

Warwick Township
PLANNING COMMISSION
Meeting Minutes
September 7, 2022

Members Present: Kevin Madden
Michael Riotto
Robert Fink

Members Absent: Kiel Sigafoos
Michael Italia

Others Present: Brandy McKeever, Director of Planning & Zoning
Skye Sorresso, Recording Secretary
Mary Eberle, Township Solicitor
John Evarts, Township Engineer

I. Call to Order

Kevin Madden called the September 7, 2022, Planning Commission meeting to order at 7:00 pm.

II. Consider approval of the August 3, 2022, Planning Commission Meeting Minutes

Motion by Michael Riotto to approve the August 3, 2022, Planning Commission meeting minutes without revision, seconded by Robert Fink. Motion passed unanimously.

III. LD 21-05 Ostroff – 1908 York Road Preliminary Plan

The following individuals were present on behalf of the applicant:

- Steve and Gale Ostroff, Applicants
- Julie Von Spreckelsen, Esq., Applicant Attorney
- Kristin Holmes, P.E., Applicant Engineer

Ms. McKeever provided a brief introduction to the project. On June 6, 2022, the Township received a preliminary plan submission for Steve and Gail Ostroff of 1908 York Road. The applicant proposes to construct a 6,770 square foot day-care center with associated parking and outdoor recreation area. The plan proposes to maintain the existing single-family detached dwelling and associated accessory structures on a lot along with a newly proposed stormwater management system. Three new single-family detached dwelling lots with shared private access are also included in this proposal. The plan reviewed was prepared by Holmes Cunningham Engineering, dated May 23, 2022. The applicant received a special exception from the Zoning Hearing Board for the (G2) Day-Care Center Use in the (O) – Office District.

Ms. Von Spreckelsen, applicant attorney, thanked Ms. McKeever for the introduction. She added that the Planning Commission saw a sketch plan for the project previously. Ms. Holmes, applicant engineer, explained that the Commission's sketch plan comments had been incorporated into the plan presented.

Ms. Holmes confirmed that the Staff review letter dated July 6, 2022, was primarily 'will comply'. Regarding section one (1), item (7), Ms. Holmes noted that the inclusion of an additional hydrant was not included in a letter received from the fire inspector. Ms. McKeever clarified that the Staff review

letter comment regarding the hydrant originated from the fire inspector. The Planning Commission agreed with the advice of the inspector.

Regarding section two (2), item four (4), Ms. Holmes noted that Ms. McKeever had informed the applicant that the comment was not applicable to the project. Ms. McKeever confirmed.

Regarding section two (2), item two (2), Ms. Holmes requested a discussion on the applicability of the required fee-in-lieu of common open space due to the nature of the project. She explained that she believed the fee may only apply to the lots with a B-1 use. The Commission informed Ms. Holmes that any such determination would be made by the Board of Supervisors.

Regarding the CKS review letter dated July 6, 2022, section one (1), item six (6), Ms. Holmes requested clarification on whether the existing shed would be permitted to remain as an existing non-conforming structure. Mr. Riotto inquired about the shed's use. Ms. Holmes stated that it would continue to be utilized for general storage. Mr. Madden asked if the shed was located inside the fence. Ms. Holmes confirmed it was. The Commission found no objection to the request.

Regarding section one (1), item (8), Ms. Holmes asked the commission if the existing evergreen trees would fulfill the Class A buffer requirement. Mr. Evarts confirmed the applicant's willingness to execute an eighteen (18) month post-construction maintenance period. Ms. Eberle also asked the applicant to note the maintenance period on the plan.

Regarding section two (2), item one (1), the applicant requested a partial waiver for relief from the inclusion of information within 400 feet of the project. The applicant agreed to provide an aerial image instead. The Commission found no objection.

Regarding section two (2), item two (2), the applicant inquired about additional streetlights that may be required. Ms. Holmes noted that the existing streetlights are only located at intersecting streets and felt that the existing lights would be sufficient. Mr. Riotto and Mr. Madden expressed their desire for a streetlight to be installed at the entrance on Meyer Way and any existing intersection around the property that is not currently lit.

Regarding section two (2), item eleven (11), the Planning Commission confirmed that the thirty-six (36) existing evergreen trees and three (3) existing deciduous trees along the southern property boundary satisfy the buffer requirement so long as the applicant agrees to the eighteen (18) month security and maintenance period as outlined in section two (2), item thirteen (13).

Regarding section two (2), item twenty (20), Ms. Holmes confirmed the applicant's intent to keep the split rail fence that exists along the Meyer Way right-of-way. Mr. Madden asked if the applicant intends to repair portions of the fence that are currently dilapidated. The applicant said those portions will be repaired if the project is approved.

Regarding section three (3), item eleven (11), Ms. Holmes expressed her concern about the safety of a mid-block crosswalk that is not stop-controlled. Mr. Riotto recognized Ms. Holmes' concerns but felt a mid-block crosswalk was necessary. Mr. Evarts also felt that people would cross at the area of the proposed crosswalk whether a crosswalk is installed or not. He also noted that the existing ramps are angled appropriately for a crosswalk.

