Minutes

06-17-26

UPPER ALLEN TOWNSHIP
BOARD OF COMMISSIONERS II MEETING
June 17th, 2026 - 6:30 P.M.

COMMISSIONERS
Eric Y. Fairchild, President
Karen Overly Smith, Vice President
Kenneth M. Martin, Assistant Secretary
Phil J. Walsh, Assistant Secretary
Jennifer A. Clarke, Assistant Secretary (absent)

TOWNSHIP OFFICIALS
Keldeen Stambaugh, Township Manager
Allyson Appleby, Assistant Twp. Manager
Josh Bonn, Solicitor
Andrew Parsons, Police Chief
Tom Shumberger, Fire Chief
Michelle Mixell, Comm. Dev. Director
Mike Welt, Zoning Officer
Jason Reichard, Engineer
Alexis Minana, Recording Secretary

Note: Due to technical difficulties, portions of the meeting recording were not captured. These minutes were written to the best of the recording secretary's ability with a limited audio recording.

CALL TO ORDER

President Fairchild called the meeting to order at 6:30pm. Ms. Stambaugh performed roll call; all Commissioners were present.

PUBLIC SAFETY

Police Chief Parsons reported that there was an incident involving a fatal shooting by police in the Township. Officers on the scene demonstrated "restraint," with only one bullet being fired. Chief Parsons called it a "tragedy" and remarked that there are a lot of mental health issues in the Township.

Chief Parsons reported that they are in the process of interviewing two new police officers.

President Fairchild announced that this meeting would be livestreamed for those unable to attend in person. A recording will be made available after the fact. He asked that speakers identify themselves and speak directly into the microphone.

PRESIDENT'S RECOGNITION OF VISITORS

Ms. Lizzy Baldwin Seidel is the Executive Director of the Joseph T. Simpson Public Library. The Board has historically provided financial support to the library. Ms. Seidel gave an overview of how the library is using those funds. She reported that 23% of residents have a library card. She explained that funds from the Township amount to about $1 per resident annually. She went

on to describe common library items and their price tags. The Board thanked her for the information.

CONSENT AGENDA

The Board reviewed the minutes from their May 20th meeting. Vice President Overly Smith made a MOTION to approve the minutes, which was seconded by Commissioner Martin. The minutes were approved 4-0.

PRESIDENT'S RECOGNITION OF VISITORS (II)

Mr. Paul Brenamen, 2020 Stumpstown Road, said he received a letter inviting him to a focus group related to the proposed land preservation referendum. The letter indicated the time-sensitive nature of the focus group, in fitting with the accelerated projected timeline to get the referendum on the ballot. Mr. Brenamen worried that the process was being rushed. He reported that he spoke to Nathan at the Common County Conservation District: during this call, Nathan repeatedly said the process was being rushed and that these things take time. Mr. Brenamen concluded his statement by praising staff, calling them "super."

Mr. Jim Cochran, 384 Alison Avenue, inquired about Natural Lands dropping out of the contract. He said he heard a rumor that they dropped out because they felt there was not enough time to successfully complete the contract. President Fairchild replied that this would be discussed during a later portion of the meeting.

STAFF REPORTS

The Board reviewed the staff reports, to include the manager's report, fire department report, police department report, EMS report, recreation department report, engineer's report, and finance department report. Commissioner Walsh commented on a very high electric bill ($7,682), and pointed out the solar project would soon be concluded, which is projected to create energy savings.

Vice President Overly Smith made a MOTION to approve the staff reports, which was SECONDED by Commissioner Walsh. The motion passed unanimously.

Commissioner Martin made a MOTION to approve the invoice distribution list totaling $153,060.69. Vice President Overly Smith SECONDED the motion, which passed 4-0.

PUBLIC SAFETY

Police

Chief Parsons gave a more detailed account of the fatal shooting incident. He noted that several neighboring police forces responded to the scene. An independent investigation is being undertaken by the Pennsylvania State Police. The UATFD also provided support. Chief Parsons said he was "proud" of the response to the incident.

Fire

Chief Shumberger reported on the month of May, when the UATFD responded to 74 calls. The average manpower was 6.41. Chief Shumberger stated that the stiped program is working well, and that they are about halfway through the budget (49.9%) and halfway through the year. The UATFD completed a training with the Mechanicsburg Borough Fire Department. The UATFD will have extra staffing on Jubilee Day, which is June 18th.

