

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

AGENDA

AT-LARGE: Christopher Stump, Carissa Ciuca, Steve D'Agostino
FIRST DISTRICT: Susan K. Powell SECOND DISTRICT: Garrett Fails
THIRD DISTRICT: Cathleen Albertson FOURTH DISTRICT: Leslie Campo
ENGINEER: Eric Janetka, Kelly Engineers SOLICITOR: John F. Walko, Esq.

For the **Regular Meeting** to be held at **7:00 p.m. on Wednesday, May 20, 2026**, in the Township Building located at 27 N. Pennell Road.

1. **OPENING:** Pledge of Allegiance to the Flag
2. **APPROVAL OF MINUTES:**
 - A) DRAFT Township Council Minutes: April 15, 2026.
3. **PUBLIC COMMENT: On items not listed on the Agenda.**
4. **REPORTS:**
 - A. Chair:
 - B. Committees:
 - C. Manager:
 - 1) PSP – Trooper David Nguyen.
 - 2) Memorial Day Event – Monday, May 25, 8:00 a.m. to 8:30 a.m. at the Middletown Township Building.
 - 3) America 250th Event: “Passport to Middletown” – from 10:00 a.m. to 1:00 p.m. on Saturday, May 30th, visit Cumberland Cemetery, Longview Park and Middletown Historical Society at the Roosevelt Community Center to learn about Middletown’s History. Receive a stamp at all 3 locations and win a commemorative gift.
 - D. Engineer:
5. **PUBLIC HEARING: N/A**
6. **OLD BUSINESS: N/A**
7. **COUNCIL WORKSHOP ITEMS:**
 - A. Review: Council Review of Zoning Hearing Board Applications:
 - 1) Application 2026-09: An application of Vikco, Inc., for a property located at 1278 W. Baltimore Pike, seeking several variances to construct a ‘neighborhood shopping center’ consisting of a 23,299 sq. ft. grocery store and a 7,930 sq. ft. sit-down restaurant with outdoor dining zoned SU-1A.
 - 2) Application 2026-10, Ryan Phillips, 127 W. Forge Road, seeking a Special Exception to install a 14’x32’ in-ground pool proposed to be located within 50 ft. required rear yard setback area, 19 ft. from the rear property line, zoned R-1A.

8. **ITEMS FOR APPROVAL:**

- A. Resolution 2026-12, Preliminary/Final Land Development application for Pinnacle Car Wash - 1 LLC., for a 4,800 sq. ft. car wash at 1216 W. Baltimore Pike.
- B. Resolution 2026-13, requesting a waiver of the requirements for a formal land development application for Casa Mia Restaurant to construct a 516 sq. ft. building addition at 1175 W. Baltimore Pike.
- C. Resolution: 2026-14, Recognizing May 17-24, as National Public Works Week.
- D. Consideration for Approval: Appointment of an Ad Hoc Council Committee to review applications for the senior center advisory committee.
- E. Consideration for Approval: Appointment of Christopher Stump, Susan Powell and Leslie Campo to an Ad Hoc Council Committee to participate on the Rocky Run Fire Company Siting Committee.



John McMullan
Township Manager

MIDDLETOWN TOWNSHIP DELAWARE
COUNTY, PENNSYLVANIA APRIL 15, 2026

Minutes of the Regular Meeting of Township Council held on April 15, 2026, at 7:00 p.m. in the Township Building located at 27 N. Pennell Road.

Present: Cathleen Albertson, Leslie Campo, Carissa Ciuca, Garrett Fails, Susan Powell, Christopher Stump, John McMullan, Eric Janetka, Kelly Engineers, John F. Walko, Esq., Vince Visoskas, Chief Bill Rigby. Excused: Steve D'Agostino.

1. OPENING: PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Mr. Stump called the meeting to order at 7 p.m. and led in the recitation of the Pledge of Allegiance to the Flag.

2. APPROVAL OF MINUTES

A. Draft Township Council Minutes: February 18, 2026.

Ms. Powell made a motion to approve the February 18, 2026, Council meeting minutes.

Ms. Campo seconded the motion. The motion carried with a vote of 6-0.

B. Draft Township Council Minutes: March 18, 2026.

Ms. Albertson made a motion to approve the March 18, 2026, Council minutes. Mr. Fails seconded the motion. The motion carried with a vote of 6-0.

3. PUBLIC COMMENTS:

Mr. Stump reported public comments will be limited to 3 minutes. He added that any Land Development application will go through the same process and reviews including but not limited to Zoning, Traffic, Stormwater Management and Environmental Impacts.

Mr. Doug Carney, 1133 Promenade at Granite Run, asked if the Township could look into the crosswalks at Oriole Ave/Granite Drive and Baltimore Pike and the West Entrance to Riddle Hospital. He walks and finds the crosswalks in bad condition. He noted the crosswalk at Oriole Ave/Granite Drive and Baltimore Pike and the West entrance to Riddle Hospital were in especially bad condition. He also asked if the Township has a "No Jake Brake" ordinance as it is needed especially on Baltimore Pike. Mr. McMullan stated he will look into this and added that Baltimore Pike is a state road and PADot will have to be involved. He stated that Riddle Hospital no longer allows busses to enter their property and it has been a five-year process to get the pedestrian improvements completed at the east entrance of Riddle Hospital. He added SEPTA has taken on the design and the plan is to relocate the bus shelter, do stormwater management and other improvements.

Ms. Patsey Haggerty, 16 Soldier Song Lane, asked if the list of reviews of SALDO projects be placed on the Township website. She also added that the pedestrian crossing from Riddlewood to Weathers garage needs repair.

Mr. Richard A. Smith, 73 War Admiral Lane, asked if the police report could contain a list of the incidents that occur in the Township. Mr. McMullan stated the State Police have created a website that contains all of this information. Mr. Smith also asked about a land swap that he heard about. Mr. McMullan stated this is in Edgmont Township and involves the PA Game Commission. Mr. Smith inquired about the new solicitor and how much the firm charges. Mr. McMullan stated the rate is \$170 per hour.

4. REPORTS

A. Chair: NONE

B. Committees: Land Planning Committee met on 4/15/26 to discuss adding an addition to the Casa Mia Restaurant Building.

Ms. Powell reported the Land Planning Committee met this evening to discuss a proposed Land Development application from Casa Mia Restaurant to construct a 12' x 43' addition accommodating larger parties of customers.

C. Manager:

- 1) Middletown Township Community Day scheduled for Saturday, May 2, at Longview Park, located at the intersection of N. Middletown Road (Rt. 352) and Rose Tree Road, 10 a.m. - 2 p.m.

Mr. McMullan announced the Township's Community Day will be held on Saturday May 2nd at Longview Park which is located at Rt. 352 and Rose Tree Road, the intersection of N. Middletown Road and Rose Tree Road. The event will run from 10 a.m. to 2 p.m. He stated it will be a family fun event with many activities and hopes to see everyone there.

Mr. John Kolicious, EAC, Mr. Kolicious, member of the Environmental Advisory Committee reported they will be holding an event on April 16, 2026, at 6:30 p.m. at the Roosevelt Community Center, "Creating a Sustainable Home Landscape. The event will be hosted by GreenWeavers Landscaping.

D. Engineer: No Report

5. PUBLIC HEARING: N/A

6. OLD BUSINESS: N/A

7. COUNCIL WORKSHOP ITEMS:

A. Review: Council Review of a Zoning Hearing Board Application:

- 1) Application No. 2026-07: An application of Robert Keates for a property located at 1175 W. Baltimore Pike (Casa Mia Restaurant) seeking several variances for setback requirements, increase in impervious surface, and parking spaces to construct a 12' x 43' addition, Zoned C-2.

Mr. McMullan stated before Council is Zoning application No. 2026-07, an application of Mr. Robert Keates for property located at 1175 W. Baltimore Pike, Casa Mia Restaurant. They are seeking several variances for front, rear and side yard setback, impervious coverage and parking lot requirements. The property is zoned C-2. Mr. Bob Linn, representing the owner, gave a brief presentation of the project. He presented to Council a color rendering of the proposed addition project. Mr. McMullan reminded Council that no action is to be taken just whether they would want to send representation to the Zoning Hearing Board.

Council decided that no representation is needed to attend the Zoning Hearing Board meeting.

8. ITEMS FOR APPROVAL:

A. Consideration for Approval: Resolution 2026-10, America 250th Celebration.

Ms. Campo made a motion to approve Resolution 2026-10. Ms. Powell seconded the motion.

Mr. McMullan stated before Council is Resolution 2026-10, America 250th Celebration. He stated Middletown Township in partnership with the Middletown Township Historical Society are creating the "Passport to Middletown". The activity will begin at the Cumberland Cemetery where you will be given a presentation on the history and graves of famous - historical people. The tour will then proceed to Longview Park where Mr. Walter Smedley will give a brief history of the Smedley family and the Smedley property. The self-guided tour ends at the Roosevelt Community Center Historical Society's museum. When you complete all three stations, you will be presented with a commemorative Middletown Township orb. The date for this event will be determined but, in all probability, will be May 30th.

Mr. Stump called for a vote. Resolution 2026-10 carried with a vote of 6-0.

B. Consideration for Approval: Resolution 2026-11, Township Traffic Calming Policy.

Ms. Ciuca made a motion to approve Resolution 2026-11. Mr. Falls seconded the motion.

Mr. McMullan stated before Council is Resolution 2026-11, Township Traffic Calming Policy. He explained the Roads, Highways and Public Safety Committee met with the Township Traffic Engineer Andy Parker at three public meetings to come up with a Township Traffic Calming Policy. This was brought about because of residents' concerns about speeding and cut throughs in the Riddlewood community and other areas of the Township. Mr. Parker explained the policy is a guide to assist with decisions on the proper methods to address particular vehicle and pedestrian situations.

Mr. Stump asked for a vote. Resolution 2026-11 carried with a vote of 6-0.

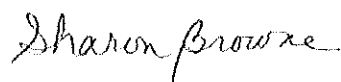
C. Consideration to Authorize: 2026 Township Road Paving Program to Moore Brothers Enterprises, Ltd. in the amount of \$347,777.

Mr. McMullan stated before Council for consideration to authorize is the 2026 Township Road Paving Program contract to Moore Brothers Enterprises, Ltd. in the amount of \$347,777. He stated road paving projects are primarily funded by the PA State Aid Liquid Fuels Fund. He said eight bids were received and this was the lowest price. Ms. Powell asked if the Township has used this company before and Mr. McMullan stated their construction division was used by the Township Sewer Authority with favorable results.

Ms. Alberson made a motion to approve authorizing the 2026 Township Road Paving Program to Moore Brothers Enterprises, Ltd. in the amount of \$347,777. Ms. Powell seconded the motion. The motion carried with a vote of 6-0.

Mr. Stump adjourned the meeting at 7:30 p.m.

