

TOWNSHIP OF MIDDLETOWN  
PLANNING COMMISSION MEETING

August 8, 2017

Present: Mark Bradson, Bill Moran, Greg Reitze, and Peter Schettler

Don Petrosa, Solicitor

A. Call to Order

Chairman Mr. Schettler called the meeting to order at 7:29 PM.

B. Approval of Minutes-July

Mr. Moran motioned to approve the July 2017 minutes. Mr. Reitze seconded this motion and the Commission approved the minutes unanimously with a vote of 3-0. (Mr. Bradson was not present until after this vote took place).

C. Old Business

None

D. New Business

*Amendment to Record Plan of Subdivision: Old Mill Pointe PRD Subdivision—600 Mt. Alverno Road: Construct a monument sign at Old Mill Point at the intersection of Iris Lane and Mt. Alverno Road*

Giovanna Iacono, engineer for the applicant, explained the proposed construction of a monument would be at the intersection of Mt. Alverno Road and Iris Lane. Originally the structure was not permitted to be constructed within the 100-foot buffer and the applicant is requesting an amendment to allow this signage location. If permitted, the applicant would take the existing sign, update it, and wall-mount it across the street from its current location.

Ms. Iacono showed photos of the existing sign at the existing location and proposed sign at the proposed new location. The proposed monument sign would be 35 feet long and 54 inches high. She noted that she received the review letter from the Township engineer and the applicant would comply with all comments. She will resubmit her response to the engineer prior to the next board meeting. She reported that Gary Pofine, landscaping, Jeff Koenig of Old Mill Pointe's Board, and one other board member were present.

Mr. Schettler asked if they had the notifications to the neighbors back and Ms. Iacono answered in the affirmative. Mr. Petrosa asked if this was discussed with residents of the

community. Mr. Pofine answered in the affirmative, explaining that it has been discussed at their annual meeting and has been voted for over the past 5 years. Ms. Iacono asked if this was documented and one of the Board members stated he thought it was included on the agenda for those meetings.

Mr. Reitze asked Mr. Petrosa how Williamson Trade College dealt with their new sign and the buffer. Mr. Petrosa thought it went through zoning and definitely did not come through the Planning Commission. This application is through the Planning Commission because of the PRD. Ms. Iacono commented that they would still need to apply for permits and that this step was just to approve the development plan for signs in the buffer.

Mr. Reitze expressed that he did not object to the sign or concept since it's not listed as a zoning ordinance change. Mr. Petrosa stated this is for the PRD plan and only relates to this particular project and application. Mr. Pofine commented that they were trying to enhance the area and plan to make this sign look "first class."

Mr. Bradson asked if Rails to Trails was in this area. Ms. Iacono answered in the affirmative and explained that it is shown as an easement on the plan for that section. Mr. Pofine noted that the Rails to Trails work is completed and the parking is established already.

Mr. Moran asked how far back this sign would be from the curb line. Ms. Iacono stated about 30 feet. She reiterated that they still needed to apply for the permit and meet those setback requirements. Mr. Petrosa stated the main change was the language for the statement of intent on the plan, making it apply to a monument. Ms. Iacono agreed but noted that Mr. Janetka's comments indicated that he wanted something very specific for the verbiage change of the plan for the monument sign.

Mr. Schettler asked who owned the buffer area and Ms. Iacono reported the Home Owner's Association. Mr. Reitze asked if the site distance is jeopardized by this proposed sign and Ms. Iacono answered in the negative.

Mr. Moran motioned to recommend approval of the amendment to the record plan of subdivision. Mr. Bradson seconded the motion and the Planning Commission approved with a vote of 4-0.

*Ordinance amending Chapter 275 Zoning Mall Conversion Overlay (MCO) by adding a definition for sign, multi-purpose visual display, by amending and restating section 275-140.8A(5), by deleting the word "and" between section 275-140.8A(4) and 275-140.8A(5) and adding sections 275-140.8A(6), 275-140.8A(7), 275-140.8A(8), 275-140.8A(9), and 275-140.8A(10).*

Joe Riper, attorney for the applicant, explained that the B2 sign regulations were not added at the time of the MCO Zoning ordinance.

He went on to explain the applicant proposed 2 electronic messaging signs on the top of the road pile-on signs at 2 of the entrances. The issue for consideration is the frequency of change. The current ordinance requires 30 second intervals between changes. This is apparently out of date as many signs like this in other municipalities change every 6-10 seconds. The applicant proposes changing this requirement to 7 seconds. Section 1 would create the language necessary to make the change of frequency for the electronic signs.

Mr. Riper went on to report that the MCO allows for exterior signs to be 75 square feet and interior signs to be 450 square feet. The interior signs are only visible from inside the promenade and not from Route 1 or Route 352. Mr. Petrosa asked what the limitation was for the pile-on signs. Mr. Riper reported it was currently 650 square feet but that they are looking to have this changed to 700 square feet. The reason for this change is due to the stores wanting more exposure, especially those that will not be visible from the road.

Mr. Riper reviewed the limitations, explaining that the size of signs are to be no more than 3% of the floor area of the store, with a maximum signage total allotment of 2,000 square feet with the maximum size for any one sign being no more than 400 square feet. He explained that the Cinebowl would be able to have the largest signs due to the square footage of the complex, but they would be restricted to this 2,000 square foot maximum. Lastly, the requirements indicated that pile-on signs are only permitted for properties greater than 25 acres and only allowed on major roads.

Mr. Moran asked how many pile-on signs there would be. Mr. Riper stated two. The top sign on each pile-on would be electronic. Under that, there would be 20 other signs on each pile-on. He felt that since there are traffic lights along both bordering roads where these signs would be located, those passing by would have time to read all the signs. In addition, the tenants what road exposure and these signs gives this to them. Mr. Schettler asked if the signs would be visible from both sides of the pile-on and Mr. Riper answered in the affirmative. When Mr. Bradson asked where these pile-on signs would be located, Mr. Riper was not certain but thought they would likely be close to the Acme on Rt. 352 and either by the Hospital entrance or McDonalds on Rt. 1.

Mr. Reitze asked if there were regulations on what could be displayed on the electronic sign. Mr. Riper thought it would be used for public service announcements and advertising for the tenants. When asked about the look of the pile-on, Mr. Riper explained that hasn't been decided yet. Mr. Comitta did recommend some type of branding but that has not been decided on yet.

Mr. Riper went on to report that Council had asked if the electronic internal sign would be used for entertainment. The applicant did not have current plans for such a use but noted that if an event was taking place in the promenade, it is possible that the sign would be synchronized with it. For instance, if a band was playing at the promenade. He noted the applicant understood that sound cannot leave the property.

The discussion then turned to the square footage of signs. Mr. Petrosa asked if a store is entitled to 800 square feet of signs, would that mean it could have 2 signs on 2 different facades, or if one applicant could have 2 signs on 1 façade. He was unsure if #9 limited this to only 400 square feet. Mr. Riper said he was correct with his examples and emphasized that no one sign could be larger than 400 square feet. Mr. Petrosa expressed that 2,000 square feet was a lot of signage. Mr. Riper stated that was talked about in detail with “staff” and they were comfortable with this. Mr. Comitta was also present at those meetings. He noted that a perspective of what it would look like was asked for. He also reported that there is a restriction on stores less than 300 square feet; they can only have a sign up to 100 square feet.

Mr. Reitze expressed that this property was owned by one owner and they will want the property to look good. Mr. Riper agreed, stating that BET was spending a lot of money on this project and they would not let it look shabby.

Mr. Moran noted that a large billboard along Route 1 was denied by the Township in past years. He questioned if there was a way to assure the electronic signs would not look “garish.” He was specifically concerned about the language stating the sign must be “LED or similar technology.” What was considered similar technology? Mr. Riper was not sure how to limit “garishness” and expressed the commission would have to be confident that those putting money into the project will want it to look good and appealing to customers.

Mr. Petrosa turned the conversation back to the maximum of 2,000 square feet for sign and asked if there was anything to stop 2,000 square feet being on one façade. Mr. Riper stated that Cinebowl wanted to be able to put more than one sign on one façade but they were limited to no more than 2,000 square feet total for all facades.

Mr. Riper reported that the applicant needed to get moving on the signs for leasing requirements of tenants and, if there were still comments, he requested the Planning Commission make the recommendation with comments for Council to consider. The hearing in front of Council was scheduled for August 28<sup>th</sup>.

Mr. Moran reiterated he had issue with the language of “LED or similar technology” for the electronic sign. Mr. Riper stated he thought this did not refer to alternatives to LED that are available now, but in the future if similar but better technology is developed, then this could be used too. Mr. Petrosa noted that while a lot of municipalities don’t allow electronic signs, this is

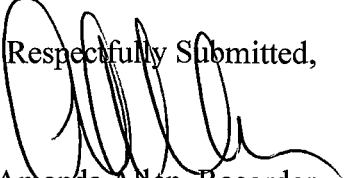
changing. More and more municipalities are allowing this and the regulations for them vary. He asked if it would be graphics or text and Mr. Riper stated that he expected it to be both.

Mr. Petrosa asked for the setback of the building where the interior electronic sign would be. Mr. Riper reported that it is on the opposite side of the building from Rt. 352 and therefore not viewable from the road. There are other buildings in front of it on the Rt. 1 side, which block its view from that road as well.

Mr. Riper shared the dimensions on the handout that he had for the Cinebowl sign on the façade facing route 1. Mr. Petrosa did the calculation based on what Mr. Riper reported and determined it was about 900 square feet of signage.

Mr. Moran motioned to recommend approval of the ordinance amendment. Mr. Bradson seconded the motion and the Planning Commission approved the recommendation with a vote of 3-0 (Mr. Reitze abstained).

Mr. Schettler adjourned the meeting at 8:23 PM.

Respectfully Submitted,  
  
Amanda Allen, Recorder

