

MINUTES
SOUTH MIDDLETON TOWNSHIP PLANNING COMMISSION
March 19, 2019

PRESENT: TROY TRUAX, TONY GONZALEZ, TOM HOUF, BARB WILSON, BRIAN ENGLE – PLANNING COMMISSION, Todd King – Solicitor, Brian O’Neill – Engineer, Tim Duerr– Zoning Officer, Allison Earnst – Recording Secretary, John Snyder, Paul Wasmer, Elvis Wert, Pam Wert, Dianne Holtry, Thelma Holtry, Paul Hedin, Holly Evans, Nick Plumley, and Michael Wadel.

PLEDGE OF ALLEGIANCE:

Chairman-Gonzalez led the audience in the pledge of allegiance.

MINUTES: 2/19/19

Troy made a motion to approve the minutes, as modified. Barb seconded, and the vote in favor was 5-0.

PUBLIC INPUT:

There was no public input.

#20170007 – WESTMOORELAND PHASE 1– Final Subdivision and Land Development Plan

The applicant proposed to construct Phase 1, which consists of 37 townhomes and 1 single family lot of 103 attached dwelling (townhomes) and 2 single family homes project. The property is located within the RM (Residential Moderate) zoning district. Townhomes are allowed per special exception, which this application has received. The property is located within the Wellhead Protection District, which has received conditional use approval previously. The Preliminary Plan was submitted and approved concurrently with the conditional use application for the use of Transfer of development Rights.

This plan was tabled.

#20180023 – AKASH PATEL & ASSOCIATES – Preliminary/Final Land Development

The applicant is requesting plan approval to construct and operate a drive-thru restaurant and 82-room hotel as a regional commercial center on 3.22 acres. There were several variances granted by the Zoning Hearing Board for building setbacks among other things and a conditional use was approved by the Board of Supervisors for the commercial center. The property is located at 1501 Commerce Avenue, Carlisle (I-3 District).

The applicant has requested the following modifications of requirements from the Subdivision and Land Development Ordinance (SALDO):

1. Section 501.a – Preliminary Plan Submission
2. Section 706.f – Minimum Slope for Channels

3. Section 716 – Access Spacing

This plan has been tabled.

#20190002 – CARLISLE MEDICAL –Final Land Development

The applicant has submitted a land development plan for the purpose of constructing a 5,000 + square foot medical office building on a 1.538 acre lot. The property is located on York Road (C2, Commercial General Zoning District).

The applicant has requested the following modifications of requirements from the Subdivision and Land Development Ordinance (SALDO):

1. Section 305.b – Preliminary Plan

John Snyder with RGS Associates presented the plan for the 5,000 square foot medical office for Geisinger. Mr. Snyder stated that they requested one waiver for a preliminary plan. He explained that they have E&S approval, planning module approval, all outstanding agencies were taken care of, and all staff comments were addressed. John added that stormwater would be managed to the front of the building with the existing swale. John Snyder stated that all sidewalk and utilities are existing. Troy questioned if there was requirements to add sidewalk into the site and where the sidewalk leads. Brian O’Neill stated that the sidewalk runs along the west side. They got a waiver to put in on both sides. Tony asked if the site would have a right-in, right-out, and Brian O’Neill answered, yes. John Snyder added that they are not changing any traffic patterns onto route 74.

Brian Engle referenced the trees planted in the existing drainage easement on sheet 4, and asked if that was an issue. Typically, that would not be recommended. Brian O’Neill stated that the requirement is to screen across the street. The smaller trees in between are fine. Mr. O’Neill added that the larger trees may require a partial waiver of the street tree requirement. John Snyder stated that they will move those trees back out. Brian O’Neill stated that the trees that are over the pipe will need to be removed. Brian Engle clarified that he was referencing the trees up by the pork chop. Brian O’Neill stated that one of those trees would be a required street tree. John Snyder added that there was also a screening requirement. Barb asked if the trees had to be in that location. Brian O’Neill answered and stated that it does not have to be. The trees are required per the ordinance to be every 80 feet. He added that you can take those trees and move them so that you have the same number of trees but in a different location. John Snyder stated that they should be able to accommodate that. Brian Engle asked how that affects the required screening. Brian O’Neill stated that the smaller shrubs could fit in between the subsurface infiltration area and the pipe, since there is 20 feet in between. Barb stated that the one larger tree is the problem. John Snyder stated that they can re-locate the vegetation. Troy asked about the existing rock pile. John Snyder stated that it would be crushed and used for sub base.

