

TOWNSHIP OF MIDDLETOWN  
PLANNING COMMISSION MEETING

September 13, 2016

Present: Mark Bradson, Anthony Mirenda, William Moran, Greg Reitze, Peter Schettler, Kevin Matson (engineer), and Patrick McKenna (solicitor)

A. Call to Order

Mr. Schettler called the meeting to order at 7:32 PM. He announced that Mr. Sharbaugh resigned from his position with the Planning Commission and thanked him for his 13 years of service. He noted that as Vice Chairman, he would fill in as Chairman for the remainder of the term but that a new Vice Chairman would need to be elected.

Mr. Mirenda nominated Mr. Moran to the position of Vice Chairman and moved the nomination forward for consideration. Mr. Bradson seconded the motion and Mr. Moran was elected Vice Chairman for the remainder of the term unanimously with a vote of 5-0.

B. Approval of Minutes

Mr. Mirenda motioned to approve the minutes for the August 2016 meeting. Mr. Moran seconded the motion and the Planning Commission approved unanimously with a vote of 5-0.

C. New Business

*Final Land Development: Franklin Mint Tract (Wawa)—1442 W. Baltimore Pike—Wawa project on 5.55+/- acres within 9.38 acres Pennell Road parcel included in the overall 173.8 acre Franklin Mint tract with SU-1A zoning.*

Steve Pollaha, attorney for the applicant, provided a brief history of the application and stated he anticipated the final plan would be in front of Council at their September 26<sup>th</sup> meeting. He and the applicant were present at this meeting to request a recommendation for conditional approval of the final plan with 6 modifications. He reported that most comments by Township consultants and the conditions in front of the Planning Commission have been met or will be met.

Barry Archimbault, engineer for the applicant, explained that the Township engineer's letter had 25 comments and 20 of them have a response of will comply or noted no response was needed. He then reviewed the 5 outstanding comments: First, the adjoining property notification letters were sent. He noted that Mr. Pollaha sent proof of

this to the Township and its engineer via email on September 7<sup>th</sup>. The second comment he reviewed dealt with electrical and utility lines installed underground. He reported the applicant would reach out to PECO to discuss the service road intersection area further. Mr. Matson commented he wanted the applicant to see if PECO would but the other utilities would be out of their control if there are other utilities at this location. Mr. Archimbault stated he was not sure if there were other utilities there without researching it further but if there were, he would reach out to them as well. He then went on to discuss the third comment, regarding speed bumps on the service road that were requested to be replaced. He stated that could be discussed with the Township and PADOT when they talk about the loop road plan. Mr. Archimbault reported the fourth comment was about the old mail truck parking lot, and noted there were no proposed improvements there but Mr. Matson recommended the driveway apron be repaired. He stated he would discuss this further with the Township and PADOT but that he thought there were already Do Not Enter signs in place there. Lastly, the fifth comment was about the retaining wall on the west property edge, close to the property line. He did not think this would be needed based on the construction techniques planned to be used but stated they would engage the adjacent property owner if necessary.

Mr. Bradson asked if the plan was to use geogrid or cast and pound. Mr. Archimbault was not sure but felt either would be a reasonable assumption. Mr. Bradson felt a geogrid would be less disruptive.

Mr. Matson asked the applicant to discuss the changes between the preliminary plan and the final plan regarding the site geometry and grading differences. Mr. Archimbault responded that all three entrances to the property were modified slightly based off the traffic engineer assessment and feedback from PADOT. Mr. Matson reported that the first access is right in/left in, the second is right turn in only lane, and the third was an entrance off Pennell Road. All the differences were minor, but Ms. Klein was present to discuss them further if necessary. Mr. Bradson asked if there would be an acceleration lane on Pennell Road and Ms. Klein answered in the negative.

Based off questioning by Mr. Matson, Mr. Archimbault explained that the geometry of the service road owned by the applicant was also modified as part of preliminary planning with the Township and PADOT in preparation for the potential loop road being discussed between these three parties for long-term planning. He then detailed the 6 related modifications. This included using reinforced concrete pipe for the sewer pipe material everywhere but in the service road and parking lot. The service road would be RCP and the parking lot would be HDEP. Both are permitted by PADOT. Mr. Matson interjected, asking if any changes to these modifications occurred since the May 23<sup>rd</sup> meeting. When Mr. Archimbault answered in the negative, Mr. Matson stated he did

not need to review them at present. Mr. Pollaha noted there was a minor change, but because there was no change to the intent, Mr. Matson still felt it was not necessary to review.

Mr. Matson asked what the plans were for the existing post office building, since it was so close to the roadway in question. Mr. Archimbault stated it was owned by the applicant but it would be reviewed later to determine possible usage.

Lisa Thomas, landscape consultant for the applicant, stated she had 4 items to address from the review comments listed in the letter from the Township's landscape consultant. First, Mr. Comitta requested an off-white door color for 3 of the doors. Wawa is willing to comply. He also requested that 1 of the 3 handicap spaces be relocated to the rear of the building. Wawa is willing to comply. The third comment requested a note on the detail to clarify the finish of concrete. This would also be completed. Lastly, Mr. Comitta commented on the color of the retaining wall. Ms. Thomas requested this comment be addressed at the time of the building permit, but stated they would work to resolve it sooner (probably the following week).

Mr. Matson asked Mr. Thomas to discuss the lighting plan, specifically what the color of the lighting would look like at 4,000 degrees compared to other lighting. Ms. Thomas explained that 4,000 degrees is a clear and safe color. The lighting would be softer than what Wawa usually uses in order to meet Township standards compared to if it was a higher degree, like 7,000. She explained that Stan Stubbe asked the applicant to bring the coloring down and Wawa agreed.

