

Warwick Township
PLANNING COMMISSION
Meeting Minutes
September 15, 2021

Members Present: Robert Fink
Michael Italia
Kevin Madden
Michael Riotto
Kiel Sigafos

Members Absent: Michael Italia

Others Present: Brandy Mckeever, Director of Planning & Zoning
Skye Sorresso, Recording Secretary
William D. Oetinger, Township Solicitor
Michelle Fountain, Township Engineer

I. Call to Order

Michael Riotto called the September 15, 2021, Planning Commission meeting to order at 7:01 pm.

II. Consider approval of the August 4, 2021, Planning Commission Meeting Minutes

Motion by Kevin Madden to approve the August 4, 2021, Planning Commission meeting minutes without revision, seconded by Kiel Sigafos. Motion passed unanimously.

III. LD 17-01 Loria – Revised Preliminary Plan

Ms. Mckeever provided a brief introduction to the project. On July 16, 2021, the Township received a revised preliminary plan application submitted by Giuseppe Loria of 1598 Stony Road. The applicant proposes to subdivide 1598 Stony Road into a five-lot, B1 residential subdivision. This parcel previously received minor subdivision approval on February 15, 2010. The prior approval subjected the parcel to a Unilateral Declaration of Covenants, Conditions and Restrictions agreement. In the event the parcel is further subdivided, the agreement requires the installation of curbs, sidewalks, and street trees along both original lots. The plan reviewed was prepared by Holmes Cunningham Engineering, dated February 14, 2021, last revised June 28, 2021. A revised sewage planning module is expected after the zoning requirements are satisfied. The applicant is seeking a recommendation for preliminary plan approval from the Planning Commission.

Mr. Blackburn, attorney to the applicant, added that the property is just over fifteen and a half acres (15.5) in the Residential Restricted (RR) zoning district. The applicant proposes to adjust the lot line between the two western-most lots, alleviating a current non-conforming lot width. The applicant also proposes a subdivision to create two single-family detached dwellings to the rear. The project would include road frontage improvements such as widening, sidewalks, and curbing.

Mr. Blackburn wished to note that a four (4) acre area at the rear of the property is now proposed to be deed-restricted open space.

He also added that that the remaining items listed in the CKS Engineers and Staff Review Letters are all 'Will Comply' with the exception of the four (4) requested waivers by the applicant. Those waivers are as follows:

- A waiver from the required installation of streetlights along Stony Road.
- A waiver from the required tree protection zone twenty (20) feet from the trunk of existing trees.
- A waiver from the required use of trees of like kind for replacement trees.
- A waiver from the required lot depth-to-width ratio not to exceed 2.5.

Mr. Madden asked Mr. Blackburn to clarify why the proposed sidewalks could not be connected to the existing sidewalks on Bentley Drive. Mr. Blackburn stated a portion of the Bentley Drive Right-of-Way is private property and has not been dedicated. Mr. Madden asked if the applicant attempted to contact the resident at 1401 Bentley Drive regarding the connection of the sidewalks. Mr. Blackburn stated that an attempt to contact the resident was made; however, it was unsuccessful. At the request of the Commission, the applicant agreed to make another attempt to meet with the resident and will provide notification to the Township when such a meeting has been scheduled.

Regarding the proposed deed-restricted open space, Mr. Oetinger informed Mr. Blackburn that private ownership of open space is only permitted for agricultural use. He added that the applicant will need to ensure the space complies with the Township Zoning Ordinance.

Mr. Sigafos asked Ms. Fountain if the stormwater management comments discussed during the last meeting had been resolved. Ms. Fountain replied that several comments had; however, there are still several comments the applicant is working to resolve.

CKS Engineers review letter dated August 25, 2021

- I. Zoning
 1. Will Comply
 2. Will Comply
- II. SALDO
 1. Will Comply
 2. Will Comply/ Applicant will reach out to Bentley Drive resident regarding sidewalk
 3. Will Comply
 4. Waivers
 - a. Section 163-43 & 163-63 – requiring the installation of streetlights along Stony Road.
 - b. Section 163-51.1.A(1) – requiring a tree protection zone 20 feet from the trunk of existing trees to remain.
 - c. Section 163-51.2 requiring replacement trees to be replaced with trees of like kind.
 - d. Section 163-46.F – requiring lots not to be designated with a lot depth-to-width ration exceeding 2.5.
- III. Traffic and Roadway Design Comments
 1. Will Comply
 2. Will Comply
- IV. Grading, Stormwater Management/Storm Drainage and Erosion and Sedimentation Control
 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
- V. General
1. Will Comply
 2. Will Comply