Regarding section three (3), item fourteen (14) (b), Ms. Holmes requested the applicant not be required to complete a Post Development Traffic Study to review timing and required lane adjustments after one year of daycare operation and house construction. She added that the applicant will comply with the required Transportation Impact Study. Ms. Holmes added that she is concerned that additional construction unrelated to the proposed project could occur within one-year post construction and skew the results of a traffic study. Mr. Evarts relayed the Township's concern about stacking on Meyer Way due to the traffic generated by the approved 99 daycare enrollees.

Regarding section four (4), item thirteen (13), the applicant requested a waiver for grading within five (5) feet from the right-of-way lines. Ms. Holmes explained that the applicant will have grading requirements for the entrance along Meyer Way and the proposed stormwater management. Mr. Evarts expressed no concerns with the request.

Regarding section five (5), item seven (7), the applicant requested relief from the required tire bumpers between the double row of parking spaces. The Commission found no issue.

Regarding section five (5), item ten (10), the Planning Commission deferred approval of the residential mailbox units to the postmaster.

Ms. Holmes noted that the Ebert Engineering letter dated August 18, 2022, and the Bucks County Planning Commission letter dated August 2, 2022, were both 'will comply'.

The applicant requested several waivers. Relief was requested SALDO Section 163-13 and 163-15 requiring an Impact Statement and Educational Impact Study. The Commission found no issue with these requests.

The applicant also requested relief from SALDO Section 163-33.I requiring sidewalk and curb be installed along York Road. Mr. Madden stated that it was important to the Township and Commission that the sidewalks be installed along York Road. He explained that the Township has been putting a great deal of effort into making York Road more walkable, including the installation of sidewalks along the frontage of previously developed properties. Mr. Riotto added that the property is located within the established village center and the Township must plan for the future. Ms. Holmes expressed concern about the side slopes and vegetation along York Road and explained that a full grading would likely be needed to install ADA compliant sidewalks. Mr. Madden, Mr. Riotto, and Mr. Fink acknowledged Ms. Holmes concerns but expressed their desire for installation of the sidewalks. They noted they would be amenable to waiving the required curbing along York Road, so long as the sidewalk is inset from the road.

The applicant requested relief from SALDO Section 163-33.I requiring road widening along Meyer Way and Stony Road. Mr. Madden informed the applicant that there is regular traffic along Meyer Way and inquired about possible events at the daycare. Ms. Holmes stated that there was an event held at the daycare, the applicant would coordinate parking in front of the existing dwelling and daycare. Ms. McKeever reminded the commission that a relief regarding road widening requires a fee-in-lieu of. The Commission recommended widening along Meyer Way and relief from widening along Stony Road, with fee-in-lieu of to be set by the Board of Supervisors.

Regarding section two (2), item twenty-four (24) (h), the applicant agreed to similar light standards as those approved for Wawa and Tractor Supply.

CKS review letter dated July 6, 2022

I. Zoning

1. Acknowledged
2. Acknowledged
3. Acknowledged
4. Acknowledged
5. Will Comply
6. Acknowledged
7. Will Comply
8. Trees are sufficient but must be maintained under eighteen (18) month Maintenance period.
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. Acknowledged

II. SALDO

1. Waiver Requested; Applicant to provided aerial image
2. Township in favor of streetlight installation at entrances and unlit intersections
3. Will Comply
4. Will Comply
5. Will Comply
6. Acknowledged
7. Will Comply
8. Will Comply
9. Acknowledged
10. Will Comply
11. Trees are sufficient but must be maintained under eighteen (18) month Maintenance Period.
12. Will Comply
13. Will Comply
14. Acknowledged
15. Will Comply
16. Acknowledged
17. Acknowledged
18. Acknowledged
19. Will Comply
20. Fence to remain with necessary repairs.
21. Acknowledged
22. Will Comply
23. Acknowledged
24. Waivers:
 - a. From SLDO Section 163-13 and 163-15 which requires an Impact Statement to be submitted.
 - b. From SLDO Section 163-13 and 163-16 which requires an Educational Impact Study to be submitted.
 - c. From SLDO Section 163-33.1 which requires sidewalk and curb to be installed along York Road (SR 2007). If this waiver is granted, a fee-in-lieu of sidewalk and curb may be required per Resolutions 2008-26 and 2008-27.
 - d. From SLDO Section 163-33.1 which requires road widening to be installed along Meyer Way and Stony Road.
 - e. From SLDO Section 163-40.A which requires a 4-foot strip of grass between sidewalk and curbing.
 - f. From SLDO Section 163-40.D requiring sidewalks adjacent to angle-type parking areas shall have a minimum of 3 feet of additional width to permit pedestrian movement beyond the bumper overhang.
 - g. From SLDO Section 163-51.1.A(3) requiring that grade changes and excavation shall not encroach upon the area protection zone, which is a distance of 20 feet from the trunk of the tree, or the dripline, whichever is greater.
 - h. From SLDO Section 163-51.3.D requiring all freestanding fixture types shall be constructed of wood in a style approved by the Township.

