

Warwick Township
PLANNING COMMISSION
Meeting Minutes
August 4, 2021

Members Present: Michael Italia
Kevin Madden
Michael Riotto
Kiel Sigafos

Members Absent: Robert Fink

Others Present: Brandy McKeever, Director of Planning & Zoning
Skye Sorresso, Recording Secretary
William D. Oetinger, Township Solicitor
John Evarts, Township Engineer

I. Call to Order

Michael Riotto called the August 4, 2021, Planning Commission meeting to order at 7:01 pm.

II. Consider approval of the July 7, 2021, Planning Commission Meeting Minutes

Motion by Michael Italia to approve the July 7, 2021, Planning Commission meeting minutes without revision, seconded by Kevin Madden. Motion passed unanimously.

III. LD 21-02 Spring Dance Hot Tubs – Lot 18 Warwick Business Campus Preliminary Plan

The following individuals were present on behalf of Spring Dance Hot Tubs, LLC:

Jeff Bailey, Applicant Representative
Julie Von Spreckelsen, Applicant Attorney
Larry Byrne, Applicant Engineer

Ms. McKeever provided a brief overview of the project. On June 25, 2021, the Township received a preliminary plan submission from Spring Dance Hot Tubs, LLC. The applicant proposes the construction of a 15,260 sq. ft. storage building on lot 18 of the Warwick Business Campus. The property consists of 2.19 acres in the limited industrial (LI) district. The applicant seeks the Planning Commission's recommendation for preliminary plan approval

Ms. Von Spreckelsen thanked Ms. McKeever for the introduction. She reiterated that the applicant is seeking a recommendation for preliminary plan approval for a single-story building with thirty-five (35) parking spaces and associated stormwater management. The building will be utilized for an H3 wholesale business use, permitted within the limited industrial (LI) district.

Ms. Von Spreckelsen wished to point out that the property has several preexisting restrictions. There is currently a twenty (20) foot wide utility easement, a required fifteen (15) foot landscape buffer, a seventy-five-foot Transco gas pipeline easement, and a two hundred (200) foot buffer area from the residential district adjacent to the property.

Mr. Madden asked if the proposed warehouse would be open to the public. Ms. Von Spreckelsen clarified that only the applicant's current location will still be utilized for retail sales or customer visits.

Ms. Von Spreckelsen requested clarification on permitted use for the common open space area referenced in section one (1), item seven (7) of the CKS review letter. Specifically, Ms. Von Spreckelsen asked whether the ten (10) proposed parking spaces within that area will be permitted.

Mr. Evarts stated that the common open space definition does not allow parking within that area. Ms. McKeever added that the staff review letter requires those ten (10) parking spaces be relocated.

Mr. Evarts recommended the applicant speak with Transco to determine whether the ten (10) parking spaces can be relocated within the gas pipeline easement.

Mr. Byrne, Engineer for the applicant, stated that he has reached out to Transco and is working to determine whether that will be a possibility.

Mr. Oetinger informed the applicant that a variance could be sought from the Zoning Hearing Board to permit less than thirty-five parking spaces if permission is not granted by Transco.

Regarding CKS review letter section one (1), item eight (8), Ms. Von Spreckelsen informed the Commission that the referenced steep slopes are actually manmade topsoil piles.

Per the CKS review letter section one (1), item nine (9) and ten (10), the applicant agreed to enclose the trash disposal area with a fence. Ms. Von Spreckelsen added that the area is not located within a parking area but instead within the loading area.

Mr. Italia asked if the trash disposal would be directly against the building. Mr. Byrne confirmed that it would be. Mr. Italia recommended that the applicant reevaluate the distance of the trash area from the building due to fire safety.

The applicant then requested a waiver for section two (2), items twelve (12) and thirteen (13) regarding sidewalks and curbs.

Mr. Oetinger asked Ms. Von Spreckelsen if a recommendation would be meaningful at this point if the parking spots may need to be reconfigured. Ms. Von Spreckelsen felt it would be and agreed to come back before the Planning Commission should any major changes occur.

Mr. Sigafos asked if the location of the parking spots allows for enough truck clearance near the loading area. Mr. Byrne confirmed that the typical maneuvering area for a truck is 120 feet and the current plan provides for over 150 feet.

Mr. Italia inquired about the number of trucks that will be on site to shuttle hot tubs. Mr. Bailey stated that three such vehicles would be housed on the site.

