

MIDDLETOWN TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA  
FEBRUARY 13, 2023

Minutes of the Regular Meeting of Township Council held on February 13, 2023, at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

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Present: David Bialek, PharmD, R. Ph, Mark Kirchgasser, Kathleen O'Connell-Bell, Walter "Bok" Read, Mark Damico, Esq., John McMullan, Eric Janetka, Vince Visoskas

Excused: Jackie Donnelly, Bibianna Dussling, Susan Powell

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1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Kirchgasser called the meeting to order and led in the recitation of the Pledge of Allegiance to the Flag.

2. APPROVAL OF MINUTES

A) Draft Township Council Minutes: January 3, 2023.

Mr. Read made a motion to approve the January 3, 2023 minutes. Mr. Bialek seconded the motion. The motion carried with a vote of 4-0.

B) Draft Township Council Minutes: January 9, 2023.

Mr. Read made a motion to approve the January 9, 2023 minutes as amended. Ms. O'Connell-Bell seconded the motion. The motion carried with a vote of 3-0. Mr. Bialek abstained from the vote.

3. PUBLIC COMMENTS

Mr. and Mrs. Martin Monahan, 7 Highpoint Drive, passed out pictures of a stockade type fence in his neighbors' front yard at 8 Highpoint Drive. Mr. McMullan stated staff reviewed and found no violations. Mr. Monahan stated this may be compliant, but it is an eyesore which will affect property values. He stated the fence has been on the property for two years. Mr. Kirchgasser asked if they spoke to their neighbors about the fencing and Mr. Monahan stated they did not because they do not know them. Mrs. Monahan stated they have had some neighbors speak among themselves about it and she suggested they speak to the homeowners at 8 Highpoint Drive. She stated she is amazed that this could be built on a front yard. She added they have been residents for 42 years and have never seen anything like this. She hopes in the future Middletown Township would approve an ordinance that would address a problem like this. Mrs. Monahan stated everyone leaving her development has to pass this structure.

Mr. Kirchgasser stated there is a set interpretation that applies to the law and there are potential solutions such as an ordinance that also becomes law. He stated staff has looked at this and determined this is not an auxiliary structure and is not affected by setbacks. Mr. McMullan stated they reviewed whether it meets the criteria of a structure and concluded it does not based on the code. It does not violate any setbacks or height requirements. He stated he met with Mr. & Mrs. Monahan and exchanged several e-mails and had staff do a thorough review. He also had the building code officer look at it when it was reported other pieces were added and based on the current zoning, they found no violations.

Mr. Monahan stated if the zoning could be amended it would be a step in the right direction. He stated he does not believe anyone would like to look at this in their neighborhood. Mr. Kirchgasser asked if it is fenced all the way to the top and Mr. Monahan answered yes. Mr. Bialek asked if it is a fence structure that requires a permit and Mr. McMullan stated it does not meet

the fencing requirements in the zoning code that require a permit. Mr. McMullan stated maybe this could be taken to the Land Planning Committee for review and vetted through the committee to see if it is something that could move forward in amending the zoning code. Mr. Kirchgasser thanked the Monahan's for bringing this issue forward.

4. REPORTS

A. CHAIRMAN

Appointments of Council members to the Library Working Group.

Mr. McMullan stated this is the Township appointment of a working board which is a result of meetings with the library during budget season and their request to have a working group formed that meets quarterly with a group from the Township and a group from the library. Mr. Kirchgasser stated the group will include Ms. Dussling and Ms. Powell representing the Township.

Mr. Bialek made a motion to appoint Ms. Dussling and Ms. Powell to the library working group. Mr. Read seconded the motion. The motion carried with a vote of 4-0.

B. COMMITTEE - NONE

C. MANAGER

1) *Update - meeting with Chester Heights Borough, Aston Township, and SEPTA.*

Mr. McMullan stated at the last Council Meeting on January 23, 2023, there were members from Chester Heights Borough and Aston Township that expressed concerns about the noise that is being generated from the SEPTA passenger trains as well as the noise that is related to the overnight work that is being done to the locomotives in the track yard. He stated on February 7, 2023, he met with the Township Manager and Engineer from Aston Township and the Mayor and a staff representative from Chester Heights Borough and representation from SEPTA. It was a meeting of administrative staff meeting to gather information and brainstorming. He stated they are looking at a two-pronged problem; one being the horns that are being generated because of the at grade crossing at Lenni Road and the noise being generated during overnight hours from 11 pm to 4 am.

