

**UPPER ALLEN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
January 29, 2024  
7:00 P.M.**

**PC MEMBERS**

R. Wayne Willey, Chairperson  
Robert Siodlowski, Vice-Chairperson  
Amanda Parrish (absent)  
Scott Steffan, Secretary  
Barbara Roddin  
Garth Wales (absent)  
Eric Clancy

**TOWNSHIP OFFICIALS - PRESENT**

Jennifer Boyer, Comm. Dev. Director  
Scott Finkenbinder, Planning Technician  
Jason Reichard, Township Engineer

**BOARD OF COMMISSIONERS**

Ginnie M. Anderson, Commissioner  
Phil Walsh, Commissioner

**CALL TO ORDER**

Chair Willey called the Planning Commission Meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Finkenbinder. Secretary Parrish and Mr. Wales were noted as absent.

**ANNUAL REORGANIZATION**

Mr. Robert Siodlowski made a **MOTION** to nominate Mr. Wayne Willey as Chairperson, Mr. Robert Siodlowski as Vice-Chairperson, and Mr. Scott Steffan as Secretary. The **MOTION** was **SECONDED** by Mr. Eric Clancy. The motion carried unanimously (5-0).

**APPROVAL OF PLANNING COMMISSION MINUTES**

Chair Willey called for the approval of the Minutes of the December 18, 2023, Planning Commission Meeting. Mr. Clancy made a **MOTION** to approve the Minutes of the December 18, 2023, meeting. The **MOTION** was **SECONDED** by Secretary Steffan. The motion carried unanimously (5-0).

**REVIEW OF BOARD OF COMMISSIONERS MINUTES**

Chair Willey noted Board of Commissioners Minutes from the November 15<sup>th</sup>, December 6<sup>th</sup>, and December 20<sup>th</sup>, 2023, meeting. Chair Willey accepted these minutes.

**OLD BUSINESS**

**A. 2401 Arcona Road. UAT File # 23-12-01**

Mark Romeo of Romeo Land Surveying represented the plan as the engineer. Mr. Romeo explained that the plan being presented reflected changes made from previous comments and that further

comments would be addressed. Mr. Romeo then stated he would like to address specific comments for clarification. He began by asking if Comment # 1, concerning the widening of Arcona Road, would require ten feet of additional right-of-way. Ms. Boyer said that it would be best to discuss that with PennDOT since it is a state road. For Comment # 2, concerning the identification, and labeling of minor streams and channels on the property, Mr. Romeo asked if it would be okay to identify the one stream along Arcona Road, and then asked if a drainage easement would be required. Ms. Boyer clarified that an easement would be required, and that there are a few other small unnamed tributaries on the property. Mr. Romeo said that those would be added to the plan and then asked if Comment # 10, concerning a signed and sealed letter from a registered surveyor, needed to be addressed as he had planned to have the pins and two required monuments on the property before the plan would go before the Board of Commissioners.

Mr. Reichard also noted that per Section 220-5.11, the 50-foot access easement on Lots 1 and 2 also required monuments at any location where the easement crosses a property line.

No public comment.

Vice-Chair Siodlowski made a **MOTION** to recommend approval of the deferral of Section 220-5.3.A. to install curbing along Arcona Road. The **MOTION** was **SECONDED** by Mr. Clancy. The motion carried unanimously (5-0).

Mr. Clancy made a **MOTION** to recommend approval of the deferral of Section 220-5.2.B.(14) to provide an additional ten feet of right-of-way along Arcona Road. The **MOTION** was **SECONDED** by Ms. Roddin. The motion carried unanimously (5-0).

Secretary Steffan made a **MOTION** to recommend approval of the plan with conditions, and that outstanding conditions be addressed before presenting the plan to the Board of Commissioners. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (5-0). The conditions are:

1. Section 220-5.2.B(14) of the Codified Ordinances, if any abutting township and/or state street has a right-of-way width less than what is required in Section 220-5.2.F, the developer/owner of the subdivision or land development shall dedicate the necessary right-of-way, as applicable, so that the distance from the center line of the street to the edge of the right-of-way abutting the proposed development is  $\frac{1}{2}$  the ultimate right-of-way width. Arcona Road is identified as having a right-of-way of 50 feet, and all collector roads are to have a minimum right-of-way width of 60 feet, per Table V-1. The Applicant shall note the appropriate additional right-of-way on the lots to be dedicated to PennDOT.
2. There appears to be some minor streams/ channels on the property that ultimately flow into Spring Run. Those streams/channels shall be shown on the plan. Their purpose shall be further identified, and the appropriate easements shall be provided, per Section 220-5.10.C. of the Codified Ordinances.

3. On the Cover Sheet, the following shall be amended or added as follows:
  - a. The tax parcel number is incorrectly labeled in the title at the top of the page. The correct parcel number is 42-11-0272-019.
  - b. There are two General Note #3s. The numbering shall be corrected.
  - c. General Note # 6 states that the access easement on Lot 2 grants the rights of ingress/egress to Lot 1, which we believe to be incorrect. The lot numbers appear to be reversed. This should be clarified. Additionally, the easement should address the joint use and maintenance of shared access, and such language shall be reviewed by the Township Solicitor.
  - d. The General Notes section identifies access rights for the proposed access easement for Lots 1 and 2 (see comment above), but it does not address the proposed access easement between Lots 1, 2, 3, and the property at 2137 Arcona Road. An additional note shall be added for this access easement, along with language regarding the joint use and maintenance of the shared access, which shall be reviewed by the Township Solicitor.
  - e. A note shall be added that any improvements to these three lots must comply with the requirements in our Steep Slope Overlay District, Chapter 245, Article IX since there are areas of land which have a natural slope of 15% or greater.

