

MIDDLETOWN TOWNSHIP
ZONING HEARING BOARD

Christian A. Davis

Jacquelyn S. Goffney

Thomas Danzi

Joseph Klodarska

Gerry Gebhart

Minutes of the Zoning Hearing Board

The regular meeting of the Middletown Township Zoning Hearing Board was held on **November 16, 2022**, beginning at 6:00 PM at the Middletown Township Building, 27 N. Pennell Road, Lima, PA.

Members Present: Christian Davis, Jacqueline Goffney, Gerry Gebhart (via telephone)

Staff Present: Max O’Keefe, Solicitor, Meredith F. Merino, Zoning Officer

Two members of the board were physically present, Mr. Davis and Ms. Goffney. Mr. Gebhart was present by phone in order to make a quorum and vote on the approval of the prior month’s meeting minutes and the appointment of a Hearing Officer for the scheduled Case 2022-14.

Approval of Minutes: Ms. Goffney made a motion to approve the minutes of the October 26, 2022 meeting, which was seconded by Mr. Davis. The minutes were approved as submitted by a vote of 3 – 0.

Motion to Appoint a Hearing Officer: Mr. Gebhart made a motion to appoint Ms. Goffney as the Hearing Officer on the present case, which was seconded by Ms. Goffney. The board voted 3-0 to approve the appointment of the Hearing Officer to hear the case presently before the board.

New Business:

Case No. 2022-14: Philadelphia Meeting Room, Inc. of 47 N. Middletown Road Media, is seeking a variance for the property, zoned R-1, per Section 275-21.B.(1)(a) with respect to minimum lot size for religious use as a Conditional Use, and Section 275-21.B.(1)(d) for maximum impervious coverage. Applicant proposes to construct a church building on the property. Minimum lot size for conditional use is 5 acres and the property is 4.328 acres. The maximum allowable impervious coverage is 35%; applicant proposes a maximum of 55% impervious coverage.

Gilbert Markham was present as a representative of Philadelphia Meeting Room. The applicant was represented by Timothy Sullivan, Esq. The applicant agreed to proceed with the appointment of the Hearing Officer for the case. Also present was Charles Miller, Esq. from the Township Solicitor’s office, and Gina Gerber, Esq. who was representing adjacent property owner, BET. Mr. Miller and Ms. Gerber also agreed to the Hearing Officer appointment.

The applicant was sworn in and presented testimony and evidence in support of the application. Mr. Markham explained the history of the property, that it was originally purchased and granted zoning relief from the minimum lot size to use for charitable purposes, with plans to eventually build a larger church on the property. The applicant’s existing church in Marple is 6,000 s.f. and the proposed building is 10-12,000 s.f. Services are held 2-3 times on Sunday and Saturday and Monday evening, lasting approximately one hour. He stated that there are 1,000

churches globally, they don't use any daycare, schooling, or anything inside the church building. The Plymouth Brethren Christian Church have their own schools and will not rent to others, and the building will only be used for religious services. Mr. Markham stated that the church uses signage, but it would be compliant with the zoning regulations and relief would not be required.

Mr. Sullivan explained that the applicant is requesting a conditional variance, asking for the highest possible impervious percentage based on PennDOT permitting requirements. The applicant submitted a permit application to PennDOT for change of use of the property because 352 is a state road. The southern side of property needs to be free of development because of PennDOT's plan to extend Penn Charter Drive to 352 as part of the Cloverleaf project. The project will increase the amount of impervious coverage on the property. If PennDOT refuses to grant an HOP without reconfiguring the parking lot, then they would not need to come back for an additional variance.

Mr. Sullivan then called Dave Damon, Engineer for the applicant who was sworn in. Mr. Damon explained that he prepared two zoning plans – the preferred plan contains a total of 49% impervious coverage, and the alternate is 54% coverage, which eliminates the southernmost row of parking to provide a space greater than 50 feet for potential Penn Charter Drive.

Traffic Engineer Al Federico was then called as a witness, who gave an overview of the status of the Cloverleaf project, stating that at the moment, PennDOT has preliminary engineering with final design planned for 2024. Right-of-Way acquisition is scheduled for 2025, and construction is funded for 2033. It is conceived that there will be a traffic signal at this intersection and the applicant is willing to put in a signal with this intersection.

After no further discussion, the hearing was closed. Ms. Goffney moved to approve the variance for minimum lot size and maximum impervious coverage for both the preferred site plan and the alternative site plan, with the condition imposed that the building is to be used for religious purposes only.

Adjournment: There being no further business, the meeting was adjourned at 6:45 PM.

The next meeting of the Zoning Hearing Board will be held on Wednesday, December 14, 2022 beginning at 6:00 PM.

Respectfully Submitted,

Meredith Merino, Zoning Officer