

TOWNSHIP OF MIDDLETOWN

PLANNING COMMISSION MEETING

JUNE 13, 2017

Present: Anthony Mirenda, Greg Reitze, William Moran, Peter Schettler, Mark Bradson

Charles Miller (substituting for Donald Petrosa), and Eric Janetka, Engineer

A. Call to Order

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

B. Approval of Minutes - April

Mr. Schettler motioned to approve the April 2017 minutes. Mr. Mirenda seconded this motion and the Commission approved unanimously with a vote of 5-0.

C. Old Business

None

D. New Business

Preliminary/Final Minor Subdivision: Jason Guss & Anna Russo - 311 Howarth Road - Applicant proposes to subdivide 10.455 gross acres into 3 residential lots.

Steven J. Wasylyszyn, land surveyor representing the applicant, explained the proposed subdivision to divide the 10.455 acre parcel, zoned R-1, into 3 residential lots. Each lot will exceed the 1 acre minimum. Lot 1, located at 311 Howarth Road, will be approximately 1.5 acres and remain with the existing dwelling. Lot 2 is planned at approximately 5.7 acres, and Lot 3 at approximately 3.2 acres. Plans were submitted to the Township, and a new letter was received from the Township Engineer. The majority of the reviewed items were concerning notes, details, and other permits.

Since the original survey was completed, Aqua Water Company had installed a new water line along Howarth Road. As a result of this installation, a letter has been submitted to Aqua. Plans have been submitted to the Fire Marshal for his comments as well.

They are awaiting review from the Sewer Authority, but have had discussions about connecting the existing home to the public sewers. They have agreed to connect the existing home, as well as the two proposed dwellings to the sewer system, but are still deciding between a gravity-fed or a low pressure connection.

Mr. Janetka asked if the Act 515 covenant would be lifted before the lot was subdivided. Mr. Wasylyszyn stated he believed all the requirements to lift the 515 had been met. He said that the current owner is paying the current rate of taxes, and all back taxes are up to date as of January 1, 2017. He presented a letter from the former owner to the Delaware County Treasurer stating he no longer wished to partake in the Act 515 and a copy of a check for approximately \$10,000. Mr. Wasylyszyn said he would try to locate more specific documentation. Mr. Miller accepted the copies of the documents.

Mr. Schettler mentioned they could avoid asking for a waiver from steep slope ordinances, if building 2 could be moved a bit more away from the slope. He proceeded to address the issue of required sight distances. Mr. Wasylyszyn replied that at 25mph, the sight distance required is 100 feet, which he believes is currently met. To the right, 195 feet is required, which Mr. Wasylyszyn

believed to exist as well, but will review again. Mr. Janetka added that if needed, the required sight distance could be achieved by moving the driveway further down Howarth Road and looping back around the ravine.

Mr. Moran asked if there were any architectural designs to accommodate for the planned buildings being on slopes. Mr. Wasylyszyn said they do not have designs, but are planning for the basements to be exposed and built on grade. They would also include a deck off the first floor allowing for more flat space in the front of the house. Mr. Bradson asked about pilings for the deck. Mr. Wasylyszyn said that most of the house will be on grade and very little grading will be necessary.

Mr. Janetka stated the crossing of Crum Run would require permits from the State, and that part of the permitting process would require Conditional Use Ordinance approval. The conditional use approval is required to cross a flood plain with a utility, which would be the case for the sewer line. Mr. Wasylyszyn said the Conditional Use Ordinance requires, with any land development or subdivision, to tie into the sanitary sewer if a sanitary sewer runs along a creek on your property. They would be following the flood plain conditional use ordinance because connecting to the sewer is a requirement.

Mr. Moran motioned to recommend approval based upon the acquisition of the permits and the Conditional Use approval. Mr. Schettler added with completion of all the requirements, including feedback from sewer authority. Mr. Bradson seconded the motion. Mr. Reitze abstained, as he missed some of the testimonies, and the Planning Commission approved the recommendation with a vote of 4-0.