*Note: The home proposed Lot 1 appears to be on some land that is shown to in an area which contains land with a slope of 15% or greater. A special exception permit would be required prior to being able to build the home in this location if the slopes are naturally occurring, per Section 245-9.6.A.*

4. On the Cover Sheet, the deferral request for curbing along Arcona Road references Sections 220-3.5.C.(2)(jj) and 220-3.6.B.(3)(b). While notations must be added to the plan per these sections, if approved, the deferral must actually reference Section 220-5.3.A(2). If the deferral is approved, a second sentence must be added to the note stating, “The deferral is granted until such time as the Board of Commissioners deems the improvement necessary.” Curbing along Arcona Road must also be shown on the plan and noted as future improvements. General Note #8 on the Cover Page can be deleted.
5. For the Zoning Data on Sheet 3, the maximum building height must be noted on the plan, per Sections 245-5.3. and 220-3.5.C(2)(g) of the Codified Ordinances.
6. The name, ownership, dimensions of easements on the land shall be clearly identified, per Section 220-3.5.C(2)(q). The easements state the width, but the other dimensions, such as length of each segment of the easements, are not identified in accordance with Sections 220-3.5.C.(2)(v) and 220-3.5.C.(2)(y) of the Codified Ordinances.
7. Monuments and markers shall be placed in accordance with Section 220-5.11 of the Codified Ordinances. The corners of the access easement need to be monumented. Only two of the four corners show monuments for the proposed 50’ wide access easement from Arcona Road. There are also several monuments missing along the corners/angle breaks of the access easement along the eastern side of the three proposed properties of Lots 1, 2, and 3, and the property at 2137 Arcona Road.

8. The property appears to be enrolled in the Cumberland County Clean and Green Program and may be subject to roll-back taxes. Contact the Cumberland County Tax Assessment Office for information.
9. Curbs are required along Arcona Road, per Section 220-5.3.A(2) of the Codified Ordinances. If a deferral were to be granted by the Board of Commissioners for this improvement, such deferral shall be listed on the final plan, including the date in which such action was granted, in accordance with Sections 220-3.5.C(2)(jj) and 220-3.6.B(3(b) the Codified Ordinances. All deferred improvements shall be shown on final plans as future improvements. A note shall be placed on the plan indicating that all deferrals are granted “.....until such time as the Board of Commissioners deem the improvement necessary.”
10. A signed and sealed letter from a registered engineer or surveyor shall be provided, indicating all property pins and/or monuments have been set prior to recording of the plan, and have been installed in accordance with the requirements of Section 220-5.11. of the Codified Ordinances. If the property pins/monument are not set prior to recording of the plan, then financial security and all required inspection fees shall be provided for in accordance with Sections 220-4.2. and 220-7.3.B of the Codified Ordinances of Upper Allen Township.
11. The Applicant must contribute to the Township Recreation Land Acquisition and Improvement Fund in the amount of \$4,600.00. This contribution to the Fund shall be paid at the time of approval of the subdivision plan in accordance with the requirements of Section 220-5.15.D.(4) of the Codified Ordinances.
12. The Applicant must sign the plan and have the signatures notarized according to Section 220-3.5.C(2)(dd) and 220-3.6.B(1)(a) of the Codified Ordinances.
13. The Applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-3.6.B(1)(b) of the Codified Ordinances.
14. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions, and regulations as may be in effect from time to time concerning the proposed development.
15. The Applicant shall pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.
16. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of written conditional approval by the Board of Commissioners or the plan will be considered disapproved.

- a. Since the final land development plan is approved with outstanding conditions, the signature block for the Upper Allen Township Board of Commissioners shall state the date on which the conditional approval is granted. A second line shall be added to state, “The conditions of approval were satisfied this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.” per Section 220-3.8 of the Codified Ordinances.
17. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances of Upper Allen Township. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), declaration of planned communities/condominium documents (including amendments), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), NAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.
  18. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide copies of any declarations, right-of-way dedications to PennDOT, deed restrictions, and/or easement agreements to both the township and the county. This should also include any recorded agreements regarding the use of the access easements.

## **NEW BUSINESS**

### **A. 2210 Aspen Drive (JoJo’s Pizza). UAT File # 23-11-01**

Mr. Steve Sharon of Site Design Concepts, Inc. represented the plan as the engineer. Mr. Sharon explained that the plan was before the Planning commission in November and was tabled until the comments could be addressed. This revised plan addresses those previous comments; however the updated plan modified the parking lot layout, which created some new comments.

Secretary Steffan asked Ms. Boyer if staff had concerns with the six modification requests. Ms. Boyer said the access drive intersection reduction from 30 feet to 20 feet was supported since no truck traffic would use that entrance. The existing entrance to the site already has a 15-foot radius. Ms. Boyer then explained that the next modifications, concerning buffer yards and screening, had to do with drainage and electrical easements along the front of the property. If the full width easements were provided, no plantings could be placed along the front buffer yard. With the reduced easement width, some plantings could go in, although not all. Some plantings had to be relocated elsewhere on the property, but the Applicant was providing more plantings overall on-site than required by ordinance. The last notable modification was of Section 220-5.19.A,

concerning the footcandle requirements in parking areas, and main entrances and exits. The Applicant asked to reduce the minimum average footcandles from two to one due to the proximity of the site to the adjacent residential homes, which staff supports to allow for a lesser impact on the neighboring homes.

No public comment.

Secretary Steffan made a **MOTION** to recommend approval of the six modifications requests and the plan with conditions. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (5-0).