PLANNING AND ZONING

Michelle Mixell, Community Development Director, presented a request from the applicant for a six-month extension of the previously approved Preliminary/Final Land Development Plan for a building and parking lot expansion at 2210 Aspen Drive (JoJo's Pizza). The Board originally granted conditional[1] approval of the plan on November 20, 2024. The approved project includes a building addition, outdoor patio, additional parking spaces, and associated site improvements.

Ms. Mixell explained that the applicant has been working to satisfy the remaining conditions of approval but did not complete the requirements necessary to record the plan before the deadline. The applicant requested an extension through November 26, 2026, to finalize outstanding agreements, financial security, and plan recordation requirements. Staff met with the owner and project team and confirmed their intent to complete the remaining conditions.

Staff recommended amending Condition No. 12 of the original approval to allow the requested extension. Staff also recommended adding a new condition requiring the applicant to deposit an additional $1,000 into the project escrow account to reimburse staff and solicitor review costs associated with the amendment request.

Vice President Overly Smith made a MOTION to approve an amendment to Condition No. 12 of the November 20, 2024 Conditions of Approval for the Preliminary/Final Land Development Plan for a Building and Parking Lot Expansion at 2210 Aspen Drive (JoJo's Pizza), extending the deadline for completion of the approval conditions and recordation of the plan through November 26, 2026, and adding Condition No. 15 requiring a $1,000 escrow deposit for staff and solicitor review costs associated with the amendment request. Commissioner Martin SECONDED the motion, which passed unanimously.

PUBLIC COMMENT

Mr. Jeff Williams, 334 East Meadow Drive, thanked the Board for approving the completion of the paved trails at Generations Park. He wanted to give background information on the planning of that park to the two new Commissioners, Ms. Overly Smith, and Ms. Clarke. He relayed information about the public voting process involving acorns. He pointed out that less than one percent of the resident population participated in that process. He said that while feedback from the acorns is “valuable,” it shouldn’t be the sole source for gauging what the public wants.

[1] Exhibit A: conditions of the plan.

Mr. Williams brought up the idea of an amphitheater. He was in favor of one being installed at Generations Park. He pointed out that it could be done mostly with natural features, citing an example which is 90% grass. At the grand opening of the park, he reported that a Park & Rec Board member took an informal poll about the amphitheater concept, and that people were nearly split 50/50 for and against.
Mr. Williams spoke about the possibility of installing a skate park, noting that the Borough's new skating destination was a "spot" rather than a "park." Mr. Williams said he sent these and other comments to the Board in an email[2]. He thanked the Board for their continued support of the parks system.

ADMINISTRATION COMMITTEE

Ms. Mixell proposed a change to the fee schedule. She explained that staff is recommending an increase to the initial Escrow Account Administration Fee for subdivision and land development applications from $2,000 to $5,000, an increase to the minimum balance requirement for Administration Escrow Accounts from $1,000 to $3,000, and an increase to the minimum balance requirement for Site Improvements Inspection Escrow Accounts from $1,000 to $3,000. The proposed revisions are intended to reduce the need for frequent escrow replenishment requests and avoid delays in plan reviews and inspections resulting from insufficient escrow balances. All other fees adopted under Resolution 1118 would remain unchanged.

Commissioner Martin made a MOTION to adopt Resolution 1125, establishing a revised general Township Schedule of Fees. Vice President Overly Smith SECONDED the motion, which passed unanimously.

Mr. Reichard presented a request related to Veolia's planned water line replacement work in conjunction with the upcoming repaving of Nittany Drive and Spring Run Drive. He reviewed C.S. Davidson's proposed pavement restoration requirements, which would permit alternative restoration measures in lieu of the standard mill and overlay requirements contained in Section 217-7 of the Township Code. Mr. Reichard explained that the proposed restoration would include full-depth stone backfill and specified asphalt restoration measures and noted that staff supported the proposed approach. He requested that the Board waive the standard mill and overlay requirements pursuant to Section 217-7.G of the Township Code.

Vice President Overly Smith made a MOTION to waive the mill and overlay requirements of Section 217-7 of the Township Code for Veolia's water line replacement project associated with the repaving of Nittany Drive and Spring Run Drive, thereby permitting use of the Township Engineer's proposed pavement restoration requirements pursuant to Section 217-7.G. Commissioner Walsh SECONDED the motion, which passed unanimously.

