

MIDDLETOWN TOWNSHIP
ZONING HEARING BOARD

Thomas Danzi

Joseph Klodarska

Gerry Gebhart

Bryan Messick

Jacquelyn S. Goffney

Minutes of the Zoning Hearing Board

The regular meeting of the Middletown Township Zoning Hearing Board was held on **April 24, 2024**, beginning at 6:00 PM at the Middletown Township Building, 27 N. Pennell Road, Lima, PA.

Members Present: Tom Danzi, Gerry Gebhart, Jackie Goffney,
Joe Klodarska, Bryan Messick

Staff Present: John McBlain, Solicitor; Meredith Merino, Zoning Officer

Approval of Minutes: Mr. Messick made a motion to approve the minutes of the March 27, 2024 meeting, which was seconded by Mr. Gebhart and approved as submitted by a vote of 5-0.

Old Business:

Case 2023-06: Rocky Run YMCA, located at 1299 W. Baltimore Pike, received variances from Section 275-195.D.(3) for signage permitted in OR-3 and Section 275-192.E.(1) at the April 23, 2023 Zoning Hearing Board meeting to allow a ground sign exceeding 6' height. Applicant proposes a freestanding sign totaling 77.8 s.f. and 15' in height on the property. Due to budgetary constraints, the construction of the monument sign is not proposed to begin until the third quarter 2024, so it was necessary to request a 1-year extension of the granted variances. Upon motion made by Mr. Gebhart and seconded by Mr. Danzi, the board voted 4-0 to approve the extension (Mr. Messick abstained).

New Business:

Case No. 2024-02: Philadelphia Meeting Room, Inc. of 129 N. Middletown Road is seeking a variance for the property, zoned R-2, per Section 275-26.B.(1)(d) for maximum impervious coverage for a conditional use. Applicant proposes to construct a church building with related parking and walkways on the property. Maximum allowable impervious coverage is 35%; applicant proposes a maximum of 53.2% impervious coverage.

Attorney Timothy Sullivan, representing the applicant Philadelphia Meeting Room, Inc. explained that the property is located at the corner of Van Leer and N. Middletown Road. It was originally scheduled to be developed by Artis Senior Living and was approved for final land development, but ultimately didn't move forward. Philadelphia Meeting Room had previously received zoning relief for impervious coverage at their property located down the road at 47 N. Middletown Road for the proposed church building, which they are now proposing to construct instead on the subject property.

The following applicant exhibits were moved into the record:

A-1: Deed of Property

A-2: Agreement of Sale between Allmark Land Holdings and Philadelphia Meeting Room

A-3: CV of Jeremy R. Maziarz, P.E. of Chester Valley Engineers, Inc.

A-4: Site Plan prepared by Chester Valley Engineers, Inc. last revised April 2, 2024

Jeremy Maziarz with Chester Valley Engineers was present and testified on behalf of the applicant. He explained that his firm had worked for Artis Senior Living when they made their Land Development application in 2017-2019, and he was retained by the applicant to provide civil engineering services. Mr. Maziarz prepared the April 4, 2024 plan. The property is 6.23 acres and grades from the rear of the property toward N. Middletown Road. A drainage channel runs on the eastern side of the property. Gas pipelines run on an angle from Van Leer to Middletown Road. The proposed church building is approximately 10,500 s.f. with parking along 3 sides. One access is proposed from Middletown Road (right-in, right-out) and the secondary is from Van Leer (two-way). The applicant is specifically seeking one variance for impervious coverage because the maximum allowable is 35% of the net lot area, and they are seeking 53.2% of the net lot area.

The church is identical in size to what was proposed at 47 N. Middletown. In terms of parking, 195 spaces are required by the zoning ordinance; 249 total spaces are being proposed due to the needs of the church and direction of the global church organization. 199 regular spaces are being proposed plus 50 reserve parking spaces along the frontage of Middletown Road and Van Leer Avenue which will not be paved, but comprised of stabilized grass with a substructure. They must be counted as impervious coverage because of the compacted subgrade, even though there is grass on the surface.

Mr. Maziarz explained that the overall shape of the property is unique; there is an existing channel that bisects the property as well as gas pipeline easements, which reduces the 6.23 acre property to 5.32 net acres. He stated that the hardship was not self-created. Further, additional Right-of-Way would be required by the Township for installation of sidewalks along the frontage of the present property.

Mr. Gebhart asked what is the plan for handling stormwater runoff? Mr. Maziarz responded that for the previous application, there were several underground systems. They are now proposing subsurface systems under the parking lot. The existing channel is being relocated; they already got permitted to realign the drainage ditch to fit the proposed lot configuration. The stormwater management design will account for the reserve parking spaces, macadam and building, and sidewalks proposed for 352 and Van Leer.

Mr. Messick asked how much the reserve spaces contribute to impervious coverage, and Mr. Maziarz responded approximately 3.9%. Mr. Klodarska asked if the impervious coverage calculation were based on gross lot area vs. net lot area, what would the impervious be? Mr. Maziarz responded approximately 45%. Mr. Klodarska then asked what the impervious coverage was for the proposed Artis development. Mr. Maziarz responded that it was at 39% impervious; 40% was allowed for personal care facilities.

Charles Miller, attorney representing Middletown Township, asked about the status of the relocation of the drainage channel. Mr. Maziarz explained that the Chapter 102 permit is in the process of transferring from Artis to PMR.

Mr. Miller asked if any consideration had been given to just doing the minimum requirement of 195 spaces? Mr. Maziarz responded that the applicant need is for 250 spaces, and that the impervious coverage is essentially for the parking lot. If the 50 reserve and 4 other spaces were removed, the plan would still be over the maximum permitted impervious coverage.

Mr. Miller then asked if there were any concerns for stormwater impacting the residential dwellings adjacent to the property? Mr. Maziarz stated no, that stormwater management will be handled similarly to what had been done for Artis. Further, drainage is naturally coming toward 352 and away from the adjacent residences.

Warren Smith, 143 N Middletown Road stated that his driveway is located across from the proposed entrance on Van Leer for this property. He asked if a traffic study has been done, and what times are meetings in the evenings and during the week? Mr. Maziarz responded that TPD is engaged to provide traffic engineering and produce a study.

Ms. Goffney explained that the Zoning Hearing Board is only hearing and making a determination on the request for impervious coverage. She went on to say that traffic, stormwater management and all other development issues will be considered during the upcoming land development process. The focus of this hearing is essentially consideration of the size of the parking lot and if a variance will be granted for the size.

Gilbert Markham, trustee of Plymouth Brethren Christian Church, and owner of Allmark Land Holdings, provided testimony about the church operation. He explained that the church generally holds a very small service on Sunday at 6am; the main service is at 11:30am on Sunday; and sometimes one is held at 5pm. Most of the congregation attends the 11:30 service. He went on to say that the overflow parking would get used 2-3 times per year. Whether a smaller church, or a daycare center, or a personal care facility goes there, there will be parking associated with any use on the property. In terms of traffic generation, the church is used Sunday mornings with limited use on weekday evenings. PennDOT would like a traffic study for Van Leer, so they will proceed with that. Mr. Markham also stated that the church would be happy to place a fence along the property line to help buffer the property, but the size of the church is dictated by the size of the congregation.

Mr. Klodarska asked if other parking arrangements were considered, such as angled parking. Mr. Markham responded that it is a family church, so it needs to be user-friendly and flow well to be as safe as possible. The global church dictated the configuration and density that they needed, and there is a considerable amount of pull-through parking.

After no further discussion, the hearing was closed and Exhibits A-1 through A-4 were admitted into the record. Mr. Danzi made a motion to approve the requested variance, which was seconded by Ms. Goffney. The board voted 3-2 to approve the variance (Gebhart and Klodarska opposed).

Case No. 2024-03: John Carnevale of 4 Constance Drive is seeking a variance from Section 275-21.A.(6) for the minimum width of side yards in the R-1 Zoning District in order to construct a 20' x 32' square foot garage which would project to within 14 ft. of the side property line, where a 25 ft. setback is required. Applicant is also seeking a variance from Section 275-203.C.(3) to allow a Class B accessory structure to project into the required side yard.

John Carnevale explained that the R-1 zoning district area and bulk regulations require a minimum 25-foot setback from the side property line, and that he is requesting a 14-foot setback variance to construct a 1-story, 14-foot-tall garage. He is proposing 100-amp electrical service, but no plumbing in the garage. The area selected for the pole barn is at the end of the driveway. It is proposed as being skewed at an angle so that there is clear passage from the rear yard to the driveway with his Bobcat to clear snow. A single-family home, swimming pool and shed are currently present on the property. Mr. Carnevale explained that he reduced the size of the garage from what he had originally planned and moved it away from the side lot line as much as possible. He is attempting to utilize the existing driveway for access to the garage without creating any additional impervious surface.

Photos presented as evidence show an existing landscape buffer from the adjacent property:

- Ex. A – Forsythia buffer shown.
- Ex. B – proposed corners of barn
- Ex. C – driveway and 4 corners of barn with shed in background
- Ex. D - buffer, 14 ft and 17 ft noted – almost in alignment with shed.
- Ex. E – view of landscape buffer next to adjacent property
- Ex. F – property line – showing 17 ft
- Ex. G – buffer and property line

Mr. Carnevale also submitted as part of his application a signed letter from adjacent neighbors Ray and Pam Consorti indicating their support of the proposed garage and variance request. They own the property that would be closest to the pole barn.

No one was present in support of or in opposition to the application. After no further discussion, the hearing was closed and exhibits were admitted into the record. Mr. Gebhart made a motion to approve the requested variances, which was seconded by Mr. Danzi. The board voted 5-0 to approve the variances.

Adjournment: There being no further business, the meeting was adjourned at 7:30 PM.

The next meeting of the Zoning Hearing Board will be held on Wednesday, May 22, 2024 beginning at 6:00 PM.

Respectfully Submitted,

Meredith Merino, Zoning Officer