

## **Warrington Township Planning Commission Minutes for June 3, 2010 Meeting**

The regular meeting of the Warrington Township Planning Commission was held at 7:37 pm. May 3, 2010 at the Tamenand Middle School, Building located at 852 Easton Road, Warrington, PA 18976. The members present were as follows:

Douglas E. Skinner	Chairman
Shirley Yannich	Vice-Chair
Steven Tiberio	Secretary
Frank Gonser	Member
Roy Rieder	Carroll Engineering
Michael Mrozinski	Director of Planning and Development

### **2. Call to Order/ Pledge of Allegiance:**

The meeting opened with the Pledge of Allegiance

### **3. Public Comments:**

Mike Kelly, 135 Muirfield Ln

Mr. Kelly inquired about the status of the height restrictions in the zoning ordinances. Mr. Mrozinski is reviewing the latest revisions, and they are due to be submitted to the Board of Supervisors.

Mitch Meyerson, 12 Langhorne Rd, Chalfont

Mr. Meyerson questioned the gain in employment if TEVA was to move to Warrington. He also was upset that there was not more notification of the neighboring municipalities. The TEVA project will have impact on them as well.

Mr. Skinner reviewed the process for the evening. The Planning Commission is just an advisory board and they review and recommend based on the technical aspects in relation to the ordinances.

### **4. New Business:**

#### **4.1 Review of the Zoning Change and Comprehensive Plan Amendment for TEVA Pharmaceuticals, Lower State Rd, Limekiln Pk and Mill Creek Rd, 161.73 Acres.**

The Board of Supervisors asked for recommendation from the Planning Commission regarding this zoning change application. There will not be a decision tonight to allow for all information to be presented and all residents be allow to voice their concerns. After the Planning Commission recommendation, the application will go before the Board of Supervisors again.

This application is being represented this evening by a group, each member representing an aspect of the application.

Robert Gundlach spoke first and gave a summary of the project and its development, including the requested zoning change. The change requested is changing the 31 acre PRD zoned parcel and

splitting it into two parcels with 23 acres changing to PI2 to match the acreage in this project and the remaining 9 changing to C1 to be consistent with the zoning already at the corner of County Line and Lower State Rd. and Limekiln Pike. It is possible for them to complete the project with the zoning as it now stands, but with this zoning change, they will be able to move the buildings back and expand the buffering and screening.

**Ed Klimek, KSS Architects**

Mr. Klimek showed the differences between and the benefits for the by right versus the preferred plan which requires the zoning change. The spur road that is planned would be the split between the two zonings. They can complete the project without the zoning changes and remain within the requirements of the ordinances. They would prefer to have the zoning change to double the setbacks, move loading docks to the internal portion of the property, and increase the berming and screenings. The differences were show from several different perspectives and vantages.

**Casey More, McMahon Associates, Traffic Engineer**

Mr. More show several renderings of the site with various improvements. They were asked to evaluated 22 intersections and focus on the key ones affected by the project. Key issues affecting this location is the completion of the 202 Parkway (2011 date) and the work being done in the WD1 and WD 2 improvements scheduled for County Line Rd. The WD2 section is at this time unfunded by PENNDOT, but includes widening County Line to 5 lanes with a double left turn land on Limekiln Pk onto County Line, and lowering the "hump" on County Line Rd. just south of Lower State Rd. The \$9 million in roadway improvements including the spur road proposed has been approved by PENNDOT and could be completed by 2013. This would coincide with the opening of the TEVA facility, with the full operational capacity slated for 2015. They plan to encourage the trucks to use the 309, 202, County Line, Lower State route. They anticipate 90% would use this route. They also evaluated the peak times and expect 75-100 trucks a day initially, growing to the 150-200 a day when fully operational.

Mr. More stated that the rezoning should have no impact on the traffic issues.

