

## **MEETING MINUTES**

**March 22, 2022**

**7:00 PM**

A meeting of the New Britain Township Planning Commission was held on March 22, 2022, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA beginning at 7:00 p.m. In attendance were members Jim Scanzillo, Michelle Martin, Kristen Ives, Kenneth Onsa and Board 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 March 8, 2022**

**MOTION: Upon motion of Ms. Martin, seconded by Ms. Ives, and unanimously carried, the March 8, 2022 meeting minutes were approved.**

### **III. 1 Highpoint Dr – Preliminary Plan Review**

Kellie McGowan, Esq. introduced the applicant, Joe Morrissey of Foxlane Homes. Ms. McGowan briefly introduced the project and stated that the applicant was requesting Preliminary/Final Plan approval. Ms. McGowan briefly discussed the background of the project, including a previous Zoning Hearing Board decision, a Conditional Use hearing, and Board of Supervisors approval of a previously submitted Sketch Plan. Ms. McGowan went on to describe the project itself, noting the number of units and how the current plan reduces the number of units initially proposed by the Applicant. Ms. McGowan described the layout of the site, noting that the section of the site on the east side of Highpoint Drive is being preserved as open space. Ms. McGowan notes there are areas with active recreation facilities along with a walking trail through the site. Plans to conduct off-site improvements including sidewalk along Schoolhouse Rd were also noted. Ms. McGowan explained that the applicant is providing all of the active recreation area required per the Ordinance, along with a fee in lieu of to the Township for \$2,500/unit, as well as an additional \$2,500/unit as a part of the Conditional Use.

Ms. McGowan introduced the Waiver Letter submitted to the Township on March 22, 2022, noting that the applicant was requesting a total of 16 waivers. Each waiver was presented and Ms. McGowan stated the applicant's justification for each waiver requested. Ms. McGowan noted that some of the waivers, specifically waivers 2, 6 and 10 were driven by conditions dictated in the Conditional Use Hearing for the project. After discussion of the waivers, Ms. McGowan noted that the review letters received from Gilmore & Associates, the Township Fire Marshal, and Bucks County Planning Commission are all Will Comply. Ms. McGowan asked the Planning Commission if they had any comments or questions about the plans or waivers. The Planning Commission had no further comments and opened the meeting up to public comment.

### **IV. Public Comment**

Eileen Bates of 118 Glennbrook Court asked if the developer has any plans to add traffic lights to the site. Ms. McGowan responded by saying that no new traffic lights or improvements will be installed on

site, though there will be a warning device at the intersection of Highpoint Dr and Upper State Rd as a condition of approval at the Conditional Use Hearing. Mr. Kennard noted that there will be flashing lights and signage installed at the intersection following PennDOT standards.

Steve Byrnes of 209 Prince William Way asked if there was any consideration of where traffic volume will be going off of Upper State Rd and if there will be additional traffic volume along Schoolhouse Rd. Ms. McGowan stated that the developer did conduct studies regarding this issue for their traffic impact study and found that there would be no deterioration of any intersections in the area, and that all movements operated at an accessible level of service at County Line Rd and Horizon Dr, Upper State Rd and Schoolhouse Rd, and Upper State Rd and Highpoint Dr. Ms. McGowan noted that all studies were conducted at peak hours, and found no decrease in the level of service. Mr. Kennard noted that the applicant had to justify their use as part of the Conditional Use Hearing and part of that justification involved traffic volume. Mr. Kennard went on to note that both himself and the Board felt that the sight line issue was a bigger problem than speeding along Schoolhouse Rd. Mr. Burns said that theoretically if you add 2 cars per dwelling unit to volume it would add to the volume, and though it is not a huge increase, it is an increase nonetheless. Mr. Kennard responded by saying that the potential volume to be added did not warrant any additional requirements from the Township or State.

Doug Pavone of 406 Remington Court asked if the applicant had considered prohibiting construction vehicles from accessing the site via Schoolhouse Road. Mr. Morrissey stated that keeping the construction vehicles to Highpoint Drive would be acceptable, and noted that he had a similar project recently where they had an entirely separate emergency access for similar reasons, so he could certainly comply with this request. Mr. Kennard noted that once the applicant receives Board of Supervisors approval, they will have a staff meeting where issues like this one are discussed, so it can be a condition of approval for the applicant at that time. Mr. Morrissey then recommended for John Rathfon to give the resident his contact information so that he can be contacted should any issues arise during construction.