Respectfully Submitted,



Sharon Browne



PENNSYLVANIA STATE POLICE

Calls for Service

County Call Type Detail



Date Range: 04/01/2026 to 04/30/2026

Location: MIDDLETOWN TWP (DELAWARE)

Call Types: Includes All Grouped Call Types

Troop	Station	Incidents
TROOP K	MEDIA	626
	<i>Troop Total</i>	626
	<i>Non-Turnpike Total</i>	626
	<i>Turnpike Total</i>	0
	<i>Overall Total</i>	626

County	Municipality	All	Non-Tpk	Tpk Only
DELAWARE	MIDDLETOWN TWP	626	626	0
	Call Group, Call Type			
	Act 64 Offenses	1	1	0
	DRUG - POSSESSION (DRUGP)	1	1	0
	BESO	1	1	0
	BESO SERT WARRANT SERVICE PSP (BESWSP)	1	1	0
	Crimes Against Society	21	21	0
	DISORDERLY CONDUCT (DC)	1	1	0
	DISTURBANCE/NOISE COMPLAINT (DIST)	11	11	0
	PFA VIOLATION (PFAV)	2	2	0
	PFA VIOLATION, IN PROGRESS (PFAP)	2	2	0
	WARRANT - MISDEMEANOR/FELONY (WARMF)	5	5	0
	Crimes Against the Person (Homicide Included)	8	8	0
	ASSAULT - SIMPLE (ASALSI)	1	1	0
	HARASSMENT - COMM - STALK - OTHER (HARASS)	2	2	0
	SEX OFFENSE - ANONYMOUS REPORT (SEXANO)	1	1	0
	SEX OFFENSE - SEXUAL ASSAULT (SEXOFF)	4	4	0
	Death Investigations (Homicide Not Included)	1	1	0
	DEATH - NATURAL (DOAN)	1	1	0
	Domestic Security Checks	36	36	0
	DOMESTIC SECURITY CHECK - CIKR (DSCHKC)	1	1	0
	DOMESTIC SECURITY CHECK - HOUSE OF WORSHIP (DSCHHW)	4	4	0
	DOMESTIC SECURITY CHECK - SCHOOL (DSCHSC)	13	13	0
	DOMESTIC SECURITY CHECK (DSCHK)	18	18	0
	Megan's Law	144	144	0
	MEGAN'S LAW - ADDRESS VERIFICATION (MEGADV)	1	1	0
	MEGAN'S LAW - INITIAL REGISTRATION (MEGREG)	2	2	0
	MEGAN'S LAW - VERIFICATION/UPDATE (MEGVER)	141	141	0
	Motor Vehicle Crashes	42	42	0
	MVC - DUI - ALCOHOL (MVCDA)	1	1	0
	MVC - GONE ON ARRIVAL (MVCGOA)	2	2	0
	MVC - HIT AND RUN, NO INJURIES (MVCHR)	4	4	0



PENNSYLVANIA STATE POLICE

Calls for Service

County Call Type Detail



Date Range: 04/01/2026 to 04/30/2026

Location: MIDDLETOWN TWP (DELAWARE)

Call Types: Includes All Grouped Call Types

County	Municipality	All	Non-Tpk	Tpk Only
DELAWARE	MIDDLETOWN TWP	626	626	0
Call Group, Call Type				
	Motor Vehicle Crashes	42	42	0
	MVC - INJURIES (MVCJ)	8	8	0
	MVC - NON-REPORTABLE (MVCNR)	21	21	0
	MVC - PRIVATE PROPERTY (MVCPP)	4	4	0
	MVC - REPORTABLE, NO INJURIES (MVCRNI)	2	2	0
	Other Investigations	36	36	0
	911 HANG UP CALL (911)	3	3	0
	BACKGROUND INVESTIGATION (BACINV)	1	1	0
	DOMESTIC - OTHER (DOMO)	2	2	0
	REFER TO OTHER AGENCY - PD (REFER)	5	5	0
	SEE OFFICER (SBE OFC)	17	17	0
	VEHICLE FRAUD INSPECTOR-GENERAL ASSISTANCE (VFIGEN)	1	1	0
	WELFARE CHECK (WELCK)	7	7	0
	Property Crimes	15	15	0
	BURGLARY OR ATTEMPTED BURGLARY (BURG)	1	1	0
	THEFT - FRAUD/FORGERY (THEFTF)	5	5	0
	THEFT - RETAIL (THEFTR)	6	6	0
	THEFT (THEFT)	3	3	0
	Requests for Services	161	161	0
	ALARM FALSE FAULT (ALRMF)	13	13	0
	ALARM FALSE NO FAULT (ALRMNF)	5	5	0
	ATTEMPT LOCATE PERSON - VEHICLE (ATL)	1	1	0
	DISABLED MOTORIST (DISM)	13	13	0
	DISABLED MOTORIST ON ROAD (DISMT)	2	2	0
	FIREARM RELINQUISHMENT PFA/MCDV (FIRREL)	1	1	0
	LICENSE/REGISTRATION SEIZURE (DLREG)	6	6	0
	MENTAL HEALTH ACT (302)	4	4	0
	OFFICE OF COMMUNITY ENGAGEMENT (OCB)	8	8	0
	PATROL CHECK (PATCHK)	62	62	0
	PFA ORDER SERVICE (PFAO)	4	4	0
	REQUEST ASSIST - C.P.S.T. IMPROPERLY INSTALLED (RACPSI)	4	4	0
	REQUEST ASSIST - C.P.S.T. PROPERLY INSTALLED (RACPSP)	3	3	0



PENNSYLVANIA STATE POLICE

Calls for Service

County Call Type Detail



Date Range: 04/01/2026 to 04/30/2026

Location: MIDDLETOWN TWP (DELAWARE)

Call Types: Includes All Grouped Call Types

County	Municipality	All	Non-Tpk	Tpk Only
DELAWARE	MIDDLETOWN TWP	626	626	0
Call Group, Call Type				
	Requests for Services	161	161	0
	REQUEST ASSIST - FINGERPRINTS (RAFNGP)	4	4	0
	REQUEST ASSIST - LOCAL PD (RAPDGO)	1	1	0
	REQUEST ASSIST - OTHER AGENCY (RAOGO)	13	13	0
	REQUEST ASSIST- DRE EVALUATION (RADRE)	2	2	0
	ROAD HAZARD - ANIMAL - DEBRIS (ROAD)	13	13	0
	SPEECH (SPEECH)	1	1	0
	TRAFFIC CONTROL (TRCRL)	1	1	0
	Traffic Enforcement	130	130	0
	CHECKPOINT REGULATORY (CHKPTR)	1	1	0
	INTERSTATE HIGHWAY - STATIONARY PATROL (ISTAT)	2	2	0
	MOTOR CARRIER SAFETY (MOTCAS)	4	4	0
	TRAF VIOL-DUI ALCOHOL (TRADUI)	2	2	0
	TRAF VIOL-DUI DRUG (TRADRG)	3	3	0
	TRAFFIC STOP (TS)	114	114	0
	TRAFFIC VIOLATION - OTHER (TROTH)	1	1	0
	TRAFFIC VIOLATION/ERRATIC DRIVER (TRERDR)	3	3	0



MIDDLETOWN TOWNSHIP APPLICATION TO ZONING HEARING BOARD

27 N. Pennell Road | Media, PA 19063
610-565-2700 | Fax 610-566-3640 www.middletowndelcopa.gov

Date May 6, 2026
Application No. 2026-09

Received
MAY 06 2026
Middletown Township

Applicant Vikco, Inc. Address 1278 W. Baltimore Pike
(When there are a number of applicants the additional names shall be entered on the back of this application)

Phone: 856-488-2502 Applicant Email Address: clam@vikinggroup.us
Andrew R. Stoll, Esq. 4 Executive Campus, Suite 100
Attorney (if any) Fox Rothschild LLP Address: 771 Cuthbert Blvd., Cherry Hill, NJ 08002
Phone 215-918-3589 Attorney Email Address: astoll@foxrothschild.com

LOCATION OF PROPERTY 1278 W. Baltimore Pike, TMP No. 27000009100 Zoning District SU-1-A

Deed Book 3820 Page No. 1214
Owners WW-PP Towne Center LP Address c/o McKee Group, 940 W. Sproul Rd., suite 301, Springfield, PA 19064
Agent kcamp@buckleyllp.com Counsel for Owner: Kristin S. Camp, Esq. Address 118 W. Market Street, Suite 300 West Chester, PA 19382-2928

If the applicant is not the agent or the owner, state his interest: _____
Applicant is under an Agreement of Sale for the above-referenced Property.

Application is made for a (variance) (special exception) from the following ordinance and/or section of ordinance:
Please see attached addendum.

State facts and/or basis of support of application (attach narrative if necessary) _____
Please see attached addendum.

**ADDENDUM TO THE ZONING HEARING BOARD APPLICATION OF
VIKCO, INC. FOR THE PROPERTY LOCATED AT
1278 W. BALTIMORE PIKE,
MIDDLETOWN TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA**

I. Background.

Vikco, Inc. (the "Applicant") is the equitable owner of the real property located at 1278 W. Baltimore Pike in Middletown Township, Delaware County, Pennsylvania, identified as tax map parcel no. 27000009100 (the "Property"). The Property consists of approximately 12.72 acres of vacant and undeveloped land located in the SU-1-A Mixed Use zoning district. The Applicant is under contract to purchase the Property and proposes to develop it as a "neighborhood shopping center" as defined and permitted under Section 275-98.C.24 of the Middletown Township Zoning Ordinance (the "Ordinance"). The Project will include a high-quality grocer consisting of approximately 23,299 square feet, a sit-down restaurant with outdoor dining of approximately 7,930 square feet, and associated site improvements (collectively, the "Project"). In connection with the development of the Project, the Applicant requires certain dimensional variances from the strict application of specific bulk, area, and design standard requirements of the Ordinance as set forth herein.

II. Relief Requested.

The Applicant respectfully requests dimensional variances from the following provisions of the Ordinance. The requested variances are limited to dimensional relief only; no use variance is required as the proposed neighborhood shopping center use is expressly permitted in the SU-1-A Mixed Use District, as has been confirmed by the Township's Solicitor via email dated April 21, 2026. The specific relief requested is as follows:

1. **Section 275-101.C.1:** Variance to permit front yard setbacks of less than the required 100 feet from Baltimore Pike. The supermarket building is proposed at a setback of 81.3 feet and the restaurant building at a setback of 64.5 feet.
2. **Section 275-170.A:** Variance to permit parking space stalls of 9 feet wide by 18 feet long where the Ordinance requires dimensions of 9.5 feet wide by 19 feet long. The slightly reduced dimensions will have no adverse impact on vehicular circulation or parking functionality while allowing for more efficient use of the site.
3. **Section 275 Attachment 3 Appendix A SU-1-A Mixed Use District Design Standards 10.E.2:** Variance to permit the buffer along Baltimore Pike to be 13.3 feet where 25 feet is required as measured from the right-of-way line.
4. **Section 275 Attachment 3 Appendix A SU-1-A Mixed Use District Design Standards 10.F.9:** Variance to permit parking island widths varying degrees less than 8 feet, and low as 4.5 feet, where 8 feet is required.

