

Warwick Township
PLANNING COMMISSION
Meeting Minutes
July 10, 2019

Members Present: Kiel Sigafoos
Michael Riotto
James Hoffecker
Joe Volk

Members Absent: Michael Italia

Others Present: Brandy Mckeever, Director of Planning and Zoning
Will D. Oetinger, Township Solicitor
John Evarts, Township Engineer
Catherine Topley, Recording Secretary

I. Call to Order

Kiel Sigafoos called the July 10, 2019 Planning Commission meeting to order at 7:02 pm. Mr. Sigafoos also took a moment to accept Mr. Volk's resignation from the committee as he will be moving out of Warwick, and to acknowledge his years of service to the township.

II. Consider approval of the May 1, 2019 and June 5, 2019 Planning Commission Meeting Minutes

Motion by Mr. Hoffecker to approve the May 1, 2019 and June 5, 2019 Planning Commission Minutes, as submitted.

Second to motion by Mr. Riotto.

There being no objection, the motion passed unanimously.

III. LD 19-02: 1549 Stony Road Sketch Plan

➤ Seeking feedback

Ms. Mckeever explained that on May 13, 2019, Warwick Township received a revised sketch plan submission by Cornerstone Consulting Engineers & Architectural, Inc. on behalf of Shihadeh Contracting, LLC. The applicant is proposing to join two parcels 51-003-062 and 51-003-072-001 to build 13 B-1 single family custom homes in the RR Zoning District. The proposal is reflecting a C-9 municipal utility in the form of a pump station that utilizes an existing access drive off Bristol Road.

Originally a submission was made on March 28, 2019 that did not include any open space. It was expressed to the applicant during a meeting on April 2, 2019 that the Township desired open space to be provided. As a result, the revised plan reflects active and common open space at an amount that exceeds the minimum required. A walking trail has also been included. It is noted that variances will be required as the areas are not in strict conformance with the definition of active and common open space. Brenton Hill is proposed to be extended into a cul-de-sac with eight homes and a stormwater basin. Five additional homes are proposed along Stony Road, four of which share driveways. Woodlands

and steep slopes are being disturbed in excess of the allowable amounts. The plan prepared by Cornerstone Consulting Engineers & Architectural, Inc. is dated March 20, 2019 which is the original plan date, a revision date is not being reflected.

The Planning Commission is being asked to review the sketch plan in order provide comments and feedback about the proposal.

John VanLuvanee of Eastburn & Gray was here tonight with the applicant along with Anthony Brukan of Cornerstone Consulting. Mr. VanLuvanee gave a brief overview of the sketch plan in front of the Planning Commission this evening, stating there are several variances needed to implement this plan and after discussions with the township, this is the result of what they wanted to see.

Mr. Oetinger noted that there are several people in the audience this evening and that there will be time to speak after the presentation. Mr. Oetinger explained that there will be no binding agreement made here this evening, that this is to help the applicant decided if they want to go forward with the project or not.

Mr. VanLuvanee stated that the applicant cannot understand why the township would not want to take dedication of the cul-de-sac extension of Breton Hill Road. The

Mr. Sigafos stated that his biggest concern with this plan is the proposed 5 houses on Stony Road and the site distance with the curve, maybe extend Bentley Road across. Mr. Sigafos feels the less traffic coming out of that direction the better and there would be the issue of headlights hitting the houses across the street. A discussion ensued regarding the driveways on Stony, dropping the number of houses from 5 to 3 and a possible marginal access road or no driveways on stony.

Mr. VanLuvanee stated that he does not feel a marginal access road would work out well and they could have more than 5 houses on Stony but have limited it to 5.

Mr. Brukan of Cornerstone Consulting stated that they considered a marginal access and a through street but with the slope they would not work.

Mr. Sigafos asked the applicant for clarification regarding the waiver to provide less than the required 400 ft for sight distance of a driveway on a primary street. Ms. Mckeever clarified with Mr. Brukan that her comment on the staff review was a miscommunication due to the discrepancies with the sections requested and to disregard.

Mr. Sigafos stated that he is in favor of the walking path but stated that a concern in the past is the resident at 1465 Stony Road. They want to make sure that there will be enough of a buffer that they don't have people watching them in their backyard.

Ms. Mckeever stated that Mike Italia, the Planning Commission Chairperson was not able to be here tonight but was against the waiver of sidewalks. Right now, the plan shows one on Stony but not in the cul-de-sac. The applicant agreed to put a side walk on one side of the cul-de-sac.

There was a discussion regarding the picnic area which is to be located down by the pumping station. It was decided there should be no parking for this area and that the trail can extend to that area for access.