President Fairchild asked for an update on the land preservation referendum process. He noted that a public forum was scheduled for June 22nd on the topic. Ms. Stambaugh explained that the consultant, Grow Conservation, hosted a focus group on June 16th. The other consultant contracted to work on the project, Natural Lands, has dropped out. President Fairchild asked if this was considered a breach of contract. He went on to say that they are very knowledgeable and

[2] Exhibit B.

that the Township had already gotten material from them. He was hopeful they would appear at the public forum on June 22nd to be a source of information to the Commissioners and the public. He said he also wanted to include Stephanie Williams from Cumberland County, to whom he attributed a letter of support for the referendum. President Fairchild described the situation with Natural Lands as a "legal quandary." He also noted that the BOC was not privy to the focus groups.

President Fairchild explained that Natural Lands backed out of the contract because they did not believe they could meet the proposed timeline. He commented that the Township's solicitor does believe the timeline is feasible. He reviewed the timeline, to begin with the Public Forum on June 22nd, where the BOC would have the opportunity to hear from voters.

Commissioner Martin suggested the solicitor contact Natural Lands and request their presence at the Public Forum. He said he was loathe to tie the referendum to a specific election. Commissioner Martin was in favor of more time to get input from the public and various advisory groups. He warned about the permanence of what was being proposed, and again emphasized the need for time to gather public feedback.

Vice President Overly Smith recommended that the Board be conscientious of staff time, particularly given that staff will be revamping the comprehensive plan over the next couple of years. Commissioner Martin echoed her comments, saying that open space preservation goals can and should be written into a new comprehensive plan with input from the public. He again cautioned against forcing the timeline to meet the deadline for the November ballot. Commissioner Martin expressed his desire to see the fruits of Natural Lands's labor at the Public Forum. President Martin replied that they signed a contract and said he expected them to be there. Vice President Overly Smith asked what would happen if they refuse to appear. Commissioner Martin said he would "shocked" and "disappointed" if they failed to appear. Mr. Bonn chimed in. He said that Natural Lands was aware of the tight timeline when they initially signed the contract. He called it "disappointing" that they were not honoring the contract, given that expectations were clear from the start. Mr. Bonn advised the Board to schedule the Public Forum, and said he would communicate their desire to have Natural Lands present.

Mr. Ed Franco (Cumberland County Planning Commission) and Mr. Vince DeFillipo (former Silver Springs Supervisor), were available to answer questions. Mr. DeFillipo relayed that in Silver Springs, he felt the Township was being over-developed, which led him to run for Township Supervisor. In that role, he researched legislation and landed on the Pennsylvania Act 153 of 1996 which permits municipalities to create their own land preservation programs. He reported that the other Silver Springs Supervisors were in support of land preservation measures.

Mr. DeFillipo described a group of resident-volunteers who did the work of preparing for the ballot referendum. He said that no staff time was taken up by this work. He said the resident-volunteer group even put together a draft of recommended language for the ballot, which the Township solicitor reviewed. Mr. DeFillipo explained that Preserve Silver Spring, a political action committee, sent a letter to the Silver Springs Supervisors in June of 2013. The Supervisors did put the referendum on the November ballot that year. He compared Silver Springs's timeline with Upper Allen's favorably. He said Silver Springs did not use consultants, but did hire a few

conservancies to help relay information about land conservation after it was approved. Silver Springs did not use focus groups, but instead held an "enormous amount" of workshops at their local fire house to educate people about the referendum. This education campaign ran for about 4 months. Mr. DeFillipo described opposition they encountered in the community and said UAT should be prepared for opposition efforts. He called the referendum the "easiest part" of the effort. He described it as "simply asking the voters" to decide if they want to opt into this program. He listed off different types of land that could be preserved under this program. He advised the BOC not to delay getting it on the ballot.

Mr. DeFilippo described EIT, Earned Income Tax, which is what is being proposed by President Fairchild as the funding mechanism for the program. He pointed out that retired people do not pay into EIT. Mr. DeFilippo described a robust public education campaign involving door-to-door and many workshops, leading up to the referendum. Mr. Franco emphasized how much work was done by resident-supporters. Commissioner Martin asked how many people were involved in campaigning; he was told 12. The rest of Mr. Franklin's testimony was inaudible. Mr. DeFillipo emphasized that all labor for campaigning for the referendum was done by volunteers.

Vice President Overly Smith inquired how long these conservation easements last: Mr. DeFillipo replied "in perpetuity." Ms. Overly Smith asked what would happen if a landowner decided to bow out of the agreement. The response was inaudible. Mr. Franco made further comments on the process which were not captured by the recording.

Mr. Cochran pointed out that land preserved in the Silver Springs program remains private, and inaccessible to the public. He characterized it was taking public dollars and giving it to private citizens. Mr. Franco said the public benefits by the mere fact of preventing more development. Mr. DeFillipo stated that the required EIT was minimal for a person making $100K annually. Mr. Cochran said his concern lay with people making minimum wage and other lower earners.

Ms. Stephanie Williams, Director of Cumberland County's Farmland Preservation Program and Open Space Program, sent a letter[3] to the Board of Commissioners. Ms. Williams stated that the initiative is consistent with Cumberland County's Comprehensive Plan and aligns with several county planning principles, including protecting natural resources, preserving open space and farmland, enhancing community character and quality of life, and encouraging public engagement in governmental decision-making. She noted that open space preservation supports clean water, air quality, wildlife habitat, recreation opportunities, and local food security, while the preservation of parks, trails, and historic resources contributes to community identity and economic development. Ms. Williams further commented that a public referendum provides residents with the opportunity to participate directly in the decision-making process and increases public awareness and ownership of the issue. She commended Upper Allen Township for considering the initiative and offered the assistance of the Cumberland County Planning Department as the program moves forward. A colleague of Ms. Williams presented the letter and made himself available for questions.

[3] Exhibit C: Letter from Stephanie Williams.

Ms. Jean Foschi is a resident and Cumberland County Commissioner. Ms. Foschi said she liked the idea of bringing the concept to the ballot, and called it "incredibly fair." She urged haste, saying that there is tremendous pressure throughout Cumberland County to continue developing. Ms. Foschi said she does not want a data center and that she does want green space and recreational opportunities. She spoke to the quality of life that green space offers residents. She concluded by reiterating that she was in favor of this going on the ballot in November.

An unidentified resident took to the podium. She was concerned about the inequity of an earned income tax and pointed out that many wealthy landowners are retired and would not have to pay into the fund.

Ms. Robin Banks felt that developers were taking over the Township. She warned of warehouses and data centers. She expressed concern that "we're taking away land, and we are letting people come in." She said she was willing to pay additional taxes to prevent future development.

Mr. Erik Weenink urged Upper Allen Township to be proactive in land preservation efforts, saying it would be at risk for overdevelopment if it was not. He argued that, although it was public money being used to preserve private lands, it would still help improve the quality of life for the average resident by preventing further development. As far as urgency, Mr. Weenink echoed concerns about data centers coming into the Township. He was in favor of getting it on the ballot in November.

President Fairchild emphasized the low impact of the proposed EIT. He said the choice should be left to the voters.

Commissioner Walsh made a MOTION to host a Public Forum on June 22nd at 6:30pm regarding land preservation efforts. Commissioner Martin SECONDED the motion, which passed unanimously.

In a memo to the BOC, Mr. Bonn explained that the Township's zoning ordinance does not currently define data centers as a land use, requiring any proposed development to seek zoning relief as an undefined use through the zoning hearing process. He noted that, although the zoning ordinance provides certain safeguards, ambiguities in zoning regulations are generally interpreted in favor of landowners and developers, making it advisable for the Township to adopt specific regulations governing data center development.

Mr. Bonn discussed legal mechanisms available to protect the Township while a comprehensive data center ordinance is prepared. He explained that a previously advertised draft zoning ordinance amendment may provide protection through the pending ordinance doctrine, which allows a municipality's proposed zoning changes to be considered when reviewing development applications.

He further reviewed the curative amendment process authorized by the Pennsylvania Municipalities Planning Code, which allows a municipality to declare portions of its zoning ordinance substantively invalid and undertake amendments to address deficiencies. He noted that initiation of the curative amendment process would provide a 180-day period during which

certain development applications and challenges related to the affected use may be restricted while the Township prepares ordinance amendments. He also cautioned that a municipality may not invoke the curative amendment process again for 36 months after doing so.

Mr. Bonn recommended that the Board consider resolutions initiating the curative amendment process and establishing the related protections provided under the Municipalities Planning Code while regulations for data center uses are drafted.

Vice President Overly Smith made a MOTION to amend the agenda for the Upper Allen Township Board of Commissioners regular business meeting on June 17, 2026, to add consideration of adoption of resolutions to initiate a curative amendment process to amend the Upper Allen Township zoning ordinance to provide for lawful regulation of data center uses in Upper Allen Township. Commissioner Walsh SECONDED the motion. Ms. Foschi spoke up, saying that she, as an elected official herself, would not vote for passage of these resolutions without having had the chance to review them prior. Commissioner Martin clarified that the BOC had been given an opportunity to review the documents. The motion on the floor passed unanimously by a vote.

Commissioner Martin MOVED to enact Resolution 1126 to declare the Upper Allen Township zoning ordinance substantively invalid in part with respect to data center uses, to invoke the protection of Section 609.2 of the Pennsylvania Municipalities Planning Code, and to initiate a curative amendment process to provide for lawful regulation of data center uses in Upper Allen Township. Commissioner Walsh SECONDED the motion, which passed unanimously.

Commissioner Martin MOVED to enact Resolution 1127 to set forth specific findings of substantive invalidity of the Upper Allen Township zoning ordinance, pursuant to Section 609.2 of the MPC, with regard to regulation of data center uses in Upper Allen Township. Vice President Overly Smith SECONDED the motion, which passed 4-0.

President Fairchild commented that Ms. Mixell is handling the ordinance revision “thoroughly and comprehensively.”

Allyson Appleby, Assistant Township Manager, presented a grants update and requested authorization to proceed with grant applications for several funding opportunities. She explained that the Township proposes submitting three separate applications through the Pennsylvania Department of Community and Economic Development (DCED) Multimodal Transportation Fund (MTF) program to support roadway improvements in three distinct neighborhoods identified in the Township's 2027 Roadway Plan. The proposed strategy is intended to increase geographic coverage and improve the likelihood of securing funding for priority roadway projects.

Ms. Appleby also reviewed the Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, which provides financial assistance to help fire departments increase and maintain adequate frontline staffing. She explained the program's federal cost-sharing structure and local match requirements.

Following discussion, the Board considered a request to authorize staff to begin preparing and submitting grant applications through the DCED Multimodal Transportation Fund and FEMA SAFER Grant Program. Commissioner Walsh made a MOTION to authorize Township staff to prepare and submit applications for the Pennsylvania Department of Community and Economic Development (DCED) Multimodal Transportation Fund grants and the Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, as presented. Commissioner Martin SECONDED the motion, which passed 4-0.

The Board considered a proposal that certain Public Works employees could aid Mr. Welt in code enforcement for lawns in the Township. Commissioner Martin MOVED that the following staff serve as property maintenance enforcement officers: Shayne Hughes, Garrett Shearer, Avery Holmes, and Gerald Steigleman. Vice President Overly Smith SECONDED the motion, which passed unanimously.

PARK AND RECREATION

Ms. Banks suggested the installation of a Veteran's Memorial at Generations Park. Commissioner Martin agreed that this was a good suggestion. Mr. Williams was also vocally supportive of the idea, noting that there are many veterans in the Township.

MISCELLANEOUS

Solicitor's Report

Mr. Bonn reported that the PA Supreme Court recently ruled on skill games, saying they should be regulated the same as slot machines. The General Assembly is now tasked with considering this over the next 120 days.

Municipal Advisory Board

Vice President Overly Smith announced that their next meeting would take place on July 7th at noon.

With no further business to discuss, Commissioner Martin MOVED to adjourn at 8:44pm. Commissioner Walsh SECONDED the motion, which passed unanimously.

November 21, 2024
CERTIFIED MAIL # 9214 8901 8754 6300 0172 81

Antonino Purpura
2210 Aspen Drive
Mechanicsburg, PA 17055

Re: Adoption of Ordinance 841 for Consideration of a Petition to Vacate a Portion of Right-of-Way Along Aspen Drive; and BOC Conditional Approval of P/F LD Plan for a Building and Parking Lot Expansion at 2210 Aspen Drive: UAT File No.23-11-01

Dear Mr. Purpura:

The Upper Allen Township Board of Commissioners, at their meeting held on November 20, 2024, adopted Ordinance 841 to vacate a portion of right-of-way (8,824 square feet in total) along Aspen Drive. The ordinance will be recorded once the final easement agreement is received.

At the same meeting, the Board of Commissioners voted to approve the above-referenced land development plan, with the following modifications and conditions:

The Board of Commissioners approved the following modifications:

1. Modify the requirements of 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. Modify the requirements of 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. Modify the requirements of 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. Modify the requirements of 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. Modify the requirements of 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. Modify the requirements of 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 of approval are as follows:

1. 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.

