

SOLEBURY TOWNSHIP PLANNING COMMISSION

January 10, 2022

Minutes

Attendance: Dan Fest, Keith Deussing, TJ Francisco, Amishi Castelli, Lesley Marino, Peter Brussock, Curt Genner, (Township Engineer), Mark Roth, (Township Traffic Engineer), Kevin Morrissey (Supervisor Liaison), Maureen Carlton, (Township Solicitor), Jean Weiss (Planning Commission Administrator)

Absent: Gretchen Rice

I. Call to Order

At 7:03 p.m., the Solebury Township Planning Commission meeting was called to order.

II. Appointment of Chair

Upon a Motion made by Lesley Marino, seconded by Peter Brussock the Solebury Township Planning Commission appointed TJ Francisco as Chair.

III. Appointment of Vice Chair

Upon a Motion made by TJ Francisco, seconded by Peter Brussock the Solebury Township Planning Commission appointed Keith Deussing as Vice Chair.

IV. Approval of Minutes – December 13, 2021

Upon a Motion made by TJ Francisco, seconded by Keith Deussing the Solebury Township Planning Commission unanimously approved the December 13, 2021 meeting minutes.

V. **Conditional Use Application – Heritage Senior Living Facility and New Cartwheel Partners (6554 thru 6558 Lower York Road – TMP #'s 41-022-144, 41-022-144-001, 41-022-144-002, 41-022-153)**

The applicant is proposing to construct a 92-unit, 121-bed personal care facility and mixed-use commercial building with an 8,880-sf urgent care facility and 10,560 sf retail space.

Upon a Motion made by TJ Francisco and seconded by Keith Deussing the Solebury Township Planning Commission, at their regularly scheduled January 10, 2022 meeting, recommended that the Board of Supervisors deny the Conditional Use application for Heritage Senior Living Facility/New Cartwheel Partners, specifically due to deficiencies as indicated in the September 1, 2021 McMahon Associates review letter, and the December 27, 2021 Wynn Associates review letter. It was more specifically mentioned that the denial recommendation was mainly due to the following: that a will-serve letter was not received for public sewer service; a will-serve letter was not received for public water supply; and that frontage improvements/widening was not shown along the entire site frontage as previously requested by the Township traffic engineer.

VI. Subdivision/Land Development – Heritage Senior Living Facility and New Cartwheel Partners (6554 thru 6558 Lower York Road – TMP #'s 41-022-144, 41-022-144-001, 41-022-144-002, 41-022-153)

The applicant is proposing to construct a 92-unit, 121-bed personal care facility and mixed-use commercial building with an 8,880-sf urgent care facility and 10,560 sf retail space.

TJ Francisco noted that the applicant is not in attendance at the meeting on behalf of their application.

Maureen Carlton stated that she was notified last week by Ed Murphy that they had no interest in going back in front of the Planning Commission with the revised application. The Planning Commission can evaluate the information they have in front of them and make a recommendation based upon that.

Maureen expressed that the Planning Commission have a number of options, 1. Make a recommendation 2. Not make a recommendation 3. Send to the Board of Supervisors with no recommendation at all 4. Make a recommendation to table the application again.

Curt Genner proceeded to go through the revised application submission and the Wynn Associates review letter of December 27, 2021. The one item that was not addressed was the submission of the HOP permit that was submitted to PennDot, along with the impact assessment report. However, the applicant did just send an email submission between Christmas and New Year's, but was not received in time for a full review.

Mark Roth stated that he briefly had an opportunity to review the HOP permit that was submitted to PennDot, one of the major comments is regarding frontage improvements along 202 (curb line) they are tying into the existing driveway along the south end of the property the serves Logan Square and then runs along their frontage. The curb line along the front should be consistent, but their frontage varies. The reason for the consistency is we are trying to provide for (2) northbound lanes along route 202 in front of Logan Square and well as this property.

Keith Deussing asked why would we want to provide (2) lanes.

Mark Roth explained at the direction of the Township his office prepared a corridor management study along Route 202, as part of that study we recommended (2) travel lanes in the northbound direction along this area to elevate some of the congestion along this section of Route 202 in the commercial area.

Keith Deussing asked if the level of service deficiency is current or post construction.

Curt Genner stated that the service deficiency is current.

