

**MINUTES**  
**SOUTH MIDDLETON TOWNSHIP PLANNING COMMISSION**  
**January 19, 2021**

**PRESENT:** TROY TRUAX, TONY GONZALEZ, BARB WILSON, BRIAN ENGLE, TIM BERNDT – PLANNING COMMISSION, Bryan Salzmann – Solicitor, Tim Duerr – Zoning Officer, Natalie Frye – Recording Secretary, Brian O’Neill – Engineer, Judi Whitesell, Jonathan Bowser, Elliot Shibley, Doug Brehm, and Allan Galbraith.

NOTE: This meeting was simulcasted via Zoom. Those observing the meeting from the public remotely will not be included in the Minutes unless they made a comment during the meeting.

**PLEDGE OF ALLEGIANCE:**

Chairman Gonzalez led the audience in the pledge of allegiance.

**REORGANIZATION:**

Tony turned the meeting over to Bryan Salzmann. Bryan called for nomination for chairman. Barb nominated Tony Gonzalez. Troy seconded, and the vote in favor was unanimous. Tony called for nomination for vice chairman. Troy nominated Brian Engle. Barb seconded and the vote in favor was unanimous. Tony called for nomination for secretary. Barb nominated Tim Duerr. Tony seconded and the vote in favor was unanimous. Tony called for nomination for recording secretary. Barb nominated Natalie Frye. Tim Berndt seconded and the vote in favor was unanimous.

**MINUTES: 12/15/20**

Barb made a motion to approve the minutes. Tim Berndt 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 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.

**#20190013 – KEYSTONE FIELDHOUSE – Final Land Development Plan**

The applicant is proposing construction of a 30,000 square foot addition on to a recreational facility, currently used for indoor baseball training. The property is located at 1561 Holly Pike, Carlisle (C2 District).

This plan was tabled.

**#20200007 – FRANCIS & KAREN CIAPANNA – Final Minor Subdivision Plan**

The applicants are proposing a subdivision of a 70.74 acre property into 3 building lots. The property is located at 169 Old Town Road, Gardners (WC District).

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

- Article X – Stormwater Management (deferral)

This plan was tabled.

**#20200008 – JEFFERSON COURT II – Final Subdivision & Land Development Plan**

The applicant is proposing Phase I of the Jefferson Court II development which consists of 13 single family detached building lots and a residual lot. The property is located on Petersburg Road, Carlisle (RL District).

This plan was tabled.

**#20200020 – GEORGETOWNE – Conditional Use**

The applicant is requesting a conditional use to construct a 206 lot Single Family Detached Dwelling Subdivision. The conditional use is for the development exceeding 25 total units/dwellings thus a large scale development and for the use of 3 transferable development credits/rights from the AC district. The property is located on E. Springville Road & S. Ridge Road, Boiling Springs (RM District).

This plan was tabled.

**#20200021 – GEORGETOWNE – Preliminary Subdivision & Land Development Plan**

The applicant is proposing a 206 lot single family detached dwelling subdivision through the use of Transferable Development Rights. The property is located on E. Springville Road and S. Ridge Road, Boiling Springs (RM District).

This plan was tabled.

**#20200026 – DAVID & CAROL ADAMS – Final Subdivision Plan**

The applicant is proposing to subdivide one single family residential lot. The property is located at 41 Fairfield Street (RH District).

This plan was tabled.

**#20200033 – MORGAN'S CROSSING PHASE II – Final Subdivision & Land Development Plan**

The applicant is requesting final plan approval to subdivide 24 lots for single family development, 1 residual lot, and 1 non-building lot as part of phase II. The property is located on Petersburg Road, Carlisle (RH District).

Phil Garland was present to discuss the plan. Tim Duerr gave a brief overview of the proposed plan. He mentioned this phase is proposing a 24 lot subdivision and the preliminary plan for this development has already been approved. Tim Duerr stated there was one administrative comment remaining which pertained to the submission of sample deeds to the Township. Tony asked since the preliminary plan has already been approved there was no need to act on any waiver requests to which Tim Duerr replied yes. Tim Duerr also mentioned one difference between this final subdivision and the preliminary plan is the proposing of vertical curbs.

Tim Berndt mentioned he had conversations with Chris Bado, Carlisle Evangelical Free Church, about the plan. He stated Mr. Bado had concerns about obligations the church has regarding the connector road. Tim Berndt mentioned the plan stated the church would be responsible for the cost of construction and maintenance of the connector road. Mr. Garland asked mentioned he had a conversation with Mr. Bado about a month ago regarding the paving and installation of the connector road to which Mr. Bado agreed. Tim Berndt asked about the cost of installing the connector road. Mr. Garland replied it is on the cost of the developer. Brian O’Neill clarified that there is a note on the plan indicating the church is to maintain their driveway on the property. He mentioned the entrance off of Petersburg Road, across from Limestone Road, will be a public street and the driveway to the church will be relocated off the public street. Brian O’Neill mentioned the only maintenance the church will be responsible for is for their driveway. He also stated the note regarding the responsibility of the cost of installation has been removed. Tim Berndt stated Mr. Bado’s main concern was the cost of installation which has been confirmed to be the responsibility of the developer. Troy asked about comment #32 on the plan which notes the maintenance of the access drive is the responsibility of the church. Brian O’Neill explained comment #31 addresses the previously recorded plan which stated the church was responsible for the relocation of the driveway which was a discrepancy with the conditional use. He mentioned he will give Mr. Bado a call to clarify the misunderstanding. Brian Engle mentioned on sheet 6 the driveway apron should be a depressed curb not a vertical curb.

Barb made a motion to recommend approval of Morgan’s Crossing Phase II subject to discussion and the comment on the depressed curb on sheet 6. Brian Engle seconded & the vote in favor was 5-0.

**#20200034 – JJC INVESTMENT PROPERITES, INC.**

The applicant is requesting conditional use approval for the construction of a 6 lot/dwelling unit single family detached development in the Wellhead Protection District. The property is located on Plaza Drive, Boiling Springs (RM District).

This plan was tabled.

**#20200035 – CUMBERLAND CROSSING COTTAGES EXPANSION – Final Minor Subdivision & Land Development Plan**

The applicant is proposing to add ten (10) new single family detached dwelling units with private 2-car garages and driveways to the existing Cumberland Crossings Senior Living campus. The property is located at 1 Longsdorf Way, Carlisle (RH District).

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

- Section 305 – Preliminary Plan

This plan was tabled.

**#20200036 – FORGEDALE CROSSING SECTION 10A – Final Subdivision Plan**

The applicant proposes to re-configure Section 10 of the previously approved Preliminary Plan. Section 10 previously contained 33 lots and the completion of a loop of Forgedale Drive. The new proposed Section 10A expands construction west, extending Berkshire Drive west. This phase only proposes 23 lots.

Tony Fruchtl, PennTerra Engineering, was present to discuss the plan. Mr. Fruchtl gave an overview of the plan. He mentioned this plan was present before the Planning Commission a few years ago. However, Garman Builder is now the applicant for this plan and S&A Homes is the equitable owner. Mr. Fruchtl stated not much has changed since the previous plan was presented. Tim Duerr referenced the plan review memo dated January 15, 2021. He mentioned there were three administrative comments in regarding to fire hydrant placement, stormwater operations and maintenance agreement and a modification requirement. Tim Duerr stated the applicant needed to revise the setbacks on the plan to adhere to the current setbacks.

Tony made a motion to recommend approval of the modifications of requirements. Troy seconded & the vote in favor was 5-0.

Bryan Salzman quickly added had exchanged emails with an attorney for Garman. They are requesting to use a bond instead of a Letter of Credit. He stated a Letter of Credit shall be provided and the language needs to exactly the same as the Township's drafts. Mr. Fruchtl understood and will coordinate with Garman Builders.

Brian Engle made a motion to recommend approval of Forgedale Crossing Section 10A subject to outstanding comments and discussion. Barb seconded & the vote in favor was 5-0.

**#20200037 – WESTMINSTER DRIVE LOT 10 – Final Minor Land Development Plan**

The applicant is proposing to construct a 9,750 square foot commercial building for a pottery retail business. Additional improvements shall include an access drive, parking and stormwater management. The property is located on Westminster Drive, Carlisle (C2 District).

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

- Section 501 – Preliminary Plan
- Section 502 g. (5) – EIA Report
- Section 602 g. – Landscape Plan
- Section 707 a. – Sidewalks
- Section 708 a. – Curbs and Gutters
- Section 711 b. (2)(j)(i) – Building Area Landscaping (one tree every 2,000 square feet of building)

The applicant has requested a waiver of the Landscape Plan with a justification that they are in the Airport Hazard Zone, and they want to prevent any potential obstructions and discourage the concentration of birds. Although the Board recently granted a similar waiver to a plan directly adjacent to the airport (Welubhi), the Board required a plan that is closer to the airport than this plan (AOH Holdings, Inc.) to plant “low growth” trees to comply with the intent of the Ordinance. If trees are required, the applicant can request not have plan be certified by a Landscape Architect, and determine appropriate species to plant and locations in agreement with Township staff.

Doug Brehm, Brehm-Lebo Engineering, was present to discuss the plan. Mr. Brehm briefly described the plan. He mentioned the applicant is proposing to build roughly a 10,000 square foot pottery building on Westminster Drive. Mr. Brehm stated the lot is currently vacant. He stated they will be adding 10 parking spaces and a loading dock in the back. Mr. Brehm explained the waiver requests. He mentioned the modification of requirement regarding the landscape trees was added on resubmission. Mr. Brehm explained there will not be enough space to plant the trees required as there it will interfere with the stormwater infiltration. The applicant is proposing boxwood hedging as well. Tim Duerr emphasized the low growth trees as they are in the Airport Hazard District. Mr. Brehm indicated that the maximum height of the trees will be 20 feet but will specify the species.

Tim Duerr stated the only outstanding comment is the stormwater operations and maintenance agreement. Brian O’Neill explained the Board of Supervisors had approved a waiver for the requirement of trees and landscaping for the Welubhi Housing Group which was also located in the Airport Hazard District. He mentioned the Board waived all requirements for the Welubhi Housing Group plan. However, the applicant for Westminster Drive Lot 10 would like to try and comply with the Ordinance and has offered to plant some vegetation there. Brian Engle asked if he had the option to plant the trees elsewhere to which Brian O’Neill replied yes, that could be an option. Mr. Brehm mentioned the applicant has expressed interest in creating an attractive building on the lot and will be adding landscaping. Barb asked about the substantive comment regarding the approval of the Erosion and Sedimentation Control Plan. Brian O’Neill stated the letter has been approved and was sent to the Township earlier that day. He also mentioned comments from the LeTort Regional Authority have also been submitted.

Brian Engle made a motion to recommend approval of the modifications of requirements. Barb seconded & the vote in favor was 5-0.

Barb made a motion to recommend approval of Westminster Drive Lot 10 subject to conditions and discussion. Tony seconded & the vote in favor was 5-0.

Tim Berndt asked if the applicant received approval from the PennDOT regarding the AV-507 form to which Brian O’Neill replied yes.

**#20200038 – CUMBERLAND CROSSING APARTMENTS – Conditional Use**

The applicant is requesting a conditional use approval to construct a 10 unit apartment complex within an existing Life Care Community. The property is located at 1 Longsdorf Way, Carlisle (RH District).

This plan was tabled.

**#20210001 – STARBUCKS – Final Minor Land Development**

The applicant is proposing to construct a 2,148 square foot Starbucks with a drive-through and associated improvements. The property is located at 950 Walnut Bottom Road, Carlisle (TC District).

This plan was tabled.

**#20210002 - SMITH FARM, LLC – Preliminary/Final Subdivision & Land Development**

The applicant is proposing to subdivide the existing property into 8 lots (6 lots for future development and 2 open space lots) and construct the shared road network and utility mains for future connections to each. The property is located near 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.D – Time of Concentration for Storm Sewers
- Section 1010.J – Minimum Channel & Pipe Velocities and Slopes
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This plan was tabled. However, Elliot Shively and Jonathan Bowser were present to discuss the plan.