2. The stormwater management report and associated infrastructure improvements are still under review by the Township Engineer. Any outstanding comments will be addressed via a separate letter. The Applicant must provide evidence that the stormwater report, storm drainage and stormwater management facilities has been reviewed, designed, and approved by the Township Engineer, in accordance with Sections 220-5.14 and 220-5.18, and Chapter 214 of the Codified Ordinances.

3. 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 of the Codified Ordinances.

4. 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.

5. 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.

6. 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.

7. 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.

8. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, for review and approval, in accordance with Section 220-4.2 of the Codified Ordinances.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. The Applicant has petitioned to have a portion of right-of-way along Aspen Drive vacated for the purposes of incorporating the area with his abutting property for this land development proposal. In the event an ordinance is not adopted to vacate the appropriate right-of-way, this plan shall immediately become null and void. The ordinance must be adopted, and all

appropriate easements and documentation signed and/or recorded prior to recording this plan, otherwise the Applicant must resubmit a development plan that shows the appropriate property boundaries and complies with all applicable codes, ordinances, and laws.

Since there are conditions on the approval of this plan, the plan will be rejected unless the owner/applicant agrees, in writing, within thirty (30) days to comply with and abide by the specific conditions of approval. On this letter, you may indicate your acceptance of the above-listed conditions and return a signed and dated copy to the undersigned no later than **December 21, 2024.**

Number of Final Plans Needed for Recording/Township Records

If the conditions of approval are accepted, and once the conditions of approval have been accepted and satisfied, please provide the Township with the following sets of plans (the minimum amount required is nine copies), along with all other required materials. You may submit additional paper copies and/or cover sheets for signatures, as necessary). Standard plan size for recording is 24" x 36". Each plan set shall have all the necessary signatures and seals required for recording.

- Electronic Copy of the final plan, including all recorded and non-recorded pages, in PDF format. *Files can be sent via email Dropbox, or other file sharing link, or on a flash drive or a CD) in PDF format.*
- A .dwg AutoCAD file. *Files can be sent via email Dropbox, or other file sharing link, or on a flash drive or a CD) in PDF format.*
- Six (6) paper copies of the plan set for Township records. *These must be full sets regardless of which sheets are recorded at the courthouse.*
- Two (2) paper copies of the plan set for recording at the Cumberland County Courthouse.
- One (1) copy or any additional copies as necessary for signatures, to be retained by the Applicant, Developer, Engineer, etc.

Dates for Final Plans

The following dates shall be added to the final plans:

- Approval of any waivers, modifications, and/or deferrals: November 20, 2024
- Planning Commission review date: January 29, 2024
- Cumberland County Planning Commission review date: November 21, 2023
- Board of Commissioners conditional approval date: November 20, 2024
    - All conditions of approval met: leave blank until all conditions of the approval have been met.

Additional Documents Needed Prior to Recording for both Cumberland County and the Township

- In accordance with the policy of the Cumberland County Planning Commission and Condition #13 of the plan approval, a CD, flash drive, or electronic file submission shall be provided to the Township with a .dwg AutoCAD file that includes one drawing of all the lots on the plan and a PDF copy of the final subdivision/land development plan to be recorded. A .dwg AutoCAD file shall also be provided to the Cumberland County Planning Office via email to planningreviews@cumberlandcountypa.gov prior to getting plans signed for recording. You may

also visit their website at https://www.ccpa.net/4889/Subdivision-Land-Development for additional information. The County Planning Department will not sign final plans until this file has been provided to them. At a minimum, both the Township and Cumberland County Planning Commission request the following information:

1. Parcel boundaries.
2. Lot lines.
3. Building footprints.
4. Road right-of-way.
5. Edge of pavement.
6. Utility infrastructure, including storm sewer and sanitary sewer infrastructure, and hydrants.
7. Utility or other easements (public and private).
8. Declaration of planned communities/condominiums documents (including amendments).

Should you have any questions concerning the action taken or any of the conditions, please contact me at jboyer@uatwp.org or 717-766-0756.

Sincerely,

Jennifer M. Boyer, AICP
Community Development Director
Upper Allen Township

NOW, ON THIS_____ OF_____, 2024, ALL OF THE CONDITIONS OF APPROVAL LISTED ABOVE FOR THE PRELIMINARY & FINAL LAND DEVELOPMENT PLAN FOR THE BUILDING AND PARKING LOT EXPANSION AT 2210 ASPEN DRIVE, UAT FILE # 23-11-01, ARE HEREBY ACCEPTED.