He stated they heard from SEPTA and while they are not required to establish a quiet zone, they are a partner in the process. They provided very helpful information and referred the Township to Gannett Fleming who was the consultant for Lower Makefield Township who established a quiet zone. The Township Engineer from Aston Township who is with the firm Pennoni Engineering, used Gannett Fleming for projects so he will reach out to the consultant so they may have a future meeting. The process of establishing a quiet zone will primarily focus on safety, the legal liability and cost consideration. It is a very involved and complex component to establish which requires approval from the FRA, the PUC, and because the grade crossing is on a state road will require PADOT approval. SEPTA is required to sound the horn a certain number of times at a certain distance from the grade crossing on Lenni Road. He stated he will meet with Gannett Fleming to see how this was addressed in Lower Makefield and they have set up a meeting for next week with SEPTA to continue to gather information. They will meet on site during the day to get an idea of what type of work is being done to the locomotives

overnight.

FRA requires SEPTA to test horns overnight and drain the air out of the brakes and refill which are safety requirements, as well as cleaning the locomotives. One of the participants from SEPTA was their yard services manager who is doing everything to minimize noise. They have gone from blowing the horn in the hours between 11 pm and 4 am to tapping the horn to keep noise at a minimum. It is not a full-blown maintenance yard; it is a light maintenance yard as they do not have the facilities to do any type of heavy maintenance. The yard service manager has asked his crew to keep all noise to a minimum. Mr. McMullan stated they will meet at the yard next week to get a step-by-step as to the type of work being performed. There are FRA requirements they must meet in order to put the trains back in service at 4:43 am when they start running their passenger services into Center City.

Mr. Bialek asked where trains were being serviced prior to the Lenni yard, and Mr. McMullan stated they were serviced in Media. He stated it was asked to the maintenance manager if it could continue at the Media yard and were told that due to the number of trains added to satisfy service at the Wawa station, there is not enough room at the Media yard which is also not a full maintenance yard. Mr. Bialek asked if there were similar complaints at the Media yard, and Mr. McMullan stated he asked this question as well and SEPTA's response was no, which they believe is due to the fact they have been in existence for some time and folks are probably used to the noise. Mr. McMullan stated he will have more information at a future meeting after meeting with SEPTA. Ms. O'Connell-Bell added because the quiet zone process is so detailed and so lengthy it could be a multi-year task, she asked if he could add to the agenda of the meeting with SEPTA if there are any short-term remedies that could be brainstormed including condensing the ride schedule that may help as the Township is working toward a long-term solution. Mr. McMullan stated he did ask SEPTA of this, and they replied they will look into this but did not make a commitment. Mr. Read asked if it would be worthwhile to poll the residents who live by the Media station how they survived the noise and Mr. Kirchgasser added this would also be beneficial if the residents were polled by the Wallingford Station. Trooper Naab asked if the addition of sound walls such as on the PA Turnpike would be helpful, and Mr. McMullan stated this was discussed as well but there is quite a lot of work that goes into determining the height and type of engineering when considering sound walls.

2) *PA State Police: Trooper Michele Naab.*

Trooper Naab reported that everything is down from January of 2022. She stated there are still a lot of vehicle break-ins. She stated she reached out to a company "the Authority" that puts together a billfold that she will leave with the Township which contains all the information that is needed if a vehicle is stolen. She stated they are working diligently on the double homicide in Chester Heights Borough and have served numerous warrants on the property in question. She stated they are just waiting for the ballistic results. Trooper Naab reported she was involved in an accident at Donovan Drive and Rt. 1 where she was hit by a 16-year-old new driver who drove into her vehicle nearly head-on. She stated Mr. McMullan is looking into the left turn arrow which is always yellow.

Mr. Kirchgasser stated Franklin Station is seeing an increase in crime and what should the Township do about this. Trooper Naab stated there was a domestic situation with a couple which put everyone on edge. She stated the attempted homicide from December has been solved and the actor is in custody. A member from the audience who did not state her name asked about the mentally ill individual who lives behind Ollie's who is harassing and aggressive to residents. Trooper Naab stated there are four individuals who have been living in a tent for the past five years, but there is one male who spits on cars and is very aggressive and combative. She stated the Troopers are dealing with this situation and made contact with the individuals to move out by Friday. She stated Riddle Hospital security notified the Barracks regarding this. She stated they will have to put them in a shelter or find alternate homes.