Staff review letter dated August 25, 2021

- I. General
1. Will Comply
 2. Will Comply
 3. Will Comply
 4. Will Comply
 5. Will Comply
 6. Will Comply
 - a. Will Comply
 - b. Will Comply
- II. Zoning
1. Will Comply
 - a. Will Comply
 2. Will Comply
 - a. Will Comply
 - b. Will Comply
- III. SALDO
- None
- IV. Variances
- None
- V. Waivers Requested
1. Section 163-43 & §163-63 - waiver from providing streetlights along Stony Road. Since there are no existing streetlights along this portion of Stony Road, the installation of a few streetlights along the development would not be in character with the remainder of Stony Road.
 2. Section 163-46.F. – waiver to permit the lot depth to width ratio to be in excess of 2.5. In order to avoid disturbance to the trees and complying with other provisions of the ordinance, the lot layout is slightly in excess of the 2.5 requirement.

Motion made by Kiel Sigafos to recommend preliminary plan approval for LD 17-07 Loria, with the following conditions:

- 1. Compliance with the CKS Engineers Review Letter dated August 25, 2021.**
- 2. Compliance with the Staff Review Letter dated August 25, 2021.**
- 3. Submission of a revised Sewage Facility Planning Module addressing comments in CKS Engineers Review Letter dated August 6, 2020.**
- 4. Applicant will attempt to schedule a meeting with 1401 Bentley Drive regarding sidewalk installation.**
 - a. Township will be notified of the meeting before its occurrence.**

5. Compliance with the Warwick Township Zoning Ordinance, specifically as it relates to open space.

Seconded by Kevin Madden. Motion passed unanimously.

IV. LD 21-03 CNKA, LP (Lot 22 & 23 Warwick Business Campus) – Preliminary Plan

The following individuals were present on behalf of CNKA, LP:

Mike Whalen, Applicant

Larry Byrne, PE, Applicant Engineer

Carrie Nase, Esq., Applicant Attorney

Ms. Mckeever provided a brief overview of the project. On August 3, 2021, the Township received a preliminary plan submission on behalf of CNKA, LP. The applicant proposes to construct a 21,600 square foot flex space building on lots 22 & 23 within the Warwick Business Campus development. The plan reviewed was prepared by Eastern/Chadrow Associates, INC., dated August 2, 2021. The applicant is seeking a recommendation for preliminary plan approval from the Planning Commission.

Mr. Byrne, engineer to the applicant, thanked Ms. Mckeever for her introduction. He reiterated that the parcels are zoned light-industrial (LI) and once consolidated, would total two (2) acres. The applicant proposes to construct a 21,000 sq. ft. building with seventy-two (72) parking spaces that would be used for industrial flex space.

Ms. Nase, attorney to the applicant, added that there is an existing stormwater easement that runs beneath the proposed building and drains to a headwall on Campus Drive. The applicant proposes to vacate the current easement and replace it with a new easement to direct stormwater around the building.

Mr. Byrne added that the proposed building would be split into eight (8) individual units measuring thirty (30) feet by ninety (90) feet. Each unit would have its own overhead garage door.

Mr. Sigafos asked for clarification on where the proposed garage doors would be located. Ms. Nase replied that all garage doors would be interior to the parking lot.

Mr. Riotto asked if the design of the parking lot would be able to accommodate large delivery vehicles. Mr. Byrne stated that such deliveries are not expected; however, large trucks would be able to stop in front of the bays and continue straight.

Regarding CKS review letter section one (1), item one (1), of the CKS review letter dated August 27, 2021, Ms. Nase informed the Commission the tenants for the eight (8) proposed spaces have not yet been confirmed. Ms. Nase stated that she expects that the tenants will be mostly contractor businesses with some light manufacturing.

Ms. Mckeever informed Ms. Nase that under the H16 Flex Space use, an H5 contracting business is not allowed.