Ms. Klein, traffic consultant for the applicant, stated that Mr. Archimbault already discussed the changes since the preliminary plan. She noted that there would be a deceleration right turn lane for both entrances off Baltimore Pike. There would also be a left turn lane for the one access point on Baltimore Pike; however, the existing turn would be modified to shorten the lane. This would allow a longer left turn lane in the opposite direction for the Rt. 452/Rt. 1 intersection. Lastly, she explained that the Pennell Road access point would allow left turn in with a separate left turn lane and a right turn in for entry, but only a right turn out for exiting. A pork chop barrier would be installed to prohibit drivers from making a left for exiting. It was noted that there is bone striping in the middle of this access point and Ms. Klein explained that is due to plans to eventually use this in connection with the loop road that would go around the CVS property and come out by the fire house as a traffic improvement for the intersection. The vision is for there to be a traffic light at this location. The changes that were made to this area are to accommodate these improvements in the future.

Ms. Klein stated she would comply with the remaining 6 comments.

Mr. Moran asked if the land the Township wanted to build the connector road on was eminent domain. Ms. Klein stated her understanding was that the Township would seek to acquire the properties, but all of this is only under discussion at this point. She didn't believe there were residences on the service road though. Mr. Parker thought there were several on the East side, but Ms. Klein stated she believed they were all turned into businesses. Mr. Pollaha stated that was correct.

Ms. Klein then addressed the earlier comment about speed bumps, stating that if future plans for this service road is to become part of the connector road puzzle, then speed bumps would not be advisable. She also stated that the applicant did not want to make Wawa a cut-through.

Mr. Schettler asked for the status of the service road extending to the project. Ms. Klein stated the plan is to connect the property through a service road but to do this, easements needed to be granted through two properties not owned by the applicant. Getting this service road would also allow customers of Wawa to reach the existing light at the Chevrolet dealership to allow for making a left onto Route 1. She reported the applicant is moving forward with the other property owners but this would not be known for sure until a future date. Mr. Pollaha stated if Wawa opened before this west extension goes through, they will need to work with PADOT.

Mr. Bradson asked if temporary speed bumps could be an option since they would not have to be a construction issue. Ms. Klein stated this could be discussed but truck traffic would need to be considered as well.

There were no questions for the Wawa representatives.

Tony Ieradi, 209 Berry Lane, asked how far down the entrance would be to Wawa if going down Pennell Road. Ms. Klein stated about 700 feet. He then asked if there would not be a signal until the loop road is installed and Ms. Klein stated that was correct. He then asked what traffic would be like when making a left turn into the beer distributor or gas station. Ms. Klein stated that the light would be at the location of the existing post office. It is not currently opened but was before. Due to the service road now being properly designed, it will not be tight. Traffic won't need to come to stop to make the turn in. She emphasized this would be an improvement compared to other access points in that area.

Mr. Reitze motioned to recommend approval subject to the satisfaction of general comments of the Township consultants. Mr. Bradson seconded the motion and the Planning Commission approved the recommendation unanimously with a vote of 5-0.

Mr. Reitze noted that he did not want to see any speed bumps but wished Wawa luck with the project.

*Amendment of the SU-1A Mixed Use Zoning district regulations*

Mr. Pollaha, attorney for the applicant, provided a brief history on the application, stating that the proposed ordinance was first read at the August 8<sup>th</sup> Council meeting and that the applicant was expected to come back to Council at the September 26<sup>th</sup> meeting; at which time they will request approval. He then discussed the proposed changes.

First, in the A areas of the diagram, this amendment adds single family detached dwellings as residential use. SU-1A zoning does not allow this currently and the applicant wishes to build 48 of these. Second, 2 non-residential uses were added to the B areas of the diagram: stand-alone units and assisted living/skilled nursing/rehab/memory care/day care. These are not on the plan now but the applicant wished to keep the option open for the tract if there is interest on a different parcel. Third, paragraph C of page 2, which is not related to the residential project, would change from not less than 30% or more than 70% for offices, to not less than 10% or more than 90%. The applicant wants this change to allow for more flexibility.

Mr. Pollaha went on to report that the next change was to Section D of page 3, which would change the minimum distance between buildings from 15 feet to 18 feet for single family detached units and 20 feet for other buildings. The next change is to paragraph e regarding land use. The exhibit to the Ordinance will be updated to be brighter and clearer. In addition, Areas C representing office and D representing retail will now be combined so both office and retail areas will be represented by C. The next change was paragraph F pages 3-4. The buffer yard requirement is 100 feet from Rt. 1 for a portion of the Franklin Mint building. Mr. Comitta felt the measurement for the buffer should be based off the distance from the right of way. This paragraph was changed to reflect that. In addition, in exchange for leaving the buffer at 100 feet, this paragraph identifies certain items and structures that can be placed in the buffer yard of the residential portion of the Franklin Mint parcel. Mr. Schettler asked if that would be consistent with Mr. Comitta's evaluation and Mr. Pollaha answered in the affirmative.

Mr. Bradson asked if the grading for the residential plan has been figured out. Mr. Archimbault answered in the affirmative and reported the residential plan was approved in August by Council.

Mr. Bradson asked for the number of residential units. Mr. Pollaha reported 302 but noted that the Ordinance permits 350.

Mr. Ieradi asked if the 18-foot spacing between homes would be an issue for emergency vehicle access. Mr. Pollaha stated that was one of the reasons the ordinance is being changed from 15 feet to 18 feet. Mr. Reitze noted that the Fire Marshal reviewed the plans and found them satisfactory.

Mr. Reitze motioned to recommend approval of the zoning amendment. Mr. Moran seconded the motion and the Planning Commission unanimously approved the recommendation with a vote of 5-0.

Mr. Schettler adjourned the meeting at 8:34 PM.

Respectfully Submitted,

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

Amanda Allen, Recorder