Sharon Hood of 108 Country View Lane asked if there are any trees or buffers proposed around the pond on the northwest corner of the site. Ms. McGowan responded that they are still working through the tree placement around the site but they are adding trees everywhere they can. Ms. McGowan went on to point out that there is a fairly high tree replacement requirement for the site, and that they are trying to fit more along the little farms border than are currently proposed. Mr. Kennard commented that after construction is complete, there will be an inspection of the buffer to check for gaps and fill them in if any are found.

Theresa Iannucci of 306 Glenbrook Way asked how the development will affect sewer and water capacity, if there is going to be any blasting, and how the applicant proposes to maintain the proposed ponds on the property. Mr. Rathfon stated that although they did not excavate everywhere they wanted to due to the existing facilities on site, there was no indication that blasting would be required after testing the soil in areas they were able to access. Mr. Kennard noted that there are a lot of regulations and notification requirements regarding blasting, so any nearby residents would be notified if there was to be blasting done on site. Mr. Rathfon went on to answer the resident's question about water and sewer capacity by saying that the Chalfont-New Britain Township Joint Sewer Authority as well as North Wales Water Authority have stated that the site can handle the capacity. Mr. Kennard noted that the site currently has 50 EDUs, so the applicant will have to work with the authorities and purchase additional EDUs. In regard to the question about pond maintenance, Mr. Rathfon stated that the HOA would be managing the ponds on site on a regular basis as well as treating the pond annually or bi-annually for vegetation and mosquitoes, along with implementing aerators or fountains. Ms. McGowan

pointed out that in addition to these measures, the applicant will be required to sign a Stormwater Operation and Maintenance Agreement with the Township that ensures that the facilities are managed.

Sylvia Mahoney of 121 Glenbrook Court asked the applicant how long construction will be from start to finish following demolition. Mr. Morrissey stated that assuming everything goes to plan in terms of permitting, he expects to receive final approval over the summer, break ground in early fall and pave by the end of the year. Mr. Morrissey went on to estimate that by early 2023, his company will be selling roughly 5 homes per month. At this rate, he continued, the homes would take slightly more than 2 years to sell. Mr. Rathfon noted that the Philadelphia Sports Club is still occupying the building through early June, so demolition would likely start this summer and improvements would begin in the fall.

Linda John of 125 Heath Court asked if it is known whether the Philadelphia Sports Club buildings contain any asbestos, and if there will be a crosswalk installed at Schoolhouse Road, as it is a busy road and there may be new students walking to Butler Elementary. Mr. Rathfon stated that there is asbestos present in the building, but prior to any construction or demolition, an asbestos remediation contractor who is certified by the state will be required to remove it. Mr. Rathfon noted that there are very strict protocols with such a job. Ms. John responded to this by asking if the applicant will be recycling materials during demolition such as old copper, etc. Mr. Rathfon said the demolition contractors do recycle materials from demolition to keep costs down.

Scott Mill of Van Cleef Engineering responded to the question regarding crosswalks and said that the applicant plans to provide a trail from the site to the intersection of Highpoint Dr and Schoolhouse Rd, where there is an existing crosswalk. Ms. John responded that more signage may be needed at the intersection. Karl Janetka added that whatever signage is required for a pedestrian crosswalk will be installed at the intersection.

Judy Kartman of 113 Heath Court asked what the applicant estimates the price of the homes will be. Mr. Morrissey stated that due to increased construction costs, the estimated price of the homes would be in the low \$500,000's, likely close to \$600,000.

There were no further public comments.

Mr. Kennard made a comment that items D.1 and D.2 can be removed from the Gilmore & Associates review letter as they were addressed as part of the Conditional Use approval. Mr. Kennard then asked if the applicant will indicate Will Comply to all of the other items, to which Ms. McGowan responded they would.

Mr. Kennard offered to craft a motion to grant Preliminary/Final Plan approval, subject to the waivers identified by Van Cleef Engineering's March 22, 2022 waiver request letter, the Gilmore & Associates March 15, 2022 review letter (striking items D.1 & D.2), the Fire Marshal's February 10, 2022 review letter, the Bucks County Planning Commission's February 15, 2022 review letter, the applicant's Conditional Use Approval dated July 19, 2021, and the condition that no construction vehicles are to access the site via Schoolhouse Rd during construction/demolition and that the applicant will provide alternate access of the site.

**MOTION: Upon motion of Ms. Martin, seconded by Mr. Onsa, and unanimously carried, the conditions for Preliminary/Final Plan approval were approved.**

**V. Adjournment**

**MOTION: Upon motion of Ms. Martin, seconded by Ms. Ives, and unanimously carried, the meeting was adjourned at 7:39 p.m.**

Respectfully Submitted,

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Marco Tustanowsky, Chair

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Ryan Gehman, Assistant Planning & Zoning Officer