Brian made a motion to recommend approval of the modifications of requirements as listed, Barb seconded and the vote in favor was unanimous.

Barb made a motion to recommend approval of the Carlisle Medical– Final Land Development Plan #20190002, subject to tree discussion and outstanding comments, Brian seconded, and the vote in favor was unanimous.

#20190004 – Group & Group – Conditional Use

The applicant is requesting an amendment to Conditional Use #99-09C solely for the purpose of removing the condition of approval that limits the Holly Pike access to no left turns. A full turn access would then be provided in its place.

Mike Wadel with Diffenbaugh Wadel, Inc presented the plan before the Planning Commission. The property is located at 1545 Holly Pike and is an existing community commercial center. Mr. Wadel stated that this conditional use application deals with the main entrance to the Midway Self-Storage and Car Wash. Mike stated that this conditional use has had several approvals, and this specific application is to request relief for two of the conditions from Conditional Use 99-05C. Those conditions are listed as 1A and 1B. They are seeking permission to remove the concrete control island and to turn left onto route 34. Mike explained that the only construction would be the removal of the traffic island, and the disturbed area would be re-paved.

Barb asked what precipitated the request for the change. Mike Wadel could not say for sure. Barb stated that she worked for the Township when the original plan was approved, and remembers the engineer at that time pushing to have control on route 34 and that access drive because of the problems on route 34. Barb noted that traffic has not decreased since then and the conditions in the area are worse. She made it clear that she did not understand why this has been requested. Mr. Wadel stated that the site distance both ways meets PennDOT standards. Barb stated that she uses that car wash and does not think it is safe to turn left going south on route 34. Brian Engle asked if any traffic assessments were done recently, and Mike Wadel answered, no. Brian Engle explained that he was reluctant because they do not know what is driving the proposal and why it should be granted. Mr. Wadel stated that he has not found any accidents occurring there. He also read condition 1D that states, “Should the Holly Pike access become a traffic safety problem in the future, defined as three or more reportable accidents in any one calendar year involving vehicles entering or exiting the site (as required to be reported under 75 Pa. C.S. § 3746), the applicant agrees to modify the site access to mitigate the safety problem.” Brian Engle stated that possibly there have not been any reportable accidents in your findings because of the placement of the pork chop. He further explained that removing that pork chop without justification would be a liability to the Township. Tony added that he agrees with Barb and would not make a left turn there.

Brian made a motion to recommend denial of the Group & Group – Conditional Use Plan #20190004, based on no justification and no studies supporting the request, Barb seconded and the vote in favor was unanimous.

#20190005 – Carlisle Seventh Day Adventist Church – Conditional Use

The applicant is proposing to renovate an existing school building into a church/house of worship. The property is located at 15 Oak Park Avenue