D. ENGINEER

1) Engineer's Report - January 2023

See attached January 2023 report.

Mr. Kirchgasser announced a project called Link Middletown which is an effort to get Middletown Township connected from one side to the other by connecting the Chester Creek Trail out to Ridley Creek State Park. There is a link available on social media as well as the Township website which can be used to see which of the trails are completed, which are under construction or currently being designed. He stated the project is underway and most of the components are identified.

5. PUBLIC HEARING: - N/A

6. OLD BUSINESS: - N/A

7. NEW BUSINESS

A. Consideration for Approval: Resolution 2023-02, Volunteer Firefighter Incentive Program for 2023 for volunteers at Rocky Run and Middletown Fire Companies.

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Mr. McMullan stated for Council's consideration for approval is Resolution 2023-02 which is very similar to the resolution, which was passed last year, Resolution 2022-10, that the Township adopted in the 2022 and 2023 budgets. It is an incentive program for Middletown Fire Company No.1 and Rocky Run Fire Company. The only distinction being Resolution 2022-10 stated it was approved for the 2022 budget. Mr. McMullan stated he wanted to make it be consistent and confirm the funds were approved as part of the 2023 budget. Mr. Kirchgasser asked what the payout was against the 2022 incentive and Mr. McMullan stated it was \$13,000 to Middletown Fire Company and \$8,000 to Rocky Run Fire Company with a potential of up to \$40,000. Mr. Kirchgasser stated the purpose is to pay volunteers on a per call basis to give them an additional financial incentive to make calls.

Ms. O'Connell-Bell made a motion to approve Resolution 2023-02. Mr. Bialek seconded the motion. The motion carried with a vote of 4-0.

B. Consideration for Approval: Resolution 2023-03, an agreement with Media Rugby Football Club for future use of "Field B" and Test Barn at the Smedley Tract.

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Mr. McMullan stated for Council's consideration for approval is Resolution 2023-03 which is an agreement between the Township and the Media Rugby Football Club to use field "B" at

the Smedley tract complex. Field "B" is the field located off of Rose Tree Road opposite of the Rt. 352 field. Field "B" was designed as a multi-use field. He stated he has been in discussions with Media Rugby Football Club as they would like to relocate some of their activities to field "B" for use for five Saturdays from March until June and for five Saturdays and five Sundays from August through November.

Media Rugby Club will provide for ongoing maintenance as spelled out in the agreement which will include aerating, reseeding, fertilizing and control and stabilize grass growth. In addition to field "B" will be the potential future use of the "Test Barn" for storage of their equipment. There are deed restrictions spelled out in agreement of sale between the Township and the Smedley family that no permanent structures can be placed on the property. Any equipment associated with the usage will be taken down and stored in the "Test Barn". The rugby club is open and willing to provide ongoing maintenance and rehabilitate the barn. The club is also willing to pay permit fees so this is good use of field and ongoing maintenance at no cost to the Township. Mr. Kirchgasser stated this is not an exclusive agreement but a preferred agreement.

Mr. McMullan stated the use that was agreed upon will allow other groups to have use of the field. Mr. Bialek asked the amount of time for the use of the field, and Mr. McMullan stated five Saturdays and five Sundays from approximately 9 am to 4 pm. Mr. McMullan noted use in the spring will be contingent upon the remainder of this winter which the mild and wet winter is possibly helping the growth of the grass. The use will be contingent upon the Township Engineer's review to see if the field is ready in the spring or whether the use will have to wait until fall. Mr. Bialek asked if any other Township structured activities are planned for the field. Mr. McMullan stated there is nothing under agreement at this time.

Mr. Bialek made a motion to approve Resolution 2023-03. Mr. Read seconded the motion. The motion carried with a vote of 4-0.

C. Consideration for Approval: Resolution 2023-04, application to Delaware County for the allocation of the 2023 Liquid Fuels Funding.

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Mr. McMullan stated for Council's consideration for approval is Resolution 2023-04 which is required when the Township submits the application for Liquid Fuels Funding to Delaware County. This resolution is for the Township to submit its annual application to Delaware County. The Township is requesting \$20,385. Last year the Township received a lesser amount. In order to submit the application, he will need an approved resolution from Council.

Ms. O'Connell-Bell made a motion to approve Resolution 2023-04. Mr. Bialek seconded the motion. The motion carried with a vote of 4-0.

