

MINUTES
SOUTH MIDDLETON TOWNSHIP PLANNING COMMISSION
January 16, 2023

PRESENT: TROY TRUAX, TONY GONZALEZ, BARB WILSON (absent), BRIAN ENGLE, TIM BERNDT – PLANNING COMMISSION, Kurt Williams – Solicitor, Tim Duerr – Zoning Officer, Natalie Kaczor – Recording Secretary, Brian O’Neill – Engineer, Steve Stine – Special Counsel, Matt Caffrey, Joe Stein, Justin George, and Brian Wickenheison.

PLEDGE OF ALLEGIANCE:

Chairman Gonzalez led the audience in the pledge of allegiance.

REORGANIZATION:

Tony turned the meeting over to Kurt Williams. Kurt called for nomination for chairman. Troy nominated Tony Gonzalez. Tim Berndt seconded, and the vote in favor was unanimous. Tony called for nomination for vice chairman. Tim Berndt nominated Brian Engle. Troy seconded and the vote in favor was unanimous. Tony called for nomination for secretary. Troy nominated Tim Duerr. Tony seconded and the vote in favor was unanimous. Tony called for nomination for recording secretary. Troy nominated Natalie Kaczor. Tim Berndt seconded and the vote in favor was unanimous. Tim Berndt made a motion to approve the meeting dates as advertised. Tony seconded & the vote in favor was unanimous.

MINUTES: 12/20/22

Troy made a motion to approve the minutes. Tim Berndt seconded & the vote in favor was 4-0.

PUBLIC INPUT:

There was no public input.

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

The applicant is proposing 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. The property is located on Walnut Bottom Road, Carlisle (RM District).

This plan was tabled.

#20210003 – 28 WESTMINSTER DRIVE – Final Minor Land Development

The applicant is proposing to construct an office building, equipment storage/garage, and a salt storage building. The applicant has received a variance approval from the Zoning Hearing Board and conditional use approval. The property is located at 28 Westminster Drive, Carlisle (C2 District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 502 g. – EIA Report
- Section 1010 A. – Emergency Spillway
- Section 1010 B. – One foot of freeboard between 100-yr water surface elevation and emergency spillway

This plan was tabled.

#20210008 – KARNs BUILDING ADDITION – Preliminary/Final Land Development

The applicant is requesting approval for a subdivision and land development plan to construct a 15,000 square foot building expansion to the original store and create a new commercial building lot for the construction of a retail building. The property is located at 411-413 Forge Road, Boiling Springs (C1 District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 707 – Sidewalks
- Section 708 – Curbs and Gutters

This plan was tabled.

#20210011 – ZENITH APARTMENTS – Preliminary/Final Subdivision & Land Development

The applicant is requesting land development plan approval to construct 21 apartment buildings containing 250 apartment units. The project is part of a master plan approved by Conditional Use Decision. The property is located off of South Spring Garden Street, Carlisle (SC District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 711b(2)(h) – Maintain/replace existing trees
- Section 1010 J – Minimum channel slope on pervious surface (1% instead of 2%)

Elliot Shibley, Integrated Development Partners, was present to discuss the plan. Mr. Shibley gave a brief overview of the plan. He stated that there were a few pre-approval items that the applicant was waiting on, including the recordation of Smith Farm and approval of the sewage exemption. Mr. Shibley addressed the plan review memo that was sent on January 13, indicating there were no substantive items left, but the applicant does have three waiver requests and post approval items. Brian Engle asked about the waiver to maintain/replace existing trees. Mr. Shibley responded that some of the lots in the Smith Farm development have existing woodland and they were not surveyed in terms of caliper sizes and additional items related to the subdivision requirement. He stated that they have provided the calculation of the canopy coverage of how much is being removed and maintained and replaced with the proposed trees. Mr. Shibley stated that they have asked for this waiver before and feels it is not adverse to the intent of the ordinance. Brian Engle asked how staff felt about the waiver to which Brian O'Neill was fine with it. Tony asked if the waiver from Section 1010 J has to deal with stormwater management. Brian O'Neill replied yes, that there are some areas that are flat and need to maintain the existing grade. Troy asked if there were any ponding issues to which Brian O'Neill replied no. Brian Engle asked where the base and discharge go. Brian O'Neill stated that there is a wooded lot that leads to an inlet near York

Road. Brian Engle asked if there were any concerns about the downstream. Brian O'Neill stated no, as long as it functions properly. Mr. Shibley added that they have had extensive conversations with the Cumberland County Conservation District. They provided a robust analysis and the CCCD is comfortable with the design.

Brian Engle made a motion to recommend approval of the waiver requests. Troy seconded & the vote in favor was 4-0.

Tony made a motion to recommend approval of Zenith Apartments Preliminary/Final Subdivision & Land Development Plan #20210011 subject to staff comments and discussion. Tim Berndt seconded & the vote in favor was 4-0.

#20210024 – IOS – Preliminary Land Development

The applicant is proposing the development of a storage facility which will include associated stormwater management BMP's, site landscaping, and the extension of an improved Lisburn Road with cul-de-sac. The proposed storage facility will not include flammable or explosive liquids as outlined in the Ordinance and will be for nonhazardous materials or finished products. The property is located on West Trindle Road, Carlisle (I1 District).