Tim Duerr opened the discussion on the Conditional Use plan for Carlisle Seventh Day Adventist Church and explained that the property off Petersburg Road used to be a school for children with special needs and has been vacant for quite some time. The church would like to remodel the building into a church facility. After reviewing the application, there is adequate seating and parking (if re-striped). Mr. Duerr also added that the screening seems to be satisfactory; however, would like to have a condition that they add additional screening if necessary. Troy asked what the trigger for additional screening would be, and Tim Duerr answered and stated complaints. Barb asked about the size of the church. Paul Wasmer, the church's pastor stated that they typically have 45-55 in attendance. Barb asked what the maximum would be, and Paul answered, 85. Tim Duerr stated that there is potential to add more seating. Brian Engle mentioned the 11, 285 square foot building and the parking requirements being 1 per every 200 square feet or 1 per 3 seats. He asked if you take the lower or higher number to figure the number of parking spaces. Mr. Engle added that the plan shows 34 spaces and that does not seem adequate. Tim Duerr stated that you go by the higher number, and he is showing 58 spaces based on those calculations. They are expanding the parking area. Paul stated that their engineer did a drawing of what is currently there, and estimated the number of parking spots we would have available on the current asphalt. He added that the driveway is very wide and handicap spots would be along that driveway. Paul stated that if he needs to add more parking, he does not think that would be difficult. Tim Duerr informed Mr. Wasmer that they need to have 58 parking spaces. Brian Engle stated if they are expanding the parking area that is going to require stormwater management. Brian O'Neill added that this is only a conditional use. They are going to have to come back for land development. Brian Engle pointed out that they are requesting a waiver of land development. Therefore, it is conflicting. Mr. Engle explained that they probably will not get their land development waiver because of the parking expansion and building addition. Brian Engle also questioned if there was easement to the Ocker tree farm. Paul stated that is it a historical practice. He does not think there is anything in writing or any legal agreement. Paul added that he talked to the owner about the church parking and briefly introduced the possibility of a second driveway. There is a tree line there. Paul indicated that the trees there are on the church's property and there is a space between the trees and the Ocker tree farm where a driveway could be located. Barb asked if there were any homes there, and Paul answered, no, just the tree farm. Brian Engle mentioned that they might need more screening for camp outings and recreational activities that are accessory to the church. Paul stated that anything they will be doing as far as camping goes will take place in that wooded area shown on the map. Tim Duerr was also questioning if there was enough screening and was concerned about properties on Oak Park Avenue since they will be facing the back end of their property. Brian Engle stated that we would add a condition that if it becomes a problem, additional screening will be required. Brian Engle noted that they had submitted two different plans reflecting two different parking calculations (one plan showing 34 parking spaces, and another showing 58 parking spaces). Brian Engle stated that because of these conflicting plans, clarification will be required. Tim Duerr added that a condition will also be needed for the

parking. It should be based on 58 spaces to be in compliance; 34 spaces will not be in compliance.

There was some discussion leading up to the motion regarding the waiver request. Barb noted that the parking could change the stormwater management. Paul asked about paved or stone parking and if that had any affect. Tim Duerr explained that it would impact stormwater regardless. The main issue with stone would be the fact there would be no way of getting an exact number of parking spaces, which would be an issue. The number of required parking spaces is in the zoning ordinance, and they could not get a waiver for that. A variance will be needed to adjust the number of required parking spaces. Brian O’Neill recommended that the planning commission deny the request for waiver of land development based on the amount of expansion of impervious space.

Brian made a motion to recommend denial of the modifications of requirements as listed due to the expansion of the parking as well as the building addition, Barb seconded and the vote in favor was unanimous.

Barb made a motion to recommend approval of the Carlisle Seventh Day Adventist Church – Conditional Use Plan #20190005, subject to all discussion, consideration to screening, the required 59 parking spaces, the parking lot striped, and an easement agreement with the tree farm, Tony seconded and the vote in favor was unanimous.

#20180006 – Mountain Creek Distribution Center – Conditional Use

This plan was brought back before the Planning Commission due to some minor changes. There was some discussion on these changes. Holly Evans with Evans Engineering presented the changes regarding the configuration of the proposed fuel islands.

Barb made a motion that the previous recommendation of approval stands, Brian seconded and the vote in favor was unanimous.

ADJOURNMENT:

The meeting adjourned at 6:55 p.m.

SOUTH MIDDLETON TOWNSHIP

WITNESS:

PLANNING COMMISSION CHAIRMAN:
