

TOWNSHIP OF MIDDLETOWN
PLANNING COMMISSION MEETING

January 9, 2018

Present: Greg Reitze, William Moran, Peter Schettler, Mark Bradson, Eric Janetka (Engineer, Kelly & Close) and Donald Petrosa, Esq. (Solicitor)

A. Call to Order

Chairman Mr. Schettler called the meeting to order at 7:30 PM.

B. Approval of Minutes – November 14, 2017

Mr. Moran made a motion to approve the minutes. Mr. Bradson seconded the motion and the Commission approved unanimously with a vote of 4-0.

REORGANIZATION

Mr. Moran nominated Mr. Schettler to serve as Chairman of the Planning Commission for 2018. Mr. Reitze seconded the nomination and the Planning Commission approved with a vote of 4-0.

Mr. Bradson nominated Mr. Moran to serve as Vice Chairman of the Planning Commission for 2018. Mr. Reitze seconded the nomination and the Planning Commission approved with a vote of 4-0.

APPROVAL OF 2018 CALENDAR

Mr. Moran made a motion to approve the 2018 Planning Commission Calendar. Mr. Bradson seconded the motion and the Planning Commission approved with a vote of 4-0.

C. Old Business

Conditional Use Application, Congregation Beth Yeshua, 28 S. New Middletown Road. The applicant seeks amended approval to permit a Jewish Synagogue, including the construction of an addition not to exceed a footprint of 9,730 s.f. to accommodate applicant's congregation. Two accessory buildings will be demolished and removed from the site.

Mr. Timothy Sullivan, attorney for the applicant, noted the applicant's engineer, Brian Ciampitti, was also present. Mr. Sullivan stated there are three issues to be discussed. He stated one issue is stormwater management. He stated also at the meeting is the traffic engineer who will address the concerns from the Township. Mr. Sullivan stated Mr. Reitze asked if Riddle Hospital will grant an easement for emergency access. Mr. Sullivan stated he received a call from Riddle stating they have no problem with emergency vehicles using their emergency access way, but he said Riddle Hospital will not grant permanent easements. He stated this is a policy of Riddle Hospital. Mr. Sullivan turned the meeting over to the engineer of the project. Mr. Brian Ciampitti stated they are planning to lower the grading of the site. He

stated they will put another inlet in the corner. He stated they are eliminating the retaining wall which will allow more landscape screening and buffer. He stated there will no longer be a need for a guide rail. He stated the asphalt that was previously proposed will now be a true grid mesh with grass. He stated it will look like a manicured lawn. Mr. Ciampitti pointed on the plan the location of a recharge bed. He stated it will be collected with a couple of inlets along with perforated pipes. He stated this will allow the parking lot runoff to be filtered by the grass and enter the recharge area. Mr. Ciampitti stated another issue of concern is the discharge. He pointed out on the plan where they will be locating the discharge area. He stated it is more centrally located which will ensure the natural flow path will not impact the McCusker property. Mr. Ciampitti went over the plan to reorient the locations of buildings. Mr. Ciampitti stated he is working with the conservation district which regulates the discharge and offsite stability requirements. He stated their requirements are much more stringent than the Township's requirements. He stated he will be making the basin larger. Once the final design is completed, it will exceed the peak rate reduction required by the Township.

Mr. Reitze asked if percolation tests were done. Mr. Ciampitti stated they were performed a while ago and rates were very good.

Mr. Janetka asked Mr. Carlin to summarize the traffic issues. Mr. Joe Carlin, Gilmore & Associates stated he received a letter from Mr. Parker to which he responded. He stated he has not heard back from Mr. Parker. He stated the applicant is proposing to reuse the current driveway entrance. He said the driveway will be widened 25 feet. He stated there would be a total of 127 trips on Friday night. He stated Mr. Parker was concerned with left turns leaving the Synagogue, especially on high holidays. Mr. Carlin stated most trips will be off-peak. He stated they are not proposing a separate left turn lane. He stated this could be provided if the Township requires it. Mr. Ciampitti stated making two lanes is not impossible but could be difficult.