**Ken Amey, Comprehensive Land Planning**

Mr. Amey stated that this rezoning makes sense, even without the TEVA project. It would be unlikely that this could be used as residential with the anticipated spur road and the quarry as a neighbor. It would also help limit access to the spur road in that section for greater safety.

**RESIDENTS**

**Tom Inglese, 3211 Riding Ct**

Mr. Inglese stated there would still be such a problem with the traffic even with the improvements and they do not go far enough to alleviate the problems.

**Betty Hejna, 3506 Limekiln Pk**

Ms. Hejna questioned the use of 2020 Parkway since there is not supposed to be trucks allowed.

**Fraser Wall, 1733 Sorrel Rd**

Mr. Wall stated trucks had always been allowed on 202

**Jeff Friedman 375 Cedar Waxwing Dr**

Mr. Friedman asked if any improvements were slated for further down County Line Rd. He lives in Bradford Green and there is currently no light there and numerous accidents and long wait times to exit.

**Bruce Bailey 1606 County Line Rd**

Mr. Bailey said he cannot make a left out of his driveway now when there is only two lanes of traffic; five lanes will make it impossible.

**Diane Dunbar, 1008 Linden Way**

Ms. Dunbar stated concern regarding the on-site activities. She was assured there is no manufacturing, only storage and shipping.

**Mike Carr, 318 Victoria Way**

Mr. Carr questioned how they were going to abide by the township's noise ordinance, specifically the 11:30 pm to 7am ban on back up alarms. The applicant stated they were prepared to comply with all township ordinances

**Dennis Loverdi, 75 Kulp Rd W**

Mr. Loverdi expressed concern that the berms needed to be closer to the buildings to hide them and that adding more trucks would not help the traffic problems. He asked how far it is from the spur road to the intersection on Lower State Rd - 810 Ft.

**Louise Davidson, 159 Stump Rd**

Ms. Davidson concerns were issues of safety and hazardous materials. She listed them as follows: Explosive material storage, MSDS sheet requirements, Right to know issue, explosion/toxic gas dangers, the necessity of truck placarding for hazardous materials, the possibility of having to evacuate local facilities (ie: schools) in the event of a spill or fire, and an on-site hazmat team.

**Darrin Kenney, 3510 Limekiln Pk**

Mr. Kenney wanted to know if there were any plans to widen Limekiln Pk. He was anticipating a bottleneck at the spur road

**Kristin Donahue, 605 Musket Ct**

Ms. Donahue asked if the spur road would be built regardless if TEVA was to help or not. She wanted to know if the need to change the zoning was to move loading docks to help them comply with the noise ordinance.

**Spencer Borine, 206 Rebecca Ct**

Mr. Borine thought that this land was zone as it was for a reason, that the township wanted residential development for the PRD zoned area. Also, if TEVA is looking for this relief, what relief request is next?

**Pat Walsh, 1896 Chestnut St**

Ms. Walsh stated she was for this project and the zoning change. The people of the area need to be sure to make the most of what TEVA can bring to the community.

**Todd Pierzchala, 25 Kulp Rd E**

Mr. Pierzchala was concerned regarding the noise and added volume the truck traffic would bring to the area. The site can be buffered, but the roads cannot. He was interested in why TEVA had chosen this site instead of one closer to the main arteries and transportation

**Mitch Meyerson 12 Langhorne Rd, Chalfont**

Mr. Meyerson said this presentation and project is coming across as a threat. He feels that as the parkway is completed, the development along it will follow. He also wondered why TEVA is choosing to be so far from major roadways.