As part of the application, the following modifications of requirements were requested:

- Section 707 – Installation of sidewalks
- Section 708 – Installation of curbs and gutters
- Section 709 – Installation of street lights and illumination

This plan was tabled.

#20210028 – 25 LISBURN IOS – Preliminary Land Development

The applicant is proposing the development of a storage facility which will include associated stormwater management BMP's and site landscaping. The proposed storage facility will not include flammable or explosive liquids as outlined in the Ordinance and will be for nonhazardous materials or finished products. The property is located at 25 Lisburn Road, Carlisle (I1 District).

This plan was tabled.

#20220014 – BOILING SPRINGS DELI – Preliminary/Final Land Development

The applicant is proposing the construction of a deli in an existing building. The project also includes accessory parking, stormwater management, and driveway reconfiguration. The property is located at 1 Forge Road, Boiling Springs (V District).

This plan was tabled.

#20220015 – SMITH FARM TOWNHOMES – Preliminary/Final Subdivision and Land Development

The applicant is proposing to construct a townhome community on Lot 6 of the Smith Farm subdivision. The project includes 84 townhomes, parking, utilities, and stormwater management facilities. The property is located on South Spring Garden Street, Carlisle (SC District).

As part of the application, the following modifications of requirements were requested:

- Section 501 – Preliminary Plan
- Section 1010.J – Minimum Channel and Pipe Velocities and Slopes
- Section 711b(2)(h) – Identify existing trees

This plan was tabled.

#20220023 - HERITAGE VILLAGE – Sketch Plan

The applicant is proposing to develop a large scale residential development with single-family detached, townhomes, and garden apartments. The property is located on Lisburn Road (RH District).

Matt Caffrey, Berks Homes, was present to discuss the sketch plan. He began by reintroducing the project and addressing the Planning Commission comments from the previous meeting. Mr. Caffrey stated that revisions to the plan included modifying the entrances to the neighborhoods, moved the single family dwellings on the west away from the property line, showing an 80ft buffer, and decided against the innovative design. He added another change may include moving the townhomes from the east side to the west side of the Connector Road. Brian Engle asked if any of the roads were to be private. Mr. Caffrey was unsure. Tim Duerr added that roads that serve the townhomes and apartments may be private while the main roads could potentially be dedicated. Brian O’Neill asked if Berks Homes was going to build the houses. Mr. Caffrey was unsure at this time. Brian Engle noted that private roads may need to be wider for emergency access. Tim Berndt offered to provide the applicant with the turning dimensions and radius worksheet. As Tim Duerr understood, the applicant will be submitting a revised sketch, after this meeting, and the Fire Marshals will review the plan. Tony added that the cul-de-sac will need another emergency access point. Brian Engle noted that recreational activities were not being proposed and asked if staff would like to consider requiring a form of recreation as there is not a lot in this area. Brian O’Neill stated that as part of the Zoning Ordinance, townhomes are required to have a play area. Mr. Caffrey stated that they are looking to build a clubhouse, amenities for the apartment complex, walking trails and tot lots. Brian Engle asked if the Parks and Recreation Board would review that proposal. Brian O’Neill stated the Board of Supervisors would review it. He added that on the west side of Connector Road, there is a potential to connect to that area for a walking trail. Troy added that there is extensive amount of green space in that area that could be connected to a trail system. Brian Engle asked if there were any planning connections on the east side. Tim Duerr stated that the east side is zoned agricultural to the South and industrial to the North. Brian Engle asked if they should consider a right away in that area. Brian O’Neill stated that the Ordinance only requires connections when adjacent parcels are zoned residential. There was further discussion regarding fire lane access. Brian O’Neill noted that only a max of 15 units were allowed on a cul-de-sac. Tim Duerr asked about the loop road to the left. Brian O’Neill didn’t think that constituted as a cul-de-sac but will double check the definition. Tony asked if a traffic study would be required. Tim Duerr stated that could be handled under the conditional use phase. Troy suggested changing the design of the large parking lot. He asked if the apartments would be two story to which Mr. Caffrey replied they would like to do three stories. He added that it is not permitted by the Zoning Ordinance, but the height of the building will remain the same as if it were two story.

#20220025 – CAMBRIA PLACE – Preliminary/Final Subdivision

The applicant proposes to subdivide the existing parcel into 4 new lots. No construction is proposed with this plan. The property is located at 1201 Walnut Bottom Road, Carlisle (TC District).

As part of the application, the following modifications of requirements were requested:

- Section 1503-3(b) – Building Density and Dimensional Standards (Transect 4)
- Section 1503-4(b) – Building Density and Dimensional Standards (Transect 5)

Kurt Williams announced that special counsel was available for this plan as his firm, Salzmann Hughes, represents the applicant. Special counsel, Steve Stine, was present.

