



## WARRINGTON TOWNSHIP PLANNING DEPARTMENT MINUTES FOR MAY 5, 2015

The regular meeting of the Warrington Township Planning Department was held on May 5, 2015, 7:00 p.m., at the Township Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

### **ATTENDANCE:**

Present: Gerald Anderson, Board of Supervisors Member, Marianne Achenbach, Board of Supervisors Member, Timothy J. Tieperman, Township Manager, Lee Greenberg, Township Zoning Officer, and Fred Gaines, Warrington Township Planning Commission. Staff members present were William H.R. Casey, Esq., Township Solicitor; Thomas A. Gockowski P.E, Township Engineer, and Roy W. Rieder, P.E., Director of Planning and Special Projects.

### **MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE**

The meeting opened at 7:00 PM with a moment of silence and a pledge to the flag.

### **AGENDA ITEMS:**

#### **1. Approval of Minutes**

Mr. Anderson asked if there were any corrections to the minutes of April 8, 2015. Mr. Greenberg moved to accept the minutes; Ms. Achenbach seconded. The minutes were approved 5-0.

#### **2. Sketch/Concept Plans**

A. Victor Meitner, Esq., representing Dr. Eble, presented a revised sketch plan depicting a four-lot subdivision at the northwest corner of the intersection of Stump Road and Pickertown Road near the Lingo tract. The plan had been revised to keep the existing farmhouse and barn on one parcel rather than two. The proposed lots vary in size from 1.3 to 4.2 acres. During the discussion, it was mentioned that denser developments are approved on both sides of this development, Hickory Ridge has been built to the west, and the Lingo subdivision is approved in the R-3 zone to the east. Mr. Gaines stated that this was an area where a density greater than allowed in the current RA zoning made good sense.

Mr. Meitner stated that the revised sketch depicted a bicycle trail along the Pickertown Road frontage which had been desired. He also reiterated that the owner was willing to keep the existing historic facades on the existing structures. Mr. Meitner said that the applicant would seek waivers from the required curbs and sidewalks in order to preserve the existing rural character of the area.

The current sketch does not conform to the existing RA zoning. The applicant would need to obtain a variance from the Zoning Hearing Board or the area would need to be re-zoned to allow the desired density. Mr. Anderson stated that spot zoning must not occur. Mr. Casey gave the opinion that changing the zoning to conform better to the approved/existing development on either side of the property would not constitute spot zoning.

Mr. Greenberg made a motion, seconded by Mr. Gaines, to send the sketch plan to the Board of Supervisors for their comment. The motion passed 5-0. Mr. Meitner will prepare an application for consideration by the Board of Supervisors to re-zone the Meitner tract to enable development of the proposed plan.

### **3. Preliminary/Final Minor Subdivision Plan – 2105 Bristol Road**

James D'Angelo appeared representing the owner of 2105 Bristol Road. This subdivision plan had previously been before the Planning Department in June 2014. This review is in response to Carroll Engineering Corporation's most recent review letter. Since the 2014 appearance the applicant has removed proposed curb and sidewalk from the plan and is requesting a waiver from installing curbs and sidewalks along the frontage. Mr. Gockowski stated that installing curbs and sidewalks would interfere with the existing drainage. Paul Zadworniak, 1412 Guinea Lane, expressed concern about stormwater issues because the applicant had previously not submitted a stormwater management plan. Mr. Gockowski stated that the applicant has submitted a conceptual stormwater plan which is satisfactory, and that the applicant would be required to conduct the testing and prepare a detailed stormwater management plan when a building permit is submitted. Mr. Zadworniak asked if he would be able to express his concerns before the full Board of Supervisors, and Mr. Anderson said he was welcome to address the issue when the application is before the Board. Mr. Anderson directed Mr. Tieperman to obtain contact information for Mr. Zadworniak so he could be notified when the subdivision is on the Board of Supervisors agenda.

Mr. D'Angelo stated that the applicant would comply with the comments contained in the Carroll Engineering Corporation review letter dated April 30, 2015.

Mr. Gaines made a motion, seconded by Ms. Achenbach, to recommend Preliminary/Final Subdivision approval to the Board of Supervisors. The motion passed 5-0.