The modifications are:

1. Recommend approval of the modification request for Section 220-5.4.B.(3)(g) to allow the access drive intersection to be rounded by a tangential arc with a radius of 20 feet instead of the required 30 feet.
2. Recommend approval of the modification request for Section 220-5.13.B.(1) to relocate some of the required buffer plantings elsewhere on the site instead of within the buffer yard areas and to provide 12 shade trees instead of the required 15 shade trees, zero evergreen trees, and 66 shrubs instead of the required 29 shrubs, as shown on the landscaping plan.
3. Recommend approval of the modification request for Section 220-5.10.B. to reduce the drainage easement width from 30 feet to 20 feet to accommodate buffer yard plantings in the front yard, specifically along the parking lot area.
4. Recommend approval of the modification request for Section 220-5.13.B.(2)(a)[2] to not provide concrete curbing around the landscaping island in the southern portion of the parking lot and instead paint it with stripes for additional turnaround movements.
5. Recommend approval of the modification request for Section 220-5.13.B.(2)(b), which requires planting islands (landscape islands within parking areas) to contain at least one shade or canopy tree. The Applicant proposes to plant six of the required seven trees. The Applicant shall be required to plant the required shade or canopy tree that cannot be planted in the island with the infiltration basin to another part of the property.
6. Recommend approval of the modification request for Section 220-5.19.A. to allow for the lighting on site to be a minimum average of one footcandle instead of the required two footcandles.

The conditions are:

1. The buffer yard is listed as a reduced amount of 17.5 feet. Per Section 245-16.5.G of the Codified Ordinances, the buffer yard width may be reduced one foot for every two feet of the distance between the property line and the centerline of the road, but not less than  $\frac{1}{2}$  of the original buffer. Aspen Drive's cartway is shown as 28 feet, so the centerline would be assumed

at 14 feet. One-half of that would be 7 feet; therefore, the buffer yard could be reduced from 30 feet to 22 feet, not 17.5 feet. Additional reductions may be considered in accordance with applicable ordinance regulations. The buffer yard line must be adjusted accordingly.

2. Parking areas, parking spaces, and on-site parking lot circulation aisles must be within the building setback lines, per Section 245-17.6.A(5)(b) and 245-17.6.A(5)(c) of the Codified Ordinances. The proposed parking lot will need to be redesigned in accordance with these requirements.
3. If the Board of Commissioners does not authorize the vacation of the portion of right-of-way along Aspen Drive, the Applicant must submit a development plan that meets all applicable requirements pertaining to the existing building setback, per Chapters 200, 214, 220, and 245 of the Township Code.
4. If the Board of Commissioners determines the submitted traffic generation report is not sufficient, the Applicant shall submit a full traffic impact study, in accordance with Section 220-3.7. of the Codified Ordinances. At a minimum, the following intersections must be identified in the traffic study: South Market Street/Kim Acres Drive; Kim Acres Drive/Aspen Drive; South Market Street/Aspen Drive; Aspen Drive/Site Access and Mimosa Drive; and Aspen Drive/Existing Driveway Access.
5. Façade, floorplan, and elevation drawings must be provided for the building addition per Section 220-3.5.B.(c)(2)(ff) of the Codified Ordinances.
6. Streets shall show the name, existing right-of-way and existing cartway, per Section 220-3.5.C(2)(k) of the Codified Ordinances. Aspen Drive indicates a right-of-way of varying widths. The plan shall identify the full right-of-way width with the proposed vacation request and note the proposed right-of-way on the plan.
7. The access drive and curb within the Aspen Drive right-of-way shall adhere to the Construction and Material Specifications. The street construction shall include a 5" Superpave 25mm base course and a 1.5" Superpave 9.5mm wearing course. Additionally, the curb shall maintain an 8" throughout the entire right-of-way, per Sections 220-5.2 and 220-5.3 of the Codified Ordinances.
8. A seventy-five foot clear sight triangle shall be provided and maintained at all street intersections, per Section 220-5.2.E(6) of the Codified Ordinances.. Dimension the proposed clear sight triangle shall be noted on the plans.
9. Access drive intersections shall be rounded by a tangential arc with a minimum radius of 30 feet, per Section 220-5.4.B(3)(g) of the Codified Ordinances.
10. An erosion and sediment pollution control (E&SPC) plan is required, per Section 220-5.14 of the Codified Ordinances.

11. The landscaping plan must include a table showing the proposed plantings, type, size, required amounts and amounts being provided, etc., per Section 220-3.6.B.(1)(k) and 220-5.13.B. of the Codified Ordinances.
  - a. The landscaping plan must identify the minimum required street trees, per Sections 220-5.13.B.(1) and 220-5.13.D of the Codified Ordinances.
  - b. The landscaping plan must identify the minimum required additional landscaping within all landscaping islands, per Section 220-5.13.B(2)(c) of the Codified Ordinances.
  - c. An updated landscaping plan must be provided, along with any updated modification requests once the parking lot area has been redesigned.
12. The lighting plan shall identify the following:
  - a. Ensure that the lights are equipped with cutoff shields. Shields, shading, etc. to be used on the lights, ensuring light will be not be directed beyond the appropriate angle onto adjacent properties and/or surrounding areas, per Section 245-16.10.G(5) of the Codified Ordinances.
  - b. Height of the lights, to not exceed 25 feet, per Section 220-5.19.D of the Codified Ordinances.
  - c. Parking lots shall be lighted to a minimum average of two footcandles and a maximum of six footcandles, per Section 220-5.19 of Codified Ordinances.
13. A stormwater management (SWM) site plan and report is required, per Section 214-23 of the Codified Ordinances. C.S. Davidson reserves the option to complete a full stormwater management review upon submitting supporting documentation and calculations.
14. Storm sewer pipes, other than those used for street subbase underdrains, shall have a minimum diameter of 15 inches, per Section 214-18.G(1) of the Codified Ordinances.
15. All storm sewer pipes and culverts shall be laid to a minimum depth of 12 inches from finished subgrade to the crown of the pipe in paved and grassed areas, or more if specified by the manufacturer, per Section 214-18.G(6) of the Codified Ordinances. The headwall A6 to manhole A5 profile shows the finish grade below the crown of the 18"x12" elliptical RC pipe at headwall A6. Ensure pipes are properly covered.
16. We are concerned about a notable concentration of stormwater runoff discharging into the existing rip-rap west of the proposed building addition. Calculations must be submitted to confirm the existing 15" culvert will accommodate the additional stormwater runoff. The open rip-rap system needs to be removed and converted to a fully closed system.
17. The Designer shall verify adequate clearance between the control plate and the deflector plate to remove the control plate easily.
18. Provide verification whether the proposed restaurant will or will not involve food preparation. If so, indicate what provisions will be made to collect grease.