He stated there are two utility poles on the property. He stated he increased the radii. He stated if he were to make the entrance wider, he would have to remove one of the utility poles. He stated one of the poles on the south side of the entrance has a light. He stated he is concerned if he moves that pole they may not get the light back. He stated it is not an insignificant cost to remove the pole. Mr. Janetka stated he thought it was feasible to have the two lane exit. Mr. Sullivan stated that ultimately, this would be a PennDOT call. He stated no approval from the Township can be made without the third party approval. Mr. Petrosa stated if the Planning Commission were to recommend Township Council's approval of the plan, it would be subject to satisfactory resolution of the various review items. Mr. Bradson asked if the Commission were to request the left turn lane how would it affect the runoff. Mr. Janetka stated any impervious surface will have additional runoff. Mr. Ciampitti stated he does not have a problem with widening the entrance. He stated there is one tree listed as a 50 inch tree on the north side of the driveway. He stated if he will have to widen the driveway the tree will have to be removed. Mr. Reitze stated that several years ago, Williamson School and Elwyn were interested in putting a traffic light at their entrances and many were opposed. Mr. Reitze asked if there will be a Hebrew school on the location. Mr. Ciampitti stated the school mentioned is the Montessori School. Mr. Reitze stated if the Commission approves this plan, would there be any other schools. Mr. Sullivan stated the school was approved under Special Exception.

Mr. Petrosa stated another school would have to have Conditional Use approval. Mr. Moran stated before he recommends approval, the traffic issues should be resolved. Mr. Sullivan stated if they widen the entrance to have one lane coming in and two lanes exiting would that eliminate the problem. Mr. Janetka stated PennDOT would have the final say.

Mr. Moran made a motion to recommend approval subject to the Kelly & Close review comments dated November 7, 2017, subject to the Tom Comitta review comments of December 5, 2017, subject to the Delaware County Planning comments of November 16, 2017 and the Township's traffic consultants e-mail comments of December 21, 2017, as well as the Conditional Use conditions set forth for the Montessori School. Mr. Reitze seconded the motion and the Commission approved unanimously with a vote of 4-0.

Preliminary/Final Subdivision Land Development Plan Review, Congregation Beth Yeshua, 28 S. New Middletown Road. The project proposes to expand the religious use to accommodate additional seating and meeting space and an expansion of the parking facilities to accommodate the building addition.

Mr. Moran made a motion to recommend approval subject to the same review comments. Mr. Reitze seconded the motion and the Commission approved unanimously with a vote of 4-0.

D. New Business

Roostertail Farm Trust, Final Minor Subdivision Plan, 533 Darlington Road. Applicant proposes to subdivide 15.16 gross acres currently containing 3 dwellings into 3 lots, providing one lot for each residential dwelling. Also, currently present on the parcel are a driveway, an accessory structure on Lot 1, and several building ruins.

Mr. Matt Houtmann, G.D. Houtman & Sons, representing the applicants explained the property is 15.16 acres located at 533 Darlington Road. He stated all the homes are presently serviced by on-site septic systems and wells. He stated they propose to subdivide into 3 separate parcels. Parcel 1 is 9 acres and consists of an existing dwelling and studio. Parcel 2 is 1.75 acres and consists of an existing dwelling. The final lot is 2.45 acres and consists of a detached garage and existing dwelling. He stated they share one existing 700 foot common driveway. He stated the Township requires the driveway to be 16 feet wide. He stated the first 150 feet of the driveway is 17 feet wide and narrows down to 11 or 12 feet. Mr. Houtmann stated they were made aware the applicant must go before the Zoning Hearing Board. He stated they will make application shortly. He stated there are no proposed improvements. He stated each lot has a separate septic system and all systems have been tested. Mr. Janetka suggested the applicant prepare a report to prove the driveway and walls are sound. Mr. Houtmann stated they are prepared to do so. Mr. Houtmann stated they have no intention to redo the existing culvert. Mr. Janetka pointed out the fact the driveway floods. Mr. Janetka asked if the applicant is willing to fix the culvert. Mr. Houtmann stated a hydraulic study will be performed. He stated the flood flows are anticipated to cross the lower section of the driveway. Mr. Petrosa stated there are conditions that need to be satisfied to recommend approval.