### **4. Preliminary Land Development Plan – MM Storage (Malcolm's)**

Robert W. Gundlach, Jr., Esq. appeared representing the applicant. This project had previously received conditional use approval from the Board of Supervisors. Mr. Anderson asked about the timetable for demolishing the structures as many residents are eager to see the site cleaned up. Mr. Gundlach stated that most of the exterior cleanup had been completed, the fuel tanks were removed, and the contamination was remediated. Currently, materials inside the buildings are being removed and being disposed in accordance with applicable regulations. Upon disposal of those materials, probably within two weeks, removal of asbestos will begin. After asbestos removal, the demolition permits will be submitted.

Mr. Anderson discussed the Bucks County Planning Commission and Township Engineer reviews. One item that had been pointed out in the County review was the need to coordinate with the fire marshal. Mr. Greenberg stated that the fire marshal would thoroughly review the plan. One area of concern for Mr. Greenberg was access to the building from the south and west. He stated that the fire marshal will work with the applicant to address access. Mr. Gockowski stated that the plan showed proposed street trees inside the ultimate right-of-way that must be moved. No street trees should be planted within the right-of-way.

Mr. Gundlach stated that the applicant would comply with the Township Engineer's review letter dated April 30, 2015. The applicant will provide a full architectural rendering of the proposed building prior to appearing before the Board of Supervisors.

Ms. Achenbach made a motion, seconded by Mr. Greenberg, recommending that the Board of Supervisors consider preliminary land development approval. The motion passed 5-0. Mr. Anderson

requested Mr. Tieperman to schedule the project for consideration by the Board of Supervisors on May 12 provided that the applicant submits the required architectural renderings by noon, Friday, May 8.

#### **5. Zoning Activities**

Mr. Greenberg stated that the proposed cell tower at Earthborne, 160 Titus Avenue, had been denied because Earthborne did not want to move the cell site from the edge of the property. Mr. Anderson asked Mr. Tieperman to contact Earthborne to determine what adjustments could be possible to obtain the needed zoning relief.

Mr. Greenberg stated that a special Zoning Hearing Board meeting was scheduled for May 20 to consider the zoning appeal for Victory Gardens. He also said that an application for a variance to allow a caretaker's apartment at 366 Easton Road would be considered in June.

#### **6. Other Business Items**

No other business items were discussed.

#### **7. Waiver Requests**

There were no waiver requests.

#### **8. Conditional Use Applications**

There were no conditional use applications to consider.

#### **9. Planning Commission Activities**

Mr. Gaines stated that the Planning Commission had met with the advisory boards on April 16. When asked what they saw as the major issues facing the township, rapid development and increased density were commonly mentioned. Their suggested solutions included allowing no more zoning changes or implementing a moratorium on future development.

Mr. Anderson stated that the township had enacted a moratorium about 25 years ago and that it was a very arduous process with many legal requirements. He stated that any moratorium could not exceed 18 months and that it could only be imposed to implement a change in the zoning ordinance while correcting a defect. Mr. Casey confirmed what Mr. Anderson had stated. Mr. Anderson said that the previous moratorium had been imposed while the township was addressing a curative amendment.

The Planning Commission had been intending to interview the township staff to get their input on what they perceived as needs in the township. The Planning Commission wanted to use the advisory board input and staff input to develop a survey for the public. Mr. Anderson said that he felt direct interviews with staff would put them in an awkward position. He asked that the Planning Commission coordinate with Mr. Tieperman.

Ms. Achenbach requested that articles be made available to the public concerning the rights of property owners to develop and the procedures being followed in the process and the survey be worded in such a manner that the public is educated and informed of the issues, regulations, and restrictions placed

on the township when considering applications. Mr. Gaines agreed to provide the proposed survey to the Board of Supervisors for their review and approval prior to issuing the survey.

**10. Economic Activities**

Mr. Tieperman stated that groundbreaking for Walmart would occur on May 6, 2015 and that Walmart intends to be open in November. He also stated that Bar Louie plans to open a restaurant in Valley Square where Champps was to have been fit out.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:58 PM. The next meeting will be June 2, 2015, at 7:00 PM.

Respectfully Submitted By:



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Timothy J. Tieperman, Township Manager