The Applicant satisfies all of the criteria for approval set forth in Section 275-209.A of the Ordinance, as will be presented at the hearing on the Application. As will also be presented at the hearing on the Application, the Applicant has designed the Project to minimize the variances required while still achieving a functional development that will serve the community.



MIDDLETOWN TOWNSHIP APPLICATION TO ZONING HEARING BOARD

27 N. Pennell Road | Media, PA 19063
610-565-2700 | Fax 610-566-3640 www.middletowndelcopa.org

RECEIVED
MIDDLETOWN TOWNSHIP
MAY 07 2026

Date May 7 2026

Application No. 2026-10

Applicant Ryan Phillips Address 127 W Forge rd
(When there are a number of applicants the additional names shall be entered on the back of this application)

Phone: (610) 787-1422 Applicant Email Address: 4ryanphillips@gmail.com

Attorney (if any) _____ Address: _____

Phone _____ Attorney Email Address: _____

LOCATION OF PROPERTY 127 W Forge (Backyard) Zoning District R-1A

Deed Book _____ Page No. _____

Owners _____ Address _____

Agent _____ Address _____

If the applicant is not the agent or the owner, state his interest: _____

Application is made for a (variance) (special exception) from the following ordinance and/or section of ordinance:

Section 275-127 B.4(b)[2] for a 14' x 32' in-ground pool to be located 19 ft from the rear property line.

State facts and/or basis of support of application (attach narrative if necessary) _____

- There are No utilities underground in proposed area.
- Existing grade of area will not change (Area is Flat)
- No Trees/Roots will be disturbed in proposed Area

Note: This application must be sworn to. The affidavit below must be executed before a Notary Public.

Where there are a number of Applicants the additional names shall be entered below.

Applicant *[Signature]* Address 127 W Forge rd Glen Mills 19342

Applicant _____ Address _____

Applicant _____ Address _____

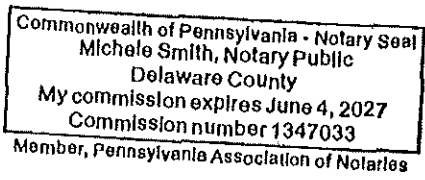
Applicant _____ Address _____

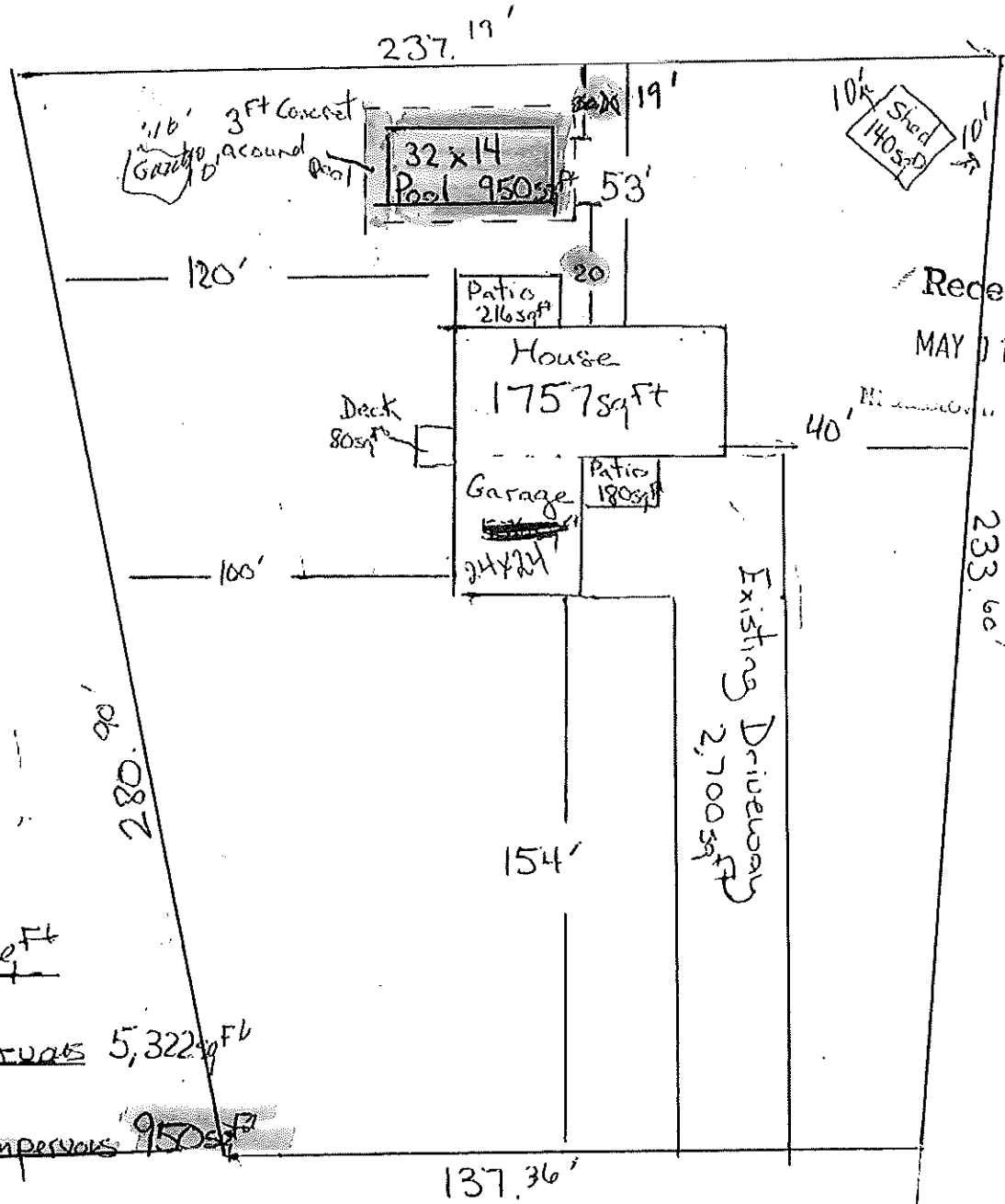
Applicant Sign Here

COMMONWEALTH OF PENNSYLVANIA, }
COUNTY OF DELAWARE, } SS.

On this, the 17th day of May, 2026 before me Michele Smith, the subscriber, a Notary Public for the Commonwealth of Pennsylvania, residing in Delaware County, personally appeared Ryan Philip, who being duly sworn according to law, doth depose and say: that all the above statements and/or drawings and/or attached plans are true.

[Signature]
Notary Sign Here





Received
 MAY 11 2026

Lot 48,787 sq Ft

Existing Impervious 5,322 sq Ft

Proposed New Impervious 950 sq Ft

127 W Forge Rd Glen Mills Pa 19342

Mr + Mrs Phillips

Proposed Swimming Pool (steel w/Kynoliner)

**MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PA**

RESOLUTION 2026-12

**A RESOLUTION GRANTING PRELIMINARY/FINAL PLAN APPROVAL TO PINNACLE WASH-1 LLC
FOR A 4,800 SQ.FT. CAR WASH AT 1216 W. BALTIMORE PIKE**

WHEREAS, Act 247 of 1968, the Pennsylvania Municipalities Planning Code, empowers the Middletown Township Council ("Council") to regulate subdivisions and land developments within the Middletown Township, Delaware County ("Township");

WHEREAS, the Township desires orderly and appropriate land use and development to protect the health, safety, and welfare of residents and visitors;

WHEREAS, Pinnacle Wash-1, LLC ("Applicant") is the equitable owner of a certain 1.489-acre property located in the Township's C-2 Commercial Zoning District, near the southwest corner of Pennel Road and W. Baltimore Pike, and more specifically identified as Delaware County Tax Parcel Number 27-00-00081-00 ("Property");

WHEREAS, the Applicant proposes to construct a one wash tunnel, 4,800+/- sq.ft. automated self-service car wash on the Property with associated parking, driveways, related stormwater management facilities, and other public improvements ("Project");

WHEREAS, the Applicant has submitted a preliminary/final land development plan for the Project prepared by InLand Design (15 sheets), dated June 4, 2025 and last revised April 2, 2026 ("Plan");

WHEREAS, the Plan has been reviewed by the Township Engineer, Zoning Officer, Traffic Engineer, Landscape Architect, Township Sewer Authority and the Middletown Township and Delaware County Planning Commissions;

WHEREAS, the Applicant now desires the Council approve the Plan pursuant to Section 508 of the Pennsylvania Municipalities Planning Code;

NOW THEREFORE, BE IT RESOLVED, by the Middletown Township Council, that the Plan is **APPROVED**, subject to the following conditions:

1. The Applicant must ensure that the Plan addresses any outstanding comments in the Kelly Engineers civil engineer review letter, dated June 27, 2025, to the reasonable satisfaction of the Township Engineer.

2. The Applicant must comply with and address any outstanding comments in the Township Director of Planning and Development Memorandum, dated June 23, 2025, to the reasonable satisfaction of the Township Director of Planning and Development.

3. The Applicant must comply with and address any outstanding comments and conditions in the McCormick Taylor traffic engineer review letter, dated June 27, 2025, to the reasonable satisfaction of the Township Traffic Engineer.

4. The Applicant must comply with and address any outstanding comments in the Township Landscape Architect, Thomas Comitta Associates, Inc. Memorandum, dated June 25, 2025, to the reasonable satisfaction of the Township Landscape Architect.

5. The Applicant must comply with and address any outstanding comments in the Township Lighting Consultant, Charles Gushue, P.E. from McCormick Taylor review letter, dated June 26, 2025, to the reasonable satisfaction of the Township Lighting Consultant.

6. The Applicant must comply with and address any outstanding comments and conditions in Township Sewer Authority Engineer, HRG, Inc. review letter, dated July 10, 2025, to the reasonable satisfaction of the Sewer Authority Engineer.

7. A subsequent recordable final plan shall be submitted for internal Township review that addresses all Township review letter requests, further Plan details and clarifications, or revisions based upon the terms of this Resolution.

8. Applicant must comply with any applicable requirements of the Delaware County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation (including, but not limited to, obtaining any necessary Highway Occupancy Permits and Signal Permits required by PennDot), United States Environmental Protection Agency, the Township Sewer Authority, or any other necessary outside agency, and obtain any necessary planning modules, approvals, or permits from such agencies, or enter into any required agreements such agencies require, before the Plan is recorded.

9. Applicant must complete and permit the recording of all applicable, required easements and/or maintenance agreements or declarations, including, but not limited to a stormwater management facilities operation and maintenance agreement (requiring, in part, perpetual maintenance by the landowner of all stormwater management facilities installed according to the Plan or used by the Property to comply with township code stormwater requirements for the Plan) prior to or with the recording the Plan. Applicant will provide all necessary legal descriptions for any necessary easements.

10. Prior to recording the Plan, Applicant shall have an executed Access Agreement in place with the owner of Printers Way, approved to the satisfaction of the Township Solicitor, providing access to/from the Property as indicated on the Plan.

