

TOWNSHIP OF MIDDLETOWN
PLANNING COMMISSION MEETING
December 11, 2018

Present: Mark Bradson, Dave Decker, Alison Hassenplug, William Moran, Greg Reitze, Pete Schettler

Donald Petrosa, Solicitor, Eric Janetka, Engineer and Meredith Merino, Director of Planning & Development

A. Call to Order

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

B. Approval of Minutes-November

Mr. Reitze made a motion to approve the November 2018 minutes as submitted. Mr. Moran seconded this motion and the Commission approved the minutes unanimously with a vote of 6-0.

C. Old Business

None

D. New Business

1) *Final Major Subdivision and Land Development: Darlington Pointe II, 432 Old Forge Road*

Jim Buckler, attorney for the applicant, explained that the 8-lot subdivision had already received preliminary approval. One lot would contain the existing site improvement and would be accessed with the existing private driveway. Lot 2 would have a private driveway with access from Old Forge Road. Lots 3 and 4 would have a common driveway with access from Mattrissa Ridge, and lots 5-8 would have a common driveway with access from Old Forge Road.

Mr. Buckler reported that all Township Engineer review comments have been addressed and the applicant has agreed to make all changes requested, with one exception. The applicant resists the suggestion by Township Engineer Eric Janetka of a berm to be placed along portions of the northern boundary of Lot 6/7. This is due to a concern that the berm would direct and concentrate flow along the property lines and then discharge it at the riparian buffer, potentially creating an erosion situation. Mr. Buckler went on to say that the plan will reduce the flow of water and will generally be directed away from the house on Lot 16 of Darlington Pointe I.

The only other area of disagreement with the review comments was with the requirement to have the landscape plan certified by a Landscape Engineer. The applicant requests a waiver of this requirement because the landscape design is fairly simple and the trees noted are as specified by the Township planting

requirement. In addition, the applicant has complied with all comments of the Township Landscape Architect.

Mark Bradson asked whether proper notice had been given by the applicant of the scheduled application review for this evening's meeting, as he'd heard some concern from nearby residents that they hadn't been notified. Jennifer Grant of 408 Mattrissa Ridge asked if there was a copy of the notice sent to her as she didn't recall receiving notification of this evening's meeting. Ms. Merino referred to the packet of notices that the applicant had provided and noted that Mrs. Grant had signed the green return receipt card. Ms. Merino added that although the notice did not specifically reference the date of the Planning Commission meeting, it did sufficiently provide notice per Township requirements by indicating that the plan had been filed and that the Planning Commission meetings are scheduled for the 2nd Tuesday of each month.

Bill Moran asked whether the berm that was suggested by Mr. Janetka would be built with a backhoe. Mr. Janetka explained that although the berm is not required, it was suggested to keep any overflow coming from the two large underground basins from flowing onto other lots. Mr. Buckler added that the objection with the berm is not because of cost, but because it might create more problems than it would solve. Gus Houtman, Engineer for the applicant, added that the seepage beds will be picking up all water on the lot and very little water will be going onto adjacent properties.

Mr. Janetka suggested that if a berm is not constructed, then adding a notation to the plan of the right of each of the lot owners to discharge to lots below them in the event of a large rain event with overflow would act as a notice to potential off-site homeowners of this possibility. Mr. Janetka noted that the off-site properties in question are currently owned by the applicant for Darlington Pointe II and his recommendation is made under the assumption that the applicant (being the owner of the downgrade off-site lots) would be in agreement with this notation as the official representative of those off-site lots. There are no houses there now so if this notation is added to the plan, the applicant as owner of the off-site lots will be responsible for making sure future buyers are aware of this arrangement (of possible emergency overflow).

Mr. Bradson asked if there would be an issue with runoff onto existing properties on Mattrissa Ridge due to the grading. Mr. Janetka responded that it is not a concern. The water is largely contained on the property through the proposed grading scheme which will carry through from one lot to the next as they get constructed.

Mr. Petrosa suggested that he and Mr. Buckler could discuss drafting the language for the note on the plan. The intent is not to create a blanket restriction, but the notation will give the Township some cover if future residents have issues with stormwater.

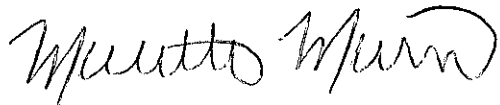
Mr. Janetka stated that if a motion of approval is to be made, that a condition of approval should specifically reference compliance with the Preliminary Plan Approval Resolution 2018-86.

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Mr. Moran made a motion to recommend approval subject to the notations of water flow without the need of creating a berm; a waiver of the Landscape Engineer certifications, and compliance with Preliminary Approval Resolution 2018-86. Mr. Schettler seconded the motion and the Planning Commission voted 4-2 to recommend approval. Mr. Bradson and Mr. Reitze opposed.

Mr. Schettler adjourned the meeting at 8:10 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Meredith Merino".

Meredith Merino