As the planning commission had no more comments, Mr. Sigafos asked for comments from the residents.

John Hamvas, 1454 Breton Hill Road – Would like to see a speed bump put on Stony Road to slow people down. He would rather see you put as many houses on Stony as you can than to put a connector road or walking trail. He stated that there is a drainage issue coming off the hill. Supposedly there is a trench that takes care of the problem, but it is over flowing and causing more drainage issues. He does not feel that sidewalks are necessary.

Gerard Higgins, 1402 Meeting House Road – He is here because of the drainage issue as well. It is already a problem and does not want to see it get any worse.

Mr. Oetinger asked the applicant if they have given any thought to stormwater issues yet. The Applicant stated that they have a little but see they will need more. Mr. Evarts reminded the applicant that it may affect their variances, so they should check before they go before the Zoning Hearing Board so that they don't have to go back.

Jim McIlvaine, 1495 West Bristol Road – He has severe concerns with the water and drainage as well. It is wetlands down near the pump station even though there is not a creek there. He is opposed to anything other than an access road to the pump station at that area.

Mr. VanLuvanee stated that he has not heard any comments regarding the cul-de-sac. Does the Planning Commission want it? What are the Planning Commissions comments about taking dedication? The applicant would be willing to widen, mill and pave all of Breton Hill.

Mr. Sigafos stated that they will defer this question to the Board of Supervisors.

John McCoog, 1441 Breton Hill Dr. – if they have to tie into public sewer what would be the cost? We have been hearing anywhere from \$4,000 – \$10,000. It was stated that the Water & Sewer Authority would be better able to answer that question.

Bruce and Janet Hoffman, 1423 Breton Hill Dr. – If the applicant widens the road 2 feet on each side are you going to move the telephone poles? The applicant stated that they hadn't looked at that and will have to figure it out.

IV. LD 15-01 York Road – BLADCO LP Final Plan Submission

➤ Seeking recommendation for approval.

Ms. Mckeever explained that on May 21, 2019, Warwick Township received a final plan submission by York Road BLADCO L.P., proposing a variation of a B3 performance standard subdivision. The plans as preliminarily approved propose to develop 2029 & 2059 York Road into 78 townhouses. The properties are also known as TMP#'s 51-003-089 & 51-003-089-002 and are located within the

Commercial/Multifamily (C3/MF) zoning district. The properties collectively are referred to as the "Fetzer tract" and are currently occupied by over 10 abandoned greenhouses as well as a smoke stack with an existing non-conforming wireless communication facility which is to remain. The plans reviewed were prepared by Bohler Engineering, dated June 22, 2018, last revised May 20, 2019.

The plans and corresponding documentation address the CKS Engineer's review dated November 9, 2018, the Warwick Township review and Ebert Engineering review dated November 6, 2018.

The Planning Commission is being asked to review the final plan and provide a recommendation for approval.

John VanLuvanee of Eastburn and Gray was here tonight with the applicants, Paul Aschkenasy and Daniel Bleznak, along with John Hornick from Bohler Engineering. Mr. VanLuvanee gave a brief overview of past discussions and plans. He stated that this is the plan, it is not going to change, they understand that they have engineering issues to address but this is what the plan is going to look like.

Mr. VanLuvanee stated that he would like to go through each review letter and if he doesn't talk about a specific comment then it is a will comply.

TOWNSHIP STAFF REVIEW LETTER DATED JULY 3RD 2019:

General Comments:

Item 1 – 3 Will comply

Items 4 – the applicant will address this later in the CKS review letter. The Environmental was done by Pennoni not Bohler Engineering.

Item 5 – If it is a code requirement they will comply.

Item 6-7 – Will Comply

Ms. McKeever spoke with the school district in reference to redistricting and at this time she feels the school district may have an idea of which school the kids will go to, but the applicant needs to be in touch with them.

Zoning Comments:

Items 1- Will comply

Items 2 – Regarding recreational facilities. Mr. VanLuvanee stated that they had a long discussion with the Board of Supervisors regarding this, it was decided that they do not have to show them on the plan but will put money in escrow for the facilities to be built at a certain point as stated in Resolution 2018-32

Item 3 – Will comply

Item 4 – A discussion ensued, and it was agreed a zoning table will be shown on the plan.

SALDO Comments:

Items 1-5 – Will comply

CKS REVIEW LETTER DATED JULY 2ND 2019:

Zoning Ordinance Issues:

Items 1 – 2 Will comply

Item 3 – After some discussion regarding the zoning table the applicant agreed to show a table, including impervious surface, on the plan.

