

## Defending the homeland

*Middletown officials stuck to their zoning law by rejecting a shopping center plan.*

Big box stores give shoppers lots of choices and low prices. But when a big box shuts down, it's a long time before a user can be found for such a cavernous space. Meanwhile, the empty shell becomes a target for vandals and generally drags down the appeal of neighboring properties if not their value.

Middletown officials know this well. At one time the township, which is home to one of just about every franchise there is, had several empty big boxes dotting the community. The problem led to a township ordinance banning stores of more than 80,000 square feet.

So it wasn't surprising that the township zoning board scotched plans for a shopping center that included a 150,000-square-foot big box as well as several restaurants on land occupied by the Reedman/Toll Auto World test track. Also, the land pegged for the shopping center is zoned for light manufacturing, a variance for which was denied by the board.

In response, Toll, which wants to build the project, has filed an appeal with Bucks County Court. The appeal claims the zoning board placed too much emphasis on "the unsubstantiated testimony of abutting property owners" in concluding that the project would cause too much traffic, noise and other nuisances.

Maybe Toll has a point. We're not lawyers and can't really say. But we applaud the zoning board for giving neighbors' legitimate concerns an airing. No doubt a shopping center and restaurants would produce a lot more traffic and noise than the little-used test track. Also, it seems to us the board was on firm ground in denying a request to build a project that doesn't comply with the township's zoning map.

Still, the plan had some appeal because it included a proposal to donate land for a new community center. Toll argues the big box is needed to make the project profitable and the land donation possible.

Those arguments will go before a judge now. Give zoning officials credit for enforcing local control.