

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

AGENDA

AT-LARGE: Jackie Donnelly, Carissa Ciuca, Christopher Stump

FIRST DISTRICT: Susan K. Powell

SECOND DISTRICT: Walter (Bok) Read

THIRD DISTRICT: Bibianna Dussling

FOURTH DISTRICT: David Bialek, PharmD, R.Ph

ENGINEER: Eric Janetka, Kelly Engineers

SOLICITOR: Mark D. Damico, Esq.

For the **Regular Meeting** to be held at **7:00 p.m. on Wednesday, April 16, 2025**, in the Township Building located at 27 N. Pennell Road.

1. **OPENING:** Pledge of Allegiance to the Flag
2. **APPROVAL OF MINUTES:**
 - 1) Draft Township Council Minutes: September 18, 2024.
 - 2) Draft Township Council Minutes: October 2, 2024.
3. **PUBLIC COMMENT: On items not listed on the Agenda.**
4. **REPORTS:**
 - A. Chair:
 - B. Committees:
 - C. Manager:
 - 1) Middletown Township Fire Chief - Bill Rigby.
 - D. Engineer:
 - 1) Engineer's Monthly Report - March 2025.
5. **PUBLIC HEARING:**
6. **OLD BUSINESS: N/A**
7. **COUNCIL WORKSHOP ITEMS:**
 - A. Review: Summary of a Preliminary/Final land development application submitted by Elwyn Schools for a new school building, located at 111 Elwyn Road.
 - B. Review: Summary of a Preliminary Land Development application submitted by Mills at Glen Riddle, to construct a new light manufacturing building, located at 300 S. Pennell Road.
 - C. Review: Council Review of Zoning Hearing Board Application:
 - 1) Application 2025-07: Applicants Christopher Welde and Erica Rummell, 116 Riper Road, seek a variance for a maximum 8-foot deck/patio projection into the 15-foot required rear yard to construct a 12'x22' deck and lower patio which will extend an additional four feet into the required rear yard beyond the maximum 8-foot allowance, Zoned R-4.
8. **ITEMS FOR APPROVAL:**
 - A. Acceptance of Municibid Bid: Public Works 2020 Exmark 72" mower in the amount of \$7,200.
 - B. Acceptance of Municibid Bid: Public Works 2020 Exmark 48" mower in the amount of \$5,500.
 - C. Approval of the April 16, 2025 Bill List.



John McMullan
Township Manager

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
SEPTEMBER 18, 2024

Item 2.1

Minutes of the Regular Meeting of Township Council held on September 18, 2024 at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

Present: David Bialek, PharmD, R.Ph, Carissa Ciuca, Jackie Donnelly, Bibianna Dussling, Susan Powell, Walter "Bok" Read, Christopher Stump, John McMullan, Mark Damico, Esq., Eric Janetka, Kelly Engineers, Vince Visoskas.

1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Ms. Dussling called the meeting to order and led in the recitation of the Pledge of Allegiance to the Flag. Ms. Dussling announced Council met in Executive Session prior to tonight's meeting to discuss ongoing legal matters.

2. APPROVAL OF MINUTES: N/A

3. PUBLIC COMMENTS

Mr. Stan Johnson, 160 Kennedy Drive, asked if Council has heard anything from Outrigger on the proposed warehouse at the Franklin Mint site. Ms. Dussling answered there have been no plans submitted.

4. REPORTS

A. CHAIR: NONE

B. COMMITTEES: NONE

C. MANAGER:

1) Presentation: President of Bird Town PA, Heidi Shiver

Mr. McMullan stated Council approved the application by resolution for Middletown Township to become a Bird Town community and has been successfully awarded this distinction. Mr. McMullan introduced Ms. Heidi Shiver. Ms. Shiver congratulated the Township on becoming a new Bird Town. Bird Town Pennsylvania works in partnership with local municipalities to promote community-based conservation actions to create a healthier more sustainable environment for birds, wildlife, and people. Their organization has been actively engaged in the state for 14 years with 68 programs across the state and in 12 counties. They are under the umbrella of the Pennsylvania Audubon Council and are partnering with various conservation groups including We Conserve Pa which runs the Audubon chapter in the bird city network.

The Pennsylvania Audubon Council advocates and provides information and resources to address conservation issues. The Valley Forge Audubon Society is the local chapter, and they provide a number of different programs; bird walks, hikes, photography, etc. Birds are important in keeping our eco system running smoothly. They eat insects, keep diseases down including the plague, distemper, and rabies and are important for pollination. They also keep the rat and mice population down. This time of year, is important for migration. Breeding Bird surveys have shown there is a

huge decline in the population from 3-77%. Peregrine Falcons are being impacted badly by the Avian Flu. Their population is declining, the worst since DDT. Baltimore Orioles are being impacted by loss of habitat. The major threats are; loss of habitat, cats (2.4 billion birds are killed by cats per year), window collisions, pesticides, climate change, invasive species plants and plastics. Bird Towns' goal is to address these issues through engagement, education, and encouragement to support awareness. There are many things your Bird Town association can do such as a state structured program, resources, achievable actions, communication networking, and training. They provide a quarterly newsletter. There is an upcoming event in Williston Township; a bird banding session. Ms. Shiver presented two signs to the Bird Town Committee and Council. Ms. Dussling thanked the members of the EAC.

- 2) PennDOT's Rte. 1 and 352 Improvement Project Update Meetings: Virtual meeting, Thursday, September 19 at 7:00 p.m., and Open House Meeting at the Township Building on Thursday, September 26, 5:00-8:00 p.m.

Mr. McMullan announced there will be a virtual meeting on the Rt. 1 and 352 improvement project on Thursday, September 19, at 7 p.m. The link is posted on the PennDOT website as well as the Townships' webpage. This is an interactive meeting with a presentation and an opportunity for questions. Ms. Dussling asked if the information is also on the Township's Facebook page, and Mr. McMullan said he would check. On Thursday, September 26, there will be an Open House Meeting from 5 p.m. -8 p.m. at the Township Building. There will be representatives from PennDOT as well as their engineering consultant, Jacobs Engineering.

- 3) Township Zoning Ordinance Update: Open House for the public scheduled on Monday, September 30, 5:30 p.m. - 7:00 p.m. at the Township Building.

On Monday, September 30, there will be an Open House to display the draft Zoning Ordinance Update. This will be held at the Township Building from 5:30 p.m. - 7:00 p.m. Township staff as well as staff from Thomas Comitta's office will be on hand to answer any questions.

- 4) Middletown Township's Food Truck Festival: Thursday, September 19, 2024, 4:00 p.m. to 7:00 p.m. at Longview Park located at the intersection of N. Middletown Road (Rte. 352) and Rose Tree Road.

Mr. McMullan announced tomorrow, Thursday, September 19, there will be the annual Food Truck Festival scheduled from 4 p.m. -7 p.m. at Longview Park located at the intersection of N. Middletown Road and Rose Tree Road. In addition to food trucks there will be activities for children and a DJ. Ms. Ciuca asked about the format for the PennDOT Open House meeting as well as the Zoning Open House. Mr. McMullan stated both meetings will have stations with information and residents can pop in at any time during the posted time frame. Mr. Stump asked if the virtual meeting will be recorded, and Mr. McMullan answered yes and added the recording will remain on the PennDOT website.

- 5) Request from Linvilla Orchards to operate the traffic lights at Rt.352 & Knowlton Road

beginning the last weekend of September and every weekend in October, including Monday, October 14, from 10 a.m. – 6 p.m. Intersection will be staffed by fire police from Middletown Fire Company and Rocky Run Fire Company, with notification to PA State Police.

Mr. McMullan reported on the annual request from Linvilla Orchards. They are requesting to take control of the traffic control box to better assist with the volume of people participating in the Pumpkin Land activities beginning the last weekend in September and every weekend in October including Monday, October 14, from 10 a.m. – 6 p.m. This has worked very smoothly over the past several years. The intersection is staffed by members of Middletown and Rocky Run Fire Companies with notifications provided to the PA State Police. This requires a motion of approval from Council. Ms. Donnelly made a motion to approve. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

6) Township Fire Chief - Bill Rigby.

Chief Rigby reported they received word from State Representative Borowski for a grant for Rocky Run Ambulance for a power load stretcher and system in the amount of \$62,000. There will be a check presentation at Rocky Run on October 10. The fire companies had their annual burn drill in West Chester. Rocky Run purchased a utility vehicle pickup truck. The pickup will be used for towing the trailer with the UTV (utility terrain vehicle) to access the trails. Ladder 46 is home and listed for sale. Rocky Run received a grant for a diesel exhaust capture system.

D. ENGINEER: NO REPORT

5. PUBLIC HEARING: N/A

6. OLD BUSINESS: N/A

7. COUNCIL WORKSHOP ITEMS:

8. ITEMS FOR APPROVAL:

A. Consideration for Approval: Resolution 2024-16, approval of a Conditional Use Application submitted by Philadelphia Meeting Room, Inc./Plymouth Brethren Christian Church, to permit the construction of a church at 129 N. Middletown Road, Zoned R-2.

Mr. McMullan stated for Council's approval is Resolution 2024-16 which is a conditional use application from Philadelphia Meeting Room, Inc. to permit a church building in a R-2 residential zoning district. At the September 4 meeting, members of the applicant's team were present to participate in the conditional use hearing which allowed members of Council and the public to ask questions. In order to approve the conditional use application, it requires to be approved by resolution. Mr. McMullan stated members from the application team are present in the event there are any more questions. Mr. Read asked if there was any resolution to the concerns at the intersection.

Mr. Timothy Sullivan stated both Van Leer Avenue and Rt. 352 are state highways. The Artist Memory Care design was approved and received HOP's (highway opening permits). Those permits were assigned to Philadelphia Meeting Room, Inc. but there needs to be revision on the HOP for Van Leer Avenue. The application is awaiting PennDOT review comments. They have involved the Township's Traffic Engineer and whatever their comments are, they will work with the Township's Traffic Engineer to resolve the comments. Mr. Bialek stated he noticed in the plan submission the acceleration lane was included on the Rt. 352 parcel, and he assumes that was part of the proposed changes to the project, and Mr. Sullivan answered yes. He stated he was provided with a copy of the draft resolution, and they have no problem with any of the conditions in the proposed draft resolution.

Mr. Read made motion to approve Resolution 2014-16. Mr. Stump seconded the motion. The motion carried with a vote of 7-0.

- B. Consideration for Approval: Resolution 2024-17, Preliminary/Final Land Development Application for Philadelphia Meeting Room, Inc. for a 11,699 s.f. church building and associated parking lot, located at 129 N. Middletown Road.

Mr. McMullan stated before Council is Resolution 2024-17 for preliminary/final land development for 129 N. Middletown Road by Philadelphia Meeting Room, Inc. to be used as a church building with approximately 200 parking spaces as part of that location. The application has been recommended for approval by the Delaware County Planning Commission as well at the Middletown Township Planning Commission. It has been satisfactorily reviewed by the Township Engineer and Township Traffic Engineer and staff. Ms. Dussling asked if there has been any further communication from residents in proximity with the development, and Mr. McMullan stated there has not been. He added he had a follow up conversation with the Township Traffic Engineer and Councilman Bialek regarding some questions the Councilman raised at the last meeting.

Mr. Bialek stated he reviewed the output from the Traffic Engineer's recommendations, and he is aligned with these recommendations. Ms. Powell asked if Council is to approve this even though they are still waiting for PennDOT's permit, and Mr. Sullivan stated it would be conditioned upon issuance of PennDOT's permit. Mr. Sullivan added he has been provided with a copy of the draft resolution, and they accept all of the conditions set forth in the draft resolution. Mr. McMullan stated the Township Solicitor pointed out the draft resolution has been revised to include PennDOT's HOP information as well as other conditions that came out of last week's meeting. Mr. Damico asked to table this item until he had a chance to speak to Mr. Sullivan about the conditions. Ms. Dussling agreed to table the vote on this item.