11. Prior to recording the Plan, Applicant shall submit to the Township a signed consent letter from the owner of the property of 1216 W. Baltimore Pike agreeing to the submission of the Plan application and development of the Property for the Project.

12. Prior to the recording of the Plan, Applicant shall pay a recreation fee-in-lieu-of contribution at the rate in effect at the time of the fee payment for the building (\$6,775 based on the 2025-unit rate).

13. Prior to issuance of building permits, Applicant shall provide architectural elevations for review by the Township that shall be in substantial conformity with the elevations previously shown to Council and the Township's boards and/or commissions, as applicable.

14. Prior to recording the Plan, the Applicant shall execute a Land Development and Financial Security Agreement to guarantee the installation of all public improvements associated with the Project ("Improvements") as drafted by the Township Solicitor. Financial Security shall take the form of a cash escrow held by the Township, an irrevocable standby letter of credit in a form acceptable to the Township

Solicitor, or a tri-party agreement in a form acceptable to the Township Solicitor. Any letter of credit or tri-party agreement shall be executed by a financial institution located in Pennsylvania with a branch location within one (1) hour of the Township or otherwise permit a claim against the security without an in-person presentation. If Applicant were to post financial security in the form of a bond, the Township Solicitor shall have the unconditional right to review the bond and must approve the conditions and language of the bond. Further, the bond shall be issued by a "AAA" rate surety, or its equivalent, qualified to do business in Pennsylvania, and shall contain language stating that the bond is to be payable upon demand, absolutely, and unconditionally, and if payment is not made, that the bonding company shall be responsible for reasonable attorneys' fees and costs that are incurred to collect on the bond, plus interest at the annual rate of twelve (12%) percent, for so long as the bond remains unpaid. A bond or letter of credit is required to automatically renew annually until the Improvements detailed on the Plans are completed, any maintenance periods have passed, and the final release is issued by the Township, subject to partial releases being permitted in accordance with Pennsylvania Municipalities Planning Code. To ensure automatic renewal, a bond or letter of credit shall include a 90-day Evergreen Clause in a form acceptable to the Township Solicitor.

15. Financial security shall be posted in the amount of 110% of the total cost of the Improvements. The Applicant agrees that the Improvements shall include, but shall not be limited to, streets, parking areas, striping, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, stormwater facilities, rain gardens and appurtenances, grading, erosion and sediment controls, public lighting, required trees, shrubs, plantings and landscape buffering, monuments, pins, sidewalks, or other public improvements designated by the Township Engineer.

16. For a period not less than 18 months after Township Engineer approval of the Improvements, financial security shall remain posted in the amount of 15% of the total cost of the Improvements for trees/plantings, Improvements that are to be dedicated to the Township, or Improvements otherwise required to be maintained by the Township Engineer. If the end of maintenance period for trees, plantings, and landscaping materials ("collectively, "Landscaping") is delayed due to planting schedules to the extent that, in the opinion of the Township Engineer, a proper inspection cannot be performed at such time, the Applicant agrees that the maintenance period for the Landscaping shall be extended for a final inspection to be performed when Landscaping plant materials are in full leaf.

17. All outstanding Township fees, including review and recording costs and fees, Township Engineering fees, and Township legal fees, and any other professional fees associated with the review and approval of the application and Plan shall be paid in full before the Plan is recorded, in accordance with the Pennsylvania Municipalities Planning Code.

18. Prior to recording the Plan, and in addition to the financial security posted for the Project, Applicant shall deposit with the Township or otherwise establish a reasonable sum of monies with the Township, in an amount to be reasonably determined by the Township Engineer, as to be further described in the Land Development and Financial Security Agreement, for the reimbursement of the Township's reasonable engineering, inspection, legal, and related administrative costs and expenses related to the further reviews, inspections, and development of the Project, in accordance with the Pennsylvania Municipalities Planning Code. Such fees shall not exceed those charged to the Township by such professionals rendering the applicable services related to the Plan and Project.

19. A note shall be included on the Plan listing any waivers granted by Council.

20. The terms and conditions of this Resolution shall run with the land and shall apply to any assignee, transferee, or other successor in interest in the Property or the development of the Project. This Resolution or a memorandum of this Resolution may be recorded against the Property by the Township, or a subdivided portion of the Property (if applicable), at the Township's sole discretion, to which the then-

current landowner of the Property shall be deemed to have consented to such recording. Regardless of whether this Resolution is recorded, the Township shall have the right to enforce any violations of the conditions of this Resolution as a violation of the Township's Subdivision of Land Chapter and/or pursuant to Section 616.1 of the Pennsylvania Municipalities Planning Code.

B. Waivers. The Applicant has requested the following waivers from the Township's Subdivision of Land Chapter and Stormwater Management Chapter pursuant to a written waiver request. An indication that a waiver was granted reflects that the Township has determined that the Applicant has sufficiently established that the literal enforcement of the provision waived will exact undue hardship because of peculiar conditions pertaining to the land in question, and that the waiver is not contrary to the public interest or otherwise contrary to the purpose and intent of the Township Code, as demonstrated and explained by appearances of the Applicant before Council at public meetings and through the waiver request letter(s) submitted. A lack of indication of the decision on the waiver after the Township has executed this Resolution shall be interpreted to mean that the waiver was granted, unless the minutes of the associated Township meeting reflect otherwise:

1. A waiver from Sections 210-9 and 210-10 to allow a contemporaneous preliminary and final plan submission, is hereby:

_____ Granted _____ Denied

2. A waiver from Section 198-19.C(2) to utilize HDPE piping outside of the infiltration bed areas and public right of way, is hereby:

_____ Granted _____ Denied

This Resolution shall bind the Applicant and the Applicant's successors and assigns. This Resolution does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plan. Furthermore, this Resolution, and the approvals/waivers and conditions contained herein, shall be rescinded automatically and deemed denied upon Applicant's failure to accept, in writing, all conditions herein imposed within ten (10) days of receipt of this Resolution, such acceptance to be evidenced by the Applicant's signature below. The Applicant understands that accepting the Plan conditions and failing to appeal any conditions, as drafted, within thirty (30) days of the approval date set forth below shall serve as a waiver of any such right to appeal and an acceptance of all conditions that, where applicable, shall bind future owners of the Property. The Applicant agrees that the interpretation of any conditions in this Resolution, if later challenged, shall be interpreted in favor of the Township.

RESOLVED AND APPROVED this _____ day of May, 2026 by the Middletown Township Council, Delaware County, Pennsylvania, at a regularly scheduled public meeting.

ATTEST:

MIDDLETOWN TOWNSHIP COUNCIL:

John McMullan, Township Manager

Christopher Stump, Council Chair

ACCEPTANCE OF CONDITIONS:

I, _____, being the authorized representative for the Applicant, do hereby acknowledge and accept the approval for the Plan issued by the Middletown Township Council and accept the conditions contained therein, as recited above. By assigning this Resolution, the Applicant is signifying acceptance of the conditions contained herein.

APPLICANT: Pinnacle Wash-1, LLC

By: _____

Print: _____

Date: _____

WITNESS:

Name: _____ Date: _____

April 28, 2026

Mr. John McMullan, Township Manager
27 N. Pennell Rd.
P.O. Box 157
Lima, PA 19037

RE: Pinnacle Wash-1, LLC
Traffic Review #2

Record Owner: The Estate of Laura Biordi
Applicant: Pinnacle Wash-1, LLC
Property Address: 1216 West Baltimore Pike, Media, PA 19063 (Middletown Township)
MT No.: 5504.45

Dear Mr. McMullan:

We are in receipt of the Preliminary/Final Land Development submission dated April 2, 2026, submitted on behalf of the applicant, Pinnacle Wash-1, LLC. For our Traffic Review #2, we considered the following documents that were part of the submission:

- 1) *Preliminary/Final Land Development Plan for Pinnacle Wash-1, LLC*, prepared by Inland Design, dated June 4, 2025, last revised April 2, 2026
- 2) *Transportation Impact Assessment for 1216 West Baltimore Pike Car Wash*, prepared by TPD, dated June 4, 2025, last revised March 27, 2026

PROJECT OVERVIEW

The project is located along the south side of West Baltimore Pike (SR 0001), the north side of Printers Way (private road), and west of Pennell Road (SR 0452). It is just west of the small Middletown Pizza strip retail plaza (Flick Brothers property). The applicant intends to construct and operate a proposed one wash tunnel, 4,574 sf automated self-service car wash on 1.49 acres. Access to the site is proposed via a right-in/right-out driveway on Baltimore Pike and an interconnection through the existing cross access easement to the adjacent Flick Brothers property which has a driveway on Pennell Road (SR 0452). The site also proposes to have a future full-access unsignalized driveway on Printers Way once that roadway is dedicated to Middletown Township.

PURPOSE

The purpose of this review is to assess and comment on items of concern relevant to vehicular traffic and pedestrian operations, circulation and safety within the subject site and the surrounding off-site study area of the one wash tunnel, 4,574 sf automated self-service car wash proposed to be located at 1216 West Baltimore Pike (SR 0001).

The following are initial traffic-related comments offered for your consideration. We reserve the right to provide additional comments upon further review of this submission, upon coordination with the Township and/or applicant, upon presentations and/or discussions in Township meetings, and/or upon review of future submissions for this project. **Upon resubmission, the applicant must provide responses to these comments along with revised submission materials as appropriate.**

Transportation Impact Assessment (TIA)

1. As previously noted, the applicant must obtain a Highway Occupancy Permit (HOP) from PennDOT. The applicant has already submitted a HOP application (EPS 376992), and they received Cycle 1 review comments in a PennDOT response letter dated July 3, 2025. The applicant must submit the revised TIA and HOP plans/documents to PennDOT, and address PennDOT's review comments as needed. Copy the Township on all future submissions to PennDOT, and provide copies of PennDOT's review comments and applicant responses.
2. Revise the Executive Summary (page II) and the Recommendations section on page 17 to indicate the proposed access on Printers Way would be a future condition that would not be completed and opened to traffic until Printers Way is dedicated to Middletown Township.
3. In the Programmed Improvements section on page 5, remove the information about the US 1 & SR 452 Loop Road Project. It is no longer planned.
4. As previously noted, revise footnotes below Table 6. It appears that footnotes 2 and 3 should be switched.
5. In the interim scenario (Figure 5), 38% of entering site traffic is coming from Baltimore Pike from west of Donovan Drive, and 25% of entering site traffic is coming from Baltimore Pike from east of Pennell Road. These percentages do not match the exiting percentages going out from the site to those same parts of the roadway network (which are 28% going out to the west and 35% going out to the east), nor do they match the "regional" trip distributions of the full-build scenario (Figure 10), which shows 28% to/from the west and 35% to/from the east. There is no reason the "regional" trip distribution (i.e., at the extents of Baltimore Pike) should be any different for the interim scenario versus the full-build scenario. It appears there was simply an error in the "regional" percentages of entering traffic from the extents of Baltimore Pike in the interim scenario (Figure 5). These interim scenario entering percentages should be revised to match the "regional" entering percentages from the full-build scenario. Ensure that the downstream trip distribution percentages for entering traffic in the interim scenario are adjusted as needed to match the new sum of upstream entering percentages. Ensure that the revised trip distributions for entering traffic in the interim scenario are carried through to volume figures, volume development spreadsheets, analysis, and results tables.
6. As previously requested, provide electronic Synchro files (version 12) for review.

7. Delays and queues on some movements and approaches of Baltimore Pike (SR 0001) & Pennell Road (SR 0452) are indicated to be significant in the future without development conditions and would increase in the future with development conditions. Per Middletown Code Chapter 275-117.9.A., the applicant should propose improvements as needed to address the Township's concerns at this intersection due in part to traffic from the proposed development. We acknowledge that PennDOT's US Route 1 and PA 352 Interchange Improvement Project will implement significant improvements at this intersection, but our understanding is that project will not be constructed until at least the mid-2030's. We further acknowledge that the major intersection improvements proposed by that project are not the responsibility of this developer to implement. However, some type of intersection improvements should be implemented in the meantime. To address this, the applicant should assist with modernization of existing signal equipment at this intersection, including but not necessarily limited to replacement of older signal heads and installation of yellow reflective backplates on all signal heads that do not yet have them. Applicant should coordinate with Township Traffic Engineer, Public Works and PennDOT to determine details of this improvement.
8. Due to potential operational and safety concerns related to increased traffic volumes that would enter and exit via the Middletown Pizza driveway on Pennell Road (SR 0452) during the interim condition (prior to the car wash having direct access on Printers Way), the Township will require a post-development traffic study at the Middletown Pizza driveway. The post-development study must include evaluation of volumes, queues, gaps, and crash/safety issues during the weekday PM and Saturday mid-day peak hours to determine if any signing or pavement markings need to be added or revised, or if any movements (such as potentially the left-out movement) must be restricted, or if other mitigation may be necessary. The study must be conducted within six months of when the car wash is constructed and fully operational. As a condition of approval, the applicant must provide a Condition Statement to summarize what the post-development study would entail and potential next steps based on study findings. Coordination with the Township, the Flick Brothers, and PennDOT will be required when the study is completed to determine what, if any, mitigation will be required at this driveway as a result of the post-development study. When considering potential mitigation requirements, if any, the updated schedule for the anticipated opening of the direct access onto Printers Way should also be taken into account. If direct access onto Printers Way is expected to open within six months of when the car wash opens, the post-development study would not be required.

Land Development Plans

9. Clarify what will happen with the cross access easement to the adjacent Flick Brothers property once the car wash is able to open direct access onto Printers Way (once that roadway is dedicated to Middletown Township). Once the Printers Way access is open, the Township desires at minimum to significantly reduce the volume of traffic that would enter and exit the car wash via the cross access easement and the Middletown Pizza access on Pennell Road (SR 0452). The applicant should indicate if the intention is to extinguish the cross access easement (and remove the interconnection), or if it would be changed to Authorized Vehicles Only (with appropriate signage), or other.

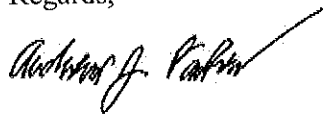
10. As previously noted, the Township remains concerned about the potential for a high volume of cut-through traffic traveling from Baltimore Pike to Printers Way (and continuing on to southbound Pennell Road) in the full-build scenario, as well as in the interim scenario cutting through to the Flick Brothers property and going directly out to Pennell Road, by using the proposed roadway east of the car wash building as a shortcut. The applicant should install signage along with traffic calming measures on the proposed roadway (i.e. speed bumps, etc) to strongly discourage cut-through traffic.
11. Add End of Roadway object markers (sign OM4-3) on the proposed wood guiderail that will prevent egress to Printers Way during the interim condition.
12. Install Do Not Enter signs (R5-1) on the roadway east of the car wash building just after the cross access easement interconnection to the Flick Brothers property (in advance of the bail-out lane opening and the wood guiderail).
13. To the extent feasible, revise the alignment of the proposed sidewalk along the Baltimore Pike site frontage on both sides of the site driveway to lessen the abrupt turns in the sidewalk. We acknowledge that sidewalk turns and/or diagonal sections are needed due to the site driveway crosswalk being setback from the frontage sidewalk, but efforts should be made to make the transitions smoother. Otherwise, we would expect some pedestrians to not follow the sidewalk but rather cut across the grass on the shortest path. Note that the proposed water meter pit location on the east side of the site driveway may need to be moved to a different location to accommodate an adjusted sidewalk alignment. If sidewalk adjustments are made, note that all ADA requirements for curb ramps and other elements must still be satisfied.
14. As previously noted, the applicant should coordinate with the Project Manager (Madeleine Fausto, mfausto@pa.gov) for PennDOT's US Route 1 and PA 352 Interchange Improvement Project to determine what improvements are contemplated on Baltimore Pike along the frontage of the car wash property. The applicant may need to account for that future project as the car wash land development plan and/or HOP plan advances.

CONCLUSION

I trust that the foregoing will assist Middletown Township in their evaluation of this Land Development Application for Pinnacle Wash-1, LLC. Additional review comments may follow upon receipt and review of responses to these comments and any revised submission materials.

Feel free to contact me directly with questions or concerns by phone at 484-873-2408 or by email at ajparker@mccormicktaylor.com.

Regards,



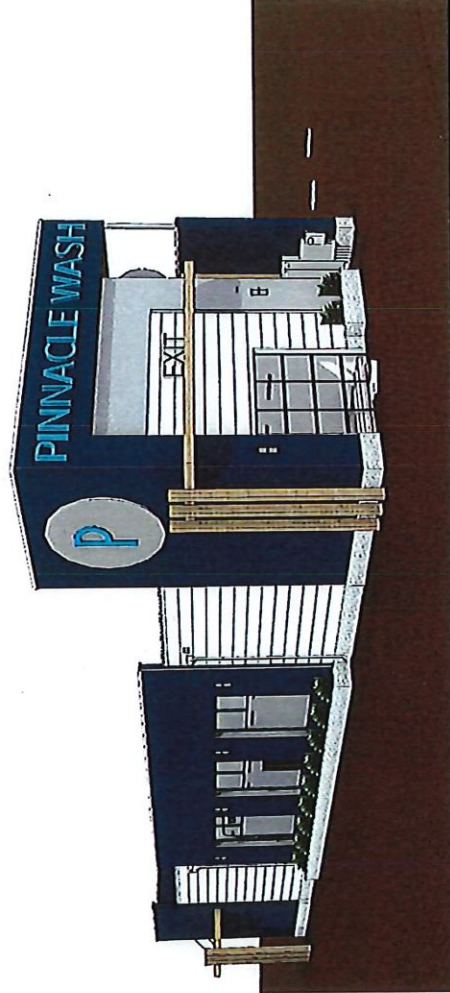
Andrew J. Parker, P.E., PTOE
Township Traffic Engineer

PINNACLE WASH - CONCEPTUAL DESIGN

1216 W BALTIMORE TURNPIKE, MEDIA, PA



1 - PERSPECTIVE



2 - PERSPECTIVE

DATE:	08/06/2022
SCALE:	
DRAWN BY:	APL
CHECKED BY:	APL

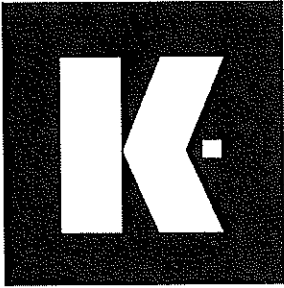
H O V E R
ARCHITECTURE
PHYSICAL ADDRESS: 1700 W. BROAD ST. PHILADELPHIA, PA 19102
PHONE: 215.563.8800
WWW.HOVERARCHITECTURE.COM

COPYRIGHT NOTICE
All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Hover Architecture.

PROJECT NUMBER:
2022-049

SHEET:
3 OF 3

RENDERINGS



Middletown Township
27 N. Pennell Road
Lima, PA 19037-0157

Attn: Meredith F. Merino, MPA
Director of Planning and Development

April 27, 2026
Project No. MT-305-Cg

Re: Pinnacle Car Wash
Preliminary Land Development
Tax Folio No. 27-00-00081-00
1216 W. Baltimore Pike
Middletown Township, Delaware County

Dear Ms. Merino:

This office reviewed the subject preliminary land development application, received by the Township on April 7, 2026. Application documents consist of the following:

1. Plan titled "Preliminary/Final Land Development for Pinnacle Wash-1, LLC", dated June 4, 2025, latest revision date April 2, 2026, prepared by InLand Design (refer to enclosed list of plan sheets):
2. "Carwash Stormwater Management Narrative for Pinnacle Wash-1, LLC, 1216 W. Baltimore Pike", dated June 3, 2025, latest revision date April 2, 2026, prepared by InLand Design.
3. "Environmental Impact Assessment Report for Pinnacle Wash-1, LLC, 1216 W. Baltimore Pike", dated June 3, 2025, latest revision date January 6, 2026, prepared by InLand Design.
4. "1216 West Baltimore Pike Car Wash Transportation Impact Assessment" report dated June 4, 2025, latest revision date March 27, 2026, prepared by Traffic Planning & Design.
5. Correspondence dated April 1, 2026, from InLand Design to Middletown Township Council, requesting "waiver" from Subdivision and Land Development Ordinance requirements.

KELLY ENGINEERS & SURVEYORS
30 LACRUE AVENUE, SUITE 201
GLEN MILLS, PA 19342
O: 610.358.9363
WWW.KELLYENGINEERS.COM

The preliminary land development plan was reviewed for conformance with the Subdivision and Land Development Ordinance, Zoning Ordinance, Grading and Excavating Ordinance (Township Code, Chapter 186) and Stormwater Management Ordinance (Township Code, Chapter 198), among other Township Code

Middletown Township
Re: Preliminary Land Development
Pinnacle Car Wash
1216 W. Baltimore Pike
April 27, 2026
Page 2

requirements. The comments contained herein and in the plan review memorandum from Meredith Merino, Director of Planning and Development, apply to information and design presented under this submission, identified above.

BACKGROUND INFORMATION

The applicant is proposing to construct an approximate 4,800 square feet car wash facility, parking lot, driveways, and related stormwater management facilities, at 1216 W. Baltimore Pike. Also proposed are outdoor car vacuum facilities and a pay kiosk. The property consists of approximately 1.489 acres located in the C-2 Commercial Zoning District, near the southwest corner of Pennel Road and W. Baltimore Pike. The proposed development is to be served by public water and sewer and a new access driveway to W. Baltimore Pike, as well as Printer's Way, are proposed; however, the connection to Printer's Way will not be completed until this road is accepted for dedication by Middletown Township. Financial security will be posted with the Township to guarantee completion of this roadway connection in the future, which is proposed by plan notation to be completed within 6 months following formal dedication of Printer's Way to the Township. Stormwater runoff will be controlled by way of two new underground basins which are presently proposed to be discharged to an existing storm sewer system in W. Baltimore Pike. The existing features at the site largely consist of various impervious surfaces such as stone and paving and some small areas of grass. Relative to Stormwater Management Ordinance requirements, this property is considered a "redevelopment" site.

We offer the following comments that should be addressed to the satisfaction of Middletown Township prior to plan approval and recordation of the land development plan:

ZONING ORDINANCE REQUIREMENTS (CHAPTER 275)

1. The Environmental Impact Assessment Report review comments from Thomas Comitta Associates, Township Planner, must be addressed to the satisfaction of the Township.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REQUIREMENTS (CHAPTER 210)

2. **The applicant is requesting a waiver** from the Subdivision and Land Development Ordinance requirement to submit a "preliminary" plan and has asked the application to be considered a "preliminary/final" plan submission (refer to enclosed correspondence dated April 1, 2026, from InLand Design to Middletown Township Council. This is not permitted without approval of a waiver by Middletown Township Council (§210-7).
3. As required, architectural rendering of the proposed Building has been submitted and should be revised by Council as part of this application (§210-21.A(13)(a)).
4. Connection to public sewer is proposed. The applicant must address all plan review comments/application requirements to the satisfaction of the Middletown Township Sewer Authority. Verification of Sewage Facilities

Planning Modules approval (or approval of exemption) is required prior to final plan approval (§210-11.A(12) and §210-31).

5. Since the limit of ground disturbance area exceeds 1 acre, both an NPDES Permit approval from PADEP and verification of adequacy of the erosion control plan from the Delaware County Conservation District are required. Verification of NPDES Permit approval and erosion control plan adequacy should be submitted to the Township prior to approval of the final plan or as a condition of such approval (§210-20.B(15) & §210-21.A(11,14) & §210-34).
6. The applicant is proposing a sidewalk along the front of the site, outside of the PennDOT right-of-way, within a proposed easement. The easement shall be between property owner and Middletown Township, similar to prior developments completed along W. Baltimore Pike. Easement shall allow for the sidewalks to be accessible to the general public. Sidewalk and easement shall be owned and maintained by the property owner in perpetuity. A legal description for the proposed easement has been submitted and will be reviewed under separate correspondence. Terms of the easement agreement shall be reviewed and approved by the Township Solicitor (§210-28.A & B).
7. The plan proposes an access driveway from the site to Printer's Way. Since Printer's Way has not yet been dedicated to the Township and remains under the control of WV-PP Towne Center, LP, the applicant has agreed to post financial security with the Township to guarantee installation of the driveway connection no more than 6 months following formal acceptance of dedication of Printer's Way, by the Township. The plan includes all appropriate design information, construction details and notations regarding the required future connection. Further, in the interim, the plan shows temporary measures (signage, striping, and physical barricade) to prevent vehicles from exiting the site onto Printer's Way until such time that the permanent access is constructed. Terms of the proposed future connection in regards to financial security and written agreement to complete this connection shall be reviewed by the Township Solicitor (§210-25).
8. PennDOT Highway Occupancy Permit is required for the new driveway and various utility connections to W. Baltimore Pike (§210-21.A(6)(d) & §210-25.A).
9. Proposed outboundary corner markers shall be installed and certified by a Professional Land Surveyor licensed in the Commonwealth of Pennsylvania prior to recording the plan (§210-27).
10. Recreational Facilities and Open Space - The public dedication of suitable land shall be provided for the intended use; and, upon agreement with the applicant or developer, the construction of recreation facilities; or if approved by the Council, the payment of a fee in-lieu thereof. If a fee in-lieu of is determined to be more suitable by the Council, it shall be contributed by the applicant pursuant to Resolution No. 2023-32, Resolution Adopting Recreational Fee-In-Lieu Schedule. For non-residential subdivisions and/or land developments, the amount of recreation land required is based upon a

ratio of 500 square feet of land for each 1,000 square feet of building area (§210-41).

11. All plan review comments from the Township Fire Chief related to emergency access and fire protection must be addressed to the satisfaction of the Township. FTC connections and Fire hydrant locations must be directly coordinated between the applicant and Fire Chief (§210-32).
12. The applicant must address all application review comments from the Township Landscape Architect/Planner as detailed in enclosed correspondence updated April 22, 2026, from Thomas Comitta Associates. Landscaping shall be provided in accordance with Township Ordinances (§210-21.A(14) & §210-39.C(6)).
13. A Development Agreement, Improvement Security Agreement, Stormwater Operation and Maintenance Agreement and Declaration of Easements, Obligations, Covenants, Conditions and Restrictions must be executed between the applicant and the Township prior to (or concurrent with) recording the land development plan (§210-11.A & Chapter 198, §198-29).

DRAINAGE DESIGN AND STORMWATER MANAGEMENT ORDINANCE REQUIREMENTS (CHAPTER 198)

14. Storm sewer pipe material must conform to the Stormwater Management Ordinance. Concrete pipe is required outside of basin areas, but High-Density Polyethylene is proposed. **The applicant is requesting a waiver of this requirement** (refer to enclosed correspondence dated April 1, 2026, from the design engineer) (§198-19):
15. In accordance with Act 167, a Stormwater Management Agreement is required for the perpetual maintenance of stormwater management facilities proposed in conjunction with this land development. Agreement(s) must be reviewed by the Township and Township Solicitor and must be recorded concurrently with the Final Plan. Upon completion of all plan revisions, an 8.5 by 11-inch legible paper exhibit (identified as "Exhibit A"), consisting of the contents of the approved land development plan related to post-construction stormwater management controls (such as construction details, layout and dimensions) and long-term operation and maintenance provisions (for those controls, as required by Chapter 198), must be prepared and submitted for review by the Township. This exhibit will be recorded with the Agreement. In-lieu-of the aforementioned exhibit, the post-construction stormwater management plan and related notes/detail plan sheets can be added to the recording set for the land development, and that set of recorded sheets can be referenced in the maintenance agreement (§198-33, §198-35 and §198-40).

GENERAL COMMENTS

16. Guiderail is proposed along the top of the gravity retaining wall shown on the plan. The design engineer should verify there is sufficient separation between the guiderail posts and the face of the wall.

Middletown Township
Re: Preliminary Land Development
Pinnacle Car Wash
1216 W. Baltimore Pike
April 27, 2026
Page 5

17. All plan review comments from the Township Traffic Engineer, McCormick Taylor, must be addressed to the satisfaction of the Township.
18. All plan review comments from the Township Lighting Consultant, McCormick Taylor, must be addressed to the satisfaction of the Township.
19. Upon resubmission the applicant must include a response letter addressing every comment made within this review letter, the design engineer must also submit electronic copy of each plan sheet and reports in "pdf" format, to both the Township.

If you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,
Kelly Engineers and Surveyors
Township Engineer



Eric J. Janetka, P.E.
Senior Project Engineer

Enclosures

cc: John McMullan, Township Manager (via email)
John R. Ibach, Jr., Manager, MTSA (via email)
John F. Walko, Esquire, Kilkenny Law, LLC (via email)
Pinnacle Wash-1, LLC, Attn: Garry Hesselbacher (via email)
Charles A. Dobson, P.E., President, InLand Design (via email)
File

Middletown Township
 Re: Preliminary Land Development
 Pinnacle Car Wash
 1216 W. Baltimore Pike
 April 27, 2026
 Page 6

SUMMARY OF REQUIRED PERMITS, REVIEWS AND APPROVALS

No.	Description	Review	Status
1.	<i>Receipt of Delaware County Planning Department Review</i>		Resolved
2.	<i>Middletown Township Director of Planning and Development</i>	6/23/2025	Resolved
3.	<i>Township Fire Chief Review</i>		<u>Unresolved</u>
4.	<i>Middletown Township Sewer Authority</i>	4/22/2026	<u>Unresolved</u>
5.	<i>Middletown Township Traffic Engineer</i>	6/27/2025	<u>Unresolved</u>
6.	<i>Middletown Township Lighting Consultant</i>	6/26/2025	<u>Unresolved</u>
7.	<i>PADEP Planning Module (or approval of exemption)</i>		<u>Unresolved</u>
8.	<i>AQUA Pennsylvania Water Service Availability</i>	7/9/2025	Resolved
9.	<i>Preliminary Approval</i>		<u>Unresolved</u>
10.	<i>Delaware County Conservation District Erosion Control Plan Review</i>		<u>Unresolved</u>
11.	<i>PADEP NPDES Permit</i>		<u>Unresolved</u>
12.	<i>Park and Recreation/Opens Space Land or Fee</i>		<u>Unresolved</u>
13.	<i>Final Approval</i>		<u>Unresolved</u>
14.	<i>Development/Security Agreement</i>		<u>Unresolved</u>
15.	<i>Declaration of Easement, Obligations, Covenants, Conditions and Restrictions</i>		<u>Unresolved</u>
16.	<i>Stormwater Management Maintenance Agreement</i>		<u>Unresolved</u>
17.	<i>Financial Security Estimate</i>		<u>Unresolved</u>
18.	<i>Legal Descriptions</i>		<u>Unresolved</u>

LAND DEVELOPMENT PLAN SHEET LIST

SHEET INDEX

SHEET NO.	SHEET TITLE
1	COVER SHEET
2	MIDDLETOWN TOWNSHIP NOTES PLAN
3	OVERALL EXISTING FEATURES PLAN
4	DEMOLITION PLAN
5	SITE PLAN
6	GRADING PLAN
7	UTILITY PLAN
8	CONSTRUCTION DETAILS 'A'
9	CONSTRUCTION DETAILS 'B'
10	POST CONSTRUCTION STORMWATER MANAGEMENT PLAN
11	POST CONSTRUCTION STORMWATER MANAGEMENT DETAILS 'A'
12	POST CONSTRUCTION STORMWATER MANAGEMENT DETAILS 'B'
13	POST CONSTRUCTION STORMWATER MANAGEMENT DETAILS 'C'
14	CONSERVATION, SEDIMENT & EROSION CONTROL PLAN - STAGE 1
15	CONSERVATION SEDIMENT & EROSION CONTROL PLAN - STAGE 2
16	SEDIMENT & EROSION CONTROL DETAILS 'A'
17	SEDIMENT & EROSION CONTROL DETAILS 'B'
18	SEDIMENT & EROSION CONTROL NOTES
19	LANDSCAPE PLAN
20	LIGHTING PLAN
21	VEHICLE TURNING TEMPLATE PLAN - SUV
22	VEHICLE TURNING TEMPLATE PLAN - FIRE TRUCK
23	VEHICLE TURNING TEMPLATE PLAN - TRASH TRUCK



April 1, 2026

Middletown Township Council
27 N. Pennell Road
Media, PA 19063

Re: Waiver Request Letter (revised April 1, 2026)
1216 Baltimore Pike – Preliminary/Final Land Development Plan
Inland Design Project No. 12199

Dear Council Members:

On behalf of the applicant Pinnacle Wash – 1, LLC, we respectfully request waivers from the following provisions of the Middletown Township Ordinance.