19. On Sheet LD4 – Grading and Utility Plan, the following shall be corrected:

- a. Show existing sanitary sewer manhole number LS09-84 at the intersection of Aspen Drive and Mimosa Drive. Label the next existing manhole upstream on Aspen Drive as LS09-85.
- b. Clearly label existing 1,000 gallon grease interceptor, sampling manhole and all existing cleanouts (CO); show cleanout between exiting building and Aspen Drive (at street R/W line).
- c. Label existing 6" PVC building sewer.
- d. Show any planned modifications or connections to the existing 6" PVC building sewer and cleanouts located under the floor slab of the proposed restaurant addition.

20. On the Cover Sheet, the following shall be identified or corrected:

- a. The Board of Commissioners' signature line shall identify the "President" not the "Chairman".
- b. The second signature block for the Board of Commissioners can be deleted.
- c. The variances granted under Case # 22-08, granted October 13, 2022, shall also be referenced on the Cover Sheet, per Section 220-3.5.C(2)(k) of the Codified Ordinances.

21. In the General Notes on Sheet 2, the following shall be identified or corrected:

- a. A note shall be placed on the plan stating that the contractor shall schedule a pre-construction site meeting with the Upper Allen Township Engineer and the Cumberland County Conservation District at least 48 hours prior to starting site construction activities. General Construction Note #1 could be amended to satisfy this requirement, or a new note could be added.
- b. A note shall be added to the plan stating that signage shall conform to all applicable requirements within Chapter 245, Article XVIII of the Codified Ordinances or any such applicable ordinances that are in effect at the time of the application submission for signage.
- c. A note must be placed on the plans stating that as-built Mylar plans and electronic data files shall be provided to the Township. All drawings must be signed and sealed by a professional engineer or land surveyor attesting to the correctness of the facility information shown, in accordance with Section 220-4.2.C(3) of the Codified Ordinances. General Construction Note #24 could be amended to satisfy this requirement, or a new note could be added.
- d. General Land Development Note # 16 must be updated to reflect FEMA's new FIS which went into effect on September 7, 2023.

22. General Note # 28 states nothing shall be placed in an easement that would affect the function and ability of the easement or conflict with an easement agreement, per Section 220-5.10.A(2) of the Codified Ordinances. This includes the proposed walkway from the proposed parking

lot to the proposed patio and building addition area. The walkway would traverse the stormwater easement. Since the easement, associated infrastructure, and the walkway are private, a note shall be placed on the plan indicating these facilities are privately owned and that the property owner will be responsible for any repair, removal, and general maintenance of the facilities and structures. At no such time should the facilities be dedicated to the Township. Furthermore, it shall be noted that no additional structures, walls or fence shall be permitted to be erected in the easement per Section 245-16.3.A(5) of the Zoning Ordinance.

23. The Applicant shall address any comments from the Cumberland County Planning Commission.
24. Provide an improved turnaround for the proposed parking lot, located adjacent and parallel to the proposed building addition, mainly when the parking lot is at full capacity.
25. According to the U.S. Access Board, on sites with multiple parking facilities, the minimum number of accessible spaces must be calculated separately for each parking facility instead of on the total combined parking spaces provided on the site. Relocate the two proposed ADA parking spaces currently designated in the existing lot to the new parking lot, which is both adjacent and parallel to the proposed building addition.
26. Any modifications, waivers, and/or deferrals granted by the Board of Commissioners shall be listed on the final plan, including the date in which such action was granted, in accordance with Section 220-3.6.B.(3) of the Codified Ordinances.
  - a. All deferred improvements shall be shown on final plans as future improvements. A note shall be placed on the plan indicating that all deferrals are granted “.....until such time as the Board of Commissioners deem the improvement necessary.”
27. The Applicant must obtain approval of the Erosion and Sediment Control Plan from the Cumberland County Conservation District and furnish to the Township a copy of the required NPDES permit in accordance with the requirements of Section 220-3.5.C.(4)(h), Section 220-5.14., and Section 214-19.C. of the Codified Ordinances.
  - a. A note shall also be added to the plan stating the Applicant has given a fee in lieu of land dedication, per Section 220-5.15.D.(3)(B) of the Codified Ordinances.
28. The Applicant shall obtain approval of the planning module for new land development or approval of an exemption from the planning requirements from the Township and PA DEP in accordance with the requirements of Section 220-5.7.A. of the Codified Ordinances of Upper Allen Township and pay all applicable application and tapping fees in accordance with the requirements of Section 200-15.D.(8) of the Codified Ordinances.
29. This project is situated in the Spring Run Interceptor Special Sewer District within the Township (Ordinance 741, Chapter 200, Article XI) having a cost per EDU in the amount of \$1,641.80.

This amount is in addition to the current tapping fee of \$2,805.00 per EDU. The applicant shall pay a total tapping fee amount of \$4,446.80 per EDU before recording the plan.

