

MEETING MINUTES
April 26, 2022
7:00 PM

A meeting of the New Britain Township Planning Commission was held on April, 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, Deb Rendon and Theresa Rizzo-Grimes. 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 22, 2022

MOTION: Upon motion of Ms. Martin, seconded by Ms. Ives, and unanimously carried, the March 22, 2022 meeting minutes were approved.

III. County Line Rd & West Butler Ave (Toll Brothers) – Sketch Plan Review

Nate Fox, Esq. of Obermayer Rebmann Maxwell & Hippel LLP introduced himself and his clients, Brian Thierrin and Alex Geonnotti of Toll Brothers. Brian Thierrin is Toll Brothers' Senior VP of Development for Pennsylvania & Delaware and Alex Geonnotti is Toll Brothers' Land Entitlement Manager.

Fox introduced the project at the CTP Management Property. He went on to describe the location of the site and noted that the lot is one of three lots that were approved to be developed under the Planned Community Center Mixed-Use (PCCM) use. Fox then discussed Exhibits 1-3 in the packet distributed to the Planning Commission. These exhibits included the 2018 Zoning Hearing Board decision, Conditional Use approval, and Land Development approval that allowed the previous developer to conduct a PCCM use on the site. Fox also noted Exhibit 4, §27-305.J.J31.b.1 of the New Britain Township Zoning Ordinance (permitted uses for the PCCM use).

Fox introduced the uses proposed for the site. The applicant is proposing a B5 Single Family Attached use and B6 Multifamily Residential use. He then went on to discuss Exhibits 6-9, the Declaration of Covenants, Restrictions and Easements for the property, and a sketch plan for each proposed use. Thierrin explained that the B6 use is a stacked townhome design with interlocking, stacked units. He further explained that the B6 units contain 2 floors each, stacked on top of one another. Thierrin noted the proposed B6 homes would be deeper and narrower than the proposed B5 homes, and that 64 B6 units are proposed.

Fox introduced the B5 plan, noting that the applicant would prefer to develop the property with this use. Fox stated that the applicant prefers the aesthetics of this use and feels it would be better suited to the site. Thierrin went on to explain the B5 plan in more detail, noting there are 54 B5 units proposed. He continued to explain that the footprint is not as narrow or deep as the proposed B6 units, allowing for better buffering of the homes.

Fox began to discuss Exhibit 9 (Proposed B5 Single-Family Attached Site Plan), noting that there was more detail shown in regard to buffering. He stated that the applicant had received feedback from the Board of Supervisors suggesting the addition of trail connections from the residential community along Airy Ave through the site and the addition of a signalized intersection at Butler Ave and the Wawa entrance to encourage connectivity between the residential and commercial areas. Fox noted that the applicant was only presenting a sketch plan so they were looking for feedback more than anything. He went on to note that Gilmore reviewed the sketch plans and the applicant may need waivers when officially submitted.

Ms. Rendon asked for clarification on how pedestrians will get from the trail connection along Road C to the intersection on Butler Ave. Mr. Thierrin stated that sidewalk is proposed from the end of Road C along the Wawa entrance out to Butler Ave. Mr. Fox noted that the striping of the crosswalk at Butler Ave is not shown on the plan and asked Mr. Kennard if that is still in progress. Mr. Kennard stated that he is unsure of the status of the crosswalk. Mr. Kennard went on to ask if the easements for the trail connection at the back of the property out to Airy Ave have been secured or if they would need to be acquired. Mr. Thierrin stated that they do not have easements yet and would need to acquire them. Mr. Kennard then noted that the topic of connectivity in this area was previously discussed with the Board of Supervisors.

Ms. Ives asked if any easements currently exist on the property. Mr. Thierrin noted that there is a conservation easement on site. Mr. Kennard noted that the easements were put in place during development of the Wawa and would stay where they are. Mr. Fox reiterated that the easements would not be touched.

Ms. Rizzo-Grimes asked the applicant to confirm that the proposed houses come right up to the easement. Mr. Thierrin stated that they are required to maintain a buffer to the easement, and Mr. Kennard noted that the buffer is a Zoning requirement so the applicant would have to comply. Ms. Rizzo-Grimes asked for clarification on what PCCM means and how the applicant is able to conduct this use in the C-1 district. Mr. Kennard stated that PCCM is a use in the Zoning Ordinance that is permitted in the C-1 district, and because the original 15-acre site was converted to the PCCM use, this lot would have to be developed in that way.

