

MEETING MINUTES

April 25, 2023

7:00 PM

A meeting of the New Britain Township Planning Commission was held on April 25, 2023, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA beginning at 7:00 p.m. In attendance were Vice Chair Jim Scanzillo, Secretary Deborah Rendon, and members Michelle Martin, Theresa Rizzo-Grimes, and Kristen Ives. Township Assistant Planning & Zoning Officer Ryan Gehman, Township Director of Planning & Zoning Dave Conroy and Township Engineer Craig Kennard were also in attendance.

I. Pledge of Allegiance

II. Approval of the Minutes from the Meeting of March 28, 2023

MOTION: Upon motion of Ms. Rizzo Grimes, seconded by Ms. Rendon, and unanimously carried, the March 28, 2023 meeting minutes were approved.

III. 137 S Limekiln Pike – Preliminary/Final Minor Subdivision

Rachel Butch introduced herself and Jim D'Angelo of Prestige Property Partners, LLC, the applicant. Butch gave background information on the project, noting that it is a 5-acre site in SR-2 zoning district, and that it is currently improved with a 4-unit B6 multifamily building. Butch noted that the use is not permitted by right due to the lot area, but that the applicant received dimensional relief to allow the use to continue.

Butch stated that all of the improvements are proposed on Lot 2, including construction of a B1 Single Family Dwelling, driveway and rain garden for stormwater management. She stated that all comments in the BCPC review letter are will comply and said the same of the Gilmore letter April 18 2023, with the exception of 4 waivers being requested.

Regarding water and sewer, Butch stated that the existing multifamily building has an existing well and septic which will remain. She stated that the proposed Single-Family Dwelling is proposed to have on-lot septic but will connect to public water through NWWA.

Ms. Rendon asked for clarification regarding the existing driveway to lot 1. Butch responded that there is an existing utility and shared driveway easement with TMP 26-010-028 that permits the multifamily building to take access from S Limekiln Pike, and that this will stay the same.

Mr. Kennard noted that the applicant's Zoning relief was the main issue that needed to be resolved, but that the applicant is now in compliance with regard to the proposed lot area for existing dwelling. Mr. Kennard also noted that PennDOT reviewed the plans and had no comments with regard to the proposed driveway.

The applicant asked if Mr. Kennard's office had any issues with waivers being requested. Mr. Kennard stated that his office supports the waivers.

Ms. Rizzo-Grimes asked for further clarification of the existing and proposed driveways. Butch pointed out the driveways on the plan. Ms. Rendon asked if it was possible to eliminate the shared driveway and provide a dedicated driveway to the multifamily dwelling. Butch responded that the owners have considered installing a new driveway but will not be pursuing it with this application.

MOTION: Upon motion of Ms. Rendon, seconded by Ms. Martin, and unanimously carried, the Planning Commission recommended Preliminary/Final Approval conditioned on compliance with the April 18, 2023 Gilmore & Associates review letter.

IV. County Line Rd & West Butler Ave (Birch Run) – Conditional Use Application

Mr. Kennard noted that the Planning Commission has seen the previous iterations of the plans for this project and that they were not substantially different from the plans in front of them. He continued that the review was for Conditional Use only, and that the applicant will need to come back for Preliminary and Final approval of the plans. Mr. Kennard recommended the Planning Commission discuss possible reasonable conditions as it relates to the Conditional Use but save other comments for the Preliminary Review of the plans.

Mr. Scanzillo clarified that a Conditional Use is a use that is permitted by Zoning with the stipulation that the Board of Supervisors are permitted to put certain conditions on it if desired.

Nate Fox, Esq. from Obermayer Rebmann Maxwell & Hippel LLP introduced himself and Brian Thierrin, Senior Vice President of Toll Brothers, along with John Baionno from ESE Consulting. Fox reiterated that he and his client were presenting plans and a Conditional Use Application as part of a Planned Community Center Mixed Use (PCCM) development. Fox showed the plan to the audience and explained the PCCM designation.

Fox noted previous relief granted by the Zoning Hearing Board and a previous Conditional Use Approval for the Wawa at 525 W Butler Ave. Fox stated that the subject property can only be developed within the PCCM use regulations.

Referring to the plan, Fox stated that the initial plan proposed 66 B6 Stacked Townhouse units, but after working to come into compliance with Zoning requirements for the property, the number of units was reduced to 45 B5 Single Family Attached homes at a by-right density. Fox stated that there is a benefit to the Township in the form of .9 acres of open space that was required as part of the development of the entire site. He went on to discuss the Gilmore review letter of the Conditional Use documents.

Fox stated that the Gilmore letter is will comply and noted 3 items that the applicant is requesting the Board of Supervisors consider waiving relating to signage requirements, building height and disturbance of a conservation easement. A discussion ensued about the waivers being requested.

Mr. Kennard asked if everything else in the Gilmore Review is will comply, to which Fox responded yes. A discussion ensued about the proposed community amenities. Ms. Rendon noted that a tot lot was not

being proposed on the site. Thierrin responded that Toll is trying to move away from installing tot lots due to liability issues. Mr. Kennard noted that he had heard similar sentiments in other townships and noted that the applicant will pay a fee in lieu of Park and Rec space. Ms. Rendon asked about the possibility of installing more benches and community amenities. Thierrin indicated he was amenable to adding more amenities.

A discussion ensued about future connections from Proposed Road B to the neighboring property (505 W Butler Ave). Fox said an easement will be shown on the Land Development plans in the event that the storage building is removed, and a road becomes viable in that location.

Ms. Rizzo-Grimes asked if the conservation easement area that Road B is proposed to encroach on would otherwise just be open space. Mr. Kennard stated that there is a water line easement through the area. Ms. Rizzo-Grimes asked if the Township is being compensated for the loss of the easement, and Mr. Kennard responded that the applicant would plant trees.

Ms. Rendon asked if there were discussions with PennDOT regarding restricting left hand turns onto County Line Rd. Thierrin stated that they are looking into restricting the times that left turns are allowed but noted that they will comply with whatever recommendations PennDOT provides.

Mr. Kennard recommended supporting the waivers requested for the project.

MOTION: Upon motion of Ms. Rendon, seconded by Ms. Martin, the Planning Commission recommended approval of the Conditional Use conditioned on compliance with the April 19, 2023 Gilmore review letter and the addition of more benches and community amenities. Ms. Rizzo-Grimes opposed.

V. Public Comment

There was no public comment.

VI. Sketch Plan Discussion

Mr. Scanzillo noted that this item was added by the Chair, who was not present at the meeting. As such, Mr. Scanzillo asked for a motion to table the item until the next meeting. Ms. Rendon recommended that Township staff gather information regarding how other Township's process Sketch Plans. Ms. Rizzo-Grimes noted that she feels that residents should be notified about Sketch Plan applications.

MOTION: Upon motion of Ms. Rendon, seconded by Ms. Martin, and unanimously carried, the Planning Commission recommended tabling the Sketch Plan Discussion agenda item until the next Planning Commission meeting.

VII. Adjournment

MOTION: Upon motion of Ms. Rizzo-Grimes, seconded by Ms. Rendon, and unanimously carried, the meeting was adjourned at 7:48 p.m.

Respectfully Submitted,

Marco Tustanowsky, Chair

Ryan Gehman, Assistant Planning & Zoning Officer