

**EAST MARLBOROUGH TOWNSHIP  
PLANNING COMMISSION  
MINUTES OF MARCH 26, 2013**

Mark Benzel, chairperson, called the meeting to order at 7:30pm in the township building. Additional commissioners present: Christine Kimmel and Charles Streitwieser. There was a quorum present.

1. Minutes of February 26, 2013. Motion by Commissioner Kimmel to accept minutes as submitted. 2<sup>nd</sup> Commissioner Streitwieser. Motion approved.
2. Marvin Property – two – lot subdivision in AP District. Henry Raimato of Crossan ~ Raimato, Inc., Professional Land Surveyors, represented property owner. Applicant has revised the plan to meet all the requirements in accordance with the review letter of township engineer, Jim Hatfield. Commissioners direct the applicant make note on the plan regarding the accessory building issue. Since the applicant is requesting a non-building waiver of septic testing, Commissioners expressed their concern that potential buyers be made aware of the possibility of a costly septic system depending on test results for presence of nitrates in nearby water wells. Motion by Commissioner Kimmel: Approval for preliminary/ final plan approval subject to granting of cross easements to access lot 2 and parking for lot 1; subject to meeting all the township consultants requirements and sufficient notation on the plan to make clear to the buyer possible future requirements to create a new septic system for lot 2. 2<sup>nd</sup> Commissioner Streitwieser. Motion approved.
3. TD Bank-Conditional Use application for bank on former Burger King site-Rt.1 Applicant represented by Joseph E. Brion, attorney of Buckley, Brion, McGuire, Morris & Sommer LLP and Michael E. Jeitner, PE of Bohler Engineering. Commissioners discussed the March 26, 2013 review letter of Township Engineer, James Hatfield. Motion by Commissioner Kimmel to recommend the Conditional Use Application of TD Bank and direct applicant to continue through the process with the township. 2<sup>nd</sup> Commissioner Streitwieser. Motion approved.
4. Bank of America – Preliminary/Final Plan for Rt. 1 – former Luke/Mobil site Applicant represented by Adam J. Brower, P.E. of Edward B. Walsh & Associates, Inc., Joseph E. Brion, attorney with Buckley, Brion, McGuire, Morris & Sommer LLP and Michael J. Cooley of The Provco Group. Commissioners noted a previous conditional use approval. Plans changed from the original to a new prototype by Bank of America that changes the building size and footprint and a reconfiguration of drive aisles. Commissioners received and reviewed a letter from Adam J. Brower, P. E. that referenced the project review letters of March 19<sup>th</sup> and March 26<sup>th</sup> from

township engineer, James Hatfield. Discussion by the commissioners emphasized the significant issues that continue unresolved. Commissioners consider the changes to the drive aisles to be a significant departure from the WSFS plan previously approved for Conditional Use, particularly given the amount of discussion regarding the drive aisles during the original CU hearings, and feel this new layout needs further discussion, possibly with input from TP&D. Applicant felt the new layout successfully addressed “decision point” concerns in Jim Hatfield’s review letter and felt that any revisions to this design could be worked out before Final Approval. Applicant expressed considerable urgency to obtain Preliminary Approval in order to be able to engage other administrative and approval processes while the plan details are resolved prior to Final Approval. Commissioners expressed concerns that some of the details to be resolved are significant enough that they are not ready to recommend Preliminary Approval, but would not oppose it if Supervisors choose to grant it. Motion by Commissioner Kimmel for applicant to continue to the township supervisors’ meeting on April 1, 2013 in order to obtain needed feedback on the plans and the new design issues with the understanding that the Planning Commission does not consider the plan ready to be recommended for Preliminary Approval, but would not oppose it if supervisors decide to grant it if requested by the applicant. 2<sup>nd</sup> Commissioner Streitwieser. Motion approved.

Adjournment 10:15pm

Respectfully submitted

Ruth Plaughter, Secretary