

**Milford Township
Planning Commission**

Meeting Minutes of February 23, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Susan Edwards, Secretary; Merv Afflerbach, Member; and Malcolm Vinger, Member.

Staff Present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; and Pete Andersen, Township Engineer.

Chairman Fran Murray called the Planning Commission Meeting of February 23, 2022 to order at 7:03 p.m.

Minutes:

A **MOTION** was made by Susan Edwards and seconded by Fran Murray, to approve the minutes from the December 29, 2021 meeting.

Re-Organization:

Edwin Bolton nominated Fran Murray to serve as Chairman, the nomination was seconded by Susan Edwards.

Fran Murray nominated Edwin Bolton to serve as Vice Chair, Susan Edwards seconded the nomination.

Fran Murray nominated Susan Edwards to serve as Secretary, Edwin Bolton second the nomination.

Plan Acceptance:

The following plans were accepted for formal review:

Benner Tract, Minor Subdivision/Lot Line Change, 1370 Kumry Road, TMP# 23-001-128, 23-001-129, 23-001-130

Rosenberger Road U-Haul, Sketch Plan, 2075 Rosenberger Road, TMP# 23-010-073

Millstone at Parkside (previously the Reserve at Milford), Final Plan of Subdivision, Foulks Mill and Allentown Road, TMP# 23-010-137, 23-010-144-003, and 23-010-145

Zakusilo Tract, Lot Line Change, 2952 Old Woods Road, TMP# 23-020-120 and 23-020-121

Milford Village Section 1, Route 663, TMP# 23-010-175-001, Conditional Use Application

Milford Village Section 1-Retail, Route 663, TMP# 23-010-175-001, Preliminary Plan

Milford Village Section 1-Apartments, Route 663, TMP# 23-010-175-001, Preliminary Plan

Subdivision/Land Development:

Faith Christian, Preliminary Plan of Land Development, 2255 Allentown Road, TMP# 23-010-112-001. Mr. Scott Mease of Mease Engineering was in attendance to present the Land Development proposal on behalf of Faith Christian Academy. The Applicant proposes improvements to the existing athletic facilities, construction of an indoor batting cage, a snack stand, bleachers, and lighting for the soccer field. Mr. Murray asked Mr. Andersen to discuss the Andersen Engineering Review letter dated February 11, 2022. Mr. Andersen stated the applicant proposes and impervious surface coverage of 18% where 40% is allowed. The application includes the installation of overhead lighting for the artificial turf soccer field. The poles for the lights are 70 feet tall. The zoning ordinance allows poles of this height if they are located 105 feet from the closest property line. He closest distance to a property line is 350 feet. Glare beyond the property line prohibited. Mease Engineering has submitted information regarding the light intensity at the boundary of the soccer field. Mr. Andersen stated he has requested light intensity data at the tract property lines. Mr. Mease noted he will at the data to the plan. Mr. Mease stated

Stormwater Management Plans were submitted and reviewed and the proposal meets the township ordinance. Mr. Mease further stated the previously submitted and approved NPDES Permit will need to be modified slightly. Following review of the Bucks County Planning Commission Letter it was noted the Commission has no comment on the requested waivers which include relief from roadway improvements, curbs, and sidewalks along Allentown and Breisch Road; relief from street trees; and relief from locating features within 400 feet of the property. The Bucks County Planning Commission also had concerns with the possible glare from the proposed lights as well as the height of the light poles. The Commission noted the Township officials should ensure the proposed lighting meets the requirements under the Airport Zoning Overlay District as well. It was noted that the Applicant must submit a Sewage Facilities Planning Module Application Mailer to DEP to determine if an Act 537 Planning Module is required for the proposed land development. Mr. Mease stated an application form has been submitted to the Airport Authority and he is waiting to hear back. He further stated that if proposed height is under 200 feet there is no need to submit an application. Mr. Vey stated he has a discussion with the Airport Authority and there should be no issues. Mr. Murray asked Mr. Mease how close the proposed light poles are to the nearest property line as there is concern with the glare. Mr. Mease stated the light will be directed downward with limited spread. Mr. Vey stated he looked at the access to Breisch Road and questions if anything can be done to prohibit obstruction from neighboring properties. Mr. Clymer from Faith Christian stated he is aware of a situation that occurred with a bus visiting from the city. The existing sign will be moved 10 feet closer to the intersection and will be lighted. Mr. Andresen stated the plan proposes the dedication of the ultimate rights-of-way Allentown Road and Briesch Road. The dedication of Allentown Road should be accepted and a discussion of Breisch Road should occur. There was no further discussion at this time.

Mr. Afflerbach made a MOTION, seconded by Mr. Bolton and passed unanimously, to recommend Preliminary/Final Approval of land development for the property located at 2255 Allentown Road, TMP# 23-010-112-001 subject to compliance with the Andersen Engineering letter dated February 11, 2022; the Bucks County Planning Commission review letter dated February 16, 2022; and light intensity calculations being added to the plan.

Mood, Waiver of Land Development Request, John Fries Highway, TMP# 23-010-100-001. Thomas and Matthew Mood were in attendance to present the proposed waiver of land development request. The Applicant proposes to construct a building for agricultural storage and retail of their agricultural products. Mr. Murray asked how the proposal would not be considered a land development proposal. Katie Mood stated they are seeking approval to construct a building to sell their product out of. The building would replace the existing removable structures. The Mood family now owns the adjacent parcels as well. Mrs. Mood stated Windy Spring Farms has operated a farm stand at the current location since the 1960's. The products sold at the farm stand are raised and grown on their property. The addition of a permanent structure would provide a more appealing appearance. Mrs. Mood further stated the back 2-acre parcel was purchased prior to them purchasing the parcel that the farm stand currently sits on, and all the parcels are used for agricultural purposes. Mrs. Mood stated the previously approved plans, prior to their purchase of the parcel, should not be warranted. The approval called for the extension of Progress Drive to Rosenberger Road. Mr. Bolton asked if all the structures currently located on the property would be removed and replaced with one structure. Mrs. Mood stated yes. Mr. Vey stated township staff has met with the Moods and are favorable predisposed to try to assist in anyway. One thing realized is the property was acquired with conditions that require signalization of the Rosenberger Road progress drive intersection along with the extension of Progress Drive to 663. The proposal cleans up the current operations and a continuation of what has been done. The Applicant is in receipt of a PennDOT low volume drive Occupancy Permit to Route 663 which PennDOT may want to review. There are concerns with left turns into the site which may be able to be handled with simple painting which may lead to the shifting of lanes. This proposal will consolidate what is currently on site. Mr. Murray asked if the extension of Progress Drive was to go through the parcel and align with Rosenberger Road. Mr. Vey stated yes. Mr. Vinger stated he does not see how this proposal would warrant the public improvements as they are only seeking approval to replace the multiple existing structures with one structure and that there is a whole section of the road in that general area that needs to be fixed. Mr. Vey stated the applicant does have a PennDOT permit and it could be deferred to PennDOT. Milford takes great pride in the agricultural community. Mr. Murray asked if not

requiring the installation of the extension of Progress Drive to a signalized intersection with Rosenberger Road would be problematic in the future. Mr. Vey stated roadway improvements is part of the land development process and anything coming in in the future, that is not a farm stand on commercial property, would definitely be part of the solution. Mr. Bolton asked if the intersection is to be a full-blown intersection. Mr. Vey stated yes, that is the intent. Engineering was performed at the time Milford Pointe came in with their proposal, PennDOT was involved with the planning of the intersection. Mr. Bolton stated long range, he would like to see Rosenberger Road stay the way it is, right in, right out and not cross Route 663. Mr. Mood stated he was told PennDOT would not allow another traffic signal so close to the existing signal. Mr. Vey stated the township is in receipt of a Sketch Plan for a proposed U-Haul at the corner of Rosenberger Road and Route 663. Located at this intersection is a vacant parcel along with commercial property owned by the Moods. Mr. Bolton asked, with these properties, there is no guarantee that a fully signalized intersection is expected, and we are not denying them the use of the property by not building a road, correct? Mr. Vey stated no, this would not be a denial of the use of the property. If a fully signalized intersection is not constructed Milford Square Pike would be utilized as it is currently. Mr. Murray asked if public water and sewer is available to the site. Mr. Mood replied there is along with a storm sewer along the front of the property. Mr. Murray asked if more parking would be needed. Mr. Mood stated he does not see the need for additional parking. Mr. Murray asked if the plan would be presented to the Board of Supervisors for review. Mr. Vey stated yes.

Mr. Vinger made a MOTION of recommendation to the Board of Supervisors to grant the waiver of land development request for the property located along John Fries Highway, TMP# 23-010-100-001. The motion was seconded by Mr. Afflerbach. The motion passed in a three to two vote with Mr. Murray and Mrs. Edwards voting nay.