Ms. Rizzo-Grimes asked if the PCCM use requires the density that the applicant is proposing. Mr. Fox stated that the applicant proposed the maximum density allowed on the site, not necessarily in terms of density per acre but in regard to site constraints. Fox noted that the parcel is oddly shaped and required the applicant to design in the manner that they did. Ms. Rizzo-Grimes stated that the property does not meet the requirements for a PCCM use as it is less than 15 acres which is the required minimum lot area for PCCM uses. Mr. Kennard noted that the applicant already received dimensional Zoning relief back in 2018, and that the Conditional Use approval received in 2018 dictated how the lots involved could be developed, which included how dense they could be.

A discussion between Ms. Rendon and Mr. Kennard ensued about the density of the project. Mr. Fox noted that there was a series of decisions made prior to his client's purchasing of the property that made the requirements of the site what they are today. Ms. Rendon asked about potential relief needed, and a discussion ensued about waivers. Mr. Kennard stated that the applicant will likely need waivers but that will be determined formally later in the process.

Ms. Rizzo-Grimes stated that she felt that the proposed B6 layout looked dangerous and needed wider roads. She also stated that she felt that the proposed design of the driveways and layout of the units could lead to automobile accidents. Mr. Fox noted that the applicant prefers the B5 partly because of those reasons. Mr. Fox noted that he is not aware of any townhome communities that have turnarounds in the driveways and that backing out of the driveway onto the road is standard. Mr. Kennard noted that the Colebrook development doesn't have a turnaround but has wider driveways to provide more parking area and easier access.

Ms. Rendon asked if there were any amenities for the residents. Mr. Fox stated that the applicant is proposing a trail for pedestrian activity, some common open space and noted the comment in the Gilmore Review letter regarding bicycle parking for residents. Ms. Rendon asked if there is outdoor access proposed for the units, to which Mr. Thierrin stated that all of the units would have decks. Mr. Thierrin also stated that they are open to putting in a pocket park in the proposed open space area adjacent to Extra Space Storage. Ms. Rendon stated that she felt a tot-lot should be considered as a minimal amenity. A discussion about the proposed trail ensued. Topics involving buffering were discussed, and Mr. Scanzillo asked Mr. Thierrin if Toll has plans to work with the residents of Airy Ave if buffering issues came up post-construction. Mr. Thierrin stated that he would absolutely work with nearby residents. A discussion about screening the trail ensued before the floor was opened for public comment.

Mr. Tustanowsky was not present at the meeting but submitted comments via email to Mr. Gehman. Mr. Tustanowsky suggested that the height of the proposed buildings may be intimidating to existing neighbors and recommended the applicant consider 2 story buildings. If 3 story buildings are pursued, however, Mr. Tustanowsky stated that he preferred the B6 concept, but recommended moving the open space area to the northwestern side of the property rather to provide more space between the existing and proposed homes. Mr. Tustanowsky also recommended more buffering of the trail along the northwestern side of the property.

IV. Public Comment

Darryl Presti, owner of 517 W Butler Ave asked about the width of the proposed Road C and if it is expected to cross any wetlands. Mr. Thierrin stated that the road will likely end up being 24-25' wide, but they need to work out the details with the Township. Mr. Presti stated that he is concerned that motorists would enter the development through Wawa's entrance to get to the proposed homes along Road B. Mr. Kennard noted that the Board of Supervisors recommended Road C be full access rather than for emergencies only for this reason. Mr. Thierrin noted that a traffic study will need to be conducted at the time of Preliminary Plan submission. Mr. Kennard noted that PennDOT and the Township will be required to sign off on the traffic study.

Mr. Presti asked if Road C as shown on the proposed plans has been proposed in other projects and denied due to wetlands on the site. Craig stated that as long as the applicants receive a wetland permit from DEP, a road will be permitted to be installed where it is proposed on the plan. Mr. Presti asked about lighting and if street lights will be installed throughout the site. Mr. Thierrin responded that the lighting has not been planned yet. Mr. Kennard reiterated that the applicant was only presenting a Sketch Plan to the Planning Commission and that the applicant could still need relief from SALDO.

Annette McCann of Montgomery Township expressed her concerns about motorists speeding down County Line Rd. She also expressed concerns about noise along County Line Rd from traffic. Ms. McCann asked if a traffic signal will be installed at the entrance of the development off of County Line Rd. Mr. Kennard stated that he agrees with her concerns about speed, but noted that PennDOT approved all of the road improvements put in place for Wawa and because both Butler Ave and County Line Rd are state-owned roads, the township has no final say in if a light is installed. Mr. Kennard noted that other improvements along County Line Rd were proposed during the development of Wawa but PennDOT did not move forward with them.

