

MINUTES
SOUTH MIDDLETON TOWNSHIP PLANNING COMMISSION
February 21, 2023

PRESENT: TROY TRUAX, TONY GONZALEZ, BARB WILSON, BRIAN ENGLE, TIM BERNDT – PLANNING COMMISSION, Kurt Williams – Solicitor, Tim Duerr – Zoning Officer, Natalie Kaczor – Recording Secretary, Brian O’Neill – Engineer, William Crock, Sean Cochran, Rich & Janet Longenecker, Jamie Berrier, John Snyder, Hubert Gilroy, Tim Rensch, Dave Walkar, Ken Shultes, Keith Hodge, Vincent Champion, Matt Steinman, Justin Doty, Steve Rose, Matt Madden, and Loren Hoover.

PLEDGE OF ALLEGIANCE:

Chairman Gonzalez led the audience in the pledge of allegiance.

MINUTES: 01/16/23

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

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.

#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.

#20220022 – WOLF FARM SOCCER FIELDS – Conditional Use

The applicant is requesting conditional use approval to develop the parcel into soccer fields with support design features such as parking lots, access drives, fieldhouse and stormwater management bmps. The property is located at 842 York Road, Carlisle (AC District).

As part of the applicant, the applicant is requesting the following modification of requirements:

- Section 706(f) – Parking islands every ten parking spaces
- Section 711(b)(2)(k)(ii) – 10% of parking facility devoted to landscaping
- Section 711(b)(2)(k)(iii) – Caliper deciduous shade tree every five spaces
- Section 716(b)(2)(c) – Access Spacing

Mike Pykosh, DPM Attorneys, was present to discuss the plan, along with Justin Doty, FSA Inc., Jarred Neal, Traffic Planning and Design, Inc., and Sean Cochran, owner. Mr. Pykosh gave an overview of Keystone FC and the conditional use project. Mr. Doty reviewed the parking changes to the plan. Following the Institute of Transportation Engineers (ITE) parking regulations, Mr. Doty noted that a field was removed to add more parking spaces. He stated that there are 60 parking spaces per field. Mr. Doty mentioned the applicant plans to use permeable turf surface for the parking lot instead of macadam. He stated the plan now proposes nine soccer fields and assured the Planning Commission that not all fields are intended to be used simultaneously. Mr. Doty added that the final land development plan will be phased and the initial phase will consist of four soccer fields and parking. Lastly, he stated that the 4,800 sq. ft. building is planned to be used as office storage for staff. The applicant is unsure whether they will construct the building, but wanted to propose it on the conditional use plan, in the event they do erect the structure.

Troy asked about restrooms. Mr. Doty replied that portable toilets will be provided. He added that the applicant is not opposed to permanent restrooms, but that would not be proposed until Phase 3 of the project. Mr. Doty went on to explain that a loop trail is proposed around the property for public access. Tony asked how many fields would be used during a tournament. Mr. Doty replied all nine will be used. Mr. Cochran added that only four or five fields will be used at the same time and will be staggered. He mentioned that there are 20-30 teams right now. Barb asked where the teams are from. Mr. Cochran replied that they have teams from out of state and the country. Mr. Doty stated that Keystone FC is currently operating, but do not own any soccer fields.

Mr. Doty explained the rationale behind the waiver requests. He first discussed the access spacing waiver. The proposed access drive does not meet the spacing requirements in the Ordinance. Mr. Doty stated they tried to place the access point farther away from the York Road and E Springville Road intersection, as to not increase traffic problems. However, that pushes the access point closer to the residential driveways which makes it inconsistent with the Ordinance. Troy stated that there is a possibility for E Springville Road and Shughart Road to be realigned and suggested looking at how that might impact their property. Mr. Doty stated that the section of the property will not be used and they are willing to dedicate a right of way for future improvements. Troy asked if that may exacerbate the access spacing issue. Mr. Doty does not believe it will exacerbate the problem.