Vacubraze, Inc., Waiver of Land Development, 2200 Kumry Road, TMP# 23-021-12-002. Mr. Scott McMackin of Cowan Associates was in attendance to present the waiver of land development request. Mr. McMackin gave a brief overview of the proposal. The applicant appeared before the Board late last year and has made the recommended revisions to the plan. The plans have been revised to address comments received in Andersen Engineering Review letters and discussions with Milford Township staff. Mr. Ralph Puerta gave a summary of the how the business operates. With the business slowly expanding the additional floorspace and storage areas are necessary.

Mr. Murray asked Mr. Andersen to present the review of the plan. Mr. Andersen stated the plans have been revised to include a stone infiltration trench and impoundment area north of the parking area to collect stormwater. The current plan proposes a 16,747 square foot building addition onto a 39,649 square foot existing building. The majority of the addition will be constructed on existing stone areas. Approximately 2,500 square feet of pervious grass pavers will be installed to account for approximately 2,500 square feet of proposed impervious surface coverage. The plans propose a total disturbance of 0.78 acres, under the threshold value of 1.0 acre that requires an NPDES permit. There are no proposed changes along Kumry or Allentown Roads. In order to decrease the stormwater runoff from the site, a four-foot wide infiltration trench is proposed along approximately 200 feet of the northern edge of the existing stone area. Mr. Andersen stated the proposal would not have a negative effect on the neighboring properties and said this is an applicable waiver request. Mr. Andersen stated if feasible, connection to a public water system should occur. There is an existing Trumbauersville Water fire hydrant along the properties Kumry Road frontage. There is an existing Milford Township Water Authority water main on Allentown Road some distance away. A consideration should be given to determine if road widening, curbs and sidewalk installation should occur. Mr. Andersen noted there are currently no curbs or sidewalks in the direct area. Mr. Murray asked if the building was being run with no public water. Mr. McMackin stated that is correct, a private well exists on-site. Mr. Bolton stated he believes the watermain is undersized even though a fire hydrant exists. Mr. McMackin stated the plan is not a land development plan. They are seeking approval to build an addition on existing impervious surface where no other improvements are proposed at this time as the driveways and parking exist. The township had requested the applicant look at stormwater management even though there is no increase in impervious surface to try to mitigate some of the existing flooding of Allentown Road. Mr. Vinger asked if the use of the addition would require additional water. Mr. Puerta stated no and the water that is used is recycled through a closed system.

The only water that is used is that of the lavatories. Mr. Murray noted the impervious surface of the roof addition will be dumped on the back of the property towards Allentown Road or on the parking area. The 16,000 square foot area would be funneled onto another area. Mr. Andersen stated he would assume downspouts would be installed and it would be a sheet flow over the area. Mr. McMackin noted the roof drains could be installed in a way that the stormwater runoff could be directed to the stormwater facility. Mr. Andresen stated that would be a good idea. Mr. Vey asked if any calculations have been done at this time and if the proposed trench would intercept the existing flow of stormwater. Mr. McMackin stated the trench will run along the rear of the existing parking lot. The facility was designed as a hybrid type of system, stone in the sub surface with a small berm above ground. The smaller storms will get into the stone and infiltrate, the larger storms will pond then slowly infiltrate. Mr. Vey asked if the trench could be extended if needed in the future. Mr. McMackin stated it could. Mr. Murray stated whatever is done there would be a benefit. Mr. Bolton stated he agrees with the need to improve the stormwater run-off. Mr. McMackin stated the applicant will be submitting grading and stormwater management plans for review by the Township Engineer. Mr. Murray stated he is in favor of approval of the requested Waiver of Land Development with the condition the applicant submits grading and stormwater management plans for review by the Township Engineer. Mr. Bolton stated he would support that as well. Mrs. Edwards asked what the thought was regarding the requested waiver of the requirement for public water. Mr. Vinger stated public water is not needed. Mr. Bolton stated he is in support of the waiver of the requirement for public water as the watermain is undersized and there is no change to the amount of water to be used on site. Mrs. Edwards also noted a waiver has been requested for the installation of road widening and the installation of curbs and sidewalks. Mrs. Edwards further stated she does not see the need for the installation as they do not exist currently.

Mr. Vinger made a MOTION to recommend approval of the requested Waiver of Land Development with the condition the applicant submit a Grading and Stormwater Management plan for review and approval of the Township Engineer. The Planning Commission recommends the dedication of additional right-of-way be offered to the Township. Mr. Bolton seconded the motion and the motion passed unanimously.

Milford Village Section 1-Apartments, Route 663, TMP# 23-010-175-001, Preliminary Plan: Mr. Del Markward of Milford Village inquired as to the acceptance of the Milford Village Apartment Land Development Plan. Mr. Murray stated the plans are accepted, however; will not be reviewed until the proper fees have been received. Mr. Markward stated fees were paid. Mr. Murray stated as he understands it the fees submitted were not the correct fees. Mr. Markward stated the fee paid was what he thought made the most sense off the existing fee schedule. It was noted Mr. Markward would appear before the Board of Supervisors to discuss the proper fees at the March 1, 2022 Board of meeting. Mr. Vey stated there is a discrepancy between the language residential, non-residential, and subdivision noted on the fee schedule. Mr. Vey stated what is before the Planning Commission tonight is, are the plans stamped in for acceptance for review and the acceptance could be conditioned upon the outcome at the upcoming Board of Supervisors meeting. Mr. Bolton stated so long as the clock starts once the proper fees are received. Mr. Bolton stated for clarification if the plan is accepted or not accepted for review at this time. Mr. Vey stated the Township Solicitor should review the requirements found in the Municipal Planning Code regarding the ninety-day review period.

Mr. Bolton made a MOTION to accept the plan for review with the condition the review begin once the correct fees have been received and a review performed by the Township Solicitor. Mrs. Edwards seconded the motion. The motion passed unanimously.

With there being no further discussion Mrs. Edwards made a **MOTION** to adjourn the February 23, 2022 Planning Commission meeting at 8:17 p.m. Mr. Bolton seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of March 30, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Susan Edwards, Secretary; Merv Afflerbach, Member; and Malcolm Vinger, Member.

Staff Present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; and Kevin Wolf, Township Engineer; Bryn-Erin Kerr, Bucks County Planning Commission.

Chairman Fran Murray called the Planning Commission Meeting of February 23, 2022 to order at 7:03 p.m.

Minutes:

A **MOTION** was made by Susan Edwards and seconded by Fran Murray, to approve the minutes from the February 23, 2022 meeting.

Special Exception:

Justine & Matthew Gonzalez, 2215 Trolley Bridge Road, TMP# 23-5-135. The Applicant(s) propose to construct an addition to the side of an existing single-family dwelling. After review of the plan no comments were made.

Mr. Bolton made a MOTION to recommend approval of the Special Exception for the extension of a non-conforming structure for the property located at 2215 Trolley Bridge Road, TMP# 23-5-135. The motion was seconded by Mrs. Edwards and passed unanimously.

Subdivision/Land Development:

Benner Tract, Minor Subdivision/Lot Line Change, 1370 Kumry Road, TMP# 23-1-128, 23-1-129, 23-1-130.

Mr. Robert Irick of Irick, Eberhardt & Mientus was in attendance to present the proposal on behalf of the Applicant. The Applicant proposes to adjust the lot lines of TMP# 23-1-129, 23-1-128, and 23-1-130 resulting in a lot size of 2.3336 acres for TMP# 23-1-128, 2.8696 acres for TMP# 23-1-129, and .5444 acres for TMP# 23-1-130. A single-family dwelling is located on each lot and will remain. No construction is proposed at this time. Mr. Irick addressed the Andersen Engineering Review Letter dated February 11, 2022. Comment Z-1 states TMP# 23-1-130 is undersized. The plan proposes to make the existing non-conformity less non-conforming. Mr. Irick stated the property has been in existence more than 100-years and is shown on a survey with a date of 1961, which predates enactment of the Zoning Ordinance. The plan proposes to dedicate the ultimate right-of-way of Kumry Road to Milford Township. A portion of the existing houses located on TMP# 23-1-129 and 23-1-130 are within the ultimate right-of-way. Due to the location of the houses the ultimate right-of-way will have "jogs" around the existing houses. Mr. Irick stated the right-of-way is 50' and matches the Quakertown Area Comprehensive Plan. The Subdivision and Land Development comments were addressed at this time. As noted on the plan the locations of the on-lot sewage disposal systems for the structures on TMP# 23-1-129 and 23-1-130 are unknown. Mr. Irick stated both systems are pre-regulatory and have been in existence. The system located on TMP# 23-1-129 was found to be functioning satisfactorily following a test of the system preformed in May of 2021. It is noted an easement should be provided for the existing storm sewer that starts on TMP# 23-1-129 then crosses over 23-1-130, and discharges into the roadside swale of Kumry Road. Mr. Irick stated an easement will be provided. The Applicant has requested waivers from the follow SALDO requirements: Section 505.b.1).3) relief from cartway widening, as minimal traffic will be created; Section 516.b. installation of curbs as this is not characteristic of the area; Section 519.a. installation of sidewalks as sidewalks are not characteristic of the area; Section 520.a.1. relief from street trees planted at 40-foot intervals, as the frontage is partially wooded and street trees area proposed along the frontage without adequate vegetation; Section 701.c. relief from providing a Site Context Map, the plan will have a minimal effect on the neighborhood; and Section 701.e. relief from Existing Resources and Site Analysis plan, as the information is deemed unnecessary. There were no further comments at this time.

