

**MEETING MINUTES**  
**February 22, 2022**  
**7:00 PM**

A Meeting of the New Britain Township Planning Commission was held on February 22, 2022, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA beginning at 7:00 p.m. In attendance were Chair Marco Tustanowsky, members Theresa Rizzo Grimes, Marco Tustanowsky, Michelle Martin, Kristen Ives, Kenneth Onsa and Board of Supervisors Liaison Stephanie Shortall. Township Assistant Planning & Zoning Officer Ryan Gehman and Township Engineer Craig Kennard were also in attendance.

**I. Pledge of Allegiance**

**II. Approval of the Minutes from the Meeting of January 25, 2022**

**MOTION: Upon motion of Mr. Scanzillo, seconded by Ms. Martin, the January 25, 2022 meeting minutes were unanimously approved.**

**III. Sewage Facility Planning Module (4A)**

Mr. Kennard introduced two Sewage Facility Planning Modules under review. He noted that they are standard forms required by EPA and that the projects are already approved. Mr. Kennard recommends a motion to approve both module components.

- a. Garton Tract Minor Subdivision**
- b. Lohin Subdivision and Land Development**

**MOTION: Upon motion of Ms. Martin, seconded by Mr. Scanzillo, both Sewage Facility Planning Modules were unanimously approved.**

**IV. 409 W Butler Ave – County Builders Mixed Use Prelim/Final Review**

Ms. Kellie McGowan, Esq., of Obermeyer Rebmann Maxwell & Hippel LLP presented the preliminary/final plan on behalf of the applicant, Mr. Kevin Reilly, for the property located at 409 W Butler Ave, Tax Map Parcel 26-005-023. The plans depict two buildings, one 8,000 SF building for office space and a roughly 27,000 SF apartment building with commercial space on the ground floor. Ms. McGowan gave a brief background on the project and notes that the Planning Commission has reviewed many plans for this property in the past, including commercial plans, warehouse plans and other residential plans. Ms. McGowan notes that the Zoning Hearing Board decision from the November 19, 2020 meeting “partially” approved the plans presented and granted relief. Ms. McGowan noted that the plans being presented are the plans as was filed with township. Mr. Reilly further clarifies that the original plan for the office building was a 2-story building with 8,000 SF on each floor, but the applicant alternatively proposed a 1 story, 11,000 SF building in their initial SALDO application. Mr. Reilly noted that a partial resubmission submitted to the Township on January 27, 2022 goes back to that original

plan. Ms. McGowan described the proposed buildings further, and noted that the applicant responded “Will Comply” to all of the items in the Gilmore review letter dated January 19, 2022.

Ms. McGowan asked for comments from the Planning Commission, while noting that the applicant is providing sidewalk along Butler Ave, along with fencing. Ms. McGowan notes that one item up for discussion is the Public Green Space on the front of the property, and asks for suggestions on what the Planning Commission would like to see there. Ms. McGowan points out that there is a proposed walking path throughout the development that links the buildings and sidewalks and provides walking space to rear of property. She notes that the rear of property is wooded and will remain so. Mr. Tustanowsky asks if the woodlands disturbance is still at 60%, to which Mr. Tom Borghetti, P.E. of Holmes Cunningham Engineering, replies that the current disturbance shown on the plans is 68.9%.

Mr. Kennard suggested it would be helpful for new Planning Commission members and the public if he was to break down what the stipulated agreement means in terms of how the property is developed. Mr. Kennard notes that the woodland disturbance was a big issue when coming to an agreement for the project, and noted that there was more planning and engineering than normal because of this. Mr. Kennard went on to note that the Stipulated Agreement requires the Township to grant Preliminary/Final approval within 90 days and that the meeting should be focused on planning comments and resident input. Mr. Kennard noted that recommendations to the Board of Supervisors are welcome as conditions of approval. He went on to point out that sidewalk is being extended off site and that stormwater management is being put in place. Mr. Kennard also noted that the newly proposed building lowers the parking requirement due to it having less square footage, requiring only 66 parking spaces whereas the larger building required 92. Mr. Reilly mentioned that there is going to be a bus stop for the DART bus line at the entrance of the property. Mr. Tustanowsky noted that the project is still pending PennDOT improvements, to which Ms. McGowan stated that per Bucks County Planning Commission, the site is overparked as planned.

Mr. Tustanowsky asked the applicant if the proposed apartments are similar to the ones constructed at 409 E Butler Ave in New Britain Borough. Mr. Reilly stated that they are similar, being Luxury, class A apartments that are predominantly studio and 1 bedrooms. Mr. Scanzillo asked Ms. McGowan to break down what a stipulated agreement is to the residents. Ms. McGowan described a stipulated agreement and what it entails. The Planning Commission had no further comments on the plans and opened the meeting up to public comment.

## **V. Public Comment**

Craig Cane of 24 Cedar Hill Road expressed concerns about stormwater controls and noted that he currently suffers from stormwater issues at his property. Mr. Cane also asked about the elevation of the parking lot, and suggested adjusting the retaining wall to block lights from the parking area behind the proposed buildings. Mr. Kennard noted that if the developer agrees, this item can be a condition of approval. Mr. Reilly agreed to this and noted that they are meeting with the owners of Spatola’s to discuss putting sidewalk across the front of their property and digging a swale at the rear of the property.

Brian Blackburn of 19 Cedar Hill Rd asked about the design of the retention basin. Mr. Borghetti explains the design, indicating that it is a vegetated basin that holds water for 24-72 hours and slowly drains out. Another resident who did not state their name asked if the retention basin will drain towards any

wetlands, to which Mr. Borghetti responds that they did not find any wetlands on the site. The same resident asked about setbacks from the walking trail and parking lot and Mr. Borghetti showed the setbacks on the plans.

Mary Margaret Briggs of 245 Forest Park Dr stated that her son lives on Circle Drive and has concerns about drainage towards his property and the motor lodge. Mr. Borghetti noted that the drainage from the site will go from the southwest corner to the northeast corner. Mr. Tustanowsky noted that the meeting is not to discuss the motor lodge as it is not being developed. Ms. Briggs asked the planning commission to pay attention to the corner closer to the motor lodge if the property does get developed.

Chris Trom of 25 Cedar Hill Rd asked questions about the proposed lighting on the property. Mr. Reilly showed Mr. Trom the lighting plan and Mr. Borghetti pointed out that the mounting height for the proposed lights is 15 feet. Mr. Kennard noted that any houses that have a view directly to a light can be added to the list of conditions as something that will be remedied after construction. Mr. Trom asked about what actions are being taken to prevent sound from reaching nearby neighbors. Mr. Reilly stated that the plan does propose new trees at the back of the property to potentially block sound. Mr. Tustanowsky states that the well-being of the surrounding residents has been taken into account from the start of the project.

Brian Blackburn of 19 Cedar Hill Rd asked about the turn lane being installed and asked if there will be traffic signals. Mr. Reilly described the turn lanes being installed and stated that a traffic study indicated that a light is not warranted at the intersection so there will be no traffic signals.

Mr. Tustanowsky asked if the Planning Commission has any further concerns, and informed the applicant that they will not need to appear in front of the Planning Commission again. Mr. Kennard recommended the Planning Commission grant Preliminary/Final approval subject to the following conditions:

- 1. The applicant shall comply with the Gilmore review letter dated 1/19/2022.**
- 2. The applicant shall comply with the Bucks County Planning Commission review letter dated 1/18/2022.**
- 3. The applicant shall comply with the Fire Marshal's review letter dated 1/11/2022.**
- 4. The plans shall be updated to show a privacy fence along the rear parking lot, subject to Township Engineer approval.**
- 5. The applicant shall memorialize off-site stormwater improvements on the plans, subject to BOS approval.**
- 6. If the Township receives any complaints regarding lighting or sound after construction is completed, the applicant shall adjust any lighting or buffering as recommended by the Township Engineer.**
- 7. The applicant shall comply with the Holmes & Cunningham response letter dated**

**2/11/2022 in response to the Gilmore review letter dated 1/19/2022.**

**MOTION: Upon motion of Ms. Martin, seconded by Ms. Rizzo, the conditions for Preliminary/Final approval were approved. Mr. Scanzillo abstained.**

**VI. Adjournment**

**MOTION: Upon motion of Mr. Scanzillo, seconded by Ms. Martin, and unanimously carried to adjourn the meeting at 7:40 p.m.**

Respectfully Submitted,

\_\_\_\_\_  
Marco Tustanowsky, Chair

\_\_\_\_\_  
Ryan Gehman, Assistant Planning & Zoning Officer