Regarding CKS review letter section one (1), item seven (7), Ms. Nase stated that the proposed location of the waste disposal area was meant to minimize disposal truck turnaround. She expressed concern about relocating the area due to the potential impact on the minimum required parking spaces. Mr. Riotto stated that if the minimum required parking spaces cannot be met the applicant may need to request a variance from the Zoning Hearing Board. Ms. Fountain and Ms. Mckeever added that if such a variance is needed, the applicant may wish to seek variances regarding company vehicles and reduction of non-residential parking requirements as well.

Regarding CKS review letter section one (1), item ten (10), Ms. Nase requested clarification on the restrictions place on parking, loading, and service areas in the front of the building. Ms. Fountain stated that areas cannot be located within the front yard setback. Ms. McKeever added that a yard extending the entire length of the street line is considered the front yard.

Regarding section three (3), item one (1), of the Staff review letter dated August 27, 2021, Mr. Byrne stated that there are existing street trees along Campus Drive. If any existing trees are removed and replaced, Mr. Byrne asked if a waiver would be needed. Ms. McKeever stated that one-for-one replacement of the trees would be acceptable and would not require a waiver.

CKS Engineers review letter dated August 27, 2021

I. Zoning

1. Will Comply
2. Will Comply
3. Will Comply
4. Will Comply
5. Will Comply
6. Will Comply
7. Will Comply/ Applicant may seek Zoning variance for parking
8. Will Comply
9. Will Comply/ Applicant indicated that company vehicles may be stored within units
10. Will Comply/ Applicant may seek Zoning variance for parking
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. Will Comply
13. Waiver Requested (Sidewalks)
14. Waivers Requested
 - a. SALDO Section 163-13 which requires 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/ Applicant will contact neighbor to request temporary grading easement
8. Will Comply

- 9. Will Comply
- 10. Will Comply
- 11. Will Comply
- 12. Will Comply
- IV. General
 - 1. Will Comply
 - 2. Will Comply

Staff review letter dated August 27, 2021

- I. General
 - 1. Will Comply
 - 2. Will Comply
- II. Zoning
 - 1. Will Comply
 - 2. Will Comply/ Applicant may seek Zoning variance for parking
 - 3. Will Comply/ Applicant may seek Zoning variance for parking
 - 4. Will Comply
 - 5. Will Comply
 - 6. Will Comply
- III. SALDO
 - 1. Applicant will complete one-to-one replacement for any removal of existing street trees
 - 2. Will Comply
 - 3. Will Comply
- IV. Variances Granted

None
- V. Waivers Requested
 - 1. Section 163-13 to not require educational, impact study, transportation impact study and impact assessment.
 - 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 sidewalks along the property frontage of Campus Drive.
 - 4. Section 163-66.E(1) to allow the proposed curbing to be Belgium block curbing.

Motion made by Kiel Sigafos to recommend preliminary plan approval for LD 21-03 CNKA, LP (Lot 22 & 23 Warwick Business Campus), with the following conditions:

- 1. Compliance with the CKS Engineers Review Letter dated August 27, 2021.
- 2. Compliance with the Staff Review Letter dated August 27, 2021, with exception of items listed below.
- 3. Waiver of CKS Review Letter section two (2), item three (3) requiring a declaration by registered landscape architect.
- 4. Waiver of CKS Review Letter section two (2), item thirteen (13) requiring sidewalks along the frontage of Campus Drive.
 - a. Conditioned on required fee in lieu.
- 5. Approval of waivers as requested in CKS Review Letter section two (2), item fourteen (14), inclusive of all subsections.
- 6. Waiver of CKS Review Letter section three (3), item seven (7) regarding grading within five (5) feet of the property line.
- 7. Acquisition of Zoning relief as necessary, specifically as it pertains to parking.

Seconded by Kevin Madden. Motion passed unanimously.

VI. ORD. 2021-XX Zoning Ordinance

Ms. Mckeever asked the Planning Commission to consider recommending approval for advertisement and adoption of the 2021 Warwick Township Zoning Ordinance Amendment.

Motion made by Michael Riotto to recommend approval for the advertisement and adoption of the Warwick Township 2021 Zoning Ordinance Amendment.

Seconded by Kevin Madden. Motion passed unanimously.

VI. Old Business

None.

VII. New Business

None.

VIII. Adjournment

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

Meeting adjourned at 8:11 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brandy Mckeever', written in a cursive style.

Brandy Mckeever, CZO
Director of Planning and Zoning