Mr. Doty addressed the lighting plan. He stated several field lights will be lit for twilight games and will have a cut off time of no later than 10:00 p.m. Troy was concerned about loitering. At the time, the applicant did not have a plan to address security. Mr. Doty went on to address the three remaining waiver requests as they related to parking spaces. Mr. Doty stated that the intent is to make the entire parking lot grass as it will not be used every day. Barb asked the reasoning behind the Section 711(b)(2)(k)(iii) waiver request. Mr. Doty stated they are looking to maximize the number of parking spaces. He felt the waiver was justified as the parking lot is intended to be made of grass and they will plant trees around the property. Brian Engle asked if there will be more trees planted than what is shown on the plan. Mr. Doty replied yes, they intend to meet the Ordinance requirements once the plan moves to the land development phase. He added that they are looking to add a mix of vegetation. Brian Engle asked about stormwater management. Brian O'Neill stated that the parking lot is going to be looked at as impervious in the event they decide to pave at a later time. Mr. Doty added that there will be a mix of subsurface stone as a reservoir to manage stormwater runoff. From a Zoning Ordinance perspective, Brian Engle asked if a turf surface was acceptable as a parking lot. Tim Duerr replied that the ordinance is vague and saw no issues. Brian O'Neill added that a stormwater operations and maintenance agreement will be submitted with the land development plan, which holds the owner responsible for maintenance. Kurt asked if the plans stated that they are reinforced turf. Mr. Doty replied no, but will add a note on the plan. Brian Engle asked if there will be more than three synthetic fields to which Mr. Doty replied no. Troy asked about the maintenance of the fields and trail. Mr. Cochran stated that they will most likely hire a maintenance employee.

Barb was concerned there might not be enough parking and suggested adding a condition that only so many fields can be used during a tournament. Mr. Doty was hesitant with accepting that as a condition. He justified the parking through calculations based on the ITE regulations. Mr. Doty added that traffic will be staggered throughout the day. Brian Engle asked if there will be more than two teams per field. Mr. Cochran replied that they plan to stagger the fields due to parking and timing. He added that there might be overlap, but would only be about a half an hour. Mr. Cochran stated that they researched other facilities throughout the country and their proposed parking is more than most of those fields. Mr. Doty stated that the applicant can inform the Township on the parking conditions after Phase I is complete. Troy appreciated that they researched other soccer fields. He suggested adding a condition of approval that states the applicant will have to validate the parking performed under Phase I and submit documentation to the Township. Barb recommended adding some provisions to prohibit parking on the minor

streets. Tim Duerr suggested adding a second parking lot to the first phase, so if there are more vehicles than originally thought, there is extra parking and the applicant will have to readjust for the second phase. Mr. Doty agreed. Troy suggested adding parallel parking to the driveway off from S Ridge Road since that is a private road. Brian Engle was concerned that emergency services may not be able to get through if the parking is overcrowded. Tim Duerr suggested adding that as a condition.

Mr. Neal gave a detailed description of the traffic evaluation study. He explained the study consisted of the three existing intersections and proposed site driveways during peak hours. There was a signal analysis conducted which stated that in 2030 a signal will be warranted at the intersection of E Springville Road & York Road. He stated that the intersection volume will increase by four percent. Troy asked Brian O’Neill if he looked at the study. Brian O’Neill replied yes and came to the same conclusions as Mr. Neal and the study. He added that the traffic evaluations done for Georgetowne and Wheatstone did not warrant a traffic signal with their proposed traffic. Troy asked if those developments were included in their study to which Mr. Neal replied yes and a nine-year historical growth from PennDOT. Brian Engle asked how the applicant plans to mitigate the degradation on the minor street. Mr. Neal stated that they are limited by regulations from PennDOT regarding traffic signals. A traffic signal can only be installed when it is warranted. Brian Engle suggested a roundabout. Brian O’Neill responded that PennDOT will not allow a roundabout as the speed limit is 50mph.

Mr. Neal stated the applicant is willing to offer a contribution for the signalization at York Road and E Springville Road when it is warranted. He referred to the December 16, 2022 supplemental report to the traffic evaluation study. Mr. Neal explained that their proposed development will add traffic to the minor street. He indicated that the traffic on the minor street will increase by twenty-six percent. Mr. Neal added that the soccer fields will be used sporadically which is unlike the residential developments. The applicant is proposing a contribution of \$116,000 based on the fact that the fields will only be used 7 months out of the year. Brian Engle suggested adding a condition that the applicant negotiate a contribution with staff and the Board of Supervisors. There was a continued discussion regarding traffic and parking. Mr. Doty referred back to the number of parking spaces provided. He stated that they are providing 619 spaces, which is 15 more than the requirements.

Mr. Neal stated that the applicant plans to implement traffic control specialists to help with the flow of traffic. The plan is to have traffic enter the site off of E Springville Road and maneuver through the property in a circular motion. This allows the applicant to have the traffic flow in one direction, if needed. Mr. Neal stated that signage will be placed at a few locations. Brian Engle asked if the signage was permanent. Mr. Neal replied that it will only be placed during tournaments and removed the same day. Brian Engle was concerned about the sight distance on E Springville and York Road. He suggested a message board warning drivers of a possible slow down to ensure the safety of the flagger.

Barb referred to the access spacing waiver and asked how much they are asking for. Mr. Doty replied the requirement is 585ft and they are relatively close to that. He added that they are very limited in the placement of the access drive. Brian O’Neill mentioned that the applicant did not

offer an access off of York Road as an option. Mr. Neal replied that PennDOT will push for the minor road to be accessed first.