30. The Applicant must provide evidence that the sanitary sewer system design has been reviewed and approved by the Township Engineer, in accordance with Section 220-5.7.D.(3)(b) of the Codified Ordinances of Upper Allen Township.
31. The Applicant must provide evidence that the storm drainage and stormwater management facilities has been reviewed and approved by the Township Engineer, in accordance with Sections 220-5.14 and 220-5.18, and Chapter 214 of the Codified Ordinances.
32. The Applicant must submit a completed DEP Sewage Facilities Planning Module Application Mailer with accompanying PNDI Environmental Project Review and two (2) copies of a Plot Plan for the sewer extension, in accordance with Section 220-5.7.A. and Chapter 200 of the Codified Ordinances.
33. The Applicant must enter into a Reservation of Capacity (ROC) Agreement with the Township and pay the appropriate ROC fees, or, pay tapping fees for the number of approved EDUs.
34. The Applicant must enter into a Sewer Extension Agreement with the Township and furnish the required \$1,000.00 escrow for plan and legal review costs, provide plats and legal descriptions for sanitary sewers to be located outside of the public rights-of-way, furnish the required escrow amount for inspection and related costs, and provide appropriate installation financial security for the sanitary sewers.
35. The Applicant shall enter into a Stormwater Best Management Practices Maintenance Operation and Maintenance Agreement with the Township and pay all applicable fees, in accordance with Chapter 214.33 of the Codified Ordinances.
36. The Applicant must contribute to the Township Recreation Land Acquisition and Improvement Fund in the amount of \$800.00. This contribution to the Fund shall be paid at the time of approval of the subdivision or land development plan in accordance with the requirements of Section 220-5.15.D.(4) of the Codified Ordinances.
37. The Applicant must sign the plan and have the signatures notarized according to Section 220-3.5.C.(2)(dd) and 220-3.6.B(1)(a) of the Codified Ordinances.
38. The Applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-3.6.B.(1)(b) of the Codified Ordinances.
39. The landscape architect licensed by the commonwealth of Pennsylvania shall sign and seal the landscaping plans, as designed in accordance with Section 245-6.8.B. of the Codified Ordinances.

40. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-4.2. of the Codified Ordinances.
41. The Applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to ensure construction of the improvements and/or concrete monuments shown on the plan, and the applicant must enter into an agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-4.2. of the Codified Ordinances. The financial security shall contain the provision that the Township shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.
42. The Applicant must also furnish financial security to the Township in an amount equal to the required percentage of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-7.3.B. of the Codified Ordinances.
43. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions, and regulations as may be in effect from time to time concerning the proposed development.
44. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of written conditional approval by the Board of Commissioners or the plan will be considered disapproved. Since the final land development plan is approved with outstanding conditions, the signature block for the Upper Allen Township Board of Commissioners shall state the date in which the conditional approval is granted. A second line shall be added to state, "The conditions of approval were satisfied this \_\_\_\_ day of \_\_\_\_\_, 20\_\_."
45. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances of Upper Allen Township. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), declaration of planned communities/condominium documents (including amendments), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), MAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.

**B. K Care - UA (Genius Kids). UAT File # 23-08-01**

Mr. Greg Holtzman of BL Companies represented the plan as the engineer. Mr. Holtzman provided an overview of the layout of the site, and explained that the lot is located at 151 Old Schoolhouse Lane, is 1.06 Acres, and the proposed building will be 8,500 square feet.

Mr. Holtzman said they were asking for two modifications. The first modification was to Section 220-5.3.B.(5), concerning sidewalk widths. The applicant asked to allow a portion of the public sidewalk to be outside of the right-of-way, because there is not enough space to provide a five-foot wide sidewalk and a five-foot wide grass area from the existing curb within the right-of-way. The second request was to Section 220-5.4.B.(3)(g) to provide a rounded tangential arc with a minimum radius of 15 feet instead of the required 30 feet. Mr. Holtzman stated that the required 30 feet is usually for large truck traffic; the tighter curve helps to control speed and makes a shorter distance to cross for pedestrians. The third modification was added in response to staff comments to Section 220-5.13B(2)(a)[2], concerning landscaping islands. Mr. Holtzman argued that the plan includes the vegetation to meet the criteria and intent of the ordinance, but it does not meet the definition.

Next Mr. Esch McCombie with McNees Wallace & Nurick explained that the ordinance required 38 to 40 off-street parking spaces based on the estimated number of students, teachers, and staff, however a reduction in parking request may be sent before the board of commissioners. The reduction request has been sent to the Board of Commissioners for their consideration.

Secretary Steffan asked if any adjacent property would be willing to provide overflow parking during the occasional instance where it may be needed. Mr. McCombie stated that they've spoken to the surrounding businesses, and they are all willing to consider it in the future. Right now, a few of them are re-negotiating leases and such, but will discuss the overflow parking request again once they finalize their details. Secretary Steffan recommended they have a letter of accommodation from the other businesses explaining their willingness to consider discussing or allowing overflow parking on their properties to show they've done their due diligence. Mr. McCombie explained that an easement agreement has been prepared and letters will be obtained, if possible.

No public comment.

Mr. Clancy made a **MOTION** to recommend approval of the three modification requests. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (5-0). The modification requests are:

1. Recommend approval of the modification request for Section 220-5.3.B.(5), allowing the Applicant to provide for a five-foot wide sidewalk along their property, a portion of which will be located outside the public right-of-way. The Applicant will provide for a six-foot wide pedestrian access easement around the portion of sidewalk and adjacent property area that is

located within private property. The remainder of the sidewalk will be located within the public right-of-way.

2. Recommend approval of the modification request for Section 220-5.4.B.(3)(g) to provide a rounded tangential arc with a minimum radius of 15 feet instead of the required 30 feet.
3. Recommend approval of the modification request for Section 220-5.13.B.(2)(a)[2] to provide for landscaping islands at the northeast corner and the west entrance that meet the required landscaping plantings but not the minimum width, length, and/or depth.

Ms. Roddin made a **MOTION** to recommend approval of the parking reduction request. The **MOTION** was **SECONDED** by Mr. Clancy. The motion carried unanimously (5-0).