Item 4-7 Will comply

SALDO Issues:

Items 1 – Mr. Evarts stated that the attachments for the environmental reporting did not make it to the township. He only received a 3- page memo referencing the finds and not the finding themselves. Mr. VanLuvanee stated they will provide them. Regarding comment (b), DEP does not issue written verification for removal and remediation of material, they have guidelines that are required to be followed. The applicant will not show any issues on the recorded plan because everything will be resolved before the plan is recorded.

Mr. Bleznak stated that given the prior use on the site, it is pretty clean. Most of the recommendations are to clean up the property. The oil tanks are empty, and the issues are minor and fixable.

Mr. Oetinger asked what will happen if the clean up does not go as planned, or a homeowner comes to the township 10 years later regarding contamination.

Mr. Bleznak gave a brief description of Act II remediation and stated that once they are done they do more testing to make sure it has all been removed.

Items 2-7 – Will comply

Item 8 – The applicant asked for the townships help with this at the last meeting. Mr. Sigafos suggested revolutionary era names but preferred no tree or flower names. Ms. Mckeever will provide a contact for the Historical Society.

Item 9a – Will comply

Item 9b – The applicant noted they are only the developer, not the builder, and cannot provide this at this time but understand they cannot record the plan until they have architectural plans.

Item 10 – Will comply

Item 11 – The courtyard is not being changed just cleaned up, it is part of the required amenities. They will submit more pictures.

Items 12 – 20 – Will comply

Grading, Stormwater Managements/Storm Drainage and Erosion and Sedimentation Control:

Items 1-5 – Will comply

Item 6 – There are no basements – will show on plan.

Items 8-18 – Will comply

General Engineering Considerations:

Item 1 – Applicant does not know of any deed restrictions. Mr. Evarts mentioned that PECO and PennDOT both have easements. The applicant stated that they are shown on the plan and noted easements are different than deed restrictions.

Item 2 – Ms. Mckeever stated that when she spoke to the postmaster it turns out Warminster services that area and he was concerned regarding the location of the community mailboxes. Applicant will make sure to contact the post office beforehand regrading placement.

Item 3 – Applicant stated that according to their easement agreement with the communication facility providers they do not have to allot them parking. Mr. Oetinger stated that he would like to see them reach out to the cell provider(s) and makes sure. The applicant states that they are very hard to get hold of and does not want to give them “a bite of the apple, they don’t have”. In the alternative Mr. Oetinger would like to see the easement as it is a public document. The applicant stated that even if something had to change, they would have to come back before the Board. The applicant states that the plan makes access better for the providers.

Item 4 – Roads and open space will be owned by the Homeowners Association.

Item 5 – Mr. Evarts stated that the township has not yet seen any plans regarding PennDOT. Applicant thought they had sent them over. They will forward to the township. The applicant stated that the main comment from PennDOT was that they wanted full access on Meetinghouse Road, but they were able to get the right in, right out and there is no widening required.

Item 6 – Will comply

Mr. Riotto asked about the width of the trails as he thought they had requested an 8-foot width. The applicant stated that they widened the trails to 8 feet where maintenance vehicles may need access. Mr. Sigafos would like to see all the trails 8 feet wide to allow for bikes and passing. The applicant will look into it but this may increase impervious surface.

Ms. Mckeever asked about the Ebert Engineering letter and whether the applicant obtained the easement for sewer service. The applicant stated that they are in the process.

Mr. VanLuvanee stated that the applicant is not inclined to give an easement to a private property owner, referring to 2090 Meetinghouse Road. They don't feel it is fair to saddle the homeowner's association with this.

The Planning Commission tabled a recommendation of the final plan approval pending resolution of the items in the Staff Review Letter dated 7-3-19, the CKS Review Letter dated 7-2-19 and the Ebert Engineering Letter dated 6-25-19, more specifically:

1. Provide PennDOT comments and plans
2. Provide Environmental Reports
3. Contact Postmaster regarding location of mailboxes
4. Provide copy of cell tower easements
5. Review wideness of trails for possible 8ft width
6. Easement with Warwick Township Water & Sewer Authority
7. Submit requested pictures of courtyard
8. Show zoning table on plans
9. Street geometry
10. Cross sections/paving detail
11. No parking/time limit for mailbox area
12. A plan note indicating no basements are to be constructed

V. Old Business

None

VI. New Business

None

VII. Adjournment

- ❖ Mr. Hoffecker made a motion to adjourn. Mike Riotto seconded the motion. Motion passed unanimously. Meeting adjourned at 9:09 pm.

Respectfully submitted,



Brandy Mckeever, CZO
Director Planning & Zoning