Mr. Shively mentioned they were present to discuss the plan but is not looking for the Planning Commission to take action on the plan. Tim Duerr stated the applicant has submitted a subdivision plan to primarily layout the lots and pave the road; no buildings were proposed with this plan. Mr. Shively mentioned they applicant has received comments from the County Planning Office and the LeTort Regional Authority. Brian Engle informed the applicant the Planning Commission did not realize it would be discussed as it was considered tabled. Mr. Shively gave a brief overview of the plan. He mentioned this plan consists of an 8 lot subdivision, road network, 2 stormwater basins, and a swale. Mr. Shively stated he has been working with the church to provide an access drive from the parking lot to the proposed loop road. He mentioned the northern portion of the loop road will in a right in and right out only while the southern portion will be full access. Brian Engle asked if it differs from the master plan. Mr. Shively stated there were minor changes to the geometry of the road which included tweaks to the radii but the center line remained the same.

Brian O’Neill addressed a comment made by either the Planning Commission or Board of Supervisors regarding a gravel parking lot on the parcel dedicated for recreation. He mentioned they did not provide a driveway on that lot. Brian Engle asked about comment #14 on the plan review memo which addressed street lighting. Brian O’Neill responded that lighting provided on this plan is for street lighting at the entrance of South Spring Garden Street and all other lighting will be addressed at the land development phase. Tim Duerr informed the applicant they will need to submit lighting plans with the land development phase.

Brian Engle asked the applicant if there were any concerns or comments that will not be addressed. Mr. Shively mentioned they had questions on certain comments. He stated they may

need to submit a waiver request for the sidewalk on the northern portion of the loop road due to the proximity to the church property boundary which would require the applicant to construct a wall or grading onto their property. Mr. Shively also mentioned there is a proposed sidewalk on the south side of the road with possible connections to a proposed trail to Giant. Brian Engle agreed and added they made need a pedestrian walkway or crosswalk for residents to walk to the church or Giant. Mr. Shively stated there may be a need for that but it will be addressed at the land development phase. Brian Engle also mentioned that could affect the waiver of the sidewalk on the northern side depending on if the crosswalks are aligned with the other entrances. Brian O’Neill added there should be an ADA curb ramp located at the driveway of the church. He also mentioned if that is provided, he does not see a need for a sidewalk on the northern side. Troy agreed and added all the pedestrian traffic is located on the south side of the property.

Mr. Shively asked if the Department of Environmental Protection sewage module letter was reviewed by the Township. Brian O’Neill responded no and explained before he can mail the sewage exemption letter, he needs the certification from the South Middleton Township Municipal Authority and the Carlisle Borough Municipal Authority. He stated the applicant should submit the information to the South Middleton Township Municipal Authority and they will forward the information to the Carlisle Borough Municipal Authority. Mr. Shively understood and mentioned he will forward the information to the Municipal Authority. Lastly, Mr. Shively asked about the location of the fire hydrants and mentioned that is located on the utility plan (sheet 23). Tim Duerr and Brian Engle reviewed the utility plan and stated clearer identification is required and referenced the letter from the Fire Marshal. Tim Duerr also mentioned the Fire Marshal is looking to make sure all the fire hydrants have access to the water line. Brian O’Neill added they should put the fire hydrant locations on the master plan.

**#20210003 – AOH HOLDINGS, LLC – 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

The rationale behind not providing an emergency spillway and freeboard is unclear. The elevation of the adjacent properties draining to this site are 520-530. It’s unclear how providing an emergency spillway and freeboard will affect these properties via backwater with a water surface elevation around 510.

This plan was tabled.

**ADJOURNMENT:**

The meeting adjourned at 6:52 p.m.

**SOUTH MIDDLETON TOWNSHIP**

**WITNESS:**

**PLANNING COMMISSION CHAIRMAN:**

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