BY: _____ **WITNESS:** _____

_____ _____
(Print/Type Name) **(Print/Type Name)**

CC: Adam Anderson, P.E., Site Designs Concepts, Inc.
Sewer Department
Project File

My comments on our parks: (for your consideration (or deletion)

FISHER PARK:

- **Support efforts to acquire more land from the farm SSW of the park. I do not support the acquisition of one acre at the end of the proposed townhouse development. Open space is a highly desired thing. BUT this would be isolated, very hard to maintain, impossible for residents to access without going across private land (or townhouse parking,) very limited for what could be put in there especially since Fisher already has slot of it, and doing a parking lot for baseball defeats the purpose of open space. You need 1.5-3 acres doe an athletic field with no parking. It's zoned for this and this is a weak insidious ploy to cut out townhomes and restrict the assumed savage development. Take the $44k in fee in lieu to use at parks that people will use and not an acre that is fairly unusable and hard to maintain.**

BUT support efforts to acquire farmland adjacent to the SW part of the park. I will put a bug in the ear of the Strock family through a relative. They're here helping us pack as I write this.

TROUT RUN:

- **Support the trail link from the park to Ashcomb. It provides connectivity. There are some concerns about impact on wildlife. That would be minimal although a valid expression of concern. Carmen and I have been on large boardwalk areas in two other states recently done by local and state parks. Access to wildlife was exceptional, And close. For those boardwalk sections, I see no issue.**

DOG PARK:

- **Basically is set. Brenda Leininger is the new Chair and has info. Jason is the liaison and will attend quarterly and the annual meetings. Meetings at the Twp are booked through 2027 for 6:30pm.**

GENERATIONS:

- **SUPPORT FINISHING THE PATHWAT SYSTEM. Paved except for the designated sections with stone and grass.**
- **Carmen and I agree that pickleball is inappropriate for here. Sharp, rapid, ball noise would definitely be disruptive to wildlife. I think we have enough Courte. There is a neighbor in close proximity who is concerned about the noise.**
- **Add more benches**

- **I support horseshoes (rare use) and bocce. I have sent photos of bocce courts I'm familiar with to Parks.**
- **Review the input for this park in the study from all sources. The high profile 'acorn' value voting represented less than 2% or our residents. But these were the folks most interested. There were children voting which was good. But mildly skewed the numbers. And groups that were aligned with each other. What I think needs to be considered are the stakeholders. Sports, our P & R Board, the Township departments. And importantly the Recreation Department. If you're new to the Board, you missed the public accusations of violating the state Sunshine Law when we gave opinions in a zoom meeting. This was during COVID. The Solicitor stated publicly it was not a violation. Other departments were involved but not mentioned to my knowledge. The consultant was well respected, selected by the BOC, and set up the meetings. Apparently, it was still our fault to presumably violate sunshine. I addressed it and considered it done BUT if it comes up again, be aware.**
- **Skate Park -personally I'm against it at Generations. I've always felt that it should be in a neighborhood where kids and young adults can skate down to the parl. That it's accessible to the local area. Generations is too isolated and would require transportation for most.**
- **Amphitheatre – there has been a lot of lobbying from two Commissioners during events and behind the scenes against this. I understand. But if you have a smaller area, 150 people, using the natural topography to minimize the earth disturbance, you can have a theater that is mostly natural. Grass seating areas in tiers with stone fronts. The only concrete could be ramp areas at the top for ADA and the stage area and 'backstage'. I'll attach a photo from what Chambersburg did this year. The idea, while not prominent in the public input, was strongly mentioned by the Recreation Dept. and staff. And I strongly agree. We do not have a town center for events. WHN is not good at all for entertainment. We need a sponsored summer concert series for a few early evenings, a place for outdoor yoga or exercise in a natural setting, a place for drama class performance maybe from a day camp. And what a perfect place for nature presentations like Alexis has already begun. A place to expand the presentations Parks has set up this year. We DO NOT need the number of parking spaces in the plan. Cut that number in half. People can park on the grass to a point like they do elsewhere. The number of events this would be necessary for would be few. Contact at Chambersburg about their amphitheater is Tyler Fairchild., Public Works Director. Cost, etc. Chad knows this of course.**

- **Bump Track- I see no problem having this in a section of the park. The park was purchased as a park for all ages. There will be a lot of acreage that's totally passive and beautifully natural. There should be areas that are a little more active. Teens in particular are difficult to provide for. By far, my professional talks over the years have been on teen programming. Every state I spoke in wanted ideas. We could provide something special for this age group most other municipalities do not. This and the skate park at WHN.**
- **What about a Fairy Tale (elves in the woods) or farm themed playground? Several playground manufacturers can create custom pieces. I have photos from a place I used to work with the farm theme. Or nature. . i.e. bumblebee rocker, bird swings.**
- **Consider waterless urinals and composting toilets. A water source in restrooms would still be necessary I think but this greatly lessens the environmental impact. Simpson has a similar set up.**
- **The barn – I'm not sure that a venue for parties and receptions is needed. We have Strock's for the farm theme, community level event. And we have Ashcomb for the more ritzy events. Maybe develop the barn into an entertainment venue. Use the amphitheater parking and have people walk down to the barn. I have the concern of public monies being too conflicting with private business.**
- **Sculpture garden – bring a chainsaw artist to Fallfest every year to carve a piece with a nature theme. Bear, heron, groundhog, etc. Treat and stain then place in an area along a pathway.**
- **We will have a pollinator meadow. Consider bee hives. Phil is certified somehow in this, I think.**
- **Install interpretive signs on wildlife. Bird ID. Mammal residents. With a QR code to minimize sign size and provide more info. (suggested by the consultant) Mount low enough for young children to easily see.**
- **Use the building (house) for interpretive evening talks. Open for daytime classes by the rec department.**

<u>WINDING HILL:</u>

- **Consider placing the skate park here. I think 7% of the value voting (acorns) asked for it.**

- **I'm not sure what else can be done here. Possible skate park in the open green area. Maybe at the end of the park. I thought we acquired a few acres a few years ago over there by the Parks office. I've always wanted a larger spray pad/water park area, but we have a small one at Fisher and spray towers there and Friendship. Maybe a couple more pickleball courts but it seems adequate from what I've seen.**
- **Consider the painted walking features that kids can do. Twisting vines they walk along. Spots to jump from one to another (or frogs) But nature theme.**

GRANTHAM:

- **Add two interpretive signs for wildlife. Fish. Frogs. Turtles**
- **I still say place an elegant gazebo near the creek for small weddings. Nobody ever seemed to like this but it's so pretty there.**

FRIENDSHIP:

- **Consider painting pathways with the walking activities for kids.**
- **Maybe the library would do another story walk there similar to WHS.**

ALL PARKS:

- **Add ¼ mile SMALL marker at all parks with active walking pathways. Respecting sign pollution issues, small signs (maybe 4x4) with stone area at base eliminating the need for string trimming and extra staff time.**
- **QR codes on small signs at each picnic pavilion. Info on rentals and parks in general.**
- **Make certain new pathways are paved to accommodate access for all.**

Just my thoughts. I will enjoy watching the continuing progress of our parks via streaming and minutes. I think you all are just great for this Board and I wish you the very best!
Jeff

Cumberland County Planning Department

June 17, 2026

Keldeen Stambaugh, Manager
Upper Allen Township
100 Gettysburg Pike
Mechanicsburg, PA 17055

RE: Public Comment: June 17, 2026 Meeting
Proposed Land Preservation Referendum/Program

Dear Commissioners and Staff:

On behalf of the Cumberland County Planning Department, I am pleased to offer comment on the proposed land preservation referendum and program under consideration by the Board of Commissioners. The proposed initiative is consistent with the Cumberland County's Comprehensive Plan and specifically the following Cumberland Principals:

- ***Protect the Best First: Safeguard the county's irreplaceable natural resources that are essential for healthy living and economic prosperity.*** Open space preservation benefits the community by supporting clean water, fresh air, healthy wildlife populations and ample outdoor recreation opportunities. Additionally, farmland preservation helps to secure food safety and security through locally grown produce and meat.

- ***Plan for People and Places: Communities must protect and protect their unique sense of place.*** The acquisition and preservation of open space, parks, trails, and historic places help build a strong sense of community, enhance quality of life, and attract new businesses and employment opportunities.

- ***Engage to Improve: Decision-making processes are improved through the collaborative engagement of residents, government partners, non-profits and businesses.*** A public referendum provides residents with an opportunity to vote directly on specific issues, strengthening public ownership of the decision and encouraging people to learn more about the topic.

I commend Upper Allen Township for considering this important and timely issue. If the Planning Department can be of further assistance, please contact met at 717-240-5383 or sjwilliams@cumberlandcountypa.gov.

Sincerely,

Stephanie Williams

Stephanie Williams
Senior Planning Manger