Mr. Bolton made a MOTION to recommend Preliminary/Final Plan Approval of the Minor Subdivision Plan for the property located at 1370 Kumry Road, TMP#'s 23-1-128, 23-1-129, and 23-1-130, along with granting the requested waivers and compliance with the Andersen Engineering Review Letter dated February 11, 2022 and the Bucks County Planning Commission Letter dated March 1, 2022. Mrs. Edwards seconded the motion. The motion passed unanimously.

Millstone at Parkside (previously the Reserve at Milford), Final Plan of Subdivision, Foulks Mill and Allentown Road, TMP# 23-10-137, 23-10-144-3, and 23-10-145. Mr. David Caracausa of Centennial Acquisitions and Mr. Kirk Clauss of Schlosser & Clauss Consulting Engineers were in attendance to present the proposed subdivision plan. Mr. Caracausa gave a brief recap of the plan. The applicant proposes to subdivide the 37.92 acre site into 33 lots. There are 31 single family dwelling lots and 2 open space lots proposed. Mr. Caracausa stated Millstone at Parkside, formally known as Reserve at Milford, was granted preliminary approval on January 4, 2010. Mr. Caracausa stated there has been no change in the layout of the plan and no new waivers are being requested. Mr. Caracausa stated he is looking for a recommendation to move the plan forward to the Board of Supervisors. Mr. Murray stated there are several engineer comments to be discussed. Mr. Murray stated a sledding hill once proposed on Lot 33 now shows a rain garden. Mr. Caracausa stated DEP has required stormwater facilities on Lot 33. Mr. Clauss stated the NPDES permit has been extended and is active and in place. Concerns with a rain garden being located at the bottom of a sledding hill were discussed. It was noted that a diversion berm be impossible to facilitate. Mr. Murray inquired if the comments found in the Andersen Engineering Review Letter dated February 23, 2022 are will comply to which Mr. Caracausa replied yes. Mr. Caracausa stated he will be seeking an amendment to the Preliminary Approval sequencing regarding the installation of sidewalks and the like. Mr. Murray stated that would be a decision made by the Board of Supervisors not the Planning Commission. Mr. Caracausa stated Mr. Wolf issued a separate letter with respect to the existing driveway. Mr. Caracausa stated the questions regarding the driveway have been put rest to which Mr. Wolf agreed. Mr. Murray asked Mr. Wolf if he had any concerns or additional comments with the proposal. Mr. Wolf stated he did not. Mrs. Kerr stated the preliminary plan approval letter, dated January 15, 2010, noted the revised plan would show a 120-foot long macadam trail along Mill Road beginning at Allentown Road and partially extending through Lot 32. The trail is not shown on the revised plan. The final plan should indicate compliance with all conditions of the preliminary plan approval. Mr. Caracausa stated this would be discussed with the Board of Supervisors. There were no further comments at this time.

Mr. Bolton made a MOTION to recommend Final Plan Approval of the proposed Millstone at Parkside Plan for the property located at Foulks Mill and Allentown Road, TMP #23-10-137, 23-10-144-3, and 23-10-145 with the following conditions: Compliance with the Andersen Engineering Review letter dated February 23, 2022; Compliance with the Bucks County Review Letter dated March 16, 2022; Review of construction sequencing; and the inclusion of walking path with connection. Mrs. Edwards seconded the motion. The motion passed unanimously.

With there being no further discussion Mr. Bolton made a MOTION to adjourn the March 30, 2022 Planning Commission meeting at 7:38 p.m. Mrs. Edwards seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of April 27, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Merv Afflerbach, Member; and Malcolm Vinger, Member.

Staff Present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; and Kevin Wolf, Township Engineer; Bryn-Erin Kerr, Bucks County Planning Commission.

Chairman Fran Murray called the Planning Commission Meeting of April 27, 2022 to order at 7:02 p.m.

Minutes:

A **MOTION** was made by Mr. Afflerbach and seconded by Mr. Bolton, to approve the minutes from the March 30, 2022 meeting.

Subdivision/Land Development:

U-Haul, Sketch Plan, 2075 Rosenberger Road, TMP 23-10-73. Matthew McHugh of Klehr Harrison Harvey Branzburg LL was in attendance to present the proposal. The Applicant, U-Haul, proposes to construct a 3-story self-storage facility consisting of 118,781 square feet and a 1-story self-storage facility consisting of 10,559 square feet on a 6.46-acre tract. Mr. McHugh stated the proposal includes a self-storage component located in the building, retail moving supply sales, truck, and trailer rental and the second building would store the U-Boxes which are portable moving trailers similar to a POD. The plan is presented as a Sketch Plan. The Applicant is looking for feedback as there are several zoning and land development questions that need to be answered prior to moving forward with the submission of a Land Development Application. Kevin Wolf presented the Andersen Engineering Associates, Inc. review letter dated April 14, 2022. Comment Z-1 states that Section 403 of the Zoning Ordinance reveals that Automotive Sales and Mini-Warehouse uses are permitted in the PC Zoning District as a Conditional Use. Comment Z-2 addresses Section 404.G.4.c of the Zoning Ordinance which limits the size of the building to 6,000 square feet. The proposed 3-story building has a footprint of 41,658 square feet, and the 1-story building is 10,559 square feet. Comment Z-3 states Section 404.G.4.e requires a six-foot high fence. The plan does not show a fence. Comment Z-4 addresses the deficiency with respect to the number of parking spaces. Comment Z-5 states a variance may be required for the proposed height of the building. Comment Z-6 states the site is in the Arterial Overlay District; a Conditional Use approval is required. Mr. Wolf stated Comment Z-7, which is not currently listed on the review letter, addresses the required setback of 100-feet from the right-of-way line. Mr. Murray asked how the applicant plans to proceed with the zoning issues. Mr. McHugh stated they were aware of the Zoning issues when the plan was submitted, specifically the issues related to the uses being classified as a mini warehouse. Mr. McHugh stated they agree with the Townships interpretation as it is the closest use classified in the Zoning Ordinance. Mr. McHugh stated what is being proposed is a lot different than the traditional mini warehouse use. The proposed use is an indoor storage facility, a use not found in the Zoning Ordinance. If the proposal is well received the applicant will move forward with required variances or a text amendment of the mini warehouse use or a new use for the proposed indoor storage self-storage facility use. Mr. Vey asked if a review of Ordinance 133, Section 526 was done. Mr. McHugh stated yes, an architect created the current renderings, and they are open for feedback. Mr. Vey stated the intent of the ordinance is to get the look, feel, and sense of place. In looking at the rendering, what style is trying to be achieved? Mr. McHugh stated the building is modern in style which utilizes glass for advertising rather than free standing signs. Mr. Vey asked if the interior lighting outside the doors would be on 24/7. Mr. McHugh stated he believes the lights are turned off when the building is not in use. Mr. Vey stated the Ordinance should be revisited. Mr. McHugh replied, U-Haul has developed throughout the country and there are many options that can be looked at. Mr. McHugh stated they are flexible with the architectural standards. U-Haul does not try to draw people off the road, extensive signage will not be needed as it is a destination location. Mr. McHugh stated if the proposal is well received, they will commit 100% to providing the right architectural design. Mr. Vey asked if the glass exterior is the only model. Mr. McHugh

