on line exists with this information and for the public to review. He emphasized the goal is to maintain and improve the quality of the stream.

Mr. Close explained the total disturbance is less than 7 acres. There will be 3 infiltration beds, 1 underground retention bed, and water gardens. He commented that a tributary requirement is to have a 150 foot buffer in order to maintain forest for the existing unnamed tributary. Mr. Close noted the requirement of 50% peak reduction has been achieved. Mr. Close explained that the applicant would comply with the environmental requirements stipulated by both the Township and PADEP.

Mr. Close reported that the steep slope modification does request to disturb some steep slopes. He explained that 3 bands of contours equal the regulated steep slopes. The property consists of 19 ½ acres of steep slopes, with 6.2 acres being very steep. The applicant requests to disturb 1.6 acres of this space, .3 of which is considered very steep. Mr. Close expressed that this disturbance was minimal. He explained that 15%-25% slope category would be disturbed for the residence hall.

Mr. Close noted that the timeline to start the project would be in Spring 2016. The construction should take approximately 16 months, but should be completed for residents to move in September 2017.

Mr. Sullivan commented that he received the review letter from the Township's traffic, landscape, lighting and engineer consultants. The comments have been reviewed and the applicant did not see a problem with complying with them. He then asked Planning Commission if they had any questions.

Mr. Reitze asked how the emergency vehicles would know the difference between the reinforced and regular grass when driving through the campus. Mr. Close explained the Fire Marshall has required reflectors to differentiate between the two. If it snows, this area will also be cleared away. In addition, there will be signs to indicate the fire lane. Mr. Reitze asked if there was easy access to the fire connectors on the building. Mr. Close answered in the affirmative.

Ms. Powell asked how the parcel could be zoned together if it were different zoning districts. Mr. Petrosa explained that it would be considered "split-zoned." Mr. Sullivan explained this is not unusual and that it would only be the Davis parcel not zoned I-2. He emphasized that although the property line would be eliminated, it would not change how the Davis parcel is zoned. Mr. Petrosa agreed and stated that he has seen this before in the Township and in other communities.

Mr. Reitze asked if Art Rothe, former Township engineer who was present in audience, had any comments. Mr. Rothe answered in the negative, but noted that the existing storm water system is a gabion basket structure that has been cleaned and is working. Mr. Close reiterated that the existing system is maintained as per the MS4 and that PSU has an obligation to maintain and report on the condition of gabion baskets.

Mr. Moran asked if additional staffing would be needed. Mr. Sullivan answered in the affirmative, and noted these additions were considered in the traffic study. Not including faculty, staff would increase from 71 to 96. Mr. Bradson asked if parking would be allotted for resident students. Mr. Sullivan indicated a decision has yet to be made on that. Ms. Woolever noted that PSU could allow this though since there is plenty of parking. Mr. Petrosa asked if

these additional vehicles were factored into the traffic study and Mr. Ostimchuk answered in the affirmative.

Mr. Federico commented that when he reviewed the traffic study, he asked for a more conservative analysis to be conducted. Mr. Sullivan verified this and noted the applicant has agreed to complete a more conservative analysis.

Mr. Bradson asked for more information regarding the direction of the lighting. Mr. Stewart reported it would be LED and that the light would be directed down. Mr. Bradson noted that there was not much of a buffer on the Middletown Road side and that he wouldn't want a glare to reach the road. Mr. Stewart agreed and stated that would not be the case with these lights. Mr. Petrosa asked if the lighting review was completed by the Township consultant. Mr. Stewart answered in the affirmative, noting there was one comment but he did not see a problem with reaching a resolution.

Mr. Bradson commented that the steep slope minimized by going in 2 foot increments for the topographical lines. Mr. Close stated the regulation is for 3 contour bands wrapped together. Mr. Bradson asked if each contour is tapered back. Mr. Close explained that the diagram shows what will be disturbed and that he tried to keep 150 foot minimum buffer for no disturbance.

Mr. Petrosa asked if a steep slope report was submitted. Mr. Close stated an EIA report was requested by Mr. Comitta. The applicant has agreed to complete this report, which will provide more detail on the steep slopes. Mr. Sullivan noted the narrative portion needs to be incorporated for the EIA report.

Mr. Bradson asked if there would be an increase or decrease in traffic at the main entrance if enrollment increased as the applicant was hoping. Mr. Ostimchuk stated it should stay the same since students would be staying on campus too, but the more conservative analysis that Mr. Federico requested should provide more information.