Vice-Chair Siodlowski made a **MOTION** to recommend approval of the plan with conditions. The **MOTION** was **SECONDED** by Mr. Clancy. The motion carried unanimously (5-0). The conditions are:

1. Per Section 245-17.2, Table XVII-1 and the latest zoning ordinance amendment adopted October 2023 (Ordinance 828), there is not enough parking being provided to meet the minimum off-street parking standards. The Applicant must either obtain approval of a reduction per Section 245-17.5, enter into a joint parking agreement with neighboring properties per Section 245-17.4, or else meet the minimum standards as identified in Table XVII-1 of Codified Ordinances. If a reduction is granted, a note shall be listed on the Cover Sheet including the date granted.
  - a. If a parking reduction is to be granted, the Applicant should provide an alternative parking plan for times when all parking spaces are filled during pick-up and/or drop-off times, and for special events such as graduation, holiday parties, etc., and comply with any other conditions as required by the Board of Commissioners.
2. Final plan submission shall include façade drawings, to include elevations, floor plans, lighting, etc., per Section 220-3.5.C.(2)(ff) of the Codified Ordinances.
3. The landscaping plan shall be updated to address the following planting information:
  - a. The total length of the property along the street right-of-way was incorrectly identified during the first review reducing the length to 173.61 feet. The length has been confirmed at 304.66 linear feet. The Buffer Yard #2 and street tree planting requirements must be based on the entire length of the property line at 304.66 feet, which would require the following additional plantings per Section 220-5.13.B.(1) of the Codified Ordinances:
    - i. Buffer Yard 2. Eight (8) shade trees, 11 evergreen trees, and 16 deciduous/evergreen shrubs required.

- b. Landscape islands are to be provided at the end of each parking row, along with appropriate landscaping. The landscaping islands at the northeast corner and the west entrance area appear to not meet the minimum width, length, and/or depth requirements, per Section 220-5.13.B.(2)(a)[2]. We do note, however, that appropriate landscaping has been provided within the island areas.
  - c. Section 245-14.25.E of the Zoning Ordinance states that all outdoor play areas must provide a means of shade, such as shade tree(s) or pavilion(s). It appears the Applicant is providing two Autumn Brilliance Apple Serviceberry trees alongside the outdoor play area. These are small trees that will grow to about 15-25 feet in height and are not typically classified as shade trees, but are smaller trees, per Section 220-5.13.B. More appropriate shade trees should be incorporated into the outdoor play area, or else provide for pavilion(s).
4. The Applicant shall provide an alternate hatch for bituminous roadway restoration to differentiate between the pavement section being used on-site versus within the public right-of-way. The current hatch infers that roadway restoration will follow the “Bituminous Paving Detail” on Sheet DN-1, which does not meet Township Specifications. Additionally, the trench restoration details on Sheet DN-4 need to comply with the Township Construction and Material Specifications.
5. The limits of sawcut and roadway restoration for utility installations must comply with the Township Street Cut Ordinance (Chapter 217). Curb removal and roadway restoration associated with the proposed water line connection have not been accounted for on the Plan.
6. The revised discharge point does not directly tie into the larger conveyance channel as intended. Extend the outfall pipe to the toe-of-slope at the upper limit of the conveyance channel, elevation 445.00’.
7. The Applicant shall revise discrepancies on the Plan regarding the length and slope of the BMP #2 outfall pipe.
8. Clarify the size of YD-2.0 and YD-2.1, and whether they are proposed to be Nyloplast Drain Basins as detailed on Sheet DN-6.
9. The sight distance looking left from the proposed site access (east) must be verified. It appears that there are two (2) evergreen trees on the adjacent property that may impact the sight distance at this driveway.
10. The following changes shall be made to study for clarity and accuracy, although the changes will have no impact on the results of the traffic study.

- a. The P.M. peak critical headways were utilized for the A.M. Peak hour in the capacity analysis.
- b. The turn lane analysis worksheets shown “known” for Cycles per hour (assumed) when it should show “60” per PennDOT guidelines.

11. On the Cover Sheet, the following shall be addressed:

- a. Cumberland County requires names of signatures to be identified on plans. Please include the printed name of the person who will sign the Certificate of Ownership and Stormwater signature areas on the Cover Sheet.
- b. The waivers and modifications on the Cover Sheet do not clearly define what each request is, as they are both now modification requests. Any approved waiver or modification must clearly be noted as to what type it is, the details of the request, and the date of approval. The Cover Sheet must be updated with more appropriate language, in accordance with Section 220-3.6.B(3) of the Codified Ordinances.

12. Within the Zoning Data information on Sheet SP1, list the minimum street frontage requirement. There is currently a section that states minimum lot width, which should be street frontage, as there is no minimum lot width requirement in this district, per Section 245-6.6.D. of the Codified Ordinances.

13. Employee parking is proposed in front of the dumpster. The Applicant should demonstrate how this will not create a conflict with trash services.

14. A certified, engineered design and details of all retaining walls shall be submitted and approved by the Township prior to the issuance of any permits. The final design must be reviewed and approved prior to recording the land development plan.

15. Fence details shall be provided for the dumpster area, per Section 220-5.13.B.(1)(e) of the Codified Ordinances. The detail sheets only include information for the dumpster gate.

16. The Applicant must obtain approval of the Erosion and Sediment Control Plan from the Cumberland County Conservation District and furnish to the Township a copy of the required NPDES permit in accordance with the requirements of Section 220-3.5.C(4)(h), Section 220-5.14., and Section 214-19.C of the Codified Ordinances.

17. The Applicant shall obtain approval of the planning module for new land development or approval of an exemption from the planning requirements from the Township and PA DEP in accordance with the requirements of Section 220-5.7.A of the Codified Ordinances of Upper Allen Township and pay all applicable application and tapping fees in accordance with the requirements of Chapter 200 of the Codified Ordinances.