Mr. Damico stated there were some discrepancies between what was given to Council in their packets and what was an earlier draft resolution. The new draft resolution adds a condition for the applicant to obtain from the PA Department of Environmental Protection

a sewage facilities planning module for connection to the public sewage system, an HOP is required by PennDOT for any proposed access modifications which were discussed previously, NPDES permit for stormwater management, and a sidewalk easement from Rose Tree Media School District in order to construct a sidewalk connection from property to sidewalk at the signalized intersection with the Promenade. The applicant would agree to do that subject to getting Rose Tree Media School District's approval. If Council approves the draft resolution, Mr. McMullan will work with staff to get the resolution to Mr. Sullivan for signatures. Mr. Sullivan added they have no objection to any of the conditions.

Ms. Donnelly made a motion to approve Resolution 2024-17. Mr. Read seconded the motion. The motion carried with a vote of 7-0.

- C. Consideration for Approval: Resolution 2024-18, Preliminary/Final Plan Minor Subdivision, Land Development and lot Consolidation Plan of Darlington Farms, LLC, for a property located at 643 Darlington Road.

Mr. McMullan stated before Council for approval is Resolution 2024-18 which is a preliminary/ final plan for a minor subdivision at 643 Darlington Road. This application has been reviewed by Middletown Township Planning Commission as well as the Delaware County Planning Commission and both are recommending approval. This subdivision consists of 17 acres which will be subdivided into three lots at 609 Darlington Road. The applicant is proposing to build on one lot only. Mr. Matt Houtmann, G. D. Houtman and Son, retained by the applicant provided an overview of the plan. The applicant is Darlington Farms, LLC, of whom the principal is Kevin Shields. Mr. Shields is a Township resident who lives immediately east of the parcel being subdivided. He has a ten-acre parcel. The old Darlington mansion is on this property.

What is proposed is a three-lot subdivision and also the creation of a parcel "A" which is a one-acre parcel that will not be a building lot but will be merged and become part of the ten-acre lot Mr. Shields owns. The property is bounded on the east by Mr. Shields' other property and on the west by lands owned by Middletown Township as well as across the street lands owned by the Township. Mr. Shields wants to construct a house for his daughter on Lot 2. Lot 1 is the lot that surrounds the old Darlington mansion and is a 4.7-acre tract. Mr. Houtmann added that Mr. Shields did an amazing job rehabbing the property. Forty years ago, the house was falling down. The bigger lot is a 10.6-acre lot, which will be the building lot. Lot 3 is a 1.4-acre tract. With this application was a waiver request for modifications with respect to steep slope disturbance. There are gentle slopes closer to Darlington Road, there is a band of steep slopes which bisects the middle of the property and on top of the hill there is very nice area for house sites. To get from Darlington Road back to where the proposed house is to be located you have to cross a band of steep slopes. The driveway was meandered around the very steep slopes so there was no driveway overlap with the very steep slopes but there is some disturbance with

the steep slopes.

A steep slope report was submitted and reviewed by the Township professionals. The plan was reviewed by the Township Engineer and has been before the Planning Commission which recommended approval. Mr. Houtmann added there is an existing driveway that comes off of Darlington Road and swings around and goes back parallel to the train tracks and services two or three house sites that sit very far back. There is an existing easement on that lane for Township fire purposes. They will be reconfiguring that access to make it more regular. Now if cars are traveling southbound on Darlington Road, they can veer right off this driveway without even making a turn. It will be reconfigured to make it 90-degree access and continue to provide access to homes, not part of this application as well as Lot 2. Ms. Powell asked if that access is the driveway for Lot 2, and Mr. Houtmann stated they will share an access point at Darlington Road and quickly veer off to the left.

Mr. Bialek made a motion to approve Resolution 2024-18. Mr. Read seconded the motion. The motion carried with a lot of 7-0.

- D. Consideration for Approval: Ordinance No. 862, creating a new chapter 195, Special Events and Special Temporary Special Events Structures, and establishing Penalties for Violations of this Chapter.

Mr. McMullan stated for Council's consideration for approval is Ordinance No. 862, creating a new chapter 195 which is Special Events and Special Temporary Special Events Structures which was workshopped at the September 4, 2024 meeting and voted by Council to introduce the ordinance. The ordinance was properly advertised and has not received any public comment.

The ordinance provides the Township oversight in terms of use of public and private property. This came about because of recent block parties where residents were taking it upon themselves to block off roads and creating concerns to first responders. He worked with staff and the fire chief to create this ordinance which mirrors some of the surrounding communities who have similar provisions put in place.

Ms. Dussling asked what the plans are to communicate this to different organizations. Mr. McMullan stated information will be on Facebook and the Township website. Organizations who hold annual events have been notified. Mr. Stump asked if there is any Township staff training that needs to occur. Mr. McMullan stated between the certifications of the fire chief, building code office, and the health officer, he does not think so but, if things come up they will certainly provide training. Ms. Donnelly asked what happens if someone has a block party and is unaware of the ordinance and the Township becomes aware because a road was blocked. Mr. McMullan stated the point of the ordinance is not to slap someone on the wrist and shut the party down. He would probably send someone from staff to address the situation and address it so it doesn't create any first responder issues. One party the Township became aware of had a full

bonfire.

Mr. Stump made a motion to approve Ordinance No. 862. Ms. Donnelly seconded the motion. The motion carried with a vote of 7-0.

- E. Consideration for Approval: Ordinance 863, authorizing the purchase of 0.72 acres located at 454 S. Old Middletown Road, Folio No. 27-00-01620-00.
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Mr. McMullan stated for Council's consideration is Ordinance No. 863 authorizing the purchase of 0.72 acres located at 454 S. Old Middletown Road which is the property that sits between the PennDOT maintenance yard and the Roosevelt Community Center. This was discussed at the workshop meeting on September 4, 2024. Council approved the introduction of the ordinance. The ordinance was properly advertised, and he has not received any comment from the public.

Staff after careful evaluation feels this would be a nice complement to the Roosevelt Community Center for future use which can be determined at a later date. This ordinance would authorize himself and the Chair to authorize any agreements necessary for the acquisition. Mr. Bialek stated this was not a planned expenditure but there is an allocation within the current budget that would allow this purchase.

Dr. Marilyn Howarth asked since this property is adjacent to the work area near PennDOT, does it need to be investigated for any hazardous materials that may be there as legacy pollution that would then pose a concern using it for recreation purposes. Mr. McMullan stated they will hire an organization who will do a phase one environmental study and depending on what is or is not found on this phase one study would trigger a phase two study before the acquisition. Mr. Bialek stated this ordinance would approve the purchase contingent upon passing all local inspections. Mr. McMullan asked for the member of the public to give her name and address. Dr. Marilyn Howarth, Occupation Environmental Medicine, University of Pennsylvania Center of Excellence in Environmental Toxicology. She resides in Gladwyn, Pa.

Mr. Read made a motion to approve Ordinance No. 863. Ms. Powell seconded the motion. The motion carried with a vote of 7-0.

- F. Consideration for Approval: Resolution 2024-19, Disposition of Records.
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Mr. McMullan stated for Council's consideration for approval is Resolution 2024-19 which is a resolution that appears before Council from time to time throughout the year when Township has satisfied state law in terms of disposing of records which requires approval by the elected body of the municipality. This was covered at the workshop session. Records being disposed are from the Finance office, Planning and Development, Health office, and the Manager's office.

Ms. Donnelly made a motion to approve Resolution 2024-19. Ms. Ciuca seconded the

motion. The motion carried with a vote of 7-0.

- G. Consideration for Approval: Payment No. 5, for the construction of Mint Trail Segment No. 1, in the amount of \$333,089.10, to Richard E. Pierson Construction Company.
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Mr. McMullan stated for Council's consideration for approval is the request for payment for the construction of Mint Trail Segment No. 1 in the amount of \$333,089.10 to Richard E. Pierson Construction Company. The Township Engineer has reviewed the request for payment No. 5 release from the contractor and reviewed it satisfactorily and it meets all the requirements for payment release.

Ms. Ciucca made a motion to approve payment No. 5. Mr. Bialek seconded the motion. The motion carried with a vote of 7-0.

- H. Motion to Accept: FY 2025 Minimum Municipal Obligation (MMO) calculation for the Township Defined Benefit Pension Plan.
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Mr. McMullan stated for Council's consideration is acceptance by motion the Township's minimum municipal obligation calculation. The Township has two pension plans; one is a defined pension, and the other is defined contribution. The Township is responsible for a contribution to the defined benefit annually. This comes before Council annually and he is required to present it to the elected body by the end of September the year preceding the year they are responsible for the contribution.

The Township's Defined Pension Plan is currently funded at approximately 97%. Each year the Township engages an actuary who provides a calculation that shows the contribution that needs to be made each year. They are currently funded at 97% and that exceeds most municipalities of the same size and participants. This year's contribution from the Township is approximately \$82,000. The state gives an allocation each year and this year the allocation is approximately \$105,000. These funds are turned over to the company that manages the Township's Defined Pension. Depending on the market in terms of investments over the last several years, the Township has made incrementally larger contributions because they were in a financial position to do so. They have been in the past 100% funded. This will keep the Township in the range of 97% to 100% funded. Mr. Bialek stated this is 100% in line with this year's budget plan.

Mr. Read made a motion to approve. Ms. Donnelly seconded the motion. The motion carried with a vote of 7-0.

- I. Consideration for Approval: Change Order Nos. 3 & 4, sanitary pipe repair and relocation of proposed storm sewer junction box, and cost for tot lot stone sublease installation at Roosevelt Community Center.
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Mr. McMullan stated for Council's consideration for approval and acceptance are Change Orders 3 and 4. Change Order 3 is for the sanitary pipe repair of a storm sewer junction box. When the activity was underway, a sanitary line was hit by equipment digging for the storm sewer junction box. The plan showed a different location and unfortunately

damaged the sanitary line for the library side. They had to make a field adjustment to address this immediately and determine it was an active sanitary line and immediately made repairs, so they didn't run into any more challenges in the field and subsequently relocated the storm sewer junction box.

Change Order No. 4 is the cost of the tot lot stone sub-base installation at the Roosevelt Community Center. The vendor for the playground equipment was initially going to do the spreading of the stone on the surface of the playground. There was a discrepancy in terms of them not being able to install the playground equipment when the stone was spread through the playground area. The timing of it would have offset sealcoating the parking lot. They were concerned about the overall flow of the project. The vendor of the playground equipment wanted to pivot and gave a proposal of \$40,000 which was way outside of the initial proposal to spread the stone. He engaged the contractor about using the spreading equipment to spread the stone so it would not impact the coating of the parking lot. The change order is for \$8,199.90.

Mr. Bialek asked if the changes kept within the parameters of the project. Mr. McMullan stated they are still below the initial \$1.5 million. Mr. Janetka added the stone issue is about the initial cost above and beyond the material due to delays. Mr. McMullan stated initially the equipment for the playground was scheduled to accept delivery in June and is now pushed to the first or second week in October. That would have offset the scheduling that is under agreement with the contractor to complete various tasks including sealcoating the back parking lot. Mr. Bialek asked if the sanitary line was relocated back to the original location or would the plan be updated. Mr. McMullan stated the plan will be updated to the current location of the sanitary line.

Ms. Powell asked what plan was used originally to locate the line as she was under the opinion there was no plan. Mr. McMullan stated this is part of the challenge and staff has been documenting building changes as different renovations are completed. As recently as less than a year ago, they engaged a contractor to make a sanitary repair to the front side of the building who indicated the sanitary sewer line was further over to the library building. Unfortunately, they found out this not to be so as there is no existing plan. Mr. Janetka stated there were utility locations done on a couple different occasions by different vendors using whatever methods they used to identify things underground and there is conflicting information shown on utility identification plans. When the contractor was working on the front, they asked where the sanitary line was located, and the contractor indicated where the line was located but it wasn't accurate. Of the three locations done, two were inaccurate.

Ms. Powell made a motion to approve the Change Orders. Mr. Stump seconded the motion. The motion carried with a vote of 7-0.

- J. Consideration for approval by Council of a settlement of the real estate tax assessment appeal for the property located at 1055 W. Baltimore Pike, Folio No. 27-00-00030-01.