Mr. Sharbaugh then invited audience members to ask questions. Stephanie Harmon, 509 N. Middletown Road, asked if the residence hall was starting with freshmen only, where would they go once they are sophomores. Ms. Woolever stated that it would only be the 1st year the dormitory is opened that the rooms would be limited to only freshmen. If freshmen who lived there wished to stay in subsequent years, they may do so and PSU will fill the vacancies as needed. Dave Wendel, 5 Blacksmith Lane, asked how long the dormitory would be limited to 250 residents. Mr. Sullivan stated there were no plans to build additional dorms. He reported that when the master plan was completed 5 years ago, the original concept called for 400 residents; however, the zoning ordinance does not really allow for more than 250. Mike McCormick, 110 Yearsley Mill Road asked if the back property were rezoned, could more dormitories be added. Mr. Sullivan answered in the negative, stating the applicant was seeking

to reverse subdivide only; not rezone. Mr. McCormick asked if any expansion could happen after this. Mr. Sullivan explained that there was room for some additional expansion but not a lot. Mr. McCormick asked if such an expansion would be dorms. Mr. Sullivan stated that was not necessarily the case, as PSU may feel there is more of a need for classrooms when and if that time ever came.

Jerry Wendel, 5 Blacksmith Lane, commented that a lot of students cut through Blacksmith Lane to bypass traffic on Middletown Road and Rt. 1. She asked if there was any way to enforce not cutting through the neighborhood. Mr. Ostimchuk reported that the traffic analysis looked at cut through traffic for Blacksmith Lane, specifically for the campus, and that there was not a lot. He noted only 11 cars cut through in the morning peak hours and 16 in the evening peak hours. He stated the lanes coming out of PSU are left and right only; not straight. Therefore, that would be an enforcement issue. Mr. McCormick expressed these figures are from the summer and don't take into consideration school traffic. Mr. Ostimchuk stated the study was conducted in September 2014 and explained that traffic in the summer generally is less because of schools closed throughout the area and drivers taking vacations.

Mr. Patrizio, 58 Forge Road, asked if the Planning Commission ever combines traffic issues. For instance, do they consider traffic from the Granite Run project occurring at the same time as the PSU project and the ramifications after the fact when both are completed. Mr. Petrosa responded this was not the responsibility of the Planning Commission; however, the Township traffic consultant does do this. Mr. Patrizio expressed that traffic in this area is already "horrific" and that it needs to be addressed even without these projects. Mr. Ostimchuk noted that he did consider the Granite Run redevelopment and that while he could not speak for BET Investments, they would likely have to consider PSU in their traffic study as well. In addition, PADOT through their traffic consultant, Jacobs, is also looking at the cloverleaf interchange and needs to include these projects in order to make their base projections. Mr. Federico explained that the clover leaf interchange is a long-term project for PADOT and that they will consider all of this traffic; however, what PADOT is doing is not driven by these projects. It was already planned before either of these projects were submitted. Mr. Patrizio inquired if the Township could push PADOT to move faster on their improvements and if PSU would be able to help with this goal. Mr. Sharbaugh stated that was a valid request but the Planning Commission does not have the authority do so.

Mr. Reitze motioned to recommend preliminary reverse subdivision approval for Pennsylvania State University Brandywine Campus contingent upon the Township consultants' comments being satisfied. Mr. Bradson seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Kevin Matson, acting Engineer for the Township, asked how many waivers were being requested. Mr. Close reported that the storm water provision may require one but the

applicant was trying to comply without requesting it. He requested to set up a meeting with the Township engineer to discuss this further. Mr. Matson agreed and then asked if the driveway access on Yearsley Mill Road that currently curves around could be made straight. Mr. Close stated the slope at that location is four to five feet and that it would be a little too steep for trucks coming in. He noted a curve would offer better alignment.

Mr. Matson asked if the existing police force would become full time. Mr. Sullivan stated they already are full time but not around the clock coverage. Upon completion of this project, the police force would be on the campus "24/7, 365 days a year."

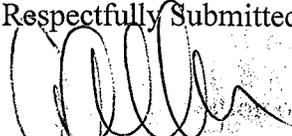
Mr. Matson expressed there were a number of outstanding issues without Township consultants final comments. He felt the Planning Commission should not move forward at this point with recommending approval. Mr. Sharbaugh stated that was a good point and commented the recommendations should be made with contingencies.

Mr. Reitze motioned to conditional use approval for Pennsylvania State University Brandywine Campus contingent upon the Township consultants' comments being satisfied. Mr. Bradson seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Mr. Reitze motioned to recommend preliminary land development approval for Pennsylvania State University Brandywine Campus contingent upon the steep slope testing, EIA, and all other comments by the Township consultants' being satisfied. Mr. Bradson seconded this motion and the Planning Commission approved unanimously with a vote of 6-0.

Mr. Sharbaugh adjourned the meeting at 10:26 PM.

Respectfully Submitted,


Amanda Allen, Recorder

Recorder