Joe Stein, Warehaus, was present to discuss the plan. He gave a brief description of the plan. Mr. Stein stated the two waiver requests are to have the sidewalk deferred until the land development plan and relief from the width and lot depth. Tim Duerr suggested making a note on the plan that sidewalks will be addressed during the land development phase. Brian Engle asked if this differs from the master plan. Tim Duerr noted that the waiver requests were granted during the master plan phase. He added that since there are no buildings being proposed with this plan, the waivers refer to the setbacks on the lots. Brian Engle suggested changing the language used for the existing conditions plan, as the buildings shown on the plan are not currently there. Mr. Stein stated that the terminology will be updated to approved instead of existing.

Troy made a motion to recommend approval of the waiver requests. Tony seconded & the vote in favor was 4-0.

Tim Berndt made a motion to recommend approval of Cambria Place Preliminary/Final Subdivision Plan #20220025 subject to discussion and staff comments. Brian Engle seconded & the vote in favor was 4-0.

#20220027 – SAINT PATRICK CATHOLIC SCHOOL – Preliminary/Final Land Development

The applicant proposes to build a 14,300 square foot STEAM (Science, Technology, Engineering, Arts & Music) addition to the existing school. This plan proposes to demolish the existing building at the rear of the property and to add move the existing driveway access. The property is located 87 Marsh Drive, Carlisle (AC District).

This plan was tabled.

#20220028 – GARDEN APARTMENTS – Conditional Use

The applicant is requesting conditional use to develop the property with 35 buildings that will have a total of 700 garden apartments. The property is located on South Spring Garden Street, Carlisle (RH District).

This plan was tabled.

#20220029 – 100 LOGISTICS DRIVE AAMPA, LLC – Preliminary/Final Land Development

The applicant proposes a trailer storage facility with a driveway connecting the facility to the cul-de-sac located at the end of Logistics Drive. The plan proposes 2 subsurface MRC BMP's, a bio-retention pond, and 2 infiltration trenches along the driveway. The property is located at 100 Logistics Drive, Carlisle (I3 District).

This plan was tabled.

#20220030 – DICKINSON COLLEGE – Conditional Use

The applicant is requesting a conditional use permit to install a biodigester which will serve to convert food and agricultural waste into methane which is then used to produce electricity. The property is located at 575 Park Drive, Carlisle (AC District).

This plan was tabled per the applicant's request.

#20230001 – PAUL ASKEY – Conditional Use

The applicant is requesting a conditional use approval to create an accessory apartment within a garage recently remodeled into living space. The property is located at 290 Bonnybrook Road, Carlisle (AC District).

A representative for the plan was not present. Tim Duerr gave a brief description of the application. He stated that the garage has already been renovated into a living space, the applicant is just looking to add a kitchenette. Brian Engle asked about the zoning comments. Tim Duerr replied that they are suggested conditions. He stated that after speaking with the Sewage Enforcement Officer, a separate septic system may be required. Tim Duerr suggested adding that as another condition.

Brian Engle recommended approval of Paul Askey Conditional Use #20230001 subject to conditions on plan review memo and adequate sewage capacity. Tony seconded & the vote in favor was 4-0.

DISUCSSION – Zoning Ordinance Amendment

An ordinance of the Township of South Middleton, Cumberland County, Pennsylvania amending Ordinance 03 of 2007 (The South Middleton Township Zoning Ordinance) originally enacted on January 2, 1970 and most recently on May 10, 2007, as subsequently amended, permitting, prohibiting, regulating, restricting, and determining the uses of land, watercourses, and other bodies of water; the size, height, bulk, location, erection, construction, repair, maintenance alteration, razing, removal, and use of structures as well as courtyards, and other open spaces and distances to be left unoccupied by uses an structures; the density of population and intensity of use; the location and size of signs; creating zoning districts and establishing the boundaries thereof; continuing the office of zoning officer; continuing a Zoning Hearing Board; and providing for administration, amendment, and enforcement of the Ordinance, including the imposition of penalties.

Tim Berndt asked if this was an update of the entire Zoning Ordinance. Tim Duerr replied yes. Tim Berndt asked about the definition of Recreational Vehicle (RV). He mentioned the definition includes the RV must be able to be towed by a light vehicle (truck). Tim Berndt asked if that definition should be updated as “light vehicle (truck)” is not defined within the Ordinance and a five-wheel recreational vehicle cannot be towed by a light truck. Brian O’Neill stated the purpose was to delineate those from semi-trailers. Tim Duerr added that there are special flood plain requirements for manufactured homes and needed to be able to distinguish between that and a RV. Kurt Williams suggested defining a heavy duty truck. Brian O’Neill stated that light duty trucking has a gross vehicle weight of up to 2 tons.

Brian O’Neill stated that the definition of semi-trailer does not include back half of a tandem truck. Tim Duerr mentioned these changes along with updates on the sign ordinance will be coming within the next few months.

Troy made a motion to recommend approval of the Zoning Ordinance #2023-02 based on comments and discussion. Tony seconded & the vote in favor was 4-0.

ADJOURNMENT:

The meeting adjourned at 6:51 p.m.

SOUTH MIDDLETON TOWNSHIP

WITNESS:

PLANNING COMMISSION CHAIRMAN:
