

UPPER ALLEN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
August 29, 2022
7:00 P.M.

PC MEMBERS

R. Wayne Willey, Chairperson
Robert Siodlowski, Vice-Chairperson
Barry Natwick, Secretary (absent)
Amanda Parrish
Scott Steffan
Barbara Roddin (absent)
Tim Kortze

TOWNSHIP OFFICIALS - PRESENT

Scott Finkenbiner, Planning Technician

BOARD OF COMMISSIONERS

Ginnie M. Anderson, Commissioner
Jeffrey Walter, Commissioner

CALL TO ORDER

Chair Willey called the Planning Commission Meeting to order at 7:01 p.m. and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Finkenbiner. Secretary Natwick and Ms. Parrish were absent.

APPROVAL OF MAY 23, 2022 MINUTES

Chair Willey called for the approval of the Minutes of the May 23, 2022, Planning Commission Meeting. Vice-Chair Siodlowski made a **MOTION** to approve the Minutes of the May 23, 2022, meeting. The **MOTION** was **SECONDED** by Mr. Steffan. The motion carried unanimously (5-0).

REVIEW OF BOARD OF COMMISSIONERS MINUTES

Chair Willey noted the copies of the Board of Commissioners Minutes from the April 20th, May 4th, May 18th, June 15th, and July 20th, 2022, meetings. Chair Willey accepted these minutes.

NEW BUSINESS

A. 2509 Mill Road, P/F LD Plan File# 22-05-02

Dan Wise from R.J. Fisher and Associates represented the plan as the developer. Mr. Wise was seeking approval on the construction of 14 townhomes with parking within R-2 Zoning District. Mr. Wise noted that the new plan addressed the comments from the previous meeting and review including the addition of sidewalks, deferral of curbing, stormwater easements at 20 feet as opposed to 30 feet, and finally the number and locations of trees planted on the property.

Ms. Parrish asked about the steep slopes and fire safety issues, to which Mr. Wise stated the Zoning Hearing Board (ZHB) had not provided a decision but rather continued the plan to a later

meeting. Mr. Wise presented a few fire safety options including adding a turn around area for fire trucks. Mr. Steffan noted that the board cannot provide a decision until after the ZHB has made their decision.

Vice-chair Siodlowski expressed concerns with the potential inability of firepersons being unable to access the rear of the buildings. Mr. Wise stated that the buildings will have sprinkler systems and changes can be made with input from the Fire Chief. Commissioner Walter also expressed concerns with access to the rear of the buildings in the event of an emergency, and with requiring the emergency response vehicles to back out along the long driveway and onto Mill Road.

Commissioner Anderson stated that parking is likely to be an issue as other similar properties. There are always complaints about not enough parking spaces and vehicles being parked where they should not be.

PUBLIC COMMENT

Erik Weenink of 309 East Meadow Drive asked if reducing the number of homes would help resolve the parking issues. Chair Willey noted that it might, however, that is up to the developer to decide.

Susan McFadden of 2505 Mill Road reiterated the fire safety concerns and mentioned the removal of electrical poles along Mill Road, specifically the one in front of her home and the one in front of 2513 Mill Road. Her husband Wayne McFadden brought up the length of the cable from the pole to his residence is approximately 150ft and has sagged previously. Mr. Wise clarified that the service lines would be run underground to both properties. Chair Willey asked if Mr. Wise could add that to the plan.

Mr