1. **§ 210-9 and § 210-10** of the Middletown Township Subdivision and Land Development Ordinance: to allow the above referenced Land Development Plan to be reviewed as a Preliminary/Final Plan.
2. **§198-19.C.(2)** of the Middletown Township Stormwater Management Ordinance: to utilize high-density polyethylene (HDPE) piping outside of the infiltration bed areas and public right-of-way.

The waivers above are also shown on the submitted plans on the Cover Sheet.

Please feel free to contact me should you have any questions or comments regarding this request.

Very Truly Yours,

Charles A. Dobson, P.E.
President

/cad



Herbert, Rowland & Grubic, Inc.
 501 Allendale Road, Suite 203
 King of Prussia, PA 19406
 484.460.7050
 www.hrg-inc.com

April 22, 2026

JOHN IBACH, MANAGER
MIDDLETOWN TOWNSHIP SEWER AUTHORITY
27 N. PENNELL ROAD
MEDIA, PA 19063

PINNACLE WASH-1, LLC
REVIEW LETTER #2

We have completed our review of the following information for the above-referenced project:

Submission:	Dated:	Last Revised:	Preparer:
Plan Sheets 1-23	June 4, 2025	April 2, 2026	Inland Design

The project is located at 1216 W. Baltimore Pike which is approximately 400 feet southwest of the intersection of Baltimore Pike and Pennell Road. According to the plans, *"The purpose of this plan is to acquire preliminary/final land development approval to construct a car wash on the property."* The method of sewage disposal is connection to the Authority's Baltimore Pike Collector in Baltimore Pike.

Our review of the plans is limited to the sanitary sewer and connection to the public sewer system. The following comments should be addressed:

1. PaDEP Act 537 planning may be required for the project. The engineer should submit the postcard mailer—unsigned by the Municipality—along with a planning narrative and supporting plan to PaDEP. This will allow the Department to determine if planning is required, and if so, what type of Act 537 planning is applicable for the project. **Incomplete. While we were copied on email correspondence with PaDEP, no final determination of planning requirements has been made..**
2. The plans incorrectly identify Manhole 1 as a gravity manhole. In reality, this structure is an air release valve (ARV) for the Fair Acres Force Main. The notation should be updated accordingly. **Complete.**

Additionally, the pipeline extending from the ARV to the sanitary manhole to the southwest should be revised to indicate a 10" HDPE force main. **Complete.**

See attached marked-up excerpt from the plan.

PINNACLE WASH-1, LLC
 MTSa
 April 22, 2026
 Page 2

3. The plans call for the sanitary sewer from the complex to be connected to the ARV. The connection will need to be resolved. The engineer should contact our office to discuss connection options. **Complete.**
4. The engineer should provide information on how sewage flow will be monitored. Given the complexity of the proposed water reclamation system, water consumption will not be a reliable indicator of sewage generation, in our opinion. An alternative flow monitoring method should be identified and described. **Incomplete.**
5. The plans show multiple connections to the proposed sewer. Please describe the nature and purpose of each connection. See plan excerpt below. **Complete.**
6. The latest revisions to the Authority's standard details should be added to the plans. These are available in digital format upon request. **Complete. Detail on the plans are sufficient.**
7. The following notes should be added to the plans: **Complete. Notes removed for brevity.**

Additional Comments

8. On the existing manhole, the invert in (northeast) and invert out are shown as 8 inches; these should be 12 inches. The plans shall be updated accordingly.
9. Conversion of the 10-inch HDPE to a gravity sewer shall be 12-inch SDR 35 PVC pipe.
10. The invert of the Car Wash connection shall be set 12 inches above the invert out of the new manhole to allow free flow of effluent.
11. The proposed manhole on the force main shall be coated with OBIC 1000. A note to this effect shall be added to the plans.
12. Conversion of the 10-inch HDPE to a gravity sewer will require diversion of flow from the Fair Acres Pump Station. Existing valving allows this diversion for a short duration (maximum of 2 days under favorable conditions). The Owner shall coordinate with MTSa to implement this diversion and shall be responsible for all associated costs. A note to this effect shall be added to the plans.

REQUIRED AGENCY APPROVALS

1. PennDOT permit. (If any portion of the sewer will be installed in the PennDOT ROW. **Incomplete.**)
2. Approval of Sewage Facilities Planning. **Incomplete.**

ADMINISTRATIVE ITEMS TO BE COMPLETED PRIOR TO/UPON PLAN APPROVAL

1. Payment of all tapping fees. **Incomplete.**
2. Execution of the Authority's standard hold harmless agreement. (If PennDOT permit is required). **Incomplete.**
3. Enter into a Sewer Installation agreement and Public Fund Improvement Fund agreement. **Incomplete.**

PINNACLE WASH-1, LLC
MTSA
April 22, 2026
Page 3

This review is based solely on the documents referenced above and does not relieve the design professional of any responsibility, nor does it imply any design responsibility by Herbert, Rowland & Grubic, Inc. HRG reserves the right to make additional comments in the future based on newly-supplied or revised information as provided by the applicant or their representative(s).

Sincerely,

Herbert, Rowland & Grubic, Inc.

A handwritten signature in black ink that reads "Walter Fazler". The signature is written in a cursive style with a large, prominent 'F'.

Walter Fazler, PE
Senior Project Manager
R003337.0446



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

M E M O R A N D U M

TO: Middletown Township Officials, Staff, and Consultants
Pinnacle Wash-1, LLC Team

FROM: Erin L. Gross., AICP, RLA
Thomas J. Comitta, AICP, CNU-A, RLA

DATE: June 25, 2025; Updated: April 22, 2026

SUBJECT: REVIEW COMMENTS – PINNACLE WASH-1, LLC;
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, DATED REVISED 4-2-2026;
AND SUPPLEMENTAL MATERIALS

Please note the enclosed Review Comments pertaining to the following document that we received on April 7, 2026 and previously, including:

- Preliminary/Final Land Development Plan – Pinnacle Wash-1, LLC (23 sheets), prepared by InLand Design, dated revised 4-2-2026;
- Environmental Impact Assessment Report for Pinnacle Wash, prepared by InLand Design, dated revised 1-6-2026;
- Waiver Request Letter, prepared by InLand Design, dated 4-1-2026;
- Sidewalk Easement – legal Description, prepared by InLand Design, dated 4-2-2026;
- Pinnacle Wash – Conceptual Design (3 sheets), prepared by Hover Architecture, dated 8-26-2025; and
- Response Letter, prepared by InLand Design, dated 4-2-2026.

Please call or email if there are any questions.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

**REVIEW COMMENTS – PINNACLE WASH-1, LLC:
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, DATED REVISED 4-2-2026;
AND SUPPLEMENTAL MATERIALS**

June 25, 2025; Updated: April 22, 2026

Please note the Review Comments below, pertaining to the documents listed on the cover Memorandum. **New comments are in bold type.**

1. Overview

- 1.1. The Applicant is **still** proposing to construct a Car Wash on the 1.489 acre property located in the C-2 Zoning District. The property is currently vacant, and contains a substantial amount of impervious cover from a former use.
- 1.2. TCA **still** defers to the Township Engineer and Traffic Engineer relative to the site vehicular circulation and connection to the adjacent property to the east.
- 1.3. TCA **still** defers to the Township and Township Engineer relative to the Special Provisions for Car Wash Facilities in Article XXII.

2. Waivers

- 2.1. TCA **still** defers to the Township and Township Engineer relative to the requested Waiver.

3. Existing Conditions & Demolition

- 3.1. The Existing Features & Demolition Plan should clearly identify the features proposed to be removed/demolished.

A separate Demolition Plan has been added to the plan set to clarify the features to be removed/demolished. Therefore, this comment is resolved.

4. Landscape Plan

- 4.1. Please ensure that the correct sections references are included in the Landscape Requirements table (i.e. §275-133 instead of §275-132 for Street Trees, Parking Area, and Building Landscape).
- 4.2. Please label all areas proposed to be lawn.

Areas proposed to be lawn are now labeled. Therefore, this comment is resolved.

- 4.3. The Site Plan labels two (2) areas on the west side of the building and one (1) area on the east side of the building with "Planter". However, the Landscape Plan does not depict any plants in this area. Please clarify if plants will be proposed in the "Planter" areas, and if so please specify the proposed plants.



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS – PINNACLE WASH-1, LLC:
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, DATED REVISED 4-2-2026;
AND SUPPLEMENTAL MATERIALS

June 25, 2025; Updated: April 22, 2026

A list of building planter options has been added to the Landscape Plan with planting notes. We recommend that the Plant Schedule Landscape be updated to indicate that the Groundcovers are intended to correspond with the Building – Planters – Planting Options.

- 4.4. The Landscape Requirements table include shade trees for 4 parking spots. In addition to the three (3) employee parking spaces and one (1) ADA parking space, there are also 17 vacuum station spaces. While we defer to the Township Zoning Officer, we believe that the calculation for parking lot landscaping should include the 17 vacuum station spaces, for a total of 21 spaces.

The parking space count and the required parking lot landscaping have been revised for 21 parking spaces. Therefore, this comment is resolved.

- 4.5. There is one potential conflict between a proposed street tree and light (see below). We recommend that the location for the tree or light be slightly adjusted so the canopy of the mature street tree does not conflict with the light.

The Plan has been revised to eliminate the conflict. Therefore, this comment is resolved.

- 4.6. Instead of the four (4) Princeton Sentry Ginkgo trees along Baltimore Pike, we recommend a more stately/robust street tree. Please see the Middletown Township Street Tree list in Attachment 8 of the Zoning Ordinance. We recommend either: Ginkgo biloba (male grafted) instead of the Princeton Sentry that we feel is too columnar; or Zelkova serrata 'Green Vase'.

Street trees have been changed to the native tree Quercus phellos 'QPSTA'- Hightower® Willow Oak. Therefore, this comment is resolved.

- 4.7. Instead of the three (3) Yoshino Japanese Cedar trees along Printers Way, we recommend using three (3) Swamp White Oak (so there would be a total of 7 Swamp White Oak trees along Printers Way).

The plan has been revised to depict all Swamp White Oak along Printers Way. Therefore, this comment is resolved.

- 4.8. Section 275-133.E.(3) (ZO) requires a color rendering of the preliminary landscaping plan. Therefore, a color rendering should be submitted.

The Applicant indicates that a colored rendering will be provided under separate cover. The rendering should still be provided.

- 4.9. Section 275-133.E.(4)(ZO) requires a written narrative of the analysis and objectives for the plants. Therefore, the Landscape Plan should include such written narrative.

A written narrative has been added to the Landscape Plan. Therefore, this comment is resolved.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

**REVIEW COMMENTS – PINNACLE WASH-1, LLC;
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, DATED REVISED 4-2-2026;
AND SUPPLEMENTAL MATERIALS**

June 25, 2025; Updated: April 22, 2026

5. Environmental Impact Assessment Report

- 5.1. The Introduction should be updated to include the correct section reference (Section 275-131.A.(2) instead of 275-131.(2)).

The section reference has been updated. Therefore, this comment is resolved.

- 5.2. The EIA report should be expanded to include floor plans and elevations per Section 275-131.C.(3)(b)(ZO).

Floor Plans and Elevations have been provided. We defer to the Township on the proposed architecture, colors, materials, and signage.

- 5.3. Section 275-131.C.(5)(ZO) requires an identification of biological resources associated with the natural environment including vegetation, and a map depicting the vegetation characteristics. The section of the EIA report pertaining to Site Biological Resources should be expanded to address vegetation on the site, and the Overall Existing Features & Demolition Plan (Appendix A) should be updated to note the existing vegetation characteristics.

The Physical, Natural and Biological Site Resources section has been expanded with more existing vegetation information. Therefore, this comment is resolved.

- 5.4. The EIA report indicates that as a result of the previous contamination of groundwater from the former dry-cleaning business that abutted the site, there is a long-term groundwater monitor at the site with five (5) monitor wells that are currently being monitored by Element Environmental Solutions. Therefore, TCA **still** defers to the Township pertaining to this item and the associated environmental controls/performance standards per Section 275-131.C.(15)(ZO).

- 5.5. We recommend that the Mitigation and Development Implications sections of the EIA report be expanded to address related efforts such as revegetation, screening, fencing, etc. per Section 175-131.C.(19)(ZO).

The Mitigation and Development Implications section has been expanded, and indicates that the proposed landscaping will provide more diverse flora and fauna to the site and will enhance the architecture.

- 5.6. TCA **still** defers to the Township Engineer and Township Traffic Engineer relative to Sections 275-131.C.(10), (11), and (15)(ZO) pertaining to utilities, transportation and circulation system, stormwater management, compliance with the environmental controls/performance standards, and associated adverse effects and appropriate mitigation measures.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

**REVIEW COMMENTS – PINNACLE WASH-1, LLC:
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN, DATED REVISED 4-2-2026;
AND SUPPLEMENTAL MATERIALS**

June 25, 2025; Updated: April 22, 2026

6. Other

- 6.1. Please provide a detail for the proposed Dumpster Enclosure. We recommend that the material for the enclosure complement the façade materials for the building (which should be specified in the forthcoming elevations per comment 5.2.).

An updated detail from the project architect has been provided on Sheet 8. Therefore, this comment is resolved.

- 6.2. Please consider adding a sidewalk along Printers Way in order to enable a future pedestrian connection.

The Applicant indicates that after discussion, a sidewalk is not being proposed along Painter's Way. TCA defers to the Township on this item.

Please email or call if there are any questions.

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PA
RESOLUTION 2026-13

A RESOLUTION GRANTING A WAIVER OF THE REQUIREMENT OF A
FORMAL LAND DEVELOPMENT APPLICATION FOR CASA MIA RESTAURANT TO CONSTRUCT A
516 SQ.FT. BUILDING ADDITION AT 1175 W. BALTIMORE PIKE

WHEREAS, Act 247 of 1968, the Pennsylvania Municipalities Planning Code, empowers the Middletown Township Council ("Council") to regulate subdivisions and land developments within the Middletown Township, Delaware County ("Township");

WHEREAS, the Township desires orderly and appropriate land use and development to protect the health, safety, and welfare of residents and visitors;

WHEREAS, Robert Keates, for himself and on behalf of the other landowners of record ("Applicant"), is a legal landowner of record of the property located at 1175 W. Baltimore Pike, Middletown Township, Delaware County, Pennsylvania (being Delaware County Parcel Number 27-00-00043-00) (the "Property") where the Casa Mia Restaurant is currently located;

WHEREAS, the Applicant is proposing to construct a 516 +/- sq.ft. building addition, with 483 sq.ft. of interior space, onto the Casa Mia Restaurant building to accommodate larger dining groups (the "Project"). A plan for the Project is attached hereto as Exhibit "A" and incorporated herein;

WHEREAS, due to the limited nature and extent of the Project, the limited impact of the Project on the public and the surrounding neighbors, the lack of public improvements associated with the Project, and other unique aspects of the Project presented to Council, the Applicant has requested that the Township waive the entirety of Chapter 210, Subdivision and Land Development, including a waiver of the required approval process for submitting, reviewing, and approving land development plans;

WHEREAS, The Applicant has obtained all necessary zoning relief from the Township Zoning Hearing Board needed for the Plan to remain zoning compliant granted under Case 2026-07 on April 22, 2026;

WHEREAS, the request for the waiver of land development has been reviewed by the Township staff and Land Planning Committee, who believe that, under the unique and limited circumstances of the Project and the conditions agreed to by the Applicant as set forth herein, a waiver of land development would be an appropriate consideration for Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of Middletown Township that, due to the limited nature and extent of the Project, the limited impact of the Project on the public and the

surrounding neighbors, the lack of public improvements associated with the Project, and other unique aspects of the Project presented to Council, the entirety of Chapter 210, Subdivision and Land Development, and the approvals required therein, are hereby **WAIVED** upon acceptance of the conditions set forth below, and the Plan is hereby conditionally **APPROVED**, subject to the following conditions:

1. The Project shall be developed as depicted in the Plan attached as Exhibit "A". After construction of the Project, the Plan, or another revised plan documenting the existence of the Project to the satisfaction of the Township Engineer, shall be recorded in the Delaware County Recorder of Deeds Office as an "As-Built" Plan.

2. The Applicant must undergo any additional *necessary* reviews from any outside agency having jurisdiction (e.g. Delaware County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation) if applicable and obtain any necessary planning modules, approvals, or permits from such agencies, if any, before the issuance of any building permits for the Project.

3. The Applicant shall comply with any requirements set forth in any engineering, zoning, building, fire safety or any other code review letters issued by Township engineers or staff, prior to the issuance of any building permits for the Project.

4. This Resolution shall not serve as a waiver of any other Township Code chapter requirements or permit requirements. The Applicant and the Project shall satisfy the requirements of all other Middletown Township Codes, including the Township Zoning Code, Township Building Code, and the Township Stormwater Code, unless additional relief is obtained. Such compliance shall specifically include, but is not limited to, compliance with the Township's fire code and the need to obtain a building permit and a stormwater permit for the Project.

5. The Applicant shall be responsible for payment of all Township consultant, professional review, and inspection fees related to the Project prior to the issuance of the building permit for the Project.

6. All future developments on the Property shall be subject to a new application and approval by the Township.

7. The terms and conditions of this Resolution shall run with the land and shall apply to any assignee, transferee, or other successor in interest in the Property or the development of the Project. This Resolution or a memorandum of this Resolution may be recorded against the Property by the Township, or a subdivided portion of the Property, at the Township's sole discretion, to which the then-current landowner of the Property shall be deemed to have consented to such recording. Regardless of whether this Resolution is recorded, the Township shall have the right to enforce any violations of the conditions of this Resolution as a violation of the Township's Subdivision of Land Chapter and/or pursuant to Section 616.1 of the Pennsylvania Municipalities Planning Code.

This Resolution shall bind the Applicant, Landowner, and the Applicant/Landowner's successors and assigns. This Resolution does not and shall not authorize the construction of improvements or buildings exceeding those shown on the Plan. Furthermore, this Resolution, and the approvals/waiver and conditions contained herein, shall be rescinded automatically and deemed denied upon Applicant's failure to accept, in writing, all conditions herein imposed within ten (10) days of receipt of this Resolution, such acceptance to be evidenced by the Applicant's signature below. The Applicant understands that accepting the Plan conditions and failing to appeal any conditions, as drafted, within thirty (30) days of the approval date set forth below shall serve as a waiver of any such right to appeal and an acceptance of all conditions that, where applicable, shall bind future owners of the Property. The Applicant agrees that the interpretation of any conditions in this Resolution, if later challenged, shall be interpreted in favor of the Township.

RESOLVED AND APPROVED this _____ day of May, 2026 by the Middletown Township Council, Delaware County, Pennsylvania, at a regularly scheduled public meeting.

ATTEST:

TOWNSHIP COUNCIL:

John McMullan, Township Manager

Christopher Stump, Council Chair

ACCEPTANCE OF CONDITIONS:

APPLICANT: I, Robert Keates, being the authorized person to act on behalf of the Applicant and Landowners, do hereby acknowledge and accept the conditions of this waiver of land development approval issued by the Middletown Township Council and understand and accept the conditions of approval contained therein as recited above. I also represent that I have the authority to bind the Applicant and Landowners to this approval and these conditions of approval.

APPLICANT: Robert Keates

By: _____
Robert Keates

Date: _____

ATTEST/WITNESS:

Date: _____

Print: _____

Item 8B

April 15, 2026

Meredith F. Merino, MPA
Director of Planning and Development
Middletown Township
27 N. Pennell Road - PO Box 157
Lima, PA 19037-0157

**RE: Proposed 516 S.F. Addition
Casa Mia Restaurant
1175 West Baltimore Pike
Request for Waiver of Formal Land Development Process**

Dear Ms. Merino

As you are aware, the owners of the Casa Mia Restaurant at 1175 W. Baltimore Pike are proposing to construct a 516 s.f. 1-story addition on the east side of their existing 2,136 s.f. restaurant building that is predominately a 2-story structure.

Because of the limited scope of work, we believe that a modification to allow a Waiver of the requirement for Land Development may be appropriate for the proposed addition. On behalf of the Applicant, we are respectfully requesting a consideration for a Waiver of the Formal Land Development process.

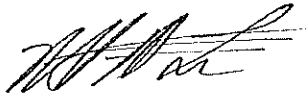
In support of the request, I offer the following facts:

1. The 516 s.f. increase in building footprint is nominal in comparison to the existing 2,136 s.f. building footprint.
2. The addition will only result in an increase in building coverage from 12.4% to 15.4%, whereas 25% building coverage is allowed.
3. Only a 12-foot-wide front façade of the addition will be visible from Baltimore Pike, and we are enhancing the aesthetics of the existing building façade to match the façade of the addition.

4. No changes to the parking areas, curb cuts, or existing site features are proposed.
5. The costs associated with pursuit of the formal Land Development process are extensive for a small addition.

Based upon these facts, we would appreciate your consideration of the Land Development Waiver Request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "RHL", with several horizontal lines drawn through it.

Robert H. Linn, AIA
Registered Architect
Principal - Linn Architects

RHL/dr

MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

RESOLUTION 2026-14

May 17–23, 2026

“Rooted in Service, Powered by Community”

WHEREAS, Public Works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of Middletown Township, Delaware County; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Middletown Township, to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2026 marks the 66th annual National Public Works Week sponsored by the American Public Works Association, be it now,

NOW, THEREFORE, BE IT RESOLVED, the Council of Middletown Township, does hereby designate the week of May 17–23, 2026, as National Public Works Week. Council urges all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

RESOLVED this 20th day of May 2026 by Middletown Township Council, Delaware County, Pennsylvania at a regularly scheduled public meeting.

ATTEST:

TOWNSHIP COUNCIL

John McMullan
Township Manager

Christopher Stump
Council Chair