Ms. Rendon asked if there was any possibility of connecting Road C with Road A. Mr. Thierrin stated that he can look into it but noted that there is a water line easement through that area.

George Schueller of 525 Airy Ave expressed concerns about drainage along Airy Ave. Mr. Schueller stated that Airy Ave already has drainage issues. Mr. Schueller then pointed out that the natural grade of the site looks to already drain towards Airy Ave. Mr. Thierrin reassured Mr. Schueller that Toll will be responsible for not making the drainage to surrounding properties any worse per Township regulations. Mr. Thierrin also suggested installing swales and berms along the edge of the property that abuts the properties off of Airy Ave to catch some of the runoff. Mr. Schueller asked how tall the proposed buildings are. Mr. Thierrin responded that the proposed buildings are 35' high.

Carol Herceg of 78 Schoolhouse Rd asked if there was any way residents could have a say in the project since the PCCM use was approved in 2018. Mr. Kennard explained that the Zoning Hearing Board granted relief to conduct the use, but the Zoning Hearing Board does not grant approval for Land Development projects. A discussion ensued about other permitted uses on the property and their feasibility. Another discussion about the aesthetics of the proposed units ensued, in which Ms. Rendon stated that she felt the proposed houses look like commercial buildings.

Bridget McLaughlin of New Britain Borough expressed her concerns about habitat fragmentation, water/air pollution, increased car dependency and traffic increases that could arise from the proposed project. Ms. McLaughlin stated that she hopes future planning down the line will consider those things.

Ms. Rizzo-Grimes asked if residents were notified that the applicant was presenting to the Planning Commission. Mr. Gehman stated that resident notifications are not required for Sketch Plan presentations. Mr. Kennard noted that he wanted to look at changing the SALDO so that residents are notified for Sketch Plan reviews.

Kathleen Blum of 708 Stafford Ct stated that she would prefer the B5 use over the B6 use. Ms. Blum argued that it is unlikely that stacked condominiums would have back doors and decks. Mr. Fox responded that it depends on the final design, but generally speaking, the resident was correct in that the B6 layout would provide more common green space for the site as a whole, while the B5 use would allow for more private green space per dwelling. Ms. Blum asked if it is too early to hear the price point of the homes, to which Mr. Thierrin responded that the units will likely be somewhere in the \$500,000 range.

Mr. Kennard noted that the next step for the applicant is likely going to be the Conditional Use application. Mr. Scanzillo commented that the Conditional Use hearing is where the residents can have the most impact, as that is the time where conditions can be placed on an approval of the project. Ms. Rizzo-Grimes noted that after Conditional Use approval, the applicant will still be required to go through

the Land Development process where they would have to come back to the Planning Commission again. Mr. Fox noted that during both of these steps, resident notifications are required. Ms. Rizzo-Grimes asked who gets the final say on the density of the site, to which Mr. Scanzillo responded that the Board of Supervisors gets the final say. Ms. Rendon asked that if an applicant goes before the Board of Supervisors prior to presenting to the Planning Commission, the Planning Commission be invited or notified in some way.

Bruce Robinson of 105 Circle Dr expressed concerns that trees that were to be preserved as conditions of approval for previous projects are not being taken care of and asked that those issues be followed with. Mr. Kennard noted other projects he has worked on where trees were required to be preserved, and how they do not always end up being preserved as proposed. Mr. Kennard noted the large number of conservation easements the Township has and how the Board is looking into how to monitor them more effectively. Ms. Rendon noted the death rate of trees lately and how that is contributing to the lack of trees in developed areas. Mr. Robinson recommended that if trees die/are removed, they should be replaced. Mr. Robinson also recommended buffering of large shopping centers like is done in southern states.

Mr. Presti of 517 W Butler Ave stated that when the Wawa was developed, he had requested that the developer install "Do Not Block Entrance" signs along the frontage of his business, but they were never put in and his entrance is blocked often. Mr. Kennard stated that the project is almost closed out and that it would be up to PennDOT to ensure that those signs are installed.

V. Adjournment

MOTION: Upon motion of Ms. Rizzo-Grimes, seconded by Ms. Martin, and unanimously carried, the meeting was adjourned at 8:07 p.m.

Respectfully Submitted,

Marco Tustanowsky, Chair

Ryan Gehman, Assistant Planning & Zoning Officer