**Jordan Yeager, Attorney for the Warrington Coalition**

- Mr. Yeager stated that this project does not conform to the comprehensive plan.
- Mr. Yeager encouraged the Planning Commission to look to the best interests of the community as a whole, not just this one group. Heavy industrial uses in a residential area are not a good mix.
- Mr. Yeager asked when this traffic study was completed and was a review completed. The study was just submitted to the township yesterday afternoon, so no review has been completed. The review letter from the Bucks County Planning Commission was also just received this afternoon.
- He asked if any uses had been proposed for the C1, and there have not been any submissions.
- He stated it seemed as if TEVA is pushing the township. Mr. Skinner assured him there would be a complete review of any and all submissions.
- Mr. Yeager questioned the time constraints required by the township's ordinances for this submission. It was believed to be a 30 day deadline, but this may only be for residential submissions. This will be confirmed with the township's solicitor.
- The location change was in issue in that there was not enough notification for the residents.

**Ken Foladare, 3185 Fox Dr**

- Mr. Foladare asked there was to be a vote tonight. Mr. Skinner said there would not be to allow for the review of the newest submissions and residential comment. Mr. Foladare asked if the residents could have enough time to review the new review letters and traffic study as well
- Mr. Foladare said this location does not make sense for TEVA and that with the time line for construction the entire will be disrupted for several years, even with the plan to have the spur road in place by the opening of the TEVA site for operations
- Mr. Foladare also expressed concern regarding the increased security risk since this is a pharmaceuticals company and is Israeli owned.

**Fraser Wall, 1733 Sorrel Rd**

Mr. Wall stated these road improvements are only benefiting TEVA.

**Mike Kelly, 135 Muirfield Ln**

- Mr. Kelly asked if they ever intended to have more employees than the anticipated 464. The original plan had a possible office building for the future. The applicant stated there was no further job positions planned.
- TEVA is not going to be reimbursed by PENNDOT for their roadway improvements.
- Mr. Kelly confirmed that even with the rezoning for the additional acreage, there would still

be loading docks on the Limekiln Pike side of the project.

- Mr. Kelly stated that with the new plan for Limekiln Pk, the cul-de-sac that would be Woodlawn Ave would be too long per township ordinance.
- Mr. Kelly questioned why there have been a different percentage of trucks using Rt 611 at each meeting.
- Mr. Kelly asked if the air base is part of TEVA's plan. The answer was no per Mr. Gundlach and Mr. Murry.

**Eric Ross, 3577 Gray Fox Dr**

Mr. Ross stated that the proposed berming seemed inadequate for the building size. He asked if an environmental impact statement was required for zoning changes: it is not.

**John McGowan, 30 Kulp Rd E.**

Mr. McGowan related an article regarding a TEVA site in California that they had released contaminated product. He stated we should be protecting the public.

**John O'Sullivan, 305 Victoria Way**

Mr. O'Sullivan stated that the projections are only for full capacity as planned, but no growth is taken into account.

**Kyle Kelly, 706 Abbey Ct**

Mr. Kelly asked if there had been any review of the affects on the number and severity of accidents with the anticipated increased traffic. It was stated that the improvements will help offset any increase.

**Rodney Wright, 1104 Fieldcrest Ct**

Mr. Wright asked regarding the types of truck required and if refrigerated trucks would be used. His concern was the added noise. The volume of the truck traffic was his concern.

**Charlotte Hill, 17 Woodlawn Ave**

Ms. Hill questioned why there is now access to the site from Limekiln; this was not on the original plan.

**Joe Kirby, 145 Muirfield Ln.**

Mr. Kirby was questioning the amount and size of berming and screen plantings as well as the use of fencing. He also questioned the ability to control the truck routes, since it was stated in the initial meeting that they had little control over the third party carriers.

We were requested to close the meeting at 11pm by the staff. There will be another meeting scheduled to allow all information to be reviewed and the residents to voice their opinions.

**6. Approval of Minutes:**

**6.1 April 1, 2010**

This was tabled due to the length of the meeting.

**7. Posting of Minutes:**

**7.1 May 6, 2010**

This was tabled due to the length of the meeting.

**7. Adjournment:**

There was a motion by Mr. Skinner and seconded by Ms. Yannich to continue at a later date with the time and place to be determined, Motion passed with a vote of 4-0

Recorder: Amy Organeck