Mr. Moran made a motion to recommend approval subject to Kelly & Close Engineers review comments dated 12/21/2017, Zoning Officer's comments dated 12/7/2017 and preparation and submission of a Declaration of Easement that is satisfactory to the Township Solicitor. Mr. Bradson seconded the motion and the Commission approved unanimously with a vote of 4-0.

Final Subdivision/Land Development, Granite Parcel and State Police Barracks, 1318 W. Baltimore Pike. The project proposed on 2.72 acres, 3.4 acres of the Franklin Mint parcel for the State Police Barracks, 0.53 acres for Printers Way and Donovan Drive of off-site public right-of-way, and 1.05 acres for Printers Way of off-site private easement, which is included in the overall 173.8 acres SU-1-A tract.

Kevin Matson and Patrick McKenna joined the Planning Commission as engineer and solicitor.

Mr. Stephen Polaha, Esq., representing the applicant stated Barry Archambault, P.E., will provide an overview of the project and address Mr. Matson's review comments. Lisa Thomas, Land Planner, will address Mr. Comitta's review comments. Nicole Kline, Traffic Engineer, will address traffic related patterns and address Mr. Parker's comments. He stated Joseph Powell, the architect for the State Police Barracks, and Lt. James Bennigan, Station Commander, are at tonight's meeting.

Mr. Archambault presented a copy of the plan. He stated earthmoving activity has begun. He stated they are waiting for the weather to break prior to doing stormwater management work. Mr. Archambault pointed out on the plans the location of the State Police Barracks, the hotel and pad sites. He stated there are no tenants for the sites. He stated the majority of the comments from Mr. Matson and Mr. Comitta were related to the pad sites. He stated as the tenants are finalized, revised land development plans will be submitted. Mr. Archambault stated the Township Code requires reinforced concrete pipe (RCP). He stated the preliminary plan used RCP in the roadways and used High-Density Polyethylene (HDPE) for all storm sewer pipelines. He stated in the final plan he went with all HDPE pipe. He stated Mr. Matson's comments suggested he use the original plan. Mr. Reitze asked about the longevity of the pipe. Mr. Matson stated PennDOT allows RCP pipe but not if crossing a roadway.

Mr. Archambault stated the Township requires driveways to be 100 feet off an intersecting road. He stated the plan shows the hotel entrance to be 85 feet. He stated the last modification is for intersections. He stated they are required to be 1000 feet apart. He stated the intersection of Printers Way and Donovan Drive are 360 feet apart.

Ms. Lisa Thomas, Land Planner, responded to the review comments from Mr. Comitta. She stated they have accepted most of the review comments. She stated in respect to the hotel and pad sites, as tenants are finalized, revised land development plans will be submitted.

Mr. Joseph Powell, architect, presented a copy of the State Police Barracks plan. He stated there are more windows and the dormers were changed. He stated the facade is a concrete product made to look like stone.

Mr. Bradson asked for the record if there will be an indoor firing range or an outdoor shooting range on the site. Mr. Powell stated there will not be any shooting ranges.

Ms. Nicole Kline, transportation engineer, stated nothing has changed since the last meeting. She stated the signalized intersection on Rt. 1 at the State Police Barracks will continue to serve as the primary access. She stated the traffic signal will be upgraded. She stated she is in the middle of the PADOT approval process. Ms. Kline stated the responses to the comment letter received in December are either comply, will comply or are in agreement that coordination is on-going. Mr. Bradson asked at the intersection of Printers Way and Rt. 452 will it be a right-out only. Ms. Kline stated it will be a right-in, left-out and right-out and un-signalized. Mr. Schettler asked if the State Police and Granite Farms will share the signal. Ms. Kline answered in the affirmative. Per Mr. Moran's request, Ms. Kline showed on the plan the location of the Ponds Edge development. She stated as part as her traffic submission, she included Ponds Edge, the FranklinMint development and the State Police Barracks. Mr. McKenna stated approvals should be on condition of Mr. Matson's review and the traffic review. He stated final development plans will be submitted for the hotel and pad sites.

Mr. Schettler asked when construction will begin. Mr. Archambault stated the State Police Barracks in December of 2018.

Mr. Moran made a motion to recommend approval subject to comments from Council. Mr. Bradson seconded the motion and the Commission approved unanimously with a vote of 4-0.

Conditional Use, Commonwealth of Pennsylvania, Communications Tower, 1060 W. Baltimore Pike. Applicant previously received Conditional Use approval in 2015 which expired. Applicant wishes to construct a communications tower for use by the Pennsylvania State Police on property located within the right-of-way of U.S. Rt. 1 (Media By-pass) between on and off ramps to Baltimore Pike located behind property at 1055 E. Baltimore Pike pursuant to Section 275-124 (C) (14) of the Code of Ordinances allowing for communication towers as a conditional use within the B-General Business Zoning District.

Mr. John Nally, Chief of Site Development and Maintenance for the Pennsylvania State Police Radio System, stated he has been with the radio system for 19 years. He stated in July 2013 the system was transferred from the Governor's Office of Administration to the State Police. He stated in 2015 he went before the Township to build a 250 foot tower at the Media By-pass on Baltimore Pike. He stated the Township granted the Conditional Use which would replace a 40 year old, 160 foot tower. He stated as he was ready to apply for a permit, the Senate passed a resolution pointing out deficiencies of the existing 800 MHz OpenSky radio system. He stated as a result, all radio construction was halted in the State. Mr. Nally stated that in October of 2016 the Commonwealth awarded to Motorola Solutions the P25 Land Mobile Radio contract to upgrade from the OpenSky technology. He stated Motorola installed the first system in

Warren County and passed all testing. He stated pilot 2 was installed in Erie, Venango and Crawford Counties, also passing all testing. The P-25 system is actively being used in those four counties. He explained the buildout is continuing south in Mercer, Butler, Armstrong and Beaver Counties, into Pittsburg, Green and Fayette Counties, then proceeding east. Installation in the southeast section of Pennsylvania, including Middletown Township, will begin at the end of the year.

Mr. Nally stated funding was available for the project but the time to apply for a building permit had elapsed. He asked for the Commission's support for this public safety radio site with a 250 foot tower. He stated the tower will serve the residents of Middletown Township and the surrounding communities. Mr. Nally stated there will be open space available on the tower for cellular companies. He stated the cell companies will pay rent, but public safety use will not be charged.

Mr. Reitze asked who will maintain the tower. Mr. Nally stated his department will maintain the tower. Mr. Bradson asked about the lighting on the tower. Mr. Nally stated in 2015, the FAA changed the requirements for lighting. He stated in 2015 the FAA required one blinking light at the top of the tower which would blink white and red at night. He stated at night there would be three lights burning continuously at 150 foot intervals. He stated the new rules state the top light still blinks and there will be 2 lights at 125 feet which will blink in sequence. Mr. Schettler asked about the construction timeline. Mr. Nally stated by the end of 2018.

Mr. Petrosa recalled in 2015 a Variance from the Zoning Hearing Board was granted. He stated the variance is only good for one year. He asked if Mr. Nally planned to go before the Zoning Hearing Board. Mr. Nally stated he was on the agenda of the Zoning Hearing Board.

Mr. Nally stated there will be open space on the tower. Mr. Reitze suggested Township Council approve the companies to go on the tower.

Ms. Caroline Dealer, counsel for the State Police, stated she spoke to PennDOT. She stated PennDOT may have jurisdiction over the tower, but she will take into consideration any concerns the Township may have.

Mr. Petrosa stated PennDOT has jurisdiction over public utilities but he does not think they would have any with a cell tower.

Mr. Reitze made a motion to approve subject to receiving relief from the Zoning Hearing Board. Mr. Bradson seconded the motion and the Commission approved unanimously with a vote of 4-0.

There being no further business, the meeting was adjourned at 9:42 P.M.

Respectfully Submitted,


Sharon Browne, Recorder