III. Traffic and Roadway Design Comments

1. Will Comply
2. Acknowledged

3. Acknowledged
 4. Acknowledged
 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. Comments
- IV. Grading, Stormwater, and Erosion and Sedimentation Control
1. Acknowledged
 2. Acknowledged
 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
- V. General
1. Acknowledged
 2. Acknowledged
 3. Will Comply
 4. Acknowledged
 5. Will Comply
 6. Will Comply
 7. Will Comply
 8. Will Comply
 9. Will Comply
 10. Will Comply

Staff review letter dated July 6, 2022

- I. General
1. Acknowledged
 2. Acknowledged
 3. Acknowledged
 4. Acknowledged
 5. Will Comply
 6. Will Comply
 7. Will Comply
 8. Acknowledged

- II. Zoning
 - 1. Will Comply
 - 2. Acknowledged
 - 3. Acknowledged
 - 4. Acknowledged
- III. SALDO
 - 1. Will Comply
 - 2. Waiver Requested
- IV. Variances/Special Exemptions Obtained
 - 1. §195-53.C to permit a G2 Day-Care Center use in the O Zoning District.
 - a. Conditioned on Lot 2 cannot be further subdivided and only uses associated with or accessory to a B1 single-family detached dwelling shall be permitted.
- V. Waivers Requested
 - 1. §163-13 & §163-15 – To not require an Impact Assessment.
 - 2. §163-13 & §163-16 – To not require an Educational Impact Study.
 - 3. §163-33.I – To not require sidewalk along York Road.
 - 4. §163-33.I – To not required widening of Meyer Way or Stony Road.
 - 5. §163-40.A – To not require a four (4) foot grass strip adjacent to a portion of the curb along Stony Road.
 - 6. §163-40.D – To not require three (3) additional feet of walkway adjacent to angled parking.
 - 7. §163-51.1.A(1) – To permit less than the required 20 feet for tree protection zone
 - 8. §163-51.3.D(6)(c)[2] – To not require wood poles for freestanding light fixtures.

Mr. Madden invited public comment. There being none, a motion was made.

Motion made by Michael Riotto to recommend preliminary plan approval for LD 21-05: Ostroff (1908 York Road), subject to compliance with the following:

- 1. **Compliance with the CKS Engineers Review Letter dated July 6, 2022.**
- 2. **Compliance with the Staff Review Letter dated July 6, 2022.**
- 3. **The existing buffer shall be sufficient so long as a note is added to the plan noting that the existing buffer must survive per the eighteen (18) month Maintenance and Security period (CKS Review Letter Section One (1) Item Eight (8)).**
- 4. **Additional streetlights shall be required at intersections and entrances around the property that are not currently lit.**
- 5. **The applicant shall not be required to complete a Post Construction Traffic Study for signal timing.**
- 6. **Granting of the following waivers as requested in the CKS Engineers Letter dated July 6, 2022:**
 - a. **SLDO Section 163-13 and 163-15- To not require an Impact Statement.**
 - b. **SLDO Section 163-13 and 163-16- To not require an Educational Impact Statement.**
 - c. **SLDO Section 163-24.B(2)(c)[1]- To not require information for properties within 400 feet of the project.**
 - i. **Applicant to provide an aerial image.**
 - d. **SLDO Section 163-33.1- To not require curb to be installed along York Road.**
 - i. **Fee-in-lieu of curbing to be decided by Board of Supervisors.**
 - e. **SLDO Section 163-33.1- To not require road widening to be installed along Meyer Way and Stony Road.**
 - i. **Fee-in-lieu of widening to be determined by Board of Supervisors.**
 - f. **SLDO Section 163-40.D- To not require sidewalks adjacent to angle-type parking areas to have a minimum of three (3) feet of additional width to permit pedestrian movement beyond the bumper overhang.**
 - i. **Applicant must utilize curb stops in these areas.**
 - g. **SLDO Section 163-51.1.A(3)- To not require that grade changes and excavation shall not encroach upon the area protection zone, which is a distance of twenty (20) feet from the trunk of the tree, or the dripline, whichever is greater.**

- i. A note must be added to the plans that states, "Any tree to remain which dies or shows signs of disease within 18 months of dedication must be replaced with a tree similar in species and size."
- h. SLDO Section 163-51.3.D- To not require all freestanding fixture types to be constructed of wood in a style approved by the Township.
 - i. Applicant must adhere to light standards similar to those approved for the neighboring Wawa.

Seconded by Robert Fink. Motion passed unanimously.

IV. Old Business

None.

V. New Business

None.

VI. Adjournment

Motion made by Michael Riotto to adjourn; seconded by Robert Fink. Motion passed unanimously.

Meeting adjourned at 8:22 pm.

Respectfully submitted,



Brandy Mckeever, CZO
Director of Planning and Zoning