The Planning Commission saw no issues with the waiver requests.

The Planning Commission recommended the following conditions of approval:

- Discussions with staff and Board of Supervisors regarding a contribution for the improvements to E Springville Road, York Road, and Shughart Road.
- Right-of-Way dedication for intersection improvements.
- No on-street parking on all public roads.
- Private driveway must meet fire code regulations. Consider parallel parking on private driveway permitted by a parking easement agreement and shall permit two-way traffic.
- Stormwater Operations and Management Agreement for BMPs on parking lots.
- Plans submitted to the Township regarding traffic event management, traffic control, signage, and safety control to monitor loitering.
- Evaluate parking after completion of Phase I. Mitigate any overflow parking and consider reserving one soccer field for more parking, if needed. Shift overall parking required to have more available in Phase I.
- Number of synthetic fields shall be stated on the plan. If any additional synthetic fields are to be added, the applicant shall re-submit a stormwater management plan for approval.
- There shall be no more than six (6) tournaments in 12 days within the year and no more than 2 consecutive days each.
- Screening in accordance with the Subdivision & Land Development Ordinance.
- Private water and sewer provided by any means required by Ordinance and DEP.
- Applicant must meet Uniform Construction Codes and International Building Code, specifically pertaining the accessibility requirements and any other State or Federal ADA regulations.
- If there are less trees due to the modification of requirement, those trees are to be planted elsewhere on the property.
- Time limitations on parking lot and field lighting.
- Note on the Conditional use plan stating the areas that will be reinforced turf versus macadam parking lot.
- Maintenance plan for the walking trail.
- Definition and limitations on concession stands.
- Possible one-way traffic exit plan.
- Offer for dedication land at Northwest corner for future intersection improvements.

Mr. Pykosh stated that the number of tournament days was related to the contribution negotiations with the Board of Supervisors and informed the Planning Commission of it possibly changing. Brian Engle replied that per the discussion, the recommended condition shall remain the same, but the applicant can discuss with the Board. Kurt Williams added that the traffic memo from December 16, 2022 was based on 12 days of soccer tournaments which is why the condition is limited to 12 days.

Troy recommended approval of Wolf Farm Soccer Fields Conditional Use #20220022 based on staff comments, discussion, and recommended conditions. Brian Engle seconded & the vote in favor was 5-0.

#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 width to the existing driveway access. The property is located 87 Marsh Drive, Carlisle (AC District).

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

- Section 503 – Preliminary Plan
- Section 707 – Sidewalks
- Section 708 – Curbs and Gutters

John Snyder, SLD Planning & Consulting, was present to discuss the plan. He gave a brief overview of the plan and waiver requests. Mr. Snyder explained they are requesting a waiver from curbs and gutters, and sidewalks along Marsh Drive, as it is not relevant to the project. He also mentioned the driveway access has been changed to be 22' for emergency vehicles.

Brian Engle recommended approval of the modification of requirements. Barb seconded & the vote in favor was 5-0.

Tony made a motion to recommend approval of Saint Patrick Catholic School Preliminary/Final Land Development Plan #20220027 subject to discussion and memorandum. Barb seconded & the vote in favor was 5-0.

#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).

Hubert Gilroy, Martson Law, Vince Champion, Ken Shultes, Dave Walker, Tim Rensch, Keith Hodge and Matt Steinman were present to discuss the plan. Mr. Gilroy gave a brief summary of the events since the December meeting. Mr. Steinman began with an overview of the changes to the plan. Since the last meeting, the applicant has submitted a detailed management plan with information regarding failure plan, odor management plan, and food waste plan. The maximum amount of food waste the processor can handle is 4 cubic yards per day. He stated an application has been submitted to DEP for food waste and cow manure co-digestion permit. Mr. Steinman added that the permit addresses a lot of the concerns that were raised at the previous Planning Commission meeting. To address emergency service concerns, the new plan involves two entries to the property with a 25' width road. A fire hydrant will be placed on the property dedicated to this project.

Barb noted the operation will be conducted between two properties and asked the applicant how they plan to handle that. Mr. Steinman replied that the main operation with all appropriate buildings and infrastructure will be conducted at 575 Park Drive. He added that road is the only infrastructure that will cross both properties. Barb and Brian Engle asked about an operating agreement between the parcels since they can be sold independently in the future. The applicant had no issues with an operations agreement. Tony asked if the access to 575 Park Drive would be used for the main operation. Mr. Stienman replied that it is their intent to bring in the food waste from 553 Park Drive, so the second access would be used.