*Final/Minor Plan Application: Ponds Edge, LP - 1318 W Baltimore Pike
Reverse subdivide the 4 parcels of the "Ponds Edge" project (57.38 acre total)
and then subdivide out a 1.631 acre parcel that is to be merged with an adjoining
property and become the new State Police Barracks relocation.*

Mr. Joe Riper spoke on behalf of Ponds Edge, LP. He presented affidavits of mailings to abutting neighbors for the subdivision and conditional use applications.

Mr. Riper stated that back in December of 2013, Council approved the preliminary subdivision and land development plan for the Pond's Edge property. The plan included houses in the back area of the property and 2 commercial buildings in the front, along Baltimore Pike. Since then, some things have changed. The State Police Barracks have outgrown their current facility, and have agreed to lease property from the Franklin Mint property owners.

It's been determined that the best location for the new State Police Barracks would be directly across from the Granite Farms Estates intersection. The plan would include a "right in, right out" entrance from Baltimore Pike to the new barracks. This is ideal, as the entrance will eventually connect to Loop Road, once the Wawa is built, allowing the Police the opportunity to exit their facility in any direction.

The proposed barracks site encompasses parts from both the Pond's Edge and the Franklin Mint's parcel. Ponds Edge, originally comprised of 4 or 5 parcels, would be consolidated into a single parcel, who would then convey roughly 1.4 acres to the Franklin Mint property.

That conveyed parcel would be merged with approximately 1.6 acres within the Franklin Mint's property. This would create a new 3 acre area for the new State Police facility. Council previously introduced an ordinance that would rezone the property, currently an R-4, to SU-1A, which would then allow the State Police project to move forward.

Mr. Riper stated a review letter was prepared, which replies with a “will comply” or “acknowledge” to all but one comment. The only issue in question concerned the placing of monuments. It was agreed that it would make more sense to place the monuments later, as the land has already been marked and surveyed.

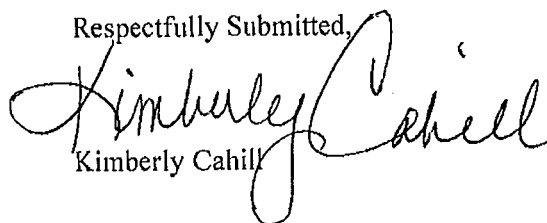
*Conditional Use Application: Ponds Edge, LP - 1318 W Baltimore Pike
Applicant seeking to amend the Conditional Use approval for the sole purpose of subdividing an approximate 1.631 gross/1.465 net acre part of the retail/commercial section shown on the Conditional Use plan in order that said land can be rezoned to SU-1-A Mixed Use District and merged into an approximate 1.679 acre part of the contiguous Franklin Mint parcel owned by WV-PP Towne Center to create a separate lot on which a PA State Police Barracks and associated administrative offices can be constructed which will result in a decrease of the amount of commercial space shown on the previously approved Conditional Use plan.*

Mr. Riper stated that back in December of 2013, Council adopted Resolution 2013-101, which granted preliminary Conditional Use approval to the Pond’s Edge project. The preliminary subdivision and land development plan included 211 single family attached dwellings, with two commercial properties in the front. The amendment to the Conditional Use approval has been filed simply to convey the area for the State Police, out of the original approved plan. All of the requirements of the Conditional Use have been reviewed, and the conveyance of the approximate 1.4 acres will not change any of the requirements.

The main issue still remaining for the Pond’s Edge project is with sewer connections. Sewer plans have been established, planning to connect during phase three, but there is still work to be done. Additionally, they have requested to consolidate and complete one whole traffic study with PennDot. The separate entities would take the resulting mitigation and divide internally.

Mr. Miranda motioned to approve the amendment of the Conditional Use approval. Mr. Bradson seconded the motion, and the Planning Commission approved the motion 5-0.

Mr. Schettler adjourned the meeting at 8:02 PM.

Respectfully Submitted,

Kimberly Cahill