Keith Deussing asked how are we voicing our concerns as a Township with PennDot regarding their submission.

Mark Roth stated that PennDot is aware are of our concerns and initial study provided to them, they will also be copied on our review of the application. PennDot has reached out regarding the submission and are well aware of our concerns.

Lesley Marino asked about the water and sewer for this project, do they have a layout of what they are proposing.

Curt Genner stated we believe they should have capacity from the authority, but the applicant has not provided an executed will serve letter with the planning module application for the sewage facilities. We are under the impression there is adequate water supply, but like the sewage we have not been provided a will serve letter from an authority.

TJ Francisco stated that since the applicant in not in attendance at the meeting and there are still a number of outstanding items to be discussed especially with the traffic issues, he is not inclined to move the application forward.

Keith Deussing asked what the size and space available for the urgent care facility.

Curt Genner asked if the Planning Commission does make a recommendation, please your recommendation to include the Wynn Associates review dated December 27, 2021 and any of the other consultant memos.

Dan Fest asked where things stand with the waiver request specifically with Item #12 of the December 27, 2021 Wynn Associates review letter regarding the culvert.

Curt Genner stated that waiver request has not changed. All Waiver items have been covered in the review letter under item #11A through #11L.

Lesley Marino and TJ Francisco expressed concern moving the application forward until all the items in the Township Engineer's review letter have been addressed.

Peter Brussock stated his only concern is with the traffic items to be addressed all other items appear to be items that can be handled administratively.

Keith Deussing asked about the sidewalk capacity inside the facility property for the Urgent Care Facility and what would be the waiting room capacity for people waiting to receive care and testing.

Curt Genner stated that the entire site is flanked by 3-sides that consist of concrete walkways, that do tie the facility into the parking lot.

Keith Deussing asked if there are (50) people in line waiting for service are you confident that they will not have to be standing in the parking lot.

Curt Genner stated yes plenty of standing room.

Upon a Motion made by TJ Francisco and seconded by Keith Deussing the Solebury Township Planning Commission, at their regularly scheduled January 10, 2022 meeting, recommended that the Board of Supervisors deny the Subdivision/Land Development application for Heritage Senior Living Facility/New Cartwheel Partners, specifically due to deficiencies as indicated in the September 1, 2021 McMahon Associates review letter, and the December 27, 2021 Wynn Associates review letter. It was more specifically mentioned that the denial recommendation was mainly due to the following: that a will-serve letter was not received for public sewer service; a will-serve letter was not received for public water supply; and that frontage improvements/widening was not shown along the entire site frontage as previously requested by the Township traffic engineer.

VII. Subdivision/Land Development – Carversville Inn Land Co. (6205 Fleecydale Rd – TMP #41-004-010)

The applicant proposes to change the current use of a first-floor restaurant with (4) residential rental apartments back to a country inn with first floor 65-seat restaurant and no more than (8) inn rooms on the second and third floors, along with a 626 S.F. addition.

Rob Gundlach, Esquire (Fox Rothchild, LLP), Milan Lint, Scott McMackin (Cowan & Associates), David Horner, Traffic Engineer and Jessica Rice (Fox Rothchild, LLP) were present on behalf of the application.

Rob Gundlach gave a brief overview of the project.

Rob Gundlach proceeded to review the renderings of the project with the Commission.

Lesley Marino asked if the proposed 626 square feet is footprint, and not total square footage being added.

Rob Gundlach confirmed that the 626 proposed square footage is footprint of the first-floor addition, second floor is 1,436 square feet and the third floor which is just for the elevator and stairwell is 423 square feet for a total addition square footage of 2,285 which will change the inn from approximately 7,820 to 10,308 square feet.

TJ Francisco asked if the stone area in the parking lot considered impervious, so by paving will there be any impact on your stormwater calculations.

Rob Gundlach stated that no there will be no impact, they will actually be reducing a small portion of the impervious. In speaking with the Township Engineer we will be putting in stone lined trench to control the runoff from the parking lot.

Lesley Marino asked about the proposed curb along the front of the property for handicap parking, will there be no curb along the road frontage itself.

David Horner stated that the area will be paved and maintained in its current form, with painted markings.

Curt Genner commented that it was suggested that there be some sort of curb or barrier separating the road from the parking areas.

Rob Gundlach proceeded to go through the McMahon Associates review letter dated December 23, 2021.

Item #1 we will look at alternate solutions separate the vehicle travel-way and the front parking area.

Item #2 & #3 Will comply

Item #4 The (11) parking spaces are all that we have to work with, however we do have a license with the Carversville Church to utilize (40) spaces for overflow parking.

Curt Genner commented that the Township has not been provided with any plans showing the available parking spaces at the church, to see if there will an adverse impact on the site.

Lesley Marino asked if there was any agreement between the prior owner of the Carversville Inn and the owner of the Carversville Store for parking.

Rob Gundlach stated that he nor the current owners are aware of any such agreement.

TJ Francisco asked what the hours of operation will be.

Milan Lint commented that anyone staying at the inn will have the available of breakfast but the could not be offered to the general public through the restaurant, as it will not be open at that time. The restaurant will be open for lunch and dinner, which we anticipate will be until 11:00 p.m.

Lesley Marino asked with the bar area will have the same hours.

Milan Lint stated that he anticipates the bar being open to midnight, however if it is a slow night the bar and restaurant may close early.

Curt Genner asked if there was an assessment done to evaluate the surrounding traffic patterns and level of service of the adjacent roadways.

David Horner sated that no there was not, we are requesting a waiver of that.

TJ Francisco asked Mark Roth is he had any questions of Mr. Horner.

Mark Roth asked if they would provide more detail on how the valet and uber drop off will work. Where will the valet occur and drop off and pickup.

Milan Lint stated the parking lot in the back of the building will be the valet and uber drop off will be in the front of the building.

Mark Roth stated he would like to see better control in the front parking area of the building specifically on and off of Fleecydale Road and Carversville Road so it's not a free for all in the intersection. If that cannot be accomplished, it would be the recommendation to utilize the back lot for all valet and uber drop off.

Lesley Marino asked if the concern with the front parking area could be addressed with line striping.

Keith Deussing asked if an applicant cannot meet the ordinance requirement for on-site parking, what are our requirements to know where that off-site parking is going to be and what it looks like.

Rob Gundlach commented if off-site parking requirements is a condition of this application the applicant cannot make the multimillion-dollar investment in this property only to lose the right to the parking at the Carversville Church and the Township to close them down.

Curt Genner stated the ordinance generally states that the parking has to be on-site. This applicant has gone through a lengthy Zoning Hearing Board process and as a result of that process the Zoning Hearing Board has put the task in the hands of the Planning Commission to figure out the parking.

Keith Deussing asked for clarification regarding parking, so you are saying that they cannot make any guarantees that there will be (40) parking spaces of someone/somewhere that can accommodate the inn.

Rob Gundlach stated yes that is correct, unless Solebury Township was backstopping that and providing a place for parking or someone was giving an easement in perpetuity we cannot make that guarantee. We can however, guarantee that we will continue looking for alternatives to off-site parking. We can provide a plan for accessing the church parking lot, and a plan for valet and uber parking drop off.

Curt Genner commented that there was an alternative of stacking vehicles up to 20/25 vehicles if the operation had to be fully valet, could you provide a plan detailing just so there is that option on the table to show the number of dining seats vs. parking spaces.

Rob Gundlach stated that is a fair request, we will put a park stacking plan in our re-submission. We will provide a plan showing the parking at the Carversville Church, a park stacking plan, plan for valet/uber drop off and a plan showing better control in and out of the front parking area using striping/curbing or other demarcations.

Amishi Castelli asked about the stormwater management for the site.

Scott McMackin commented that they are working with DEP on the required permits for the site.

Rob Gundlach proceeded to go through the list of requested waivers.

Curt Genner asked what the applicant was planning moving forward, are they planning on revising their submission and re-submitting.

Rob Gundlach stated they will make the requested changes to the plans, revised waiver list, holding tank agreement and re-submit.

Curt Genner asked if an extension will be given with the re-submission to give ample time for reviews from the consultants and Planning Commission members.

Rob Gundlach confirmed that an extension will be given.

Rob Gundlach proceeded to go through the Township Planner's review letter dated December 23, 2021 and the Township Zoning Officer's review dated December 28, 2021.

VIII. Adjournment

Upon a Motion by TJ Francisco, seconded by Amishi Castelli, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,
Jean Weiss, Planning Commission Administrator, Solebury Township