18. The Applicant must enter into a Reservation of Capacity (ROC) Agreement with the Township and pay the appropriate ROC fees, or, pay tapping fees for the number of approved EDUs.
19. The Applicant must enter into a Sewer Extension Agreement with the Township and furnish the required \$1,000.00 escrow for plan and legal review costs, provide plats and legal descriptions for sanitary sewers to be located outside of the public rights-of-way, furnish the required escrow amount for inspection and related costs, and provide appropriate installation financial security for the sanitary sewers.
20. The Applicant must provide evidence that the storm drainage and stormwater management facilities has been reviewed and approved by the Township Engineer, in accordance with Sections 220-5.14 and 220-5.18, and Chapter 214 of the Codified Ordinances.
21. The Applicant must provide evidence that the sanitary sewer system design has been reviewed and approved by the Township Engineer, in accordance with Section 220-5.7.D(3)(b), and applicable sections of Chapters 199 and 200 of the Codified Ordinances.
22. The Applicant shall enter into a Stormwater Best Management Practices Maintenance Operation and Maintenance Agreement with the Township and pay all applicable fees, in accordance with Section 214-33. of the Codified Ordinances.
23. The Applicant must contribute to the Township Recreation Land Acquisition and Improvement Fund in the amount of \$3,400.00. This contribution to the Fund shall be paid at the time of approval of the subdivision or land development plan in accordance with the requirements of Section 220-5.15.D.(4) of the Codified Ordinances.
24. The Applicant must sign the plan and have the signatures notarized according to Section 220-3.5.C(2)(dd) and 220-3.6.B(1)(a) of the Codified Ordinances.
25. The Applicant must have the plan, including any profiles or drawings required under the provisions of Chapter 220, signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan and that they are in conforming with the township code and other applicable state regulations, in accordance with Sections 220-3.5.C(2)(e), 220-3.6.B(1)(b), and 220-5.2.N(3) of the Codified Ordinances.
26. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-4.2. of the Codified Ordinances.
27. The Applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to ensure construction of the improvements and/or concrete monuments shown on the plan, and the

applicant must enter into an agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-4.2. of the Codified Ordinances. The financial security shall contain the provision that the Township shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.

28. The Applicant must also furnish financial security to the Township in an amount equal to the required percentage of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-7.3.B of the Codified Ordinances.
29. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions, and regulations as may be in effect from time to time concerning the proposed development.
30. The Applicant shall obtain final water main design approval from Veolia Water Company and furnish to the Township an updated design plan.
31. The Applicant shall pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.
32. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of written conditional approval by the Board of Commissioners or the plan will be considered disapproved.
33. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances of Upper Allen Township. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), declaration of planned communities/condominium documents (including amendments), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), NAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.

### **C. 900, 906, & 908 Gettysburg Pike.**

Mr. Rory Chapman of A to Z Land Consulting Services, LLC. represented the plan as the engineer. Mr. Chapman explained that the plan was for a subdivision of the lots and a lot line adjustment.

He also noted that the staff comments were minor and would be addressed.

No public comments.

Chair Willey called for a **MOTION** on the plan. Secretary Steffan made a **MOTION** to recommend approval of the plan with conditions. The **MOTION** was **SECONDED** by Ms. Roddin. The motion carried unanimously (5-0). The conditions are:

1. Yard setback lines shall be shown and labeled on the plan for each proposed lot, in accordance with Section 220-3.5.C.(2)(y) and 220-3.6.A.(2) of the Codified Ordinances. The rear yard setback line is not labeled on any of the lots.
  - a. For the new Lot 1, the 10-foot side yard and the rear yard setbacks are drawn incorrectly.
  - b. For the existing lot for 908 Gettysburg Pike, the one side yard setback is not labeled.
2. Soil types shall be shown on the plan, per Section 220-3.5.C.(2)(r) of the Codified Ordinances.
3. The width of the cartway is shown for Gettysburg Pike and West Lisburn Road, but the right-of-way width is not shown for either roadway. The right-of-way and cartway width must be shown on the plan for all identified roadways, per Section 220-3.5.C.(2)(u) of the Codified Ordinances. Furthermore, the lines that appear to represent the right-of-way for Gettysburg Pike are within what appears to be the existing cartway. It seems that if the right-of-way were centered on the cartway, this would be rectified. If the existing conditions, as shown, are determined to be correct, we would need to see a reference to the instrument that created this offset in the existing right-of-way.
4. The adjacent Neighborhood Commercial (C-1) zoning district must be identified on the plan, per Section 3.5.C.(2)(k) of the Codified Ordinances.
5. Existing and proposed survey monuments and markers must be clearly labeled, per Sections 220-5.11 and 220-3.6.B.(1)(h) of the Codified Ordinances. The legend must also clearly identify what may be existing versus proposed and which labels are monuments versus markers. The current legend is unclear as it uses the same symbol for two different points.
6. Existing and proposed property/lot lines shall be clearly identified, and such lines shall be noted in the legend, per Sections 220-3.5.C.(2)(v) – (z) of the Codified Ordinances.
  - a. Property/tract lines are shown in a bold solid line, and there is a reference to remove lines between the new Lot 1 and the property at 908 Gettysburg Pike. However, the existing plan does not clearly show the difference between which property boundaries are existing and which are new. For example, the property lines for the new Lot 1 to the north are new and are the same bold solid line as that of the existing property boundary lines.

- b. The Federal Aid Project along Lisburn Road appears to have granted additional right-of-way to PennDOT, which appears to have altered the property lines. However, the adjusted property lines are not shown, along with new property pins/markers to be set. If PennDOT did acquire the additional right-of-way and the property boundaries have been adjusted as indicated, then the property lines must be shown on the plan where they now terminate, unless there is documentation to show otherwise. *Note: We do note that building setback lines appear to measure from the right-of-way line, which is correct, although comment #1 above does note that not all setback line measurements are correct.*
7. Street trees are required for all residential subdivisions where the density is greater than one dwelling unit per acre, per Section 220-5.13.D. The subdivision of these lots for three dwelling units creates an average density of 1 dwelling unit per 0.36 acres.; therefore, the planting of street trees is required, and the number of trees required is based on the formula in Section 220-5.13.D.(7). The plantings and landscaping details shall be shown on the plan per Section 220-3.6.B.(10)(k). of the Codified Ordinances.
8. The zip code for Mechanicsburg is 17055, not 17025. The zip code is listed incorrectly in the title block and the owner/subdivider block.
9. Under General Notes, the following shall be added or corrected as follows:
  - a. Note #1. There is a typo with the word “to”, which should be “two”.
  - b. All non-conforming buildings, uses, lots, setbacks, etc. shall be provided as a note on the plan. This includes the non-conforming setbacks of the home on the new Lot 1, the non-conforming setbacks of the home on Lot 4, and the non-conforming setback of the concrete pad and driveway (area towards W. Lisburn Road that is less than three feet from property line) on the Harbold property. The Applicant should also clarify if the existing shed on the southern corner of the Harbold property (908 Gettysburg Pike) is nonconforming, as it appears to be less than five feet from the property line. *Note: The general note must list the non-conformities not just list this outstanding condition verbatim.*
    - i. It also appears that the side yard setback between this and the Harbold property creates a non-conformity. This should be reviewed to ensure compliance with Section 245-15.3.B.(3) of the Zoning Ordinance.
    - ii. The area of the concrete pad is unclear as to whether it follows the fence line or not. The plan should better define the pad area to ensure compliance with Section 245-15.3.B.(3) of the Zoning Ordinance.
  - c. The statement that nothing shall be placed in an easement in Section 220-5.10.A.(2) shall be noted on the plan, per Section 220-3.6.B(1)(m) of the Codified Ordinances. *Note: The entire statement shall be noted on the plan, not just the reference to the ordinance section.*

- d. The PA One Call note (Note #7) on the plan shall include the call number or Call Before You Dig symbol, per Section 220-3.6.B(1)(r) of the Codified Ordinances.
  - e. A note shall be added to state that the three lots are serviced by both public water and public sewer.
10. Any waivers, modifications, deferrals, variances, or other special permits granted for this plan shall be noted on the final plan to include the approval, any conditions, case number, and the date of approval, in accordance with Sections 220-3.5.C.(2)(k), 220-3.5.C.(2)(jj) and 220-3.6.B.(3)(b) the Codified Ordinances. *Note: The note for the Zoning Hearing Board case shall not include the language for “verbal approval” once the written decision has been received. The note can state the Zoning Hearing Board granted a variance on December 14, 2023 for Case # 23-09, and then state the section of the zoning ordinance applicable to the variance and the overall approval decision.*
11. All improvements can be completed prior to recording of the plan once conditional approval would be granted. This includes the following improvements:
  - a. Setting of any property pins and/or monuments. A signed and sealed letter from a registered engineer or surveyor must be provided, indicating any property pins and/or monuments that have been set prior to recording of the plan, and have been installed in accordance with the requirements of Section 220-5.11. of the Codified Ordinances.
  - b. Planting of any required street trees, in accordance with Section 220-5.13.D. and the approved landscaping plan.
12. All improvements shall be required to be inspected for compliance with the approved plan design. Any review and/or inspection fees shall be the responsibility of the Applicant, in accordance with Section 220-7.3.B. of the Codified Ordinances and the Township’s Fee Schedule. If any of the required property pins and/or monuments are not set, nor any/all required trees are planted prior to recording the plan, then financial security and all required inspection fees shall be provided for in accordance with Sections 220-4.2 and 220-7.3.B. of the Codified Ordinances.
13. The Applicant must provide evidence that the sanitary sewer system design has been reviewed and approved by the Township Engineer, in accordance with Section 220-5.7.D.(3)(b), and applicable sections of Chapters 199 and 200 of the Codified Ordinances.
14. The Applicant must sign the plan and have the signatures notarized according to Section 220-3.5.C.(2)(dd) and 220-3.6.B.(1)(a) of the Codified Ordinances.
15. The Applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-3.6.B.(1)(b) of the Codified Ordinances.

16. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions, and regulations as may be in effect from time to time concerning the proposed development.
17. The Applicant shall pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.
18. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of written conditional approval by the Board of Commissioners or the plan will be considered disapproved. Since the final land development plan is approved with outstanding conditions, the signature block for the Upper Allen Township Board of Commissioners shall state the date on which the conditional approval is granted. A second line shall be added to state, "The conditions of approval were satisfied this \_\_\_\_ day of \_\_\_\_\_, 20\_\_." Signature approval language is provided for in Section 220-3.8.B. of the Codified Ordinances.
19. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances of Upper Allen Township. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), declaration of planned communities/condominium documents (including amendments), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), NAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.

## **OTHER BUSINESS**

### **A. 2023 Annual Report**

Chair Willey accepted the 2023 Annual Report of the Planning Commission.

## **BUILDING INSPECTOR'S REPORTS**

Chair Willey noted the Building Inspector's Report for December 2023.

## **PUBLIC COMMENT**

Paul Calvanelli of 1791 Empress Drive expressed concern about children, including his own

daughter, having to cross East Winding Hill Road to access both sides of Winding Hills Park (North and South). He asked if a crossing could be designated along East Winding Hill Road, or if a fence could be added on the south side alongside the homes in the Winding Hills Development. Ms. Boyer stated that East Winding Hill Road is a state-owned road, and that the Township tried for many years to get approval from PennDOT to put in a signalized pedestrian crossing at the park entrance of Winding Hills North. It was not supported by PennDOT, because it was considered to be a mid-block crossing. The area in question for the fence is privately owned by the Winding Hills HOA, the township cannot require them to install a fence. However, she will pass along the information to see if there is interest. She will also pass along Mr. Calvanelli's concerns to the appropriate park personnel to discuss further and come up with any additional ideas to enhance public safety.

Several members of the Planning Commission also recommended Mr. Calvanelli attend an upcoming Park and Recreation Committee meeting to discuss his concerns about the park.

### **ADJOURNMENT**

There being no further business Vice-Chair Siodlowski made a **MOTION** to adjourn. The **MOTION** was **SECONDED** by Secretary Steffan. The motion carried unanimously (5-0). Chair Willey adjourned the meeting at 8:30 PM.