

Milford Township Planning Commission
Meeting Minutes of August 28, 2024
7:00 P.M.

Planning Commission Members Present: Fran Murray, Chair; Edwin Bolton, Vice Chair; Merv Afflerbach, and Member; Adam Klein, Member. Susan Edwards, Secretary, was absent. Staff Present: Devan Ambron, Secretary

Call to Order: Mr. Murray called the Milford Township Planning Commission meeting of August 28, 2024 to order at 7:00 p.m.

Minutes: The Meeting Minutes of July 31, 2024 were accepted as presented

Special Exception:

Serik Baimoldayev, 2715 Dahl Rd, TMP No. 23-005-098-002. Mr. Gavin Laboski represented Serik Baimoldayev, who requested a Special Exception to change a nonconforming warehouse into a warehouse for his New York-based moving company under Section 808.b. The company packs clients' belongings and stores them in remote vaults. Mr. Laboski explained that customers would not visit the site, which would be staffed by a warehouse manager and a part-time employee. Deliveries would occur at the back, with fewer truck visits anticipated. The new owner would control access to the property, which would be cleaned and maintained without generating noise, unlike the current tenant's noisy equipment testing. No retail sales or mini-storage is planned, and the applicant agreed to these conditions. When asked about a cease-and-desist order, Mr. Laboski clarified that the client had not finalized the settlement. Zoning/Code Enforcement officer Mr. Kravitsky explained that the applicant, needing temporary storage, applied for a Use & Occupancy permit, but the property failed inspection due to restroom issues. A temporary permit allowed closing on the property, with the current owner remaining as a tenant for 90 days. However, neighbors reported late-night truck activity, leading to enforcement actions due to nonconforming use. Mr. Laboski assured that delivery times could be controlled, stating the proposed use would be quieter and cleaner. The company's headquarters are in Brooklyn, NY, with only one local employee. Truck access was discussed, and it was confirmed that there is sufficient on-site room for trucks, addressing concerns about road blockage. Mr. Laboski noted that both tenants would use 15,000 square feet each during a transitional period. Mr. Baimoldayev stated that access issues causing a truck to block the road were rare and had been addressed. The property has two loading docks at the rear and can accommodate multiple trucks. Items are crated for storage, and the website's suggestion of customer access was clarified as marketing language; long-term storage does not allow customer visits. Truck traffic is expected to be minimal, with 1-2 trailers and five box trucks per week. The applicant noted the site's front, including drainage and access, is in good condition, which will be verified by the Road Master.

Mr. Bolton made a **MOTION** to issue a letter to the Zoning Hearing Board recommending approval of the application of Serik Baimoldayev, 2715 Dahl Road, TMP No. 23-005-098-002 for a Special Exception to allow a Change in Non-Conforming Use, from a warehouse use to a long term storage warehouse with the following conditions: the Road Master confirm the driveway and drainage is adequate; the Zoning Hearing Board continues the restrictions in place from the Special Exception of 2003 including limiting truck traffic from certain times, no truck stacking on the street, and compliance with the Bucks County Department of Health. The motion was seconded by Mr. Klein and passed unanimously.

Subdivision/Land Development:

Trumbauer Motor Sports, 2110 Milford Square Pike, TMP No. 23-011-001; 23-011-002; 23-011-003; 23-010-096; 23-010-097-005. Proposed Automotive Sales, Automotive Repair and Warehouse. Mr. Bob Irick of Irick, Eberhardt & Mientus, along with Gary Parzyk, attended to present the proposal. Mr. Irick explained that the applicant had previously appeared before the Planning Commission with a Sketch Plan. Since then, the

Zoning Hearing Board granted a Special Exception for the expansion of an existing structure and two variances for parking in front of the building and automotive sales in the VC-2 Zoning District. The interpretation of impervious surface requirements allows for blending, and the site remains significantly below the allowable limit.

According to the Pennoni review letter dated August 5, 2024, steep slopes need to be delineated on the plan. However, no natural steep slopes exist; the slopes present were man-made during the construction of the mill. These minimally steep areas cover less than 3,000 square feet. Mr. Andersen expressed his opinion that the 3,000 square feet should not be aggregated, thus meeting the condition.

Mr. Irick noted that all parking areas are required to have a setback of at least 25 feet, while the current setback is 10 feet. The applicant proposes to increase this to a 20-foot setback. Mr. Bolton inquired about any issues with neighbors, to which Mr. Irick responded that none had been reported.

SALDO Comment 9 states that no structures, stormwater detention/retention basins, sewage treatment/disposal systems, signs, manufacturing or processing activities, commercial activities, parking, or storage of display materials are permitted in the buffer yard. It was noted that there is an existing culvert pipe in the buffer yard, and a waiver will be requested for this. Additionally, Mr. Irick requested a waiver for sidewalks since the nearest sidewalk is 900 feet away at the intersection of Allentown Road and Milford Square Pike.

There is no increase in building height, so the Airport Overlay Zoning is not a concern. The proposed uses include an office for Mr. Trumbauer, which is not an outside office. The applicant is also requesting a waiver for street improvements. Mr. Murray suggested that the Road Master should inspect the site to determine if any improvements are necessary.

Mr. Bolton made a **MOTION** to recommend Preliminary Final Plan Approval for the application of Trumbauer Motor Sports for the property located at 2110 Milford Square Pike with the following conditions: Compliance with all conditions noted in the Pennoni review letter dated August 5, 2024 and the Bucks County Planning Commission Review letter dated August 26, 2024; all outside agency approvals be obtained; a fee in lieu of recreation land. The Planning Commission supports a waiver of SALDO 5-Parking facility setbacks; SALDO 9-Structures in buffer yards; and streets and sidewalks with the caveat the Public Works Director look at the site access. The motion was seconded by Mr. Afflerbach and passed unanimously.

Adjournment: Mr. Bolton made a **MOTION** to adjourn the August 28, 2024 meeting of the Milford Township Planning Commission at 7:44 p.m. Mr. Klein seconded the motion. The motion passed unanimously.