stated it is not, the glass exterior has been well received. Mr. McHugh stated the glass can be closed a bit and a different façade put in its place. Mrs. Bryn-Erin Kerr presented the Bucks County Planning Commission review letter dated April 14, 2022. Ms. Kerr stated seven comments found on the Bucks County Planning Commission review letter have been addressed by Mr. Wolf. Ms. Kerr stated comment 2 on the review letter states the information provided in the zoning table on the plan indicates that variance will be required from providing the required number of parking spaces for the proposed development, and possibly from the maximum permitted building height. Comment 4 addresses the existing 2-story dwelling, shed, and barn located on the site. The dwelling appears to be a farmhouse with possible architectural significance. The Bucks County Planning Commission recommends the Township contact the PA Office of Historic Preservation before demolition. Mr. McHugh stated he has been in touch with the state, the building is not historical and is not suitable for restoration. Mrs. Kerr stated improvements shall be made to the existing street on which a land development abuts, as required by the Board of Supervisors. The township should determine if improvements are required along Rosenberger Road. Mrs. Kerr stated the Bucks County Conservation District strongly encourages the use of alternate forms of energy generation and conservation. Comment 11 on the Bucks County Conservation review letter addresses the requirement of a landscape plan to be included with a preliminary plan submission. Mr. Vey stated going through the zoning hearing board would be for variances from ordinances where burden of proof would be required. Mr. McHugh stated the zoning process would start to pile up on itself, if denied there is no way to conform the project to the ordinances. Conditional Use approval would be required for the mini warehouse use and for the overlay district. Mr. McHugh stated multiple zoning hearings would be required, which they are fine with perusing if that is the preferred path of the township. If there is a way to streamline the process if the concept is well perceived, they are happy to peruse that as well. Mr. Bolton asked Mr. Vey if there is another use permitted with a building this size. Mr. Vey stated he would have to look and in looking at the definition of a mini warehouse the U-Haul proposal is oriented towards a different use. Mr. Wolf stated if the dimensional requirements could be met along with stormwater management, the proposal would come down to final determination. Mr. Murray asked how far the building is setback off Route 663. It was stated the building is set back 107' from Route 663. Mr. Bolton stated if the proposal can meet all setbacks and dimensional requirements with another use permitted to be built on the property, then he may be able to support the idea of a warehouse. The parking shown on the plan is diagonal and does not make sense. Mr. McHugh stated the diagonal parking spaces shown on the plan is for van parking. Mr. Murray stated the plan then shows 20-30 large U-Haul vans sitting along John Fries Highway. It was noted that if there is a concern screening and buffering could be looked at. Mr. Bolton stated a more architectural aesthetically pleasing plan should be created utilizing the ordinance. Mr. Bolton stated there is a reason why manufacturing plans have loading docks in the rear of the buildings. Mr. McHugh stated the site is a little tricky in that behind the proposed building is a residential area that surrounds the rear of the building. Mr. McHugh stated they are open to any suggestions as they are trying to find the right mix when it comes to a commercial tract abutting a residential tract. Mr. Bolton recommended shifting the buildings and install a dense visual screen along the residential side of the property. Mr. McHugh stated as shown on the plan, there are several little "juts" along Milford Square Pike, U-Haul does not own these pieces of land and does not have the ability to install plantings. Mr. Vey stated the area of land being discussed is owned by the Crossings, which was created with the relocation of Milford Square Pike to control the buffer area. It was noted that it may be beneficial to have a conversation with the Homeowner's Association for the Crossings as they may welcome buffering plantings. Mr. Bolton stated the HOA may agree to heavy buffering as it would help cut down on the cost of maintenance. Mr. Vey stated there are improvement plans to the intersection of Route 663 and Rosenberger Road which include signalization and interconnection with the Wawa traffic signal then down to the turnpike. This will help keep traffic moving along Route 663. Mr. Vey asked Mr. McHugh if any thoughts were given to Capital Improvements, such as signalization. Mr. McHugh stated they are open and willing to have discussions with their traffic engineer. Mr. Bolton stated he feels the proposal could move forward but not with the current plan. Mr. Vey asked Mr. McHugh if they are willing to revision the Sketch Plan and resubmit for review prior to the submission of a Preliminary Plan. Mr. McHugh stated he will speak with U-Haul representatives to discuss the revisions and to determine what is required for the outstanding zoning issues.

Mr. Bolton made a **MOTION** that the Applicant revise the Sketch Plan to include the following; The architectural plan be redesigned to comply with Ordinance No. 133, Architectural and Structural

Regulations for Uses within the PC (Planned Commercial) District; The parking area along John Fries Highway be reconfigured to buffer or prohibit the parking of large vans and truck along the highway; The Applicant reach out to the Homeowners Association of the Crossings to discuss the possibility of a planting easement on the property adjoining the subject parcel. Mr. Afflerbach seconded the motion. The motion passed unanimously.

With there being no further discussion Mr. Afflerbach made a MOTION to adjourn the April 27, 2022, Planning Commission meeting at 7:57 p.m. Mr. Bolton seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of May 25, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Merv Afflerbach, Member; and Malcolm Vinger, Member.

Staff Present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; and Kevin Wolf, Township Engineer; Bryn-Erin Kerr, Bucks County Planning Commission.

Chairman Fran Murray called the Planning Commission Meeting of May 25, 2022 to order at 7:00 p.m.

Minutes:

A **MOTION** was made by Mr. Afflerbach and seconded by Mr. Murray, to approve the minutes from the April 27, 2022 meeting.

Plan Acceptance:

The following plans were accepted for review; Sketch plan for the Minor Subdivision of Moyer Milford Square, 2060 Allentown Road, TMP 23-10-81, Sketch plan for the Moyer Allentown Road Minor Subdivision, TMP 23-21-52-5 & 23-21-53.

Conditional Use:

Milford Village Section 1E and 1W, John Fries Highway, TMP 23-10-175-001. Mr. Martin Smith of Pany & Lentz Engineering was in attendance to present the proposed Conditional Use Application on behalf of the Applicant, MVP 663 I, LLC, Mr. Del Markward. The Applicant proposes to construct 262 one- and two-bedroom apartment units in six buildings, 43,200 square feet of retail space in two buildings, and road improvements. Mr. Smith stated the layout is the same layout as approved with the Fifth and Sixth Unified Master Plan. Mr. Smith gave a brief overview of the site and the road improvements that have been completed thus far, such as LifeQuest Drive and the previously relocated Mill Hill Road. A traffic improvement “triggers” narrative dated April 14, 2022 has also been submitted for review. At this time Mr. Kevin Wolf presented the Andersen Engineering Review Letter dated May 19, 2022. Comment Z-2 states per Section 665.B.3 of the Zoning Ordinance, “The Unified Master Plan shall describe to the satisfaction of the Board of Supervisors how all traffic improvements shall be accomplished, the timing and sequencing of such traffic improvements, the means of financing and securing the construction of those improvements.” Mr. Wolf stated the Sixth revised Master Plan is silent with respect to the required improvements to Route 663 to be built in conjunction with Section 1. A Seventh revised Master Plan will be required to define the Route 663 improvements. The definition of improvements must include how and when they will be accomplished. Mr. Wolf addressed comment Z-3 which states Section 1205.c requires a transportation impact study if the development count result in more than 125 trips per day. The traffic impact study must address the intersection of Route 663 with Abbey Lane. Mr. Wolf stated development intensity has shifted significantly to the western end of the overall site since the original traffic impact study was prepared. If left turns at the unsignalized Abbey Lane intersection during the PM peak do not have an adequate stacking lane, Route 663 traffic could be clocked if there is only one eastbound lane, as is currently being proposed. Mr. Wolf stated the Sixth Revised Master Plan contains a list of the required improvements to Route 663 to be constructed in conjunction with the development of certain sections. The proposed traffic improvement “triggers” narrative attempts to modify the improvements and the timing of the improvements and any modification of the triggers in the Sixth Revised Master Plan will require a Seventh Revised Master Plan. Mr. Wolf stated per comments SALDO-1 Land Development plans for Section 1W (apartments) and 1E (retail) were submitted in conjunction with the Conditional Use application. The Land development application must be placed into hibernation until the zoning (Conditional Use application) is resolved. Mr. Wolf stated Andersen Engineering Associates, Inc. has issued various review memos regarding the Conditional Use application and regarding some of the Land Development issues. Revised plans that address the issues brought out in the previous review memos are required before a comprehensive review memo

can be issued. Major planning items that need discussion include the need for a traffic impact study, widening of Route 663 between LifeQuest Drive and the western boundary of the AMU tract, a revision to the Abby Lane and main drive intersection, and the widening of Mill Hill Court to a minimum of 24 feet in width. Mr. Smith stated the uses and the layout being presented have been approved twice. Mr. Smith further stated a traffic impact study would be done to analyze the internal uses and an update will be provided. If trips are over 125 per day a discussion will be had, and he feels Section 1205 may not actually apply. Mr. Murray stated everything has changed drastically which is why the township wants a traffic impact study. The original approval was for 96 apartment units now 262 apartments are proposed. Mr. Smith stated the proposed 262 apartment units were approved master Plans. Mr. Murray stated the concept may have been approved. Mr. Murray said he would like to see Mill Road widened. Mr. Smith said Mill Road has been turned into a cul-de-sac and the road is shown as it was approved on the previously approved master plans. Mr. Bolton stated an alternative to the requested/required revisions would be to build the site exactly as it was approved ten years ago. Mr. Smith stated the applicant is following the master plan. Mr. Murray noted the traffic triggers were changed as there were not triggers listed in the first plan. Mr. Smith stated the proposal will comply with applicable ordinances. Mr. Markward stated regarding Mill Hill Road, the widening was never mentioned. A waterline was installed, and the road was patched and overlaid. Mr. Mansfield required the road to be closed and the relocation was an extraordinary expense. Mr. Markward stated 20-30 cars use Mill Hill Road currently and the requested improvements don't make sense and the road won't be a through road. Mr. Murray stated all northbound traffic will use Mill Hill Road. Mr. Murray stated the comments on the review letters should be addressed before the Conditional Use approved. Mr. Bolton said in looking at the plan on paper it looks good. No comments were offered on the proposed land development at this time. It was stated that any changes to the Master Plan would need to be addressed on the land development plan as well.