D. Consideration to Authorize: Purchase of two office copiers from COSTARS certified vendor, Rothwell Document Solutions in the amount of \$19,785.

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Mr. McMullan stated before Council for their consideration to authorize is a purchase of two copiers. They currently lease three copiers but will downsize due to the need and use. The current copiers are past the six-year use. He stated they did reach out to the existing provider for an estimate which exceeded the estimate from Rothwell Document Solutions. Not only did the cost to provide the copiers exceed the COSTARS approved vendor quote but also their maintenance agreement as well. They are looking to pivot from leasing to purchasing

primarily based on the current use and demand of the copiers and the maintenance agreement that was offered.

Mr. Read made a motion to approve the purchase of two copiers. Mr. Bialek seconded the motion. The motion carried with a vote of 4-0.

E. Consideration to Authorize: Purchase of three Radar Speed Limit Signs from COSTARS certified vendor, Traffic Logix in the amount of \$9,237.

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Mr. McMullan stated before Council for their consideration to authorize is the purchase of three radar speed limit signs. The Township currently has an inventory of five radar signs and based on requests to place them on various Township owned roads and being included in the 2023 budget during research, they found Traffic Logix which is a COSTARS vendor, for the purchase of three radar signs which will give the Township the ability to place more signs around the Township. The purchase will not exceed the amount of \$9,237. Ms. O'Connell-Bell added the request for the radar signs comes up every other month which is the first step in trying to address speeding problems. She stated this is a good purchase for the number of requests to have the signs placed around the Township. Trooper Naab asked if the signs are moveable, and Mr. McMullan answered yes, they are easy to move and install. Mr. Kirchgasser asked if they are solar powered, and Mr. McMullan answered yes. He stated the signs are smaller and typically attached over existing speed limit signs.

Ms. O'Connell-Bell made a motion to authorize the purchase. Mr. Read seconded the motion. The motion carried with a vote of 4-0.

Mr. Kirchgasser added he was pleased to observe a Trooper pulling over a vehicle that had blown through the speed zone at Glenwood Elementary School.

F. Consideration for Approval: Citizen Board Appointment:

- 1) *Fire Police - Term: Present to 1/2/2024 - Phoan Trexler, Middletown Fire Company No. 1.*  
Mr. McMullan stated Middletown Fire Company's Chief reached out to request Phoan Trexler be added as a Fire Police Officer.

Mr. Bialek made a motion to approve. Mr. Read seconded the motion. The motion carried with a vote of 4-0.

G. Council Review of Zoning Hearing Board Applications:

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- 1) *Application 2023-02: An application of James and Helen Scattolini - 51 Skylar Circle for a variance to permit the construction of covered space in the form of a 15' x 16' louvered pergola which will extend 11 feet into the rear yard, Zoned SU-2.*

Mr. McMullan stated Zoning application 2023-02 is an application of James and Helen Scattolini of 51 Skylar Circle for a variance to install a 15' x 16' louvered pergola above their existing deck which is conforming and permitted by the existing zoning code. They are seeking a variance for the pergola which extends into the rear yard over what is permitted. He stated they are also conforming in getting approval from their HOA. Council did not feel the need to send representation.

- 2) *Application 2023-03: An application of Congregation Beth Israel - 542 S. New Middletown*

*Road, requesting variances for an 84 s.f. freestanding sign where one 20 s.f. sign is permitted, for the sign to be located 14.5 feet from the curbing of the street, for the sign to be 9 feet, and for installation of ground-mounted lighting, Zoned R-2.*

Mr. McMullan stated application 2023-03 from Congregation Beth Israel at 542 S. New Middletown Road is seeking variances for an 84 s.f. sign where one 20 s.f. sign is permitted and for the sign to be located 14.5 feet from the curb and for the sign to be 9 feet and for installation of ground-mounted lighting in the R-2 Zoning District. He stated there is an existing sign at the same location and they are proposing to enlarge the sign. They have a base which will not change but they will need a variance to increase the size. They are non-conforming with the 14.5 feet from the curb but are adding this to the application. Mr. Kirchgasser asked if this is an increase in size from 20 feet to 84 s. f. and asked if the existing sign is larger than 20 s.f. Mr. McMullan stated the existing sign is larger than 20 s.f. Mr. Damico stated there is a note indicating the existing sign is 32 s. f. Council decided to send representation to the Zoning Hearing Board.

**H. Approval of February 13, 2023 Bill List.**

Mr. Kirchgasser read the Bill List aloud.

<b>GENERAL FUND</b>		
AJM Electric, Inc.	Roosevelt Community Center Phase II	\$ 16,200.00
Aqua Pennsylvania, Inc.	December Hydrant Bills	\$ 9,531.67
Hirschberg Mechanical LLC	Roosevelt HVAC	\$ 59,850.00
Kelly Engineers & Surveyors	MS4/Stormwater Improvements	\$ 113.50
	Planning & Eng. Professional Services	\$ 23,045.11
	ARA Expense	\$ 2,014.02
		\$ 25,172.63
Keystone Municipal Services, Inc.	Bldg. Inspections 12/12/22 - 12/30/22	\$ 10,237.50
Pa Municipal Health Ins. Cooperative	February Health Insurance	\$ 37,374.04
Petrikin Wellman Damico Brown and Petrosa	Professional Services	\$ 4,867.50
	Retainer, January 2023	\$ 1,000.00
		\$ 5,867.50
General Fund Total		\$ 164,233.34
<b>RECREATION</b>		
On & Off Broadway	Tickets-A Beautiful Noise	\$ 6,815.50

<b>CAPITAL RESERVE</b>		
Lyons Recreation, LLC	Playground Equipment	\$ 123,500.00
Premier Concrete, Inc.	Demolition - Application #2	\$ 42,750.00
The Bank of New York Mellon	GOB Series 2019 Interest Payment	\$ 66,485.00
	Capital Reserve Total	<u>\$ 232,735.00</u>

**2019 G. O. BOND – TRID**


Kelly Engineers & Surveyors	Lenni & Franklin Mint Trails	<u>\$ 7,050.92</u>
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**STATE AID**

Fred Beans Ford of West Chester	2022 F-350	<u>\$ 50,757.00</u>
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Mr. Bialek made a motion to approve the bill list. Mr. Read seconded the motion. The motion carried with a vote of 4-0.

Mr. Kirchgasser adjourned the meeting at 7:50 pm.

Respectfully Submitted,  
  
Sharon Browne





## **Middletown Township** **Engineer's Report**

February 13, 2023

Council Meeting

### **MARINER 2 PIPELINE**

**MT100-Ea**

- Sleighton Park Restoration – Final restoration at Sleighton Park, which includes extension of the athletic field, trail restoration and restoration of pre-construction drainage features is 99% complete. A small portion of the existing pedestrian trail is to be repaved as part of Energy Transfers road restoration obligations that are to be completed spring/summer 2023. This work will be added to the Township's Road Program, and cost will be paid by ETP.
- ETP started restoring roadways in the fall of 2022. Restoration scope of work is based on extensive road inspections conducted by the Township Engineer. It had been desired that this work would begin in late June of 2022 but was delayed due to various reasons, including cold weather conditions. Work completed in 2022 included replacement of damaged curb, curb depressions, driveway aprons and sidewalk on Riddlewood Drive, War Trophy Lane, Martins Lane and E. St. Andrews Drive. Remaining restoration work is to be included as part of the Township Road Program in the spring/summer of 2023. Cost of this remaining restoration work will be paid by ETP through an amended road maintenance agreement with the Township. Residents should be aware that in the spring 2023, there will be additional activity on the following roads to complete restoration (base paving repair, pavement overlay, line striping, milling, shoulder repairs for drainage): Valley Road, W. Forge Road, Martins Lane, St. Andrews Drive, E. St Andrews Drive, Riddlewood Drive and War Trophy Lane. There will also be a full mill and overlay of the access driveway (from Lenni Road) to Glenwood Elementary School including reinstallation of speed humps and pavement striping.
- Valley Road shoulder restoration/stabilization. ETP will be compensating the Township (through the 2023 Road Program) for all cost related to obtaining a PennDOT Highway Occupancy Permit and construction stabilize the road shoulders of Valley Road with rock lining from W. Forge Road to New Darlington Road. This work will also include milling and wearing course overlay of the entire cartway of Valley Road along the work area. Restoration scope of work is based on extensive road inspection conducted by the Township Engineer and PennDOT. Cost of this restoration work will be

paid by ETP through an amended road maintenance agreement with the Township.

- 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. It is estimated that completion of this testing and Township review of testing results may be accomplished by the early 2023.

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### **SEPTA R3-3**

### **MT120-Bwa**

- SEPTA has nearly completed the R3-3 Land Development phase of the rail line extension including the parking deck, driveway, station building, and stormwater management facilities. SEPTA began rail service on August 21, 2022. A temporary certificate of occupancy was approved for the station building and the crew quarter as some additional minor work remains to be completed.

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### **MINT PEDESTRIAN TRAIL**

### **MT100-V1**

- The first segment of this trail has been completed at the SEPTA Wawa Station.
- Design, permit and construction plans are in the process of being finalized and a status meeting was conducted with the Township in November 2022. Another status meeting is scheduled for mid-February and it is estimated the amended design is approximately 65% complete.
- The NPDES permit for the trail will be amended to incorporate several value-engineering revisions including trail segment recently completed at the SEPTA Wawa Station area. A status meeting with Delaware County Conservation District was held in December 2022.
- It is anticipated this project will be let for bid in the spring of 2023 with construction to be completed by July/August of 2023.

### **MT. ALVERNO ROAD BRIDGE REPLACEMENT**

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- As of the date of this report, the bridge structure and concrete abutments have been removed and new abutments have been installed. Bridge is anticipated to be completed in 2023.

### **TOWNSHIP GUIDERAIL PROGRAM**

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**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 and is now projected for 2021. 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 and 2021, but was not awarded the either grant but received feedback that the application was considered worthy of award but other projects were more highly prioritized. The Township has just re-applied for this grant for calendar year 2022. 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**

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**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 process 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 early 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.

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## ROOSEVELT SCHOOL

**MT100-O**

- The Township is in the process of preparing construction and permitting plans for site improvements at Roosevelt School. Improvements will include construction of a new tot lot, level playing area (next to the tot lot), new parking, reconstruction of existing parking facility both in front of and behind the school, stormwater management improvements and construction of courtyard improvements. It is anticipated that construction of improvements will begin in the summer of 2023.

**SUNNY BRAE STORMWATER BASIN REVITALIZATION MT100-K**

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- Work has begun on the basin revitalization project, which will significantly improve localized flooding in the vicinity (and downstream of) 34, 36 and 38 Gallant Fox Drive. Work is approximately 90% complete. Remaining work include swale completion at 34/36 Gallant Fox Drive, permanent fence installation, final grading and seeding, completion of basin bottom wetland channel and installation of curb depression on Gallant Fox.
- The 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.
- Funds acquired for the project - Mariner East 2 Pipeline Corridor Grant Funds were awarded in the amount of \$198,472.00. Also, the Township submitted a PA DCED Flood Mitigation Program Grant application for \$275,000.00 but was only awarded approximately \$20,000.00 for the project.

**SMEDLEY PARK**

**MT100-A.2**

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- Contract for construction of Stage 2 and Stage 3 of the project was completed by MECO Constructors in 2021. Field areas are not open to public use at this time, to allow grass to grow properly.
- The final construction phase is anticipated for the summer of 2023 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 to allow the project to be completed in 2023. PennDOT Highway Occupancy Permit work is complete and permits are closed.

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#### **LENNI PARK**

**MT100-W**

- A kickoff meeting was recently held with DCNR regarding the approved grant for redevelopment of Lenni Park.
- It is anticipated that the park site will be surveyed later in 2023 and design of the first phase of park improvements may begin late 2023, with possible construction beginning in 2024 or 2025. First phase of improvements may include additional parking, pedestrian trail and stormwater management improvements. Additional site improvements are anticipated in later years.

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#### **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.

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#### **SUBDIVISIONS/LAND DEVELOPMENTS**

**MT305 SERIES**

- Riddle Hospital Expansion (Pavilion) - Conditional final approval granted by Council. Plan has been recorded and construction has commenced on the pavilion building. Site work is approximately 95% complete.
- ARTIS Senior Living Land Development – The final plan, conditional use and zoning map/text amendments have been approved by Council. Presently, there is no anticipated date



for commencement of construction. The land development plan has not yet been recorded. It should be noted the development site is listed as being for sale.

- Guss Subdivision (Howarth Road) – Conditional final approval granted by Council. Plan has been recorded. Construction of site improvements (not including the dwelling) has been approved by the Township (through issuance of a grading and excavating permit) and this construction should commence in the spring of 2023 or sooner.
- Promenade at Granite Run Land Development - Construction pursuant to the approved final plan is on-going and is approximately 85% complete. Three new amendments to the approved final plan were received in late October and early November 2021 for the reconfiguration of Building Q (including the modification of constructed parking area, perimeter driveway (loop road), underground stormwater basin and porous pavement) and reconfiguration of Apartment Building 2 and surrounding improvement, respectively, and in early 2023 for construction of Building G
  - ✓ Reconfiguration of Building Q (including the modification of constructed parking area, perimeter driveway (loop road), underground stormwater basin and porous pavement). Building Q work is complete (the “At Home” store is now open).
  - ✓ Reconfiguration of Apartment Building 2 and surrounding improvements. This work is approximately 10% complete.
  - ✓ Reconfiguration of Building G (Popeye’s). Land Development for this amendment will be reviewed by the Planning Commission in February 2023.
- Darlington Pointe II Subdivision - Construction is complete with all homes occupied, except for Lot 4 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 2023.
- 312 Lenni Road Subdivision - Conditional final approval granted by Council. Plan has been recorded and construction has commenced by Cornerstone Quality Builders. One home is presently under roof.
- 33 N. Middletown Road Subdivision (Convery) - Conditional final approval granted by Council. The plan is in the process of being recorded. Site work construction (excluding the houses) is largely complete. A grading and excavating permit

for Lot 3 has been recommended for approval and it is anticipated that construction of that dwelling may begin in the near future.

- 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 – Conditional final approval has been granted by the Township Planning Commission and Council, and the plan has been recorded. Grading Permit for the new home has been approved and construction has commenced.
- Glenwood Elementary School Parking Lot – Plan has been reviewed by Township staff and was recommended for final approval by the Planning Commission on May 12, 2020 and granted conditional final approval by Township Council in June 2020. The plan has not yet been recorded. It is anticipated these improvements will begin in the summer of 2023.
- Congregation Beth Yeshua Land Development – Plan has been recorded and site work construction is largely complete. The applicant has filed the Certificate of Total Completion for this project which is under review and it is anticipated this project will be closed in early 2023.
- 416 W. Forge Road Minor Subdivision - Final plan has been reviewed by Township consultants. A revised plan has not yet been received and it is unclear if the applicant will continue to pursue this subdivision.
- Williamson College of the Trades Student Activity Center Land Development Phase 5 – Conditional final approval has been granted by the Township Planning Commission and Council. The plan has been recorded and construction is approximately 95% complete. Temporary Certificate of Occupancy of the building has been approved.
- Indian Lane Elementary School Parking Lot and Baseball Field Relocation – Conditional final approval has been granted by the Township Planning Commission and Council. 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 has been reviewed and the Township is awaiting plan revisions prior to scheduling review of this application by the Planning Commission.

- Sleighton School Tract Subdivision (Middletown Township and Edgemont Township) – Tentative PRD Plan and related documentation has been submitted to the Township and review comments issued by Township Staff and consultants. Public hearings have been conducted on October 14 and October 28. A decision on tentative plan approval has not yet been made.
- A land development application from Granite Farms Estates for building additions to the nursing care facility and reconfiguration of the parking area surrounding the nursing care facility, was recommended for approval by the Planning Commission on March 8, 2022 and final approval was granted by Council in March 2022. Plan has been recorded.
- A minor subdivision application has been received for 252 W. Forge Road to create an additional residential lot. This application was reviewed by the Planning Commission in December 2021 and approved by Council in January 2022. Plan has been recorded and a grading and excavating permit has been approved for construction of the driveway entrance to the new lot.
- A minor subdivision application has been received for 51 W. Forge Road to create an additional residential lot. This application was approved by Council in January 2022. Plan has not yet been recorded.
- A minor subdivision application has been received for 552 Old Forge Road to create three residential lots. This application was recommended for approval by the Planning Commission in May 2022 and was granted conditional preliminary and final approval by Township Council.
- A minor subdivision application has been received for William N. Weirich, Jr. (Highpoint Drive) to create one interior residential building lot. This application was recommended for approval by the Planning Commission and approved by Council in August 2022. Plan has not yet been recorded, but grading and excavating permit for the site work has been approved by the Township. Site work is approximately 50% 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 is in the process of being recorded.
- 47 N. Middletown Road Land Development – An application for land development for construction of a church building and parking lot is anticipated in the near future. This site is located contiguous to Smedley Park, to the southwest.