CKS Engineers review letter dated July 26, 2021

- I. Zoning
 1. Will Comply
 2. Will Comply
 3. Will Comply
 4. Will Comply
 5. Will Comply
 6. Will Comply

7. Will Comply
8. Applicant clarified that steep slopes are actually manmade topsoil piles.
9. Will Comply
10. Applicant clarified that waste disposal areas are in the loading area, not the parking area.
11. Will Comply

II. SALDO

1. Will Comply
2. Will Comply
3. Will Comply
4. Will Comply
5. Will Comply
6. Will Comply
7. Will Comply
8. Will Comply
9. Will Comply
10. Will Comply
11. Will Comply
12. Waiver Requested
13. Waiver Requested
14. Will Comply
15. Requested Waivers
 - a. SALDO Section 163-13 Statements, Studies and Assessments - To not require an Educational Impact Study, Transportation Impact Study, and Impact Assessment.
 - b. SALDO Section 163-24.B.2.a.1 - To permit a drawing scale of 1 inch= 30 feet.
 - c. SALDO Section 163-24.C.2 - To not be required to show features within 400 feet of the site.
 - d. SALDO Section 163-66.E.1 - To allow the proposed curb to be Belgium block curb.

III. Stormwater

1. Will Comply
2. Will Comply
3. Will Comply
4. Will Comply
5. Will Comply
6. Will Comply
7. Will Comply
8. Will Comply
9. Will Comply
10. Will Comply
11. Will Comply
12. Will Comply
13. Will Comply
14. Will work with Township Engineer to satisfy.

IV. General

1. Will Comply
2. Will Comply
3. Will Comply

Staff review letter dated July 30, 2021

- I. General
 1. Will Comply

- II. Zoning
 1. Will Comply
 2. Will Comply
 3. Will Comply
 4. Will Comply
 5. Will Comply

- III. SALDO
 1. Will Comply
 2. Will Comply
 3. Waiver Requested

- IV. Variances
 1. None

- V. Waivers Requested
 1. Section 163-13 to not require educational, impact study, transportation impact study and impact assessment.
 2. Section 163-24.B(2)[a][1] to permit a drawing scale of 1 inch = 30 feet.
 3. Section 163-24.C(2) to not be required to show features within 400 feet of the site.
 4. Section 163-66.E(1) to allow the proposed curbing to be Belgium block curbing.

Motion made by Michael Italia to recommend preliminary plan approval for LD 21-02 Spring Dance Hot Tubs – Lot 18 Warwick Business Campus, with the following conditions:

1. **Compliance with the CKS Engineers Review Letter dated July 26, 2021.**
2. **Compliance with the Staff Review Letter dated July 30, 2021.**
3. **Resolution of parking spot location prior to seeking final approval.**
4. **Waiver of CKS review letter section two (2) item twelve (12) requiring sidewalks and a concrete apron along the frontage of Campus Drive and the driveway.**
5. **Waiver of CKS review letter section two (2) item thirteen (13) requiring a curb or barrier along the additional parking area or the southern portion of the parking lot.**
6. **Waivers as requested in CKS review letter section two (2) item fifteen (15)**
 - a. **SALDO Section 163-13 Statements, Studies and Assessments - To not require an Educational Impact Study, Transportation Impact Study, and Impact Assessment.**
 - b. **SALDO Section 163-24.B.2.a.1 - To permit a drawing scale of 1 inch= 30 feet.**
 - c. **SALDO Section 163-24.C.2 - To not be required to show features within 400 feet of the site.**
 - d. **SALDO Section 163-66.E.1 - To allow the proposed curb to be Belgium block curb.**

Seconded by Kiel Sigafos. Motion passed unanimously.

I. LD 20-03 Gasper Landscape Inc. – Lot 4 Mearns Road Business Campus Preliminary Plan

The following individuals were present on behalf of Gasper Landscape Inc:

Bob Gasper, Applicant Representative
Bobby Gasper, Applicant Representative
John Gleason, Applicant Representative
Nate Fox, Applicant Attorney

Larry Byrne, Applicant Engineer

Ms. McKeever provided a brief overview of the project. On July 1, 2021, the Township received a preliminary plan submission from Gasper Landscape Inc. The applicant proposes two buildings totaling 34,000 square feet, a 29,000 square foot building to serve as a contracting business and a 5,000 square foot building to serve as storage. The buildings will be located within the limited industrial (LI) district. The applicant is seeking a recommendation for preliminary plan approval from the Planning Commission.