Brian Engle asked if there were any issues with the setbacks. Tim Duerr confirmed with Mr. Steinman that there is 50' between the property line and building. Brian Engle asked about the setback for the digester. Tim Duerr replied that a roof is required in order for it to be considered a structure. Brian Engle asked if they would be transferring waste from the Land O' Lakes factor. Mr. Steinman stated they are not interested a large operation as the farm is close to the Village and walking trail. Brian Engle asked if the waste would be transported by tankers to which Mr. Steinman replied yes, if they expanded their operation. Brian Engle asked if there was a spill prevention plan as the property is close to the creek. Mr. Steinman replied yes. Brian Engle asked if the water was public or private. Mr. Steinman stated that they have spoken with Josie at the Municipal Authority will provide a new tap and the applicant will pay for one EDU of that. He added that they will not be adding a significant amount of additional water as the fluids from the separated digestate can be reused. Troy asked if they are using liquid manure. Mr. Steinman stated that they will dilute it down to 10% solids and the food waste handled from Dickinson is about 25% solid. Mr. Steinman assured that there is a steady supply of digestate from the manure solid separator that those liquids will be used first.

Brian Engle and Tim Duerr mentioned providing the Township with the annual report to DEP, and spill management plan. Brian Engle added that emergency management and Township officials should be added to the notification plan. Brian Engle asked if the composting was included with the DEP permit. Mr. Steinman replied that after the co-digester permit, they will

be applying for a composting permit. He described the shared nutrient management plan between the farms and it will be updated once the digester is built.

Brian Engle asked if the composting site is open to which Mr. Stienman replied yes. He asked how the applicant plans to handle leachate off of that. Mr. Steinamn stated that there are tree and grass buffers between the compost and the road. Brian Engle suggested the fire company be aware of any flaring.

Tony asked about the digester vendor in Chambersburg and what level of service they provide in regards to response time. Tim Rensch, Manure Management and Digestion Contractor, described their operation and how the systems are remote monitored for efficiency. Tim Berndt asked if there was a documented emergency service plan. Mr. Rensch replied that the plans are unique to each facility. Tim Duerr stated that all permits and plan should be submitted to the Township.

Brian Engle asked about tipping fees and if that changes the use. Mr. Gilroy stated that the limitation on the amount is designed to keep below a certain industrial level. Kurt stated that for this plan, the use is considered agricultural as long as it does not exceed 4 cubic yards of food waste. He asked if they are taking manure from other farms. Mr. Steinman replied no based on the nutrient management plan. Kurt asked for a reference for 4 cubic yards of food waste. Mr. Steinman stated that it was about 4 pickup truck loads. Kurt stated that once the food waste exceeds 4 cubic yards, then the use becomes industrial. Mr. Steinman stated that they are limited due to the size of the engine and digester tank. Kurt encouraged a limit on the size of the engine. Mr. Steinman agreed to that. Kurt stated that if the applicant were to upgrade the engine, they would need re-approval from the Board of Supervisors.

Troy asked if they anticipated introducing an educational program for college and high school students. Tim Duerr cautioned that adding that will change the classification of the operation. Mr. Steinman stated that they have a small grant from South Mountain to build a pavilion on the North side of the freestyle barn. He added that it is their intent to hold demonstrations there to teach kids and farmers about digestion. Mr. Steinman stated that this is the smallest commercial digester farm in Pennsylvania and is meant to be a resource for the average size dairy farm. He mentioned that they have an outreach partnership with Penn State Extension and others organizations to educate dairy farmers.

Since agricultural buildings only require a zoning permit, Kurt suggested attaching inspections that would normally be covered under the building permit. Tony was concerned about losing connectivity to the remote security systems. Mr. Rensch stated that the system sends an SMS text message to certain employees until someone acknowledges the message. Tony asked if it was wireless based to which Mr. Rensch replied yes.

The Planning Commission recommended the following conditions of approval:

- All plan review memorandum conditions
- Cross access and use easement agreement be provided to Township
- No high odor material
- Site to be served by public water
- Annual DEP report provided to the Township

- Spill management plan to include Township contacts
- Obtain compost permit before digester is in full operation
- Nutrient management plan must be maintained
- Township provided with all permits and plan when approved
- Size of engine limited to 50kw, exceeding that will require additional Township approval
- Operations and Maintenance plan contract
- Emergency management plan

Brian Engle recommended approval of Dickinson College Conditional Use #20220030 subject to the conditions from the discussion and plan review memo. Barb seconded & the vote in favor was 5-0.

ADJOURNMENT:

The meeting adjourned at 8:09 p.m.

SOUTH MIDDLETON TOWNSHIP

WITNESS:

PLANNING COMMISSION CHAIRMAN:
