

MIDDLETOWN

Car dealer appeals zoning decision

The Reedman/Toll Auto World owner, who planned to build a shopping center, claims the zoning board relied too much on the testimony of neighbors in making its decision.

By CHRIS ENGLISH COURIER TIMES

Reedman/Toll Auto World owner Bruce Toll isn't ready to give up on a project that would give him a new shopping center and Middletown the land for a new community center.

Toll's development company has filed a Bucks County court appeal of the township zoning hearing board's Dec. 12 denial of variances needed for the project. Among the requested variances was one that would have allowed the shopping center to be built on land zoned light manufacturing.

Township officials and Toll had reached a tentative agreement on a plan that would have demolished the Reedman/Toll test track to build a shopping center of "various retail stores, convenience stores, several restaurants and a proposed bank" on 26 acres along Route 213. Toll has declined to name the shopping center tenants.

Part of the plan would have him donate eight acres of land to the township for the community center, which would give the township seniors association a new home.

Toll's appeal of the zoning hearing board's denial called the action "arbitrary, capricious, an abuse of discretion and contrary to law."

The appeal also stated that the zoning board had relied too much on "the unsubstantiated testimony of abutting property owners" in

concluding the project would cause too much additional traffic, noise and other negative impacts.

Among other claims, Toll said part of the project includes significantly more landscaping between the project and neighbors than exists now to provide a buffer.

"I think it's a good project, perfect for the neighborhood," he said on Monday. "The additional traffic would all be on Route 213 and wouldn't be going through the neighbors' streets."

Many residents from the adjacent Langhorne Gardens section attended the Dec. 12 zoning hearing board meeting to protest the project.

"We're not surprised at the appeal, we expected it," said Langhorne Gardens resident Michelle MacKay. "We just think the gridlock from this on Route 213 would affect the entire community, not just our section. We'll do what we can to continue to fight it."

The Courier Times was unsuccessful in its attempts to reach zoning hearing board chairman Michael Gaul for comment. Board vice chairman Tom Gallagher said he hadn't seen the appeal and declined to comment.

William Bolla, the zoning board solicitor at the time of the denial, couldn't be reached for comment.

New solicitor Gene Kellis said he wasn't familiar with the matter and declined to comment.

Among the other snags holding up the project is a township ordinance forbidding new stores of more than 80,000 square feet.

The plan includes a 150,000-square-foot store rumored to be a Costco wholesale club — though Reedman/Toll officials wouldn't confirm that.

Toll said that store is needed so the project is profitable and he can afford to donate the land to the township.