Mr. Fox, Attorney to the applicant, informed the Commission that the Zoning Hearing Board granted the applicant relief for two uses: contracting and wholesale.

Bob Gasper, Applicant, provided an overview of his operations. Mr. Gasper stated that he currently operates a garden center and landscape contracting business and has outgrown his current location. The proposed location would house much of the contracting business and administrative operations. Mr. Gasper added that he is surrounded by residential homes at his current location and has had no issues with his neighbors.

Regarding CKS review letter section one (1), item six (6), Mr. Fox clarified that the proposed six-foot display area would be for hardscape displays only. There would be no sales to the public.

Mr. Fox then requested a waiver from CKS review letter section two (2), item five (5), requiring a 50 ½ foot width right-of-way on the frontage along Mearns Road. Mr. Byrne expressed his uncertainty regarding PennDOT's willingness to allow changes to such a small portion of Mearns Road.

Regarding the requested waiver in CKS letter section two (2), item twenty (20), the applicant agreed to supply a Developer Financial Disclosure Statement; however, a waiver from the Educational Impact Study, Transportation Impact Study, and Impact Assessment was requested.

Mr. Riotto requested clarification on who would utilize the hardscape display boards. Mr. Gasper explained that many contractors utilize the boards to determine what materials they prefer.

Mr. Sigafoos asked if the display boards would be visible from Mearns Road. Mr. Byrne replied they would not. He added that any raw materials would be stored near the contractor building, not near the display boards.

Mr. Riotto asked Mr. Gasper what his typical traffic volume is. Mr. Gasper replied that it is typically twenty to thirty vehicles.

Mr. Madden then asked Mr. Evarts for clarification on the Mearns Road Improvement Ordinance. Mr. Evarts explained that the ordinance states that any property abutting a public right-of-way must have improvements completed. He added that if a waiver is granted for those improvements, a fee-in-lieu of totaling eighty percent of the improvements must be paid.

Ms. McKeever pointed out the staff desires to have curbs or some alternative installed along that area to reduce roadway flooding.

Mr. Byrne felt the installation of a ninety-foot curb along the frontage would not be feasible. Mr. Italia and Mr. Sigafoos requested that the applicant explore the possibility of roadway flooding mitigation efforts. The applicant agreed to investigate the matter further.

Regarding staff review letter section one (1), item (2), Ms. McKeever asked the applicant how they plan to contain the topsoil and prevent runoff. Mr. Gasper clarified that the storage building will be utilized to hold and screen topsoil and course soil.

I. Zoning

1. Variances Granted

- a. Section 195-10, to permit two principal uses on the subject property where only one principal use is allowed;
- b. Section 195-16.H(13)(c)[2][a][iii], to permit a building or structure to be within 106 feet from a residential zoning district where 500 feet is required;
- c. Section 195-16.H(13)(c)[2][a][iv], to permit buildings and improvements within 200 feet of any residential district boundary line and parking within 100 feet of a residential district boundary.
- d. Section 195-57.C, to permit an industrial building closer than 200 feet to any residential district boundary and from the 50-foot landscaped buffer.
- e. Section 195-57.D, to permit an industrial building closer than 125 feet from an existing residential use or residential district boundary and to allow parking closer than 50 feet from any residential use or residential district boundary.

2. Variance Conditions

- a. All lighting on the subject property shall be shielded and directed down so as not to produce glare on nearby residential uses.
- b. The applicant shall install a buffer against all residential properties sufficient in width and density to serve as a vegetative screen between the applicant's property and adjacent residential uses.

3. Will Comply

4. Will Comply

5. Will Comply

6. Will Comply

7. Will Comply

8. Will Comply

9. Will Comply

10. Will Comply

11. Will Comply

12. Will Comply

13. Will Comply

14. Will Comply

15. Will Comply

16. Will Comply

17. Will Comply

18. Will Comply

19. Will Comply

20. Will Comply

II. SALDO

1. Will Comply

2. Will Comply

3. Will Comply

4. Will Comply

5. Waiver Requested

6. Will Comply

7. Will Comply

8. Will Comply

9. Will Comply

10. Will Comply

11. Will Comply

12. Will Comply

13. Will Comply
14. Will Comply
15. Will Comply
16. Will Comply
17. Will Comply
18. Will Comply
19. Will Comply
20. Waivers Requested
 - a. SLDO Section 163-13 which requires a Developer Financial Disclosure Statement, Educational Impact Study, Transportation Impact Study, and Impact Assessment.
 - b. SLDO Section 163-24.B(2)(c)[2] which requires the locations, names, widths of streets; the location of property and governmental boundary lines and the names of adjacent owners; the location of water courses, sanitary sewers, water distribution lines, storm drains, monuments, easements, or right-of-way and similar features within 400 feet of the site. The correct SLDO section number must be referenced within the letter and on the plans.
 - c. SLDO Section 163-66. E.1 which requires curb to be concrete. The plans propose Belgium block curb.
 - d. SLDO Section 163-33.1 which requires sidewalk and curb to be installed along Mearns Road. (SR 2007)

III. Stormwater

1. Will Comply
2. Will Comply
3. Will Comply
4. Will Comply
5. Will Comply
6. Will Comply
7. Will Comply
8. Will Comply
9. Will Comply
10. Will Comply
11. Will Comply
12. Will Comply
13. Will Comply
14. Will Comply

IV. General

1. Will Comply
2. Will Comply
3. Will Comply

Staff review letter dated July 27, 2021

I. General

1. Will Comply
2. Applicant clarified that storage building would be used for topsoil containment.

II. Zoning

1. Will Comply
2. Will Comply
3. Will Comply
4. Will Comply

5. Will Comply
6. Will Comply
7. Will Comply

III. SALDO

1. Waiver Requested
2. Will Comply
3. Will Comply
4. Will Comply
5. Will Comply
6. Will Comply
7. Will Comply

IV. Variances Granted

1. §195-10 to allow 2 principal uses on the subject property
2. §195-16.H(13)(c)[2][a][iii] to allow a building or structure to be within 106 feet of a residential zoning district.
3. §195-16.H(13)(c)[2][a][iv] to allow building and improvements within 200 feet of any residential district boundary line and parking within 100 feet of a residential district boundary line.
4. §195-57.C to allow an industrial building closer than 200 feet to any residential district boundary line and from the 50-foot landscaped buffer.
5. §195-57.D to allow an industrial building closer than 125 feet from any existing residential district or use, and to allow parking closer than 50 feet from any residential district or use subject to the following conditions:
 - a. All lighting on the Subject Property shall be shielded and directed down so as not to produce glare on nearby residential uses;
 - b. The Applicant shall install a buffer against all residential properties sufficient in width and density to serve as a vegetative screen between the Applicants property and adjacent residential uses.

V. Waivers Requested

1. Section 163-13 – To not require educational impact study, transportation impact study and impact assessment.
 - a. A financial disclosure statement shall be provided.
2. Section 163-24.C(2) – To not be required to show features within 400 feet of the site.
3. Section 163-33.I – To not install curbs and sidewalks along the property frontage of Mearns Road.
4. Section 163-66.E(1) – To allow the proposed curbing in the parking area to be Belgium block curbing.

Motion made by Michael Italia to recommend preliminary plan approval for LD 20-03 Gasper Landscape Inc. – Lot 4 Mearns Road Business Campus, with the following conditions:

1. **Compliance with the CKS Engineers Review Letter dated July 27, 2021.**
2. **Compliance with the Staff Review Letter dated July 27, 2021.**
3. **Discussion of roadway flooding mitigation findings at final plan submission.**
4. **Waivers as requested in CKS letter section two (2), item twenty (20).**
 - a. **SLDO Section 163-13 which requires an Educational Impact Study, Transportation Impact Study, and Impact Assessment.**
 - b. **SLDO Section 163-24.B(2)(c)[2] which requires the locations, names, widths of streets; the location of property and governmental boundary lines and the names of adjacent owners; the location of water courses, sanitary sewers, water distribution lines, storm drains, monuments, easements, or right-of-way and similar features**

within 400 feet of the site. The correct SLDO section number must be referenced within the letter and on the plans.

- c. SLDO Section 163-66. E.1 which requires curb to be concrete. The plans propose Belgium block curb.
- d. SLDO Section 163-33.1 which requires sidewalk and curb to be installed along Mearns Road. (SR 2007).

Seconded by Kevin Madden. Motion passed unanimously.

V. Old Business

None.

VI. New Business

None.

VII. Adjournment

Motion made by Michael Italia to adjourn; seconded by Kevin Madden. Motion passed unanimously.

Meeting adjourned at 8:13 pm.

Respectfully submitted,



Brandy McKeever, CZO
Director of Planning and Zoning