Mr. Murray made a **MOTION** recommending the following items be addressed prior to any approvals being granted by the Board of Supervisors: a traffic impact study be performed; the intersection of Abbey Lane and Route 663 be widened to create appropriate turning and travel lanes; the widening of Route 663 in both directions; and compliance with the Andersen Engineering Review Letter dated May 19, 2022. Mr. Bolton seconded the motion. The motion passed unanimously.

Subdivision/Land Development Plan Review:

Milford Village Section 1W- Apartments, Route 663, TMP 23-10-175-1, and Milford Village Section 1E-Retail, Route 663, TMP 23-10-175-1. Mr. Smith gave an overview of the proposed Land Development plans for Milford Village Section 1E and 1W. Mr. Wolf stated a cursory review of the proposal has been performed. Mr. Smith stated the plans consist of an infiltration basin in the area of Mill Hill Road and Route 663 and at Abbey Lane and Route 663 with a pipe under Route 663. Mr. Smith stated parking is shown on the plan for the retail and apartment uses. Mr. Bolton stated the points that need to be addressed are the traffic road improvements and traffic triggers and what seems to be missing is a consensus on where we need to be with the Route 663 improvements and some comments about Mill Hill Road. There were no further comments at this time.

The Planning Commission recommends the applicant revise the plans to address the comments found in the previous review memos and continue to seek Conditional Use approval. The Planning Commission further recommends the Board of Supervisors issue a denial of the Land Development Plans if a time extension is not provided as the time clock is set to expire on June 21, 2022.

With there being no further discussion Mr. Vinger made a **MOTION** to adjourn the May 25, 2022, Planning Commission meeting at 7:47 p.m. Mr. Bolton seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of June 29, 2022
7:00 P.M.

Planning Commission Members Present: Edwin Bolton, Vice Chair; Susan Edwards, Secretary; Merv Afflerbach, Member; and Malcolm Vinger, Member.

Staff Present: Jeffrey Vey, Township Manager; Devan Ambron, Secretary; and Kevin Wolf, Township Engineer.

Vice Chair Edwin Bolton called the Planning Commission Meeting of June 29, 2022 to order at 7:00 p.m.

Minutes:

A **MOTION** was made by Mr. Afflerbach and seconded by Mr. Bolton, Mrs. Edwards abstaining, to approve the minutes from the May 25, 2022 meeting.

Subdivision/Land Development Plan Review:

Moyer Milford Square Sketch Plan, 2060 Allentown Road, TMP 23-010-081. Mr. Scott Mease of Mease Engineering gave an overview of the proposal. Mr. Mease stated the parcel consists of 80,616 square feet and is located in the VC-2 zoning district. The property currently contains a single family detached dwelling. The owner, Mr. Ralph Moyer, plans to create two new single-family detached dwelling building lots. Lot 1 will contain the existing dwelling. Lot 1 would be 24,479 square feet in size, lot 2 26,934 square feet and lot 3 26,912 square feet. Lot 1 is currently served by on-lot water and public sewer. Mr. Mease stated the existing home is connected to public sewer and lot 2 and 3 will also connect. The existing home is served by an on-lot well. The public water main is located at Milford Square Pike and Allentown Road approximately 965 feet from the property. On-lot wells are proposed. Mr. Mease stated a waiver of the requirement to install curbs and sidewalks will be sought as they are not located on that side of the road currently. At present there are no road improvements proposed to Allentown Road. Soil testing for stormwater management control, will be done at the time of a preliminary plan. Mr. Mease stated at this time they are seeking feedback on the proposal. Mr. Vey stated regarding the water service, the property is located within the water district and an application for a waiver request to connect to public water should be submitted to the Milford Township Water Authority for review. A determination of requirement to hook up to public water would need to be made at this point in the planning process. Mr. Wolf stated per comment SALDO-9, found on the Andersen Engineer review letter dated May 24, 2022, Section 517.a.7 states garages that are used to meet the minimum parking requirements must have deed restrictions in a form approved by the Township Solicitor and shall be recorded. Mr. Wolf further stated the plan should be revised to demonstrate compliance with Section 404.b.1(d) of the zoning ordinance, parking requirements are based on the number of bedrooms. There were no further comments at this time. The Planning Commission members find the Moyer Milford Square Sketch Plan to be in general compliance with the Milford Township Zoning Ordinance and Subdivision Land Development Ordinance.

Mrs. Edwards made a **MOTION** to recommend the Moyer Milford Square Sketch Plan move forward with the submission of a Preliminary Plan. The Planning Commission is in support of a waiver of the requirement to install curbs and sidewalks along the frontage of the property. The Planning Commission recommends the following: The comments found on the Andersen Engineering Review Letter dated May 24, 2022 be addressed with the submission of a Preliminary Plan; A waiver request be submitted to the Milford Township Water Authority to allow an on-lot well in the water district; The Allentown Road right-of-way be offered to the Township by Deed of Dedication in a way acceptable to the Township Solicitor. Mr. Afflerbach seconded the motion. The motion passed unanimously.

Moyer Allentown Road Sketch Plan, 23-021-053 & 23-021-052-005 Allentown Road. Mr. Mease of Mease Engineering was in attendance to present the Sketch Plan on behalf of the applicant, Mr. Ralph Moyer. The applicant proposes a lot line change with approximately 9 acres transferred from TMP 23-021-053 to TMP 23-

021-052-005. Then the newly reconfigured TMP 23-021-053 will be subdivided into two lots, with each lot being more than 10 acres. The property is zoned RA. The plan is proposing three B1 residential lots. Mr. Mease stated there is an interested buyer of proposed lot 2. Mr. Bolton asked Mr. Mease if he any comments regarding the Andersen Engineering Review Letter dated May 24, 2022. Mr. Mease stated one thing to highlight is the 2.5-acre lot has public sewer capabilities. The lots located in the rear will be on-lot septic. Mr. Bolton requested Mr. Mease clarify if the property is located within the sewer district. Mr. Mease stated a waiver of SALDO Section 505, road widening, Section 506, curbs and sidewalks, and Section 519, sidewalks will be requested. Mr. Bolton stated the Road Master should review and offer his recommendation of the waiver request. Mr. Vey noted per the site capacity calculations there should be 12 acres of open space proposed, however; the applicant has noted Section 530.c of the zoning ordinance that exempts open space requirements from minor subdivisions. Mr. Vey stated the list of conditions for this exemption request should have an in-depth review. Mr. Bolton stated the property has a low risk of further subdivision due to the configuration. Mr. Vey stated he did not see an issue with the configuration of the proposed lots and it may be beneficial to place a conservation easement on the property, which complies with the site capacity calculations. Mr. Mease stated the proposal is a flag lot and only two are permitted. Lot 1 has the required 200' frontage. Mr. Wolf stated per comment SALDO 10, the plan is proposing a shared driveway across newly reconfigured TMP 23-021-052-005 to access lots 1 and 2. The plan is also proposing a shared driveway easement. The driveway is not shown within the driveway easement. Mr. Wolf further stated the driveway linework is hard to read and should be revised and show in detail. Mr. Mease stated a request to run utility poles off the road to provide overhead electric and data will be made, as they will not be visible from the street due to a 125' pipeline easement running through the site. Mr. Bolton stated the Board of Supervisors will address the request. There were no further comments at this time.

Mrs. Edwards made a **MOTION** to recommend the Moyer Allentown Road Sketch Plan move forward with the submission of a Preliminary Plan as the proposal is in general compliance with the Milford Township Zoning Ordinance and Subdivision Land Development Ordinance. The Planning Commission is in support of a waiver of the requirement to install curbs and sidewalks along the frontage of the property. The Planning Commission recommends the following: The comments found on the Andersen Engineering Review Letter dated May 24, 2022 be addressed with the submission of a Preliminary Plan, Clarification of the parcels location in the sewer district should be provided, Further review of Section 530.c, exemption of opens space requirement from minor subdivisions, and the Public Works Director review and report any desired improvements to Allentown Road. Mr. Afflerbach seconded the motion. The motion passed unanimously.

Proposed Zoning Ordinance Amendment: Mr. Vey stated a draft zoning ordinance amendment has been submitted for review by the attorney representing the U-Haul proposal. Mr. Vey stated a review of the junk yard and outdoor advertising use has been done and incorporated in the amendment. The only comment through the draft process is the language for traffic improvements. A meeting is to be set up with the landscape designer. A low berm with plantings is being proposed. Five sizes of vehicles will be allowed per the amendment with no billboard signs. Mr. Vey stated he has been in contact with the Moods and PennDOT regarding the cost for signalization at the Route 663 and Rosenberger Road intersection. Discussions have been had with U-Haul regarding the intersection improvements and U-Haul appears to be in agreement with the traffic improvements. A left hand turn lane in both directions is proposed as a future improvement as well as two lanes through to Pennsburg. Mr. Bolton stated he cannot support signalization of the intersection. Mr. Vey stated the Commission should think about two lanes and a center lane which would be interconnect to the signal at Wawa and the Turnpike. The Moods currently have a left turn in to Windy Spring Farm stand which is to be widened at the shoulder with a left turn lane at the pinch point. Mr. Vey asked how a customer would gain entrance to U-Haul. Mr. Bolton stated access could be gained at the next signalized intersection. Mr. Vey stated also included in the amendment is the elimination of the 18-foot height building restriction for residential accessory buildings. The heigh regulation is proposed to default to 35 feet. There were no further comments at this time.

With there being no further discussion Mrs. Edwards made a **MOTION** to adjourn the June 29, 2022, Planning Commission meeting at 7:48 p.m. Mr. Afflerbach seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of July 27, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Susan Edwards, Secretary; Merv Afflerbach, Member; and Malcolm Vinger, Member.

Staff Present: Devan Ambron, Secretary

Vice Chair Edwin Bolton called the Planning Commission Meeting of July 27, 2022 to order at 7:00 p.m.

Minutes:

Mr. Afflerbach made a **MOTION** to approve the meeting minutes of June 29, 2022 with one minor clerical revision. The motion was seconded by Mr. Bolton and passed unanimously.

Plan Acceptance:

Swartley Preliminary Plan of Subdivision, 1450 Allentown Road, TMP 23-021-050. The Planning Commission accepted the Swartley Preliminary Plan of Subdivision for review.

Subdivision/Land Development Plan Review / Zoning Ordinance Amendment:

U-Haul, Conceptual Rendering, 2075 Rosenberger Road, TMP 23-010-073. Mr. Matt McHugh of Klehr Harrison Harvey Branzburg was in attendance on behalf of the applicant. Mr. McHugh stated a revised rendering of the proposed U-Haul has been submitted and circulated for feedback. Mr. McHugh stated revisions have been made to the exterior of the building, which will have to go through architectural control review. Revisions have also been made to the landscaping along Route 663. Mr. McHugh said the proposed Zoning Ordinance Amendment calls for a berm extending to the height of ceiling height of the first floor along with screening consisting of evergreen trees four to five feet in height. Mr. McHugh stated U-Haul is not comfortable with the ordinance and would like the ordinance to be modified allowing for two- to three-foot-high evergreen shrubs along with street trees. Mr. Murray stated when U-Haul was in front of the Planning Commission two months ago it was recommended the rendering be redesigned to comply with Ordinance No. 133, Architectural and Structural Regulations for uses within the PC District. The parking area was to be reconfigured and a meeting with the adjoining property owners HOA was to be had. Mr. McHugh stated the issue with the parking of trucks has been resolved. The proposed Zoning Ordinance Amendment allows the display of up to five vehicles available for rent, with no two being the same size, that may be visible from the adjoining street, but not visible from residences within 1,000 feet. Mr. McHugh stated U-Haul is agreeable to limiting the number of trucks and the rest of the trucks will be stored in the rear of the building where the area will be screened and buffered. Mr. Murray noted there are three to four large signs shown on the proposed building. Mr. McHugh stated the rendering is conceptual and U-Haul will comply with the sign ordinance and seek a variance if needed. Mr. McHugh stated the concept plan shows the proposed building materials, architectural design, and landscaping. U-Haul has reviewed the proposed ordinance amendment and has issues with the visibility and buffering requirements. Mrs. Edwards asked the height of the building. Mr. McHugh stated the building is 35' high. Mr. Afflerbach stated the building shown is 50' high. Mr. McHugh stated he will confirm but believes the building will be constructed at 35' in height. Mr. Murray stated U-Haul has a problem that must be worked out regarding the proposed zoning ordinance amendment. Mr. Bolton stated there has been no change to the configuration of the parking, Mr. McHugh stated the plan has not been revised yet and it will be revised when it is appropriate to do so. Mr. Bolton stated in his opinion the proposed layout is not the best configuration. Mr. McHugh stated the plan is designed to have as little impact to the neighbors as possible. Mr. Bolton asked Mr. McHugh if a discussion was had with neighboring Homeowners Association as stated at the last meeting. Mr. McHugh stated a discussion was had and it appears U-Haul will take over the buffer area for the HOA. Mr. McHugh further stated that not all comments have been addressed to date. In order to move forward with the sale the proposed ordinance would need to be adopted making an exception to the buffering and landscape requirements found in the ordinance. Mr. Vinger stated if the township wants U-Haul the rendering is what is

being proposed and he feels three sides of the property provide class-A buffering. Mrs. Edwards stated she is not in favor the rendering. Mr. Murray noted U-Haul helped prepare the proposed zoning ordinance amendment and now does not want to comply with the ordinance. Mr. McHugh stated the township is asking for a berm to extend to the height of the ceiling height of the of the first floor along with screening making the parking lot not visible from Route 663. The ordinance allows for the display of up to five vehicles available for rent, with no two being the same size, that may be visible from the adjoining street. Mr. Murray stated motorist will be able to see the building just not the first floor or parking lot. Mr. McHugh stated U-Haul would like more visibility and is willing to landscape nicely with less restrictions imposed. Mr. Vinger stated he thinks the building looks nice and does not see an issue, no other businesses in the immediate area are required to shield the first floor of their building and asked what was wrong with seeing the ground level. Mr. Vinger stated he would hate to see U-Haul walk over a 10' berm and this proposal gets rid of a dangerous abandoned lot. Mr. McHugh stated it has taken U-Haul months to get approval to demo the existing building. Mr. Bolton stated not everyone will agree and he would prefer to see a narrow frontage facing 663 with residential buffering on the east side with a more modest presentation on 663. Mr. Bolton questions what other type of proposal may be presented in the future. U-Haul is asking for a change in zoning and there must be some give and take. Mr. Vinger asked what the opposition is. Mr. Bolton stated the proposed ordinance states a berm is required. Mr. McHugh stated a self-storage use is a low impact use in regard to traffic and U-Haul will be making improvements to the Rosenberger Road and Route 663 intersection, Mr. McHugh further stated the overall project has support from the residential community next to it. Mr. McHugh stated he sees both sides and it is not an easy call. Mr. Bolton stated there are mixed opinions regarding the rendering. The rendering is not in compliance with the proposed ordinance. Mr. Bolton suggested more trees and more buffering be incorporated. Mr. Murray noted there are concerns regarding the PennDOT right-of-way and the construction of a berm in that right-of-way. Mr. Murray further stated that the proposal would also require Conditional Use approval by the Board of Supervisors. There was no further discussion at this time. The Planning Commission members have mixed feelings regarding the Landscape Rendering and Zoning Ordinance Amendment. Mr. Murray, Mrs. Edwards, and Mr. Afflerbach are of the opinion that the proposed Zoning Ordinance Amendment should be approved as written. The Landscape Plan should be revised to comply with the proposed Zoning Ordinance Amendment.

Mr. Bolton recommends a revision of Section Two e) A landscape berm, dense evergreen buffer, or other means of buffering acceptable to the Board of Supervisors shall be maintained as a *permanent visual screen beginning at the ground and extending to the height of the ceiling height of the first floor or an equivalent* acceptable to the Board of Supervisors. Mr. Bolton is not comfortable with requiring a complete buffer to the top of the first floor and feels comfortable with less restrictions, more street trees, and a taller hedgerow for example.

Mr. Vinger recommends approval of the Landscape Plan as presented and revisions be made to the proposed Zoning Amendment to be less restrictive.

The Planning Commission members are in favor of recommending approval of Section Three, the elimination of Section 404.H2.i, Accessory buildings and structures shall not exceed eighteen (18) feet in height, of the proposed Zoning Ordinance Amendment.

With there being no further discussion Mrs. Edwards made a **MOTION** to adjourn the July 27, 2022, Planning Commission meeting at 7:47 p.m. Mr. Afflerbach seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of August 31, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Susan Edwards, Secretary; Merv Afflerbach, Member; and Malcolm Vinger, Member

Staff Present: Jeffrey Vey, Manager; Devan Ambron, Secretary; Bryn-Erin Kerr, Bucks County Planning Commission

Mr. Murray called the Milford Township Planning Commission meeting to order at 7:01p.m.

Mrs. Edwards made a **MOTION** to approve the meeting minutes of July 27, 2022. The motion was seconded by Mr. Bolton and passed unanimously.

Subdivision/Land Development Plan Review:

Swartley Preliminary Plan of Subdivision, 1450 Allentown Road, TMP 23-021-050: Ms. Cynthia Smith of Horizon Engineering, and Mr. Jim Swartley were in attendance to present the proposal. Ms. Smith gave a brief overview of the proposal. The lot is an oddly shaped lot with an existing single-family dwelling and outbuildings. The applicant proposes to subdivide the parcel into 3 lots, one lot will consist of the original single-family dwelling and existing improvements, and the remaining 2 new lots to be used for future building. Ms. Smith stated an NPDES, E&S Control Permit and PennDOT Highway Occupancy Permit for a driveway have been submitted. The Applicant has also submitted the required sewage facility planning module to connect to public sewer. Mr. Murray addressed the Andersen Engineering review letter dated July 25, 2022. Ms. Smith stated in looking at letter there are no items of great concern. The items that are found in the letter will be addressed and zoning compliance will be demonstrated. Mr. Wolf addressed comment Z-2 which states it is believed 3.74 acres of resource-protected land creates the required open space. In previous subdivisions involving large lots with resource-restriction land, the Board of Supervisors has considered easements to protect the natural resources. Mr. Vey stated a resource protection easement may be found acceptable by the township. Mr. Wolf stated the applicant may need a stream encroachment permit along with approval from the Township to disturb the wetlands on proposed lots 2 and 3. Mr. Wolf stated the applicant should demonstrate that their disturbance of resource-restricted land is within the allowed disturbance limitations. Ms. Smith stated the stream encroachment is currently in process with DEP. Mr. Wolf addressed SALDO-1 of the review letter. Mr. Wolf stated all lettering shall be legible, some of the proposed found on page 4 of the plan set is difficult to read. Mr. Wolf requested the driveway detail be enlarged along with the spot elevations of lots 2 and 3 as it is difficult to read. Ms. Smith stated the plan will be revised to show detail. Mr. Wolf stated regarding SALDO-5, the proposed emergency spillway will discharge across the driveway for Lot 3 which will cause erosion issues and a pipe to convey water should be installed under the driveway. Mr. Wolf stated SALDO-7 references utilizing an existing 12" pipe for stream crossing for the driveway for lot 3 where a minimum pipe size of 18" is required. Mr. Wolf stated he has no issues with the requested waivers. Ms. Kerr of the Bucks County Planning Commission addressed comments found in the county review letter dated August 4, 2022. Ms. Kerr stated according to Section 650 of the zoning ordinance, the Riparian Corridor Conservation District is defined as an overlay district and applies to land adjacent to identified waterways. The plan identifies "Waters of the U.S." on lots 2 and 3. Per Section 650.d of the zoning ordinance, the applicant shall be responsible for the initial width determination of the riparian corridor and identifying this area on the plan. Ms. Smith stated this does not apply to the plan. Ms. Kerr noted the review letter also notes required street improvements, recreation land facilities, tree protection, and sewage facilities. Mr. Vey noted there are flooding issues with the intersection of Yankee and Allentown Road. Mr. Vey stated the area has flooded multiple times even with the improvements that have been made. Mr. Vey stated the wetlands are directly contributing to this flooding. Mr. Vey asked what can be expected when more impervious surface is installed. Mr. Wolf stated the office is still working on the

Stormwater Management Plan review. Ms. Smith stated the soils have been tested and the applicant will satisfy the regulations set forth by DEP. The plan proposes bio-retention basins. Mr. Vey stated the contours on the plan seem to be generic and there is a historic problem at that intersection. Mr. Wolf stated lot 3 abuts township owned land and a possibility may be to deed restrict the open space and possibly require an easement on that property. Mr. Vey stated a conservation easement is generated by resource protection, woodlands and wetlands. Watercourses are present, which does not fall under those resources. Mr. Vey stated he is more concerned with civil engineering. Mr. Murray asked if the driveway would be an impact to the wetlands. The plan shows a driveway with the wetlands perfectly parallel. Mrs. Smith stated it is the intent to protect these wetlands through an easement. Mr. Vey stated if a retention basin is installed above the driveway it would reduce the volume of water in big rain events. Mr. Vey stated he has seen the roadway underwater. Mrs. Smith stated all of that has been looked at when creating the proposed plan. Ms. Smith further stated the trees are not sitting in water today and they are trying to avoid disturbance of woodlands and would like to try to have the newly created impervious drain to a facility. Mr. Murray asked if there were any further questions at this time. Ms. Smith stated the applicant is requesting several waivers of the Milford Township Subdivision and Land Development Ordinance which include a waiver from Section 514.f. which requires a lot depth to width ratio of not less than 1 nor more than 3. Lot 3 is unusually shaped due to the existing overall tract configuration and may not meet the width to depth criteria; Section 516 and 609 which requires curbing along the frontage of Allentown Road. There currently is not existing curbing along Allentown Road; Section 509.a. and 608 which requires sidewalks along the frontage of Allentown Road. There currently are no sidewalks installed along Allentown Road; Section 520.a. which requires street trees be planted along existing roads; Section 606 which requires streetlights for residential subdivisions; Section 701.a.1.(a) & 701 requiring a Site Context Map; Section 701.D.8 requiring a Site Location Map; section 701.g. requiring a Preliminary Resource Map; and Section 701.i.1 requiring that construction improvement plans be prepared at a 20'/inch or 50'/inch scale. Mr. Murray asked if the Planning Commission would like to make a recommendation at this time.

Mr. Bolton made a **MOTION** to recommend preliminary approval of the Swartley 3-Lot Subdivision for the property located at 1450 Allentown Road, TMP 23-021-050 with the condition the applicant satisfy all conditions found in the Andersen Engineering review letter dated July 25, 2022 and the Bucks County Planning Commission review letter dated August 4, 2022. Mr. Bolton recommends the requested waivers be granted. The motion was seconded by Mrs. Edwards and passed unanimously.

Mr. Murray asked if there was any further discussion at this time. Mr. Vey announced U-Haul has withdrawn their proposal.

With there being no further business Mr. Vinger made **MOTION** to adjourn the August 31, 2022 Planning Commission meeting at 7:38 p.m. Mrs. Edwards seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of October 26, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Susan Edwards, Secretary; and Merv Afflerbach, Member.

Staff Present: Jeffrey Vey, Manager; and Devan Ambron, Secretary.

Mr. Murray called the Milford Township Planning Commission meeting to order at 7:00p.m.

Mr. Afflerbach made a **MOTION** to approve the meeting minutes of August 31, 2022. The motion was seconded by Mrs. Edwards and passed unanimously.

Subdivision/Land Development Plan Review:

Geissinger Minor Subdivision, Sketch Plan Review, Allentown Road, TMP 23-005-050. Mr. Scott Mease of Mease Engineering was in attendance to present the proposed plan of Minor Subdivision. The applicant, Mr. Jay Geissinger is the owner of a 30.7-acre vacant lot on Allentown Road located in the RA Zoning District. The parcel is a flag lot and contains 50' of road frontage. Mr. Geissinger proposes to subdivide the property into two lots. Lot-1 will consist of 28.17 acres and will continue to be utilized for farming. Lot-2 will consist of 2-acres and is proposed to be improved with a single-family dwelling. The applicant does not propose any further development currently. Mr. Mease stated the Andersen Engineering Review letter dated October 6, 2022 deals with resource protection and open space. There are minor woodlands and steep slopes located on proposed lot-1. Mr. Mease stated the plan proposes to follow Section 530.c, which exempts the subdivision from providing open space. It was noted that to qualify for the exemption, the applicant must satisfy Sections 530.c.3, 530c.4, 530.c.6, and 530.d. of the Zoning Ordinance. Mr. Mease stated no open space is set aside at this time. Mr. Murray asked if a note would be added to the plan that states there will be no further subdivision. Mr. Mease stated the road frontage is too narrow to allow further subdivision. Mr. Wolf stated comment SALDO-notes that if a flag lot is less than 56' wide it is precluded from further subdivision. Mr. Mease stated the applicant is not opposed to a deed restriction at this time. Mr. Mease further stated if there is an option to purchase adjoining lands in the future the applicant may do so and would recommend a restriction until future road frontage could be added to the property. Mr. Wolf stated it wouldn't hurt to have the note, but it isn't required. Mr. Mease advised there are a few large lots surrounding this parcel with road frontage. Mr. Vey stated if acquired, one of the lots would be required to contain the open space and it would be good to put the intent in writing, by way of a Covenants and Restrictions Agreement, for future owners. Mr. Geissinger stated he is okay with that requirement. Mr. Murray asked Mr. Mease if the remaining items found on the review letter are will comply to which Mr. Mease responded yes. Mr. Mease addressed General Comment G-5 which notes the lack of a proposed on-lot sewage disposal area for lot 1. Mr. Mease stated DEP has a waiver that can be applied for which is strictly for farmland. If soil testing is done the results are only acknowledge for a certain time period and if lot 1 is developed at any point in the future the soils would have to be retest. Mr. Vey stated it makes all the sense in the world to not test at this time and it can also be recorded in the covenants and restrictions. There were no further comments at this time.

Mrs. Edwards made a **MOTION** to recommend the Geissinger Sketch Plan of Minor Subdivision for the property on Allentown Road, move forward with the submission of a Preliminary Plan as the proposal is in general compliance with the Milford Township Zoning Ordinance and Subdivision Land Development Ordinance. The Planning Commission recommends the comments found on the Andersen Engineering Review Letter dated October 6, 2022 be addressed with the submission of a Preliminary Plan. Mr. Afflerbach seconded the motion. The motion passed unanimously.

Quaker Pointe Hotel, LLC, Preliminary/Final Plan of Land Development, 1915 John Fries Highway, TMP 23-010-021-001. Mr. John Melham of Melham Associates, PC, and Mr. Frank Baxter were in attendance to present the revised plan. Mr. Melham stated he had a good conference with Andersen's office to address all comments found on the Andersen Engineering Review letter dated October 10, 2022 and said he can go through the letter, however; there are no issue with the comments. Mr. Melham advised a revised waiver request letter has been submitted for consideration. Mr. Murray asked Mr. Melham if all comments are will comply following the conference call. Mr. Melham stated, yes, nothing is disagreed upon. Mr. Wolf stated one thing the Planning Commission should address is Zoning Comment Z6 which states, the Site Capacity Calculations result in 0.19 acres of resource-related open space. The township owns land adjacent to the open space and may be interested in an easement. Mr. Vey stated the acceptance of an easement wouldn't hurt anything and asked if this area was calculated or delineated. Mr. Wolf stated does not believe it is delineated. Mr. Vey stated the wetland area fee simple came from Lacey's Pub and coincided with the wetland delineation and they would not be penalized for the setback area. Mr. Vey further stated if nothing can be done in the wetland area then why not delineate it as wetlands. Mr. Wolf stated it could be adjacent to wetlands, determine what it is worth and do a fee-simple into the open space. Mr. Melham stated they are fine with whatever is wanted by the township, however; a fee in lieu of is favorable. Mr. Wolf noted a good number of the waivers being requested are due to the 14 parking spaces stemming from the adjoining property, TMP 23-010-021-002, parking easement. These 14 parking spaces are located on an easement on the adjacent property. If there is a future change in use there may be a deficiency in parking requirements. The easement was purchased from the owner and can only benefit the hotel property. Mr. Vey asked how it could be told to the owner of the adjacent parcel owner that they cannot use the spaces since they are part of an easement for the adjoining property. Mr. Wolf stated the ordinance states you can have shared parking between 2 parcels and it must be demonstrated that there is compliance with ordinance. Mr. Wolf stated he will review the parking agreement and forward to the solicitor for review as well. Mr. Melham noted it came up during a discussion that Mr. Andresen that there was a concern regarding the drainage that comes off the gas station property down Quaker Pointe Drive to the entrance of the proposed hotel. If deemed necessary, an inlet will be installed to capture the runoff prior to it entering the property.

Mr. Bolton made a **MOTION** to recommend approval of the Quaker Pointe Hotel, LLC, Preliminary/Final Plan of Land Development for the property located at 1915 John Fries Highway, TMP 23-010-021-001 with the following conditions: A fee in lieu of open space be offered, an inlet at the entrance of the property be installed if found required, satisfaction of Andersen Engineering review letter dated October 10, 2022, a review of the parking easement be done and any issues addressed. The Planning Commission is in favor of granting the requested waivers. The motion was seconded by Mrs. Edwards and passed unanimously.

With there being no further business Mr. Murray made **MOTION** to adjourn the October 26, 2022 Planning Commission meeting at 8:24 p.m. Mrs. Edwards seconded the motion.

**Milford Township
Planning Commission**

Meeting Minutes of November 30, 2022
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Susan Edwards, Secretary; and Merv Afflerbach, Member.

Staff Present: Devan Ambron, Secretary.

Mr. Murray called the Milford Township Planning Commission meeting to order at 7:01 p.m.

Mr. Bolton made a **MOTION** to approve the meeting minutes of October 26, 2022. The motion was seconded by Mr. Vinger and passed unanimously.

Conditional Use

Spinnerstown Hotel, 2195 Spinnerstown Road, TMP 23-002-075. The Applicant, John Dale owner of the Spinnerstown Hotel, requests Conditional Use approval to allow an expansion of the existing tavern by adding two carports to an existing detached accessory structure. The tavern is located on the corner of Spinnerstown and Steinsburg Road in the VC2 Zoning District. The Planning Commission noted the proposal is de minimis in nature and does not affect the existing parking, nor add impervious surface.

Mr. Bolton made a MOTION to recommend approval of the Spinnerstown Hotel Conditional Use Application, for the property located at 2195 Spinnerstown Road, TMP 23-002-075, as presented. Mr. Vinger seconded the motion. The motion passed unanimously.

Special Exception

Michael Coen, 1531 Fels Road, TMP 23-007-119-002, Accessory Home Occupation. The Applicant seeks a Special Exception to allow a home occupation, and repair service for the property located at 1531 Fels Road, in the RA Zoning District. The applicant requests to use the existing pole barn to received firearms, manufacture/build firearms, and import firearms in accordance with his approved Federal Firearms License and all state and federal laws. The application states it is the intent to sell firearms from a website and at gun shows and there will be no foot traffic or signage at the location representing a business. The location will not be used for retail purposes and will follow all zoning requirements. Firearms will be stored and protected properly at all times via safes and alarm, which is already existing on the property. The Planning Commission saw no issues with the proposal as all activities will take place inside and no retail sales will take place from site.

Mr. Bolton made a MOTION to recommend approval of the Zoning Hearing Board Application for a Special Exception, to allow a home occupation for a trade and repair service under sections 404.H1.h and 404.H1.i, for the property located at 1531 Fels Road, TMP 23-007-119-002, with the condition the applicant comply with all Federal and State Laws. Mr. Afflerbach seconded the motion. The motion passed unanimously.

Kevin Willauer, 2000 John Fries Highway, TMP 23-010-090, Agricultural Retail. The Applicant seeks a Special Exception to allow an Agricultural Retail Use, 404.A7, on the property located at 2000 John Fries Highway in the RA Zoning District, along with an Interpretation/Appeal, and/or a Variance, to allow an agricultural retail store exceeding 750 square feet to sell local produce under section 404.A.7. Mrs. Ambron stated the Applicant has submitted a Request for Continuance. The application will be heard by the Milford Township Zoning Hearing Board at the regular scheduled meeting of January 10, 2023, at 7:00 p.m. The proposal will be in front of the Planning Commission for review and comment at the December 28, 2022 meeting.

Subdivision/Land Development

Vacubraze Inc., 2200 Kumry Road, TMP 23-021-012-002, Revised Waiver of Land Development Plan. A revised waiver of land development plan has been received from Vacubraze. The revised plan, prepared by Cowan Associates consists of 5 sheets with a plan revision date of August 18, 2022. The plans show a revised building footprint and a revised location of the loading docks. The building footprint has been decreased creating less impervious surface coverage. Mr. Bolton noted the footprint of the building is smaller, creating less impervious surface coverage and is located in the same area which he finds to be less intrusive.

Mr. Bolton made a MOTION to recommend approval of the Waiver of Land Development Plan, last revised August 18, 2022. The motion was seconded by Mr. Vinger and passed unanimously.

With there being no further business at this time, Mr. Vinger made a MOTION to adjourn the November 30, 2022 meeting of the Milford Township Planning Commission at 7:12 p.m. The motion was seconded by Mr. Bolton.