Mr. McMullan stated for Council's consideration is accepting the tax settlement. The settlement was prepared by Mr. Coyle and revised by the school district. Now the school

district is asking for the Township's review and approval of the tax settlement appeal. Mr. Damico stated this is again another appeal from the countywide reassessment. In this case the county board of assessment assessed the property at \$1.35 million. This was appealed by the school district to the board of assessment appeals. The board of assessment kept the amount at \$1.35 million. Then it was appealed again by the school district. It is now ready for settlement. As a result of the appraisal by Mr. Coyle, settlement negotiations had begun. The settlement agreed by the school district where the assessed value would go from \$1.35 million to \$3 million and then move down because of the common level ratio which started to change in 2024.

Ms. Donnelly made a motion to approve. Ms. Ciuca seconded the motion. The motion carried with a vote of 7-0.

K. Review: Summary, Wawa Dairy Building Expansion Project, 1393 W. Baltimore Pike.

Mr. McMullan stated this is a review for Council. The application has been received and will be listed on the agenda at a subsequent Council meeting. This is in line with what is being done this year in terms of providing Council with a summary of a Land Development application.

Wawa Dairy at 1393 W. Baltimore Pike is proposing a building expansion project. They were before the Land Planning Committee with an information presentation on what they propose to do. The campus sits on 82 acres located in the SU-1 zoning district. A majority of the buildings they propose for renovation are on the eastern side of the campus. Mr. Janetka's report highlights some of the information; the applicant is proposing the addition of a corrugated warehouse, chemical storage area addition, a case return loading dock addition/expansion, a generator pad and on a portion of the campus set off Valley Road a coffee truck garage. The coffee truck will be used for special events.

The application will be listed on the October Planning Commission meeting and is currently being reviewed by Delaware County. Mr. Janetka added most of the reviews are in, and he should be submitting his review tomorrow.

Mr. Bialek asked if the chemicals to be stored are currently on the property and are part of the dairy manufacturing being an expansion of what is already being done and not an introduction of any hazardous materials. Mr. McMullan stated because of the size of the acreage it will require NPDES permits and will be reviewed by the Delaware County Conservation District.

Mr. Stump asked if there is any concern about the truck traffic in the area. Mr. McMullan stated they asked that question during the Land Planning Committee and Wawa said no. This is just a matter of renovating buildings that have not been renovated in close to 100 years. Mr. Bialek added there is an addition of a one truck bay, but it did not necessitate an increase in traffic. Ms. Dussling stated at this point they do not know the impact of the on-site sewer treatment plant that discharges into Rocky Run. Mr. Janetka stated he is waiting for the Sewer Authority to review to see if there will or will not be an increase in sewage demand.

L. Council Review of Zoning Hearing Board Application.

- 1) Application 2024-04: An application of Wawa Dairy, 1393 W. Baltimore Pike, seeking a waiver for payment in lieu of shrub installation, Article XXXIV Section 275-214.D(5).

Mr. McMullan stated this is review by Council to see if they want to send representation to the Zoning Hearing Board. This is an application from Wawa Dairy located at 1393 W. Baltimore Pike seeking a waiver from the zoning requirement for relief from vegetation. They are requesting relief primarily because of the safe quality food and FDA regulations concerning vegetation control at food processing sites. There are guidelines from those agencies that highlight that vegetation is not too close. Wawa’s position is their current vegetation should be considered satisfied. If they increase the vegetation they are concerned it will increase pest and rodents that would habitat the buffer and cause a rodent issue.

Mr. Bialek stated one question brought by the Land Planning Committee is a buffer on the expansion on the eastern side and making sure there was a visual buffer from Rt. 1 and as long as the waiver does not impact the buffer requested he does not feel representation is needed. Mr. McMullan will communicate this request to the Zoning Officer. Ms. Dussling added the shrubbery is only for aesthetic reasons. Council agreed that representation at the Zoning Hearing Board is not needed.

M. Approval of September 18, 2024 Bill List.

Ms. Dussling read the Bill List aloud.

GENERAL FUND		
Arthur Gallagher Risk Mgmt.	Workers Comp Installment 1 of 4	\$ 17,474.00
Glick Fire Equipment Co.	Tower 46 Repair/Maintenance	\$ 5,846.14
GO2 Tech, Inc.	June & July IT	\$ 9,707.98
Keystone Municipal Services	Monthly Building Inspections	\$ 8,981.25
Linn Architects	Promenade at Granite Run	\$ 15,062.31
McCormick Taylor, Inc.	SR452 & SR1 Improvements July & August	\$ 17,193.03
Middletown Fire Company	Fire Fighter Incentive	\$ 11,801.60
Opdenaker, Inc.	Monthly Recycling	\$ 49,862.25
Rocky Run Fire Company	Fire Fighter Incentive	\$ 6,184.00
Thomas Comitta Associates Inc.	Zoning Ordinance Update	\$ 7,138.05
General Fund Total		\$ 149,250.61

CAPITAL RESERVE

Carney Tree Service	Tree Removal at Roosevelt	\$ 8,300.00
Dallas Data Systems	Accounting Program Setup, Training, Conversion	\$ 28,000.00
Meco Constructors	Sunny Brae Project - Final	\$ 94,171.81
Richard Pierson Construction	TRID Pedestrian Trail	\$ 505,138.95
Capital Reserve Total		<u>\$ 635,610.76</u>

RECREATION

Joseph J. Danielle, LLC	Playground Phase I	<u>\$ 353,492.99</u>
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Dr. Marilyn Howard, Gladwyn asked if due to the playground equipment being six months late was there any attempt at getting some money back. Mr. McMullan stated that bill is for site work, and he is working to see if he can recover some of the funds in terms of the playground equipment.

Ms. Powell made a motion to approve the bill list. Mr. Stump seconded the motion. The motion carried with a vote of 7-0.

Ms. Dussling adjourned the meeting at 8:14 pm.

Respectfully Submitted,



Sharon Browne

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
OCTOBER 2, 2024

Item 2.2

Minutes of the Regular Meeting of Township Council held on October 2, 2024, at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

Present: David Bialek, PharmD, R. Ph, Carissa Ciuca, Jackie Donnelly, Susan Powell, Walter “Bok” Read, Christopher Stump, John McMullan, Mark Damico, Esq., Eric Janetka, Vince Visoskas.

Excused: Bibianna Dussling.

1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Ms. Powell called the meeting to order and led in the recitation of the Pledge of Allegiance to the Flag.

2. APPROVAL OF MINUTES - N/A

3. PUBLIC COMMENTS

Mr. David Irving, 10 Pembroke Drive, representing the Middletown Free Library as a non-voting Board Member, advised the normal entrance to the Community Center, across from the Wayside Market, is closed due to construction. The construction consisting of vehicles, equipment and piles of dirt are being utilized in the park adjacent to the library. The entrance is now at Rt. 352 at the Middletown Fire Company. The plan according to the contract is for the entrance to be completed before the “Craft Beer Festival” scheduled for October 17 from 6 p.m. – 9 p.m. In the past, there were over 200 attendees, and it is the largest social event within the Township. Mr. Irving encourages the public as well as Council to attend this event. He stated there are 30 sponsors and vendors willing to support this event. This event helps support the Library. He stated babysitting is available for children between the ages of 5 - 13. Ms. Powell stated it is a fun event, and she has attended for the past 10 years.

Mr. Irving asked about the previous library building which he believes the Township purchased for approximately \$300,000 with the idea of providing rental income for the Township. Mr. Irving stated he is curious as to what the intention is for the building. Mr. McMullan reported the intention is to procure a lease agreement with Delaware County to relocate the existing District Magistrate office from 27 S. Pennell Road to 27 N. Pennell Road. These conversations have been underway since the Township acquired the property in 2021 unfortunately, it has been a slower process than he would like.

The Township and the County agreed to share the cost to hire Linn Architects to prepare a layout to renovate the building. This was found acceptable by the County. The County recently hired a real estate manager to manage their inventory of properties. Mr. McMullan met with him approximately three weeks ago and determined this is one of their priorities. Mr. Irving asked for a tentative date for this, and Mr. McMullan stated he could not give a date at this time.

Mr. Stan Johnson, 160 Kennedy Drive, thanked Council for hosting the two open houses held recently; the PADOT open house was very informative and secondly, the Zoning Ordinance review was very beneficial. Mr. Johnson asked if the Township has had any submittal from Outrigger Industrial, and Mr. McMullan stated there was nothing to report. Mr. Johnson stated they have produced a flyer to educate the community, and they are having an educational meeting on Wednesday, October 9, 2024, at 7 p.m. in the Franklin Station Clubhouse.

4. REPORTS

A. CHAIR:

Ms. Powell reported information regarding the two open houses can be found on the Township website.

B. COMMITTEE: N/A

C. MANAGER:

Mr. McMullan reported the Zoning information has been on the website for a week, but staff has been able to add the displays used at the open house to the website today. Mr. McMullan reported the schedule to adopt the new Zoning Ordinance; the Ordinance will be before Council for introduction on October 16, 2024. The Pennsylvania Municipal Code Act 247 requires 45 days for the public to review and comment. He stated the last scheduled Council meeting for December is the 4th, which was scheduled early in the year, in the event the Township would have other business later in December. In order to council to take action on the Ordinance, a Council meeting is scheduled for December 18, 2024. There will be a special advertisement for this meeting as there will be a Public Hearing.

Mr. McMullan commented on the Food Truck Festival which was held on September 19 at Longview Park. A number of Council members were able to attend. The event was well attended. He stated because of the work at the Community Center, the event was moved to Longview Park at Rt. 352 and Rose Tree Road. It was a beautiful night, and the Phillies were not playing until 7:15 pm. The vendors stated they processed over 600 food orders.

1) Township Fire Chief: Bill Rigby

Chief Rigby reported 2,465 EMS calls YTD; 255 calls in September, 49 in the Township, 24 mutual aides. Mr. Bialek asked if there is any strain on staffing due to the high number of calls, and Chief Rigby stated he is working on a fire plan/study for which they have received grant money to give them a better understanding of the areas that need extra staffing. He added they struggle with staff between 0500 hours and 1400 hours during the week. The BLS unit is staffed full-time (24x7) at Rocky Run. EMS is considerably taxed due to responding to other communities. He stated they also struggle during weekend days. The fire companies average 14-15 volunteers per call. Mr. Bialek asked if there is enough data to project figures through next year and if there is a staffing strain will it have a negative impact on the community. Chief Rigby stated the existing Incentive Program has improved responses and he is looking at

other measures to increase responses.

Chief Rigby reported the training pad at Station 50 is coming soon. He is also getting quotes for the exhaust capture system at Rocky Run. This week the stations are testing equipment for the annual report. The fire study is ongoing; the consultant will be meeting with all the chiefs and administrators, and Chief Rigby hopes to have a report early next year.

Truck 46 is home, cleaned, and listed. Upper Chichester Township is housing the truck at one of their stations. Mr. Bialek asked if there is any interest, and Chief Rigby replied there have been inquiries but because the truck is special because of the large pump they have to find the right fit. Presently they are looking at applying for a regional grant to help pay for PPE (personal protection equipment) and turn-out gear. Chief Rigby stated they have added EMS units to the fleet maintenance budget. They have an aging fleet but are in a better place this year than anticipated. He added things are moving in the right direction.

Mr. Trevor Pennings, 619 Hoopes Lane, stated his community is very concerned about the proposed warehouse on Rt.1 and how it will impact response times with the addition of 576 tractor trailers running on Rt. 1 every day. Chief Rigby stated at this point nothing has crossed his desk regarding the warehouse, but the fire companies are prepared to assist the community with a response time of less than 6 minutes. He added all commercial buildings have a pre-plan which is shared with all mutual aide companies.

2. Environmental Advisory Committee

Mr. John Kolicus, representing the Environmental Advisory Committee, stated at their last meeting they formed an education sub-committee to look into possibilities for public outreach on topics that might be helpful to residents. They have discussed topics such as backyard composting, on-site stormwater management, and pollinator garden management. Mr. Kolicus added he has poured beer for the library event many times. It is a fun event.

Mr. Bialek asked for a summary of the PADOT open house as he was unable to attend. Mr. McMullan stated approximately 80 people attended the meeting, however, he has not gotten the final count from PADOT. The comments were overwhelming that something has to be done to improve traffic in the Township. Mostly people were in favor of the renovations at the Cloverleaf. There was concern about widening Baltimore Pike and Rt. 352 in some areas. At the conclusion of the meeting Mr. McMullan was able to speak with the consultants from Jacobs Engineering who felt the comments received from the public were mostly positive and they will review the comments to see if they can implement some of the comments into the suggested proposals in these areas.

D. ENGINEER:

1) Engineer's Report - September 2024

See attached Engineer's Report - September 2024

Mr. Janetka presented a video showing the progress of the Mint Trail as well as the Roosevelt Community Center. Mr. Stan Johnson asked if any of the paving of the trail will be done from the Franklin side because Toll Brothers announced they will begin paving on Switchman Drive and this may be a conflict. Mr. Janetka stated the Township is not allowed to enter on that side and they will not be allowed access. Mr. Johnson asked if the paving trucks would enter through the development and when this would happen and can this be coordinated with Toll Brothers. Mr. Janetka stated he does not have the paving schedule from Toll Brothers yet and he does not have the Township's paving schedule as of yet. He should know within two weeks what the schedule is but acknowledges it will be very soon.

Mr. Irving announced access to the Beer Fest will be from Middletown Road. Mr. Irving stated this project is very important, but a future project of lighting is also very important. He stated the parking lot is very dark and dangerous and asked when the lighting project is on the agenda. Mr. McMullan stated they are very aware of the lighting situation in the parking lot and there are plans to install islands for future light standards as part of the Phase I project. He stated they anticipate a future Phase II but will not know until they are closer to the end of the year, in terms of revenue projected for 2025 whether they can move forward immediately in 2025 or look at a way to supplement funds to finish Phase II. Mr. Janetka added as part of Phase I they are installing communication and electrical conduit which will allow wiring to be able to get from island to island in the parking area so as not to disturb paving.

Mr. Irving asked about the Veterans War Memorial Committee he was a part of and asked if the Township would reinstitute the committee for the memorial. Ms. Powell stated the committee developed the design which was approved. Mr. McMullan stated the Township in the 2024 budget dedicated \$50,000 towards the memorial. The goal is to fill in in the proposed area with memorials for the different branches of service as well as a flagpole in the near future. Ms. Powell stated the design is what the committee decided on. Ms. Powell stated they cannot save the flagpole so will have to purchase a new one.

Mr. Trevor Penning asked about the big earth digging equipment and what they are doing at Franklin Station. Mr. Janetka stated they are converting sediment traps into permanent stormwater management facilities. Typically, the sediment traps are built to a certain size standard that will trap and hold sediment that settles to the bottom of the trap. What is being removed is sediment that's been collected during the construction process. In some cases, the bottom of the traps are left a couple of feet higher than infiltration zones. Mr. Penning asked how it would look, and Mr. Janetka stated he did not have any specifics but typically it would be a flat bottom dry basin with plantings that would get wet during rains and then infiltrate through the root systems of the plants. He stated he did not review those plans; another engineer reviewed the plans. Mr. Penning asked for the name of the engineer and Mr. Janetka

stated it was McCormack and Taylor.

Mr. John Kolicius stated that recently the Space Force has been added to the branches of service and Council might want to consider adding this to the Veterans Memorial. He also asked if there are any temporary lights available for the library's Beer Fest. Mr. McMullan stated they use the fire companies' lighting for a rarity of events and is glad Chief Rigby offered this service.

5. PUBLIC HEARING: N/A

6. OLD BUSINESS: N/A

7. COUNCIL WORKSHOP ITEMS:

A. Review: Resolution 2024-XX, approving the Township issue an Election to Complete/ Notice in order to complete improvements and to draw upon the Improvement Security Fund for the Reserve at Rose Tree.

Mr. McMullan stated for Council's review with no action is the resolution that will be acted upon at the October 16, 2024, meeting. The resolution relates to the Reserve at Rose Tree and phasing out the projects, so the Township is in the position to successfully issue a Certificate of Completion. This project has been ongoing since 2014 and finished construction of units approximately three years ago. There are three remaining punch list items that have not been resolved.

The Reserve at Rose Tree's HOA has decided on a settlement agreement with the developer. Some of the delays in issuing a Certificate of Completion is because they are on their third developer, which is unusual. CalAtlantic Group doing business as Lanar Corporation is the newest developer. They have been involved for approximately three to four years. They are entering into an agreement with the HOA for two outstanding punch list items. The third item is erosion underneath Baltimore Pike by the entranceway of the Reserve at Rose Tree. The curbing did not extend down far enough; however, in 2014 PADOT closed out the HOA permit in the existing condition. In the last two years there have been discussions between the Township, Lanar, and the HOA and all relevant attorneys to get this cleared up.

With all Land Development projects there is an Improvement Security Agreement and if the builder is at fault for one reason or another the Township may be eligible to utilize escrow funds. There is a provision in the Improvement Security Agreement that notes if no work has happened over the past 90 days, the Township by resolution can send a notification letter to Lanar stating if they have not completed work in a certain amount of time, usually 30 days, the Township will utilize escrow funds per the Improvement Security Agreement which is a recorded document at the County to get this completed so the Certificate of Total Completion can be issued. The resolution authorizes the Township to issue a letter to the developer.

Mr. Bialek asked if the Township has gotten any estimates and is the escrow more than enough to cover the costs. Mr. McMullan stated there is ample enough funds in escrow

to complete the project. He added the estimates they have gotten from Yerkes Engineering are in the amount of \$20,000-\$30,000. Mr. Bialek added to clarify, the resolution is to enable the Township to send a letter to Lennar to let them know to repair within a certain timeframe or the Township will use escrow funds.

8. ITEMS FOR APPROVAL:

- A. Consideration to Authorize: Payment to Glasgow, Inc. for the 2024 Road Paving Program in the amount of \$342,369.59
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Mr. McMullan stated before Council for consideration to authorize is a payment to Glasgow, Inc. As Council will recall, Glasgow was the approved paving company bidder for the 2024 Road Paving Program. For approval is a payment in the amount of \$342,369.59 which is 95% of the total release, 5% is being retained to address any remaining punch list items which when completed the remaining amount will come before Council at a later date for approval. The amount is fully funded by the Township's Liquid Fuels Fund. Ms. Donnelly asked if the remaining \$18,000 would cover the punch list items, and Mr. McMullan stated it would. Mr. Bialek asked if the Township has heard of any issues or complaints of how the paving company is managing traffic and Mr. McMullan stated he has not heard any issues in regard to traffic but Glasgow usually does milling of the street and then comes back to pave whereas companies used in the past were milling and paving the same day so he did hear a complaint from a resident when the road was in the milling condition but that has been the extent of the complaints.

Ms. Donnelly made a motion to authorize payment. Mr. Bialek seconded the motion. The motion carried with a vote of 6-0.

- B. Consideration to Authorize: Payment to Glasgow, Inc. for paving Bowater Circle (Court) in the amount of \$9,260.00.
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Mr. McMullan stated before Council to authorize is a payment to Glasgow, Inc. for paving Bowater Circle in the amount of \$9,260. which is on Bonsall Drive between Pennell Place and Middletown Crossing. He communicated this request via e-mail. Originally this request was over \$10,000 which was the reason for the request, but the invoice came in under. This will be paid for with funds from the Public Works Improvement Fund which is budgeted for these types of situations. Mr. Stump made a motion to approve the authorized payment. Mr. Read seconded the motion. The motion carried with a vote of 6-0.

- C. Consideration for Approval: Payment #2 for Phase I improvements at the Roosevelt Community Center to Joseph J. Danielle, LLC, in the amount of \$549,944.94.
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Mr. McMullan stated before Council for consideration for approval is payment #2 in the amount of \$549,944.94 to Joseph J. Danielle, LLC. This payment request has been carefully reviewed and recommended by the Township Engineer.

Ms. Ciuca made a motion to approve payment. Ms. Donnelly seconded the motion. The motion carried with a vote of 6-0.

- D. Consideration for Approval: Change Orders Nos. 5 & 6 pipe and water-proofing installation

in the amount of \$9,049.68 and purchase and installation of engineered hardwood fiber mulch in the amount of \$29,356.70 at Roosevelt Community Center to Joseph J. Danielle, LLC.

Mr. McMullan stated before Council for consideration for approval are change orders 5 & 6. The overall purpose of this project was to get better control of the water issues that were getting into the building. The contractor noticed that on one side of the library near the elevator shaft there is an infiltration situation where additional pipe needs to be installed as well as water-proofing installation in the amount of \$9,049.68.

The second request is for the purchase of engineered hardwood fiber mulch, which will be the play surface for the playground. Mr. Bialek asked if this was in the plans and not over and above the plan and Mr. McMullan stated this is correct. He stated in 2022 Council approved the purchase of playground equipment with funds from the Dombroski Foundation. At that time there was a proposal for a soft playground surface from Lyons Recreation. At that time there was an estimate in the amount of \$176,842. At that point they were uncertain of future funds for the play surface. Council did not vote on the play surface only on the playground equipment. Knowing there would have to be a surface; we are going in the direction of mulch which is certified by the American Association of Playgrounds and ADA approved.

Mr. Bialek made a motion to approve. Ms. Donnelly seconded the motion. The motion carried with a vote of 6-0.

E. Consideration for Approval: installation of playground equipment (Mark Dombroski's Park) from COSTARS certified vendor, Lyons Recreation, in the amount of \$122,500.

Mr. McMullan stated before Council for their consideration for approval is installation of playground equipment. In 2022 Council approved the purchase of playground equipment but tabled the installation. In 2022 the amount to install the equipment was \$112,222. The amount in 2024 is \$122,500. There will be a contribution from the Dombroski family towards installation. This was an amount that was budgeted, as well the Township was the recipient of a \$250,000 Greenways Grant from Delaware County to support this project. Mr. McMullan stated the timing is critical as one step in the project supports the other.

Mr. Kolicius stated the Dombroski Foundation will not be able to hold the 5K run this fall due to the construction. Ms. Powell asked if they would continue this in the future and Mr. McMullan stated Indian Lane was looked at as an alternate site, but he understands some Dombroski family events are also part of the reasons for canceling this year, but they want to continue with the run. Ms. Ciuca asked if the tot-lot has fencing around the perimeter, and Mr. Janetka stated the only portion of the lot fenced is the part that has a steep drop-off.

Ms. Donnelly made a motion to approve. Mr. Stump seconded the motion. The motion carried with a vote of 6-0.

F. Approval of October 2, 2024 Bill List.

Ms. Powell read the Bill List aloud.

GENERAL FUND

Aqua Pennsylvania, Inc.	Monthly Water/Fire Hydrants	\$	9,049.86
Linn Architects	Promenade at Granite Run	\$	11,516.08
Middletown Free Library	3Q 2024 Distribution	\$	68,750.00
Middletown Volunteer Fireman's Relief	2024 Payment	\$	138,802.90
PECO	Electric Service Roosevelt	\$	5,051.64
Travelers	Liability Insurance	\$	29,809.25
	General Fund Total	\$	<u>262,979.73</u>

CAPITAL RESERVE

Richard Pierson Construction	TRID Pedestrian Trail	\$	333,089.10
		\$	<u>333,089.10</u>

Mr. Stump made a motion to approve the bill list. Mr. Bialek seconded the motion. The motion carried with a vote of 6-0.

Ms. Powell adjourned the meeting at 8:11 pm.

Respectfully Submitted,



Sharon Browne



Middletown Township Engineer's Report

October 2, 2024
Council Meeting

MARINER 2 PIPELINE

MT100-Ea

- Valley Road shoulder restoration/stabilization. ETP has agreed to fund the cost related to obtaining a PennDOT Highway Occupancy Permit and construction improvements to stabilize the road shoulders of Valley Road with rock lining from W. Forge Road to New Darlington Road. The Highway Occupancy Permit plan has been prepared and has been submitted to PennDOT by the Township, for approval. The Township is waiting on review of this permit application by PennDOT. This restoration work, which is being done due to water erosion along the shoulders, will also include milling and wearing course overlay of the entire cartway of Valley Road along the work area. This work is anticipated to be completed in 2024. All other ETP restoration work in the Township is complete.
- Horizontal Direction Drill HDD #591 (Sleighton Park to 143 Valley Road) - "Monitoring Plan" - Sunoco/ETP is in the process of finalizing geologic and geophysical testing at Valley Road/W. Forge Road, pursuant to the "monitoring" plan agreed upon by the Township and Sunoco/ETP. The Township's geophysics consultant has reviewed all previous testing completed as part of the monitoring plan and will review testing reports as they are completed and submitted to the Township.

SEPTA R3-3

MT120-Bwa

- SEPTA has completed the R3-3 rail line extension including the parking deck, driveway, station building, and stormwater management facilities. Final Certificate of Occupancy has been approved for the station building and the crew quarters. The Township reviewed the project close-out request (Certificate of Total Completion) and has notified SEPTA there are minor issues remaining to be addressed. Amended stormwater management agreement and exhibits have been recorded. It is anticipated that this land development project will be on a Council Agenda in the near future for consideration of approval.

MINT PEDESTRIAN TRAIL (PHASE 1)

MT100-V1

- The first segment of this trail has been completed at the SEPTA Wawa Station.
- The project was let for bid and awarded on November 27, 2023 to Richard E. Pierson Construction Co. The Notice to Proceed has been issued and the contract term (of 180 days) for this work expired on August 28, 2024 but has been extended to October 31, 2024 due to poor weather conditions in the spring of this year. Construction is approximately 90% complete. The construction access driveway/trail from Switchman Road is complete and work is ongoing on the main portion of the trail system, along the SEPTA right-of-way.

LENNI ROAD PEDESTRIAN TRAIL (PHASE 2)

MT100-U1

- A project coordination and kickoff meeting was held in December 2023, with project consultants, Township staff and Delaware County. Engineering design of phase 2 of the Township trail projects may begin in late 2024.

TOWNSHIP GUIDERAIL PROGRAM

MT124-E

- The guiderail program is for the installation and/or replacement of guiderail along the following 6 segments of Township roadway (including the segments associated with the recently completed 2019 contract): Howarth Road, E. Knowlton Road (North), E. Knowlton Road (South), Darlington Road (East), Darlington Road (West) and Valley Road.
- Preliminary design plan is complete for E. Knowlton Road (South), Darlington Road (West) and Valley Road. Bid letting for this work has not yet been scheduled. Significant utility pole relocation and tree removal is required for these projects.
- The Township applied for an A.R.L.E. grant for the completion of guiderail projects in 2020, 2021, and 2022, but was not awarded the grant but received feedback that the application was considered worthy of award but other projects were more highly prioritized. A.R.L.E. is the Automated Red-Light Enforcement Transportation Enhancements Grant Program established in 2010 as a PennDOT-administered competitive grant program in accordance with PA Vehicle Code (75 Pa.C.S.) §3116(l)(2) and §3117(m)(2). Funding for the program is generated from the net revenue of fines collected through Automated

Red-Light Enforcement Systems. Grant applications are accepted annually during the month of June.

TOWNSHIP CODE AMENDMENTS

MT110 SERIES

- The following Codes are in the process of being amended prior to the end of 2021: Chapter 186 (Soil Erosion and Sedimentation Control), Chapter 204 (Streets and Sidewalks), Chapter 210 (Subdivision and Land Development) and Township Standards (construction standards, details and specifications).
- Chapter 198 (Stormwater Management Ordinance) –Amended Ordinance was adopted by Council and went into effect starting on January 9, 2020.
- Preparation of Draft revisions to Chapter 186 (Soil Erosion and Sedimentation Control), has been completed and reviewed by the Township review committee. The document will be introduced for adoption in the near future.
- Preparation of a new Township Code, Chapter 77 (Building Permit and Occupancy Procedures) has been completed and distributed to Township review committee. The document is in the process of being reviewed by Township Staff and consultants. Chapter 77 is intended to establish requirements and procedures for obtaining building permits and requirements for approval of Certificates of Occupancy for occupiable structures. The draft ordinance has been reviewed by the Township's Land Planning Committee.
- Preparation of a new Township Code, Chapter 204 (Street, Curbs and Sidewalk) has been completed and distributed to Township review committee. The document is in the final phase of being reviewed by Township Staff and consultants. Chapter 204 is to replace the existing Chapter 204, and is intended to establish requirements and procedures for working within the right-of-way of Township streets, including street restoration standards and maintenance and protection of traffic (work zone traffic controls). It is likely this draft ordinance will be presented for review by the Council in spring 2023.
- "Township Standards and Specifications" has been reviewed by Township Staff and revisions to the document, as well as various Township application forms, is in process. This document is to formally update/upgrade and replace numerous construction details and policy documents utilized by the Township over the last many years. It is anticipated that upon review by Township staff, this document will be presented to Council for review. This document can (and should) be updated periodically to include additional construction details, guidance documents, forms, etc. if they become necessary.

ROOSEVELT COMMUNITY CENTER AND LIBRARY

MT100-O

- The project bid (for Phase 1) was let and awarded to Joseph J. Danielle, LLC on July 17, 2024. Contracts document are executed and Notice to Proceed was given on August 2, 2024. The contract term is 90 calendar days and is set to expire on October 31, 2024. Heavy work at the site began around August 5, 2024. Overall improvements (Phase 1 and Phase 2) will include construction of a new tot lot, new parking, reconstruction of existing parking facility both in front of and behind the facility, grading of a small field area (next to the tot lot), stormwater management improvements and construction of courtyard improvements. Work is being staged to allow completion of court yard improvements by early October so that the courtyard can be used for Library/Community Center events for October. Work is approximately 85% complete.

SUNNY BRAE STORMWATER BASIN REVITALIZATION

MT100-K

- Project close-out paperwork including maintenance bond, has been received and reviewed by this office and final payment has been made, completing the active phase of construction. A one-year maintenance period (i.e. warranty) began in June 2024 and will terminate in 2025. The project was completed under budget in the amount of \$939,242.96 (original Contract was for \$948,983.33).
- The completed project will be submitted to PADEP as a means to reduce sediment (PRP – Pollutant Reduction Plan) in conjunction with the NPDES Permit for the Township's MS4 (permit term from 2018 to 2023). The basin revitalization work will address approximately 90% of the Township sediment reduction requirement within the Chrome Run watershed, for the term of the PRP approval ending in 2025.

LONGVIEW PARK

MT100-A.2

- Construction of Stage 2 and Stage 3 of the project has been completed and it is anticipated some of the field areas may be open to public use in the fall (in order to allow grass to grow properly).
- The final construction phase is anticipated for the spring of 2025 and will include the following work: conversion of sediment trap nos. 1, 2, 3, 4 and 5 to permanent stormwater basins, installation of approximately 800 feet of pedestrian trail (that was not be completed with the previous stages of construction), asphalt paving of approximately 400 feet of paved trail (that was only completed to stone subbase to permit future

construction access for basin conversion), installation of softball and baseball infield areas, and removal of all erosion and sedimentation controls. The Township applied for a grant (in the amount of \$250,000.00) to partially fund completion of the project; however, only a small fraction of the requested funding was awarded to the Township. The cost estimated in 2021 to complete the final phase of work was approximately \$500,000.00; however, it is likely this cost will increase due to the current economic environment.

- The NPDES Permit for the Park has been extended to December 20, 2027 (since it is an individual permit) to allow the project to be completed in 2025. PennDOT Highway Occupancy Permit work is complete and permits are closed.

LENNI PARK

MT100-W

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- A kickoff meeting was held with DCNR regarding the approved grant for redevelopment of Lenni Park.
 - It is anticipated that the park site may be surveyed in 2024 and design of the first phase of park improvements may begin in late 2025. First phase of improvements may include additional parking, pedestrian trail and stormwater management improvements. Additional site improvements are anticipated in later years.

MS4 NPDES PERMIT/POLLUTANT REDUCTION PLAN

MT300-18

Pollutant Reduction Plan (PRP) for the PADEP NPDES Permit term of 2018-2023 was submitted to PADEP on December 4, 2019 and final approval of the PRP was issued on February 7, 2020. Although the NPDES permit term is 2018 to 2023, the Township has 5 years (from the date of PRP approval) to complete design, permitting, and construction of all of the proposed stormwater facilities (BMPs) described in the PRP. The PRP includes an estimation of cost to complete all stormwater facilities required by the State as part of the approved PRP, prior to the end of the PRP approval term (February 2025). The Sunny Brae Basin revitalization will be the first stormwater BMP project from the PRP, to be completed (in 2022). The Township submitted a PA DCED Watershed Restoration and Protection Program Grant application in the amount of \$296,905.00 for construction of a second stormwater BMP in Township open space north of Highpoint Drive and south of the Franklin Mint, however, only a small portion of the requested funds were awarded.

SUBDIVISIONS/LAND DEVELOPMENTS

MT305 SERIES

- 129 N. Middletown Road (aka ARTIS Senior Living) Land Development – the land development at this location, formerly known as ARTIS Senior Living, was never recorded, and the property was sold to the owner of 47 N. Middletown Road (Philadelphia Meeting Room- Religious Use Land development) and the new owner has received zoning variances for impervious coverage at this location, and it is their intent to utilize this property for the religious use (originally approved at 47 N. Middletown Road). NPDES Permits previously received for the ARTIS project have been extended by the new property owner and amended permits will be sought from both PADEP and PennDOT for road improvements along Rt. 353 as well as Van Leer Avenue (both State Roads). The land development submission was reviewed by the Township Planning Commission on June 11, 2024 and the plan is presently being revised in accordance with Township Staff and Consultant reviews and PennDOT review. It should be noted, in comparing the previously approved final plan for ARTIS senior living, to the current religious use facility, the following noteworthy differences exist: Pedestrian access path and easement through the site to the adjoining property to the north (owned by the RTMSD) is no longer proposed; total impervious coverage has increased by approximately 0.80 acres (approximately 36%); Two-way access is now being proposed onto Van Leer Avenue (previously only a one-way driveway into the site was proposed); The adjoining property located between the site and the pedestrian crossing at the entrance to the Promenade at Granite Run, is now owned by the RTMSD and easement formerly being sought by ARTIS to allow a sidewalk connection from the site to the PGR entrance is now subject to RTMSD approval.
- 47 N. Middletown Road Land Development – An application for land development for construction of a meeting room building (religious use) and parking lot was conditional approved by Township Council. This site is located to the southwest and contiguous to Longview Park. It is our understanding that this religious use is now intended to be constructed at 129 N. Middletown Road (refer above). It is unclear at this time how the owner intends to utilize this site.
- Guss Subdivision (Howarth Road) – Construction of site improvements (not including the dwellings) has been approved by the Township (through issuance of a grading and excavating permit). Construction activity at the site is on-going and work is approximately 60% complete.
- Promenade at Granite Run Land Development - Construction pursuant to the approved final plan is on-going and is approximately 90% complete. The following amendments to the approved final plan were received in late 2022 and early 2023:

- ✓ Reconfiguration of Apartment Building 2 and surrounding improvements. This work is approximately 65% complete.
- ✓ Reconfiguration of Building G (Popeye's). Land Development for this amendment has been recommended for approval by the Planning Commission in April 2023 and granted conditional final approval by Township Council. The plan is in the process of being recorded.
- 386 Dutton Mill Road – A minor subdivision and land development application has been received by the Township for creation of 3 new residential building lots and a lot consolidation. The site is located approximately 500 feet southwest of Mary Anne Drive, on the west side of Dutton Mill Road which is a Pennsylvania State Highway. New homes are to be served by public water (a main extension from Mary Anne Drive) and public sewer. There is a sewer interceptor traversing the rear of the property, which is also traversed by an unnamed tributary to Chester Creek. There is an existing home and parcel that will be impacted by this development. The existing driveway to this home is to be relocated to the proposed shared driveway for the 3 new homes, and the old driveway is to be removed. Further, a portion of the subdivision parcel is to be conveyed to 412 Dutton Mill Road. The parcel is heavily encumbered by wetlands, floodplain, steep slopes, and regulated waters of the US. There is a variable width riparian corridor proposed; however, Township Codes requires a riparian corridor of 50 feet. Some of the proposed improvements are within this riparian corridor. The development will also disturb steep slopes but will not disturb wetland, waters of the US, or floodplain area. A large underground infiltration basin is proposed to control stormwater runoff from the new impervious surfaces. A shared driveway, 20 feet wide is to serve lots 1 and 2 and 412 Dutton Mill Road. Driver sight distance appears to comply with applicable regulations, but this will be reviewed by PennDOT as part of the Highway Occupancy Permit application. The application is scheduled to be reviewed by the Planning Commission in October 2024.
- 643 Darlington Road Minor Subdivision – A minor subdivision and land development application has been received by the Township for creation of 3 new residential building lots. This application has been granted conditions file approval by Council in September.
- Darlington Pointe II Subdivision - Construction is complete with all homes occupied, except for Lot 4All which has been purchased to the owner of 420 Mattrissa Ridge and it is our understanding there is not intent on their part to build on the lot. Certificate of Total Completion has been filed and it is anticipated that project will be closed in 2024.
- 312 Lenni Road Subdivision - Conditional final approval granted by Council. Plan has been recorded and construction has commenced by

- Cornerstone Quality Builders. All five homes are complete and occupied and the project is approximately 95% complete.
- 33 N. Middletown Road Subdivision (Convery) - Conditional final approval granted by Council. The plan has been recorded. Site work construction (excluding the houses) is largely complete. A Lot 3 work is complete and a temporary Certificate of Occupancy has been approved by the Township.
 - Penncrest High School Life Skills Center and Parking Lot Subdivision and Land Development – Conditional final approval has been granted by the Township Planning Commission and Council. The plan has been recorded and construction of the bus facility parking lot is complete. Project has not yet been closed through approval of Certificate of Total Completion.
 - 345 Valley Road Subdivision – The overall project is complete and Certificate of Total Completion has been submitted by the builder and conditions for approval of the CTC have been forwarded to the applicant for completion/resolution.
 - Glenwood Elementary School Parking Lot – The plan has been recorded and a Grading and Excavating Permit has been approved for the construction of the new parking lot and related stormwater facilities. Construction is complete, but the Certificate of Total Completion has not yet been filed by the applicant.
 - Glenwood Elementary School Modular Classrooms – Plan has been reviewed by Township staff and was recommended for final approval by the Planning Commission and approved by Council in May. The plan is recorded and construction is complete, but the Certificate of Total Completion has not yet been filed by the applicant.
 - Indian Lane Elementary School Parking Lot and Baseball Field Relocation – The plan has been recorded and construction is complete. Project has not yet been closed through approval of Certificate of Total Completion.
 - Luongo Reverse Subdivision and Land Development – Zoning Variances and Conditional Use have been approved. The applicant has submitted a land development application which was recommended for approval by the Planning Commission in June of 2023. The applicant has revised the plan pursuant to staff and consultant reviews and was reviewed by Council in June.
 - Granite Farms Estates – Nursing Care Facility – Site improvements including building additions and reconfiguration of the parking area surrounding the nursing care facility, was granted final approval was granted by Council in March 2022. Plan has been recorded and construction is nearly complete.
 - 252 W. Forge Road Minor Subdivision - The Plan has been recorded and construction of the new home is now complete. Temporary Certificate of Occupancy for the new home has been approved by Township Staff

and consultants. The project has not yet been closed out through approval of the Certificate of Total Completion, but the applicant has submitted for approval of the CTC which is presently under review.

- 552 Old Forge Road - This subdivision application was granted conditional preliminary and final approval by Township Council. The plan has been recorded and construction has started at the site. One home is under roof at this time.
- 40 Van Leer Avenue Subdivision and Land Development - This subdivision application was granted conditional preliminary and final approval by Township Council. The plan has been recorded and construction of the first home is now complete.
- A land development application has been received from Sunnybrae Farm, L.P. (Wolff's Applehouse) for approval of a permanent pavilion structure (previously constructed under a waiver of land development), building expansion (for on-premises kitchen) and a separate garden center building. This application has been recommended for conditional use approval and preliminary land development approval by the Planning Commission and has received zoning variances to permit the proposed expansion. Township Council recently granted preliminary approval of this plan.
- Williamson College of the Trades 72-Bed Dormitory Land Development (Phase 6) – A land development application has been received to construct a 72-bed dormitory at the campus. This application was recommended for approval by the Planning Commission and approved by Council in August 2022. Plan has been recorded and work is complete. Certificate of Total Completion has been filed by the applicant.
- Elwyn of Pennsylvania and Delaware – Kitchen Building – A land development application has been received to construct a new kitchen facility at the campus. This plan has been recommended for approval by the Planning Commission and conditionally granted preliminary/final approval by Council. The plan has not yet been recorded.
- ACTS Lima Estates – Rehab and Therapy Garden Land Development – A land development application has been received to construct a small new building addition at this facility. The plan has been recommended for approval by the Planning Commission and received conditional final approval by Council but has not yet been recorded.
- Wawa Land Development – A land development application has been received by Wawa for minor expansion of the dairy facility to allow the increase of capacity. The plan is scheduled for review by the Planning Commission in October 2024.





Middletown Township **Engineer's Report**

April 2, 2025
Council Meeting

MINT PEDESTRIAN TRAIL (PHASE 1)

MT100-V1

- The project was awarded on November 27, 2023, to Richard E. Pierson Construction Co. Construction is now complete with the exception of permanent vegetative stabilization and minor repairs to be made in the Spring 2025. The recently constructed segment of the trail is now open to the public. Punchlist/repair work will be completed in April or May 2025 related to permanent ground stabilization, erosion controls and other minor items.
- General NPDES Permit for the remaining phases of this project has been extended to December 7, 2029.
- Preliminary design for the next phase of the project is complete (refer to "Lenni Road Pedestrian Trail (Phase 2)" in this report.

LENNI ROAD PEDESTRIAN TRAIL (PHASE 2)

MT100-U1

- A project coordination and kickoff meeting was held in December 2023, with project consultants, Township staff and Delaware County. Final engineering design of phase 2 of the Township trail projects may begin later in 2025 upon acquisition of property necessary for completion of the project.
- This trail project will connect the recently completed "Mint Trail" to the Chester Creek Trail, on the east side of Lenni Road and will extend under the SEPTA right-of-way through a previously constructed "underpass" and then will extend along the right-of-way to Lenni Road, where it will then cross the road and connect to the Chester Creek Trail. The project will include a pedestrian crossing on Lenni Road, a trailhead parking lot, pedestrian bridge, and sight distance improvements along Lenni Road between the bridge and the SEPTA grade crossing.

ROOSEVELT COMMUNITY CENTER (PHASE 1)

MT100-O

- Construction was completed by Joseph J. Danielle, LLC and began on July 17, 2024. Heavy work at the site began around August 5, 2024. Overall improvements (Phase 1 and Phase 2) will include construction of a new tot lot, new parking, reconstruction of existing parking facility both in front of and behind the facility, grading of a small field area (next to the tot lot), stormwater management improvements and construction of courtyard improvements. Work is now complete with the exception of permanent vegetative stabilization and minor repairs to be made in the Spring. The Tot Lot was formally opened to the public in late November. A meeting will be held the week of March 31st to coordinate completion of all remaining site work, specifically permanent vegetative stabilization, erosion repairs and seeding, which will take place in April or early May 2025.
- General NPDES Permit for the remaining phases of this project has been extended to December 7, 2029.
- Design for the next phase of the project is complete (refer to "Roosevelt Community Center (Phase 2)" in this report.

ROOSEVELT COMMUNITY CENTER (PHASE 2)

MT100-O

- This project awaits funding sources and can be let for bid upon securing funding. This project is the second and final phase of the project and includes installation of additional parking, lighting, underground infiltration basin, storm sewer, and entrance improvement from S. Old Middletown Road to the library building area.

TOWNSHIP GUIDERAIL PROGRAM

MT124-E

- The guiderail program is for the installation and/or replacement of guiderail along the following 6 segments of Township roadway (including the segments associated with the recently completed 2019 contract): Howarth Road, E. Knowlton Road (North), E. Knowlton Road (South), Darlington Road (East), Darlington Road (West) and Valley Road.
- Preliminary design plan is complete for E. Knowlton Road (South), Darlington Road (West) and Valley Road. Bid letting for this work has not yet been scheduled. Significant utility pole relocation and tree removal is required for these projects. The Township recently coordinated relocation of several utility poles impacted by these projects, with PECO.

- The Township is presently working with PECO to relocate utility poles in advance of guiderail projects being finalized and constructed in the future.
- The Township applied for an A.R.L.E. grant for the completion of guiderail projects in 2020, 2021, and 2022, but none was awarded. A.R.L.E. is the Automated Red-Light Enforcement Transportation Enhancements Grant Program established in 2010 as a PennDOT-administered competitive grant program in accordance with PA Vehicle Code (75 Pa.C.S.) §3116(l)(2) and §3117(m)(2). Funding for the program is generated from the net revenue of fines collected through Automated Red-Light Enforcement Systems. Grant applications are accepted annually during the month of June.

TOWNSHIP CODE AMENDMENTS

MT110 SERIES

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- The following Codes are in the process of being amended prior to the end of 2021: Chapter 186 (Soil Erosion and Sedimentation Control), Chapter 204 (Streets and Sidewalks), Chapter 210 (Subdivision and Land Development) and Township Standards (construction standards, details and specifications).
 - Chapter 198 (Stormwater Management Ordinance) –Amended Ordinance was adopted by Council and went into effect starting on January 9, 2020.
 - Preparation of Draft revisions to Chapter 186 (Soil Erosion and Sedimentation Control), has been completed and reviewed by the Township review committee. The document will be introduced for adoption in 2025.
 - Preparation of a new Township Code, Chapter 77 (Building Permit and Occupancy Procedures) has been completed and distributed to Township review committee. The document is in the process of being reviewed by Township Staff and consultants. Chapter 77 is intended to establish requirements and procedures for obtaining building permits and requirements for approval of Certificates of Occupancy for occupiable structures. The draft ordinance has been reviewed by the Township's Land Planning Committee.
 - Preparation of a new Township Code, Chapter 204 (Street, Curbs and Sidewalk) has been completed and distributed to Township review committee. The document is in the final phase of being reviewed by Township Staff and consultants. Chapter 204 is to replace the existing Chapter 204 and is intended to establish requirements and procedures for working within the right-of-way of Township streets, including street restoration standards and maintenance and protection of traffic (work

zone traffic controls). It is likely this draft ordinance will be presented for review by the Council in 2025.

- “Township Standards and Specifications” has been reviewed by Township Staff and revisions to the document, as well as various Township application forms, is in process. This document is to formally update/upgrade and replace numerous construction details and policy documents utilized by the Township over the last many years. It is anticipated that upon review by Township staff, this document will be presented to Council for review. This document will be updated periodically to include additional construction details, guidance documents, forms, etc. as they become necessary.

LONGVIEW PARK

MT100-A.2

- Construction of Stage 2 and Stage 3 of the project has been completed and it is anticipated some of the field areas may be open to public use in the fall (in order to allow grass to grow properly).
- The final construction phase is anticipated for the spring of 2025 or 2026 and will include the following work: conversion of sediment trap nos. 1, 2, 3, 4 and 5 to permanent stormwater basins, installation of approximately 800 feet of pedestrian trail (that was not be completed with the previous stages of construction), asphalt paving of approximately 400 feet of paved trail (that was only completed to stone subbase to permit future construction access for basin conversion), installation of softball and baseball infield areas, and removal of all erosion and sedimentation controls. The Township applied for a grant (in the amount of \$250,000.00) to partially fund the completion of the project; however, only a small fraction of the requested funding was awarded to the Township. The cost estimated in 2021 to complete the final phase of work was approximately \$500,000.00; however, it is likely this cost has increased due to the current economic environment.
- The NPDES Permit for the Park has been extended to December 20, 2027 (since it is an individual permit) to allow the project to be completed in 2025 or 2026 depending on budgetary needs. PennDOT Highway Occupancy Permit work is complete, and permits are closed.

LENNI PARK

MT100-W

- A kickoff meeting was held with DCNR regarding the approved grant for redevelopment of Lenni Park.
- Field survey of the park has commenced and should be complete in the near future. Upon completion of existing features plan, engineering

design of the project will begin and will be submitted for permits in 2025. It is anticipated that work will begin in the summer of 2025 and completed by late fall. The project will be completed in multiple phases. The first phase of improvements may include additional parking, pedestrian trail and stormwater management improvements. Additional site improvements are anticipated in later years.

MS4 NPDES PERMIT/POLLUTANT REDUCTION PLAN

MT300-18

Pollutant Reduction Plan (PRP) for the PADEP NPDES Permit term of 2018-2023 was submitted to PADEP on December 4, 2019, and final approval of the PRP was issued on February 7, 2020. Although the NPDES permit term is 2018 to 2023, the Township has 5 years (from the date of PRP approval) to complete design, permitting, and construction of all of the proposed stormwater facilities (BMPs) described in the PRP. The PRP includes an estimation of cost to complete all stormwater facilities required by the State as part of the approved PRP, prior to the end of the PRP approval term (February 2025). The Sunny Brae Basin revitalization will be the first stormwater BMP project from the PRP, to be completed (in 2022). The Township submitted a PA DCED Watershed Restoration and Protection Program Grant application in the amount of \$296,905.00 for construction of a second stormwater BMP in Township open space north of Highpoint Drive and south of the Franklin Mint, however, only a small portion of the requested funds were awarded.

SEPTA R3-3

MT120-Bwa

- SEPTA has completed the R3-3 rail line extension including the parking deck, driveway, station building, and stormwater management facilities. Final Certificate of Occupancy has been approved for the station building and the crew quarters. The Township reviewed the project close-out request (Certificate of Total Completion) and has notified SEPTA there are minor issues remaining to be addressed. Amended stormwater management agreement and exhibits have been recorded. It is anticipated that this land development project will be on a Council Agenda in the near future for consideration of approval.

MARINER 2 PIPELINE

MT100-Ea

- Valley Road shoulder restoration/stabilization. ETP has agreed to fund the cost related to obtaining a PennDOT Highway Occupancy Permit and construction improvements to stabilize the road shoulders of Valley Road with rock lining from W. Forge Road to New Darlington Road. The

Highway Occupancy Permit plan has been prepared and has been submitted to PennDOT by the Township, for approval. This restoration work, which is being done due to water erosion along the shoulders, will also include milling and wearing course overlay of the entire cartway of Valley Road along the work area. This work has not yet been scheduled due to ongoing PennDOT permit acquisition efforts. All other ETP restoration work in the Township is complete.

- Horizontal Direction Drill HDD #591 (Sleighton Park to 143 Valley Road) - "Monitoring Plan" - Sunoco/ETP and the Township are in the process of closing out the geologic and geophysical testing that took place at Valley Road/W. Forge Road, pursuant to the agreed upon testing protocol between the Township and Sunoco/ETP. The Township's geophysics consultant has reviewed all testing completed as part of the monitoring plan.

SUBDIVISIONS/LAND DEVELOPMENTS

MT305 SERIES

-
- 129 N. Middletown Road (aka ARTIS Senior Living) Land Development – The land development at this location, formerly known as ARTIS Senior Living, was never recorded, and the property was sold to the owner of 47 N. Middletown Road (Philadelphia Meeting Room- Religious Use Land development) and the new owner has received zoning variances for impervious coverage at this location and is in the process of obtaining all other required State approvals to construct a congregation meeting hall. The land development at 47 N. Middletown Road has been withdrawn. The land development submission for 129 N. Middletown Road was reviewed by the Township Planning Commission on June 11, 2024, and has been conditionally approved by the Township Council. The adjoining property located between the site and the pedestrian crossing at the entrance to the Promenade at Granite Run, is now owned by the RTMSD and the easement formerly being sought by ARTIS to allow a sidewalk connection from the site to the PGR entrance is now subject to Philadelphia Meeting Road acquisition and RTMSD approval.
 - 47 N. Middletown Road Land Development – An application for land development for construction of a meeting room building (religious use) and parking lot was conditionally approved by Township Council. This site is located to the southwest and contiguous to Longview Park. This land development application has been withdrawn.
 - Guss Subdivision (Howarth Road) – Construction of site improvements (not including the dwellings) has been approved by the Township (through issuance of a grading and excavating permit). Construction activity at the site is on-going and the work is approximately 80% complete. A temporary Certificate of Occupancy has been approved for the first constructed home.

- Promenade at Granite Run Land Development - Construction pursuant to the approved final plan is on-going and is approximately 90% complete. The following amendments to the approved final plan were received in late 2022 and early 2023:
 - ✓ Reconfiguration of Apartment Building 2 and surrounding improvements. This work is approximately 95% complete. The applicant intends to open the leasing office in February of 2025 with occupancy of the apartment units possibly beginning in the spring of 2025.
 - ✓ Reconfiguration of Building G (Popeye's). Land Development for this amendment has been recommended for approval by the Planning Commission in April 2023 and granted conditional final approval by the Township Council. This land development application has been withdrawn.
- 386 Dutton Mill Road – A minor subdivision and land development application has been received by the Township for creation of 3 new residential building lots and a lot consolidation. The site is located approximately 500 feet southwest of Mary Anne Drive, on the west side of Dutton Mill Road which is a Pennsylvania State Highway. New homes are to be served by public water (a main extension from Mary Anne Drive) and public sewer. There is a sewer interceptor traversing the rear of the property, which is also traversed by an unnamed tributary to Chester Creek. There is an existing home and parcel that will be impacted by this development. The existing driveway to this home is to be relocated to the proposed shared driveway for the 3 new homes, and the old driveway is to be removed. Further, a portion of the subdivision parcel is to be conveyed to 412 Dutton Mill Road. The parcel is heavily encumbered by wetlands, floodplain, steep slopes, and regulated waters of the US. There is a variable width riparian corridor proposed; however, Township Codes requires a riparian corridor of 50 feet. Some of the proposed improvements are within this riparian corridor. The development will also disturb steep slopes but will not disturb wetland, waters of the US, or floodplain area. A large underground infiltration basin is proposed to control stormwater runoff from the new impervious surfaces. A shared driveway, 20 feet wide, is to serve lots 1 and 2 and 412 Dutton Mill Road. Driver sight distance appears to comply with applicable regulations, but this will be reviewed by PennDOT as part of the Highway Occupancy Permit application. The application is scheduled to be reviewed by the Planning Commission in October 2024.
- 643 Darlington Road Minor Subdivision – A minor subdivision and land development application has been received by the Township for the creation of 3 new residential building lots. This application was granted conditional final approval by Council in September 2024. The applicant

recently submitted an amended final plan to reduce the total number of lots from 3 to 2.

- Darlington Pointe II Subdivision - Construction is complete with all homes occupied, except for Lot 4All which has been purchased to the owner of 420 Matrissa Ridge and it is our understanding there is not intent on their part to build on the lot. Certificate of Total Completion has been filed and it is anticipated that the project will be closed in 2025.
- 312 Lenni Road Subdivision - Conditional final approval granted by Council. The plan has been recorded and construction has commenced by Cornerstone Quality Builders. All five homes are complete and occupied and the project is approximately complete. The applicant has requested approval of the Certificate of Total Completion.
- 33 N. Middletown Road Subdivision (Convery) - Conditional final approval granted by Council. The plan has been recorded. Site work construction (excluding the houses) is largely complete. All Lot 3 work is complete.
- Penncrest High School Life Skills Center and Parking Lot Subdivision and Land Development – Conditional final approval has been granted by the Township Planning Commission and Council. The plan has been recorded and construction of the bus facility parking lot is complete. Project has not yet been closed through approval of Certificate of Total Completion.
- 345 Valley Road Subdivision – The overall project is complete, and Certificate of Total Completion has been submitted by the builder and conditions for approval of the CTC have been forwarded to the applicant for completion/resolution.
- Glenwood Elementary School Parking Lot – The plan has been recorded and a Grading and Excavating Permit has been approved for the construction of the new parking lot and related stormwater facilities. Construction is complete, but the Certificate of Total Completion has not yet been filed by the applicant.
- Glenwood Elementary School Modular Classrooms – Plan has been reviewed by Township staff and was recommended for final approval by the Planning Commission and approved by Council in May. The plan is recorded, and construction is complete, but the Certificate of Total Completion has not yet been filed by the applicant.
- Indian Lane Elementary School Parking Lot and Baseball Field Relocation – The plan has been recorded and construction is complete. Project has not yet been closed through approval of Certificate of Total Completion.
- Luongo Reverse Subdivision and Land Development – Zoning Variances and Conditional Use have been approved. The applicant has submitted a land development application which was recommended for approval by the Planning Commission in June of 2023. The applicant has revised

the plan pursuant to staff and consultant reviews and was reviewed by Council in June 2024.

- Granite Farms Estates – Nursing Care Facility – Site improvements including building additions and reconfiguration of the parking area surrounding the nursing care facility, was granted final approval was granted by Council in March 2022. The plan has been recorded and construction is nearly complete. Certificate of Total Completion has not yet been submitted for approval.
- 552 Old Forge Road - This subdivision application was granted conditional preliminary and final approval by Township Council. The plan has been recorded and construction has started at the site.
- 40 Van Leer Avenue Subdivision and Land Development - This subdivision application was granted conditional preliminary and final approval by Township Council. The plan has been recorded and construction of the first home is now complete and is occupied. Permits for the two additional homes have been approved and construction has commenced.
- A land development application has been received from Sunnybrae Farm, L.P. (Wolff's Applehouse) for approval of a permanent pavilion structure (previously constructed under a waiver of land development), building expansion (for on-premises kitchen) and a separate garden center building. This application has been recommended for conditional use approval and preliminary land development approval by the Planning Commission and has received zoning variances to permit the proposed expansion. The township Council granted final approval of this plan, but it has not yet been recorded. The applicant has received approval of a grading and excavating permit application for construction of site improvements, specifically limited to the new driveway (from Whirlaway) and the required stormwater management system for the overall project. This work began in January 2025.
- Williamson College of the Trades 72-Bed Dormitory Land Development (Phase 6) – A land development application has been received to construct a 72-bed dormitory at the campus. This application was recommended for approval by the Planning Commission and approved by Council in August 2022. Plan has been recorded and work is complete. Certificate of Total Completion has been filed by the applicant and the Township is awaiting resolution of issue identified during CTC review.
- Elwyn of Pennsylvania and Delaware – Kitchen Building – A land development application has been received to construct a new kitchen facility at the campus. This plan has been recommended for approval by the Planning Commission and conditionally granted preliminary/final approval by Council. Grading and Excavating permit has been issued to begin construction of the building and related site work, which is now underway.

- ACTS Lima Estates – Rehab and Therapy Garden Land Development – A land development application has been received to construct a small new building addition at this facility. The plan has been recommended for approval by the Planning Commission and received conditional final approval by Council but has not yet been recorded.
- Wawa Land Development – A land development application has been received by Wawa for minor expansion of the dairy facility to allow the increase of capacity. The plan received conditional recommendation by the Planning Commission in October 2024 and was conditionally approved by Council in November.
- Outrigger Industrial Acquisition, LLC – A land development application was received on November 21, 2024, for the construction of a 334,000 square feet warehouse facility between Pond's Edge residential development and Franklin Station residential development along Baltimore Pike, just west/south of Pennell Road. This application will be reviewed by the Planning Commission in May of 2025. Staff and consultant plan reviews have been completed and submitted to the applicant.
- Elwyn of Pennsylvania and Delaware – School Building – A land development application has been received to construct a new two-story school building at the campus totaling 78,336 square feet. This building will be constructed at the location of the existing administration building, which is to be razed. This application is scheduled to be reviewed by the Planning Commission in April 2025. Staff and consultant plan review have been completed and submitted to the applicant.
- Outrigger Industrial Acquisition, LLC – A land development application was received on November 21, 2024, for the construction of a 334,000 square feet warehouse facility between Pond's Edge residential development and Franklin Station residential development along Baltimore Pike, just west/south of Pennell Road. This application will be reviewed by the Planning Commission in March of 2025. Staff and consultant plan review have been completed and submitted to the applicant.
- Mills at Glen Riddle – A land development application was received to construct a 45,000 square feet light manufacturing building at the southwest corner of Parkmount Road and Pennell Road, behind the existing office complex. This application will be reviewed by the Planning Commission in April of 2025. Staff and consultant plan review have been completed and submitted to the applicant.



Summary – Elwyn School

The applicant is proposing to construct a two-story, 78,336 square feet School, parking lot, bus parking area, driveways, and related stormwater management facilities, at 111 Elwyn Road. The property consists of approximately 259 acres located in the I-2 Institutional Zoning District. The new building and related facilities are to be constructed at the location of the existing administration building which is to be razed as part of the project. The proposed development is to be served by public water and sewer. No new driveway to Elwyn Road, E. Old Baltimore Pike or Rt. 352 is proposed. Stormwater runoff will be controlled by way of a new surface infiltration basin located next to an existing parking area, east of the building. Total quantity of impervious surface area will be reduced as part of this application from 118,049 square feet within the development area to 112,803 square feet. Stormwater management controls will be greatly improved from the existing conditions with the addition of the new surface detention facility.

Regards,

Eric J. Janetka, P.E.

Senior Project Engineer

Summary – Mills at Glen Riddle

The applicant is proposing to construct a 45,000 square foot light manufacturing building, parking lot, driveways, and related stormwater management facilities, at 300 South Pennell Road. The property consists of approximately 28.39 acres located in the M - Manufacturing Zoning District, at the southwest corner of Parkmount Road and S. Pennell Road. The new building and related facilities are to be constructed on land just west of the existing warehouse and office building. The proposed development is to be served by public water and sewer and a new access driveway to Parkmount Road is proposed, directly opposite Burnt Church Court. This access will require a PennDOT Highway Occupancy Permit. Stormwater runoff will be controlled by way of three new underground basins which are presently proposed to be discharged to an existing storm sewer system in Parkmount Road, just east of Burnt Church Court. This portion of the site to be developed largely consists of woodlands and gravel/paved surfaces.

It should be noted, the applicant has received a zoning variance for reduction of the required buffer from Parkmount Road to allow for a parking/turnaround area adjacent to the building (refer to Zoning Hearing Board Decision ZHB 2025-06, dated March 26, 2027).

Regards,

Eric J. Janetka, P.E.

Senior Project Engineer



MIDDLETOWN TOWNSHIP APPLICATION TO ZONING HEARING BOARD

27 N. Pennell Road | Media, PA 19063
610-565-2700 | Fax 610-566-3640 www.middletowndelcopa.gov

Date March 30th, 2025

Application No. 25-07

Applicant Christopher Welde Address 116 Riper Road, Media, PA 19063
(When there are a number of applicants the additional names shall be entered on the back of this application)

Phone: (215) 805-2917 Applicant Email Address: c.welde@att.net

Attorney (if any) n/a Address: 116 Riper Road, Media, PA 19063

Phone n/a Attorney Email Address: n/a

LOCATION OF PROPERTY 116 Riper Road, Media, PA 19063 Zoning District R-4

Deed Book 6985 Page No. 4703

Owners Christopher Welde & Erica Rummel Address 116 Riper Road, Media, PA 19063

Agent n/a Address n/a

If the applicant is not the agent or the owner, state his interest: n/a

Application is made for a (variance) (special exception) from the following ordinance and/or section of ordinance:

Applicant requests a variance from Middletown Township zoning code

Section 275-38.1.C.(1)(e)[2] that states, "Notwithstanding 275-1991 of Article XXXIII,

decks, patios, and uncovered spaces on all lots may encroach into the required rear

yards by no more than eight feet." Application is a variance for both a deck and patio.

State facts and/or basis of support of application (attach narrative if necessary) _____

Please see attached.

State facts and/or basis of support of application (attach narrative if necessary)

I am submitting this request for a zoning variance to allow for an expanded deck and lower patio/deck at my property located at 116 Riper Road on the following basis:

- Due to the steep grading of the rear yard, the majority of the area is usable. The extended deck would provide a functional, level outdoor area while maintaining the integrity of the property.
- The proposed deck and the variance request do not pose a threat to public health, safety, or welfare.
- Requested variance will not impose an undue burden on adjacent properties, obstruct views, or compromise privacy.
- The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located.
 - Decks in Community, Ponds Edge, range up to 12 foot depending on plot plans
 - Decks in a Neighboring Community in Delaware County Middletown Twp (The Reserve at Rose Tree) are 12 feet in depth
- Dwelling backs up to open space, ensuring that the proposed variance would not impair the appropriate use or development of surrounding areas.

Figure 2: Rear Yard Line and Relation to Setback Line of 116 Ripper Road.

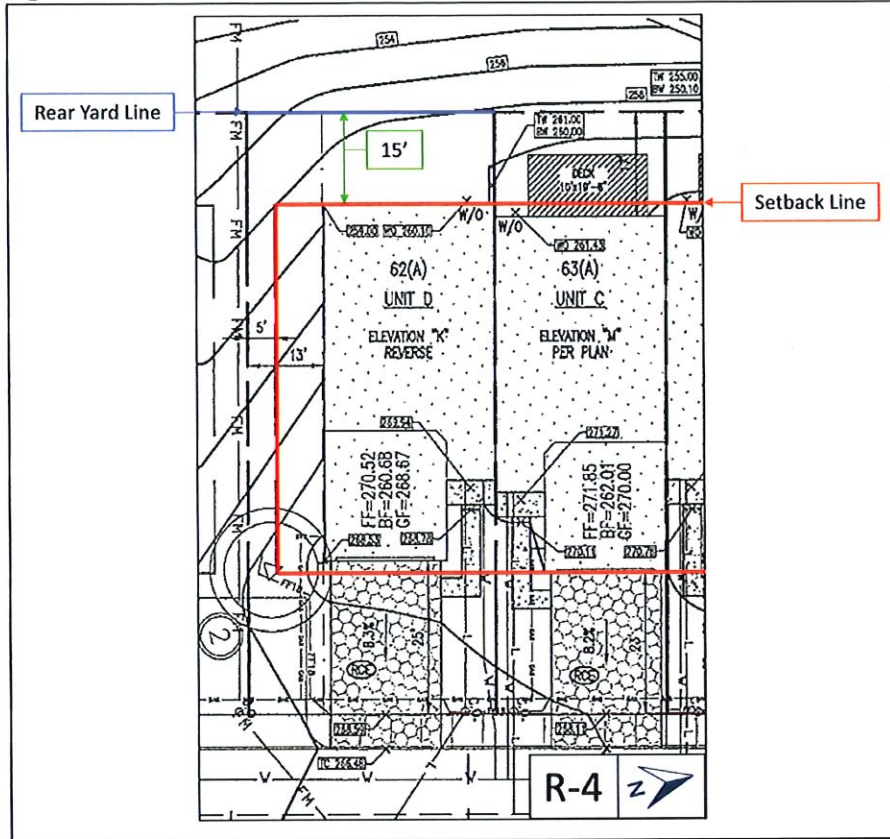


Figure 3. The location, dimensions and proposed use of all buildings and structures as well as the distance of all buildings and structures to the property lines.

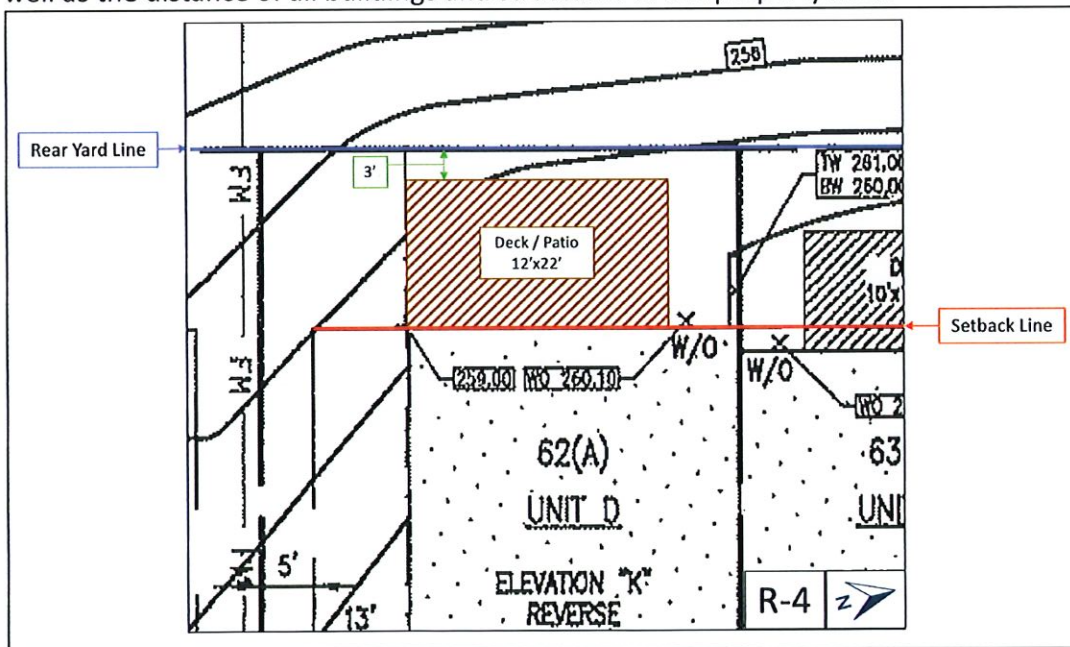


Figure 9. Letter of Approval from Neighboring Home (attached dwelling) – 114 Riper Road.

Joseph Paff and Jennifer Candelario
114 Riper Road
Media, PA 19063
March 31st, 2025

Zoning Hearing Board
Middletown Township Office
27 N. Pennell Road
Media, PA 19063


Subject: Letter of Support for Variance Request – 116 Riper Road, Media, PA 19063

Dear Members of the Zoning Hearing Board,

We, the undersigned, are immediate neighbors of Christopher Welde and Erica Rummel at 116 Riper Road, and we are writing to express our support for their request for a variance from the Zoning Code to allow for an increase in the allowable size of their deck / patio.

We believe that the proposed deck / patio expansion will have no negative impact on the surrounding properties or the character of our neighborhood. The requested variance is reasonable and will not create any undue burden on adjacent properties, obstruct views, or affect privacy. Instead, it will enhance usability while maintaining the integrity of our community.

Sincerely,



Joseph Paff and Jennifer Candelario
114 Riper Road

April 11, 2025

Item 8A

Municibid Auction

On Thursday March 27, 2025, Public Works placed their 2020 Exmark LZX921GKA72600, 72-inch mower, on Municibid with the intention of selling it to the highest bidder at the end of the auction, on Friday April 11, 2025. When bidding closed at 11am, we received the highest bid of \$ 7,200.00 for this unit. The winning bidder, Tyler Ferguson, of Greenville, PA.

I would like to recommend that Council accept this bid and authorize the sale of this unit to Tyler Ferguson.

We have already purchased a new unit to replace this outgoing mower, for a price of \$15,519.00. We received this new mower on March 24, 2025, and have already started using the new mower.

Thank you,

Daniel J Simcox Sr.
Foreman
Middletown Township Public Works

April 11, 2025

Item 8B

Municibid Auction

On Thursday March 27, 2025, Public Works placed their 2020 Exmark LZE651CKA484A2, 48-inch mower, on Municibid with the intention of selling it to the highest bidder at the end of the auction, on Friday April 11, 2025. When bidding closed at 10am, we received the highest bid of \$ 5,500.00, for this unit. The winning bidder, Roger Snyder, of Elizabethtown, PA.

I would like to recommend that Council accept this bid and authorize the sale of this unit to Roger Snyder.

We have already purchased a new unit to replace this outgoing mower for a price of \$15,519.00. We received this new mower on March 24, 2025, and have already started using the new mower.

Thank you,

Daniel J Simcox Sr.
Foreman
Middletown Township Public Works

TOWNSHIP OF MIDDLETOWN

Item 8C

April 16, 2025

<u>Vendor Name</u>	<u>Budget Code</u>	<u>Description</u>	<u>Amount</u>
GENERAL FUND			
AQUA Autopay	01-411-384-75	Township Hydrants 01/31-02/28	\$ 9,078.00
GO2 Tech. Inc.. (ACH)	01-407-300-75	February 2025 IT	\$ 6,441.48
Middletown Free Library	01-400-456-70	2025 1Q Distribution	\$ 70,125.00
Opdenaker, Inc.	01-426-300-75	Feb. Recycling AC #14321600	\$ 52,705.20
PA Municipal Health Ins. Cooperative	01-487-196-55	Health Insurance - APR	\$ 35,715.06
UCOMP	01-481-300-55	2025 1Q Unemployment Contribution	\$ 8,451.83
		Total General Fund	<u>\$ 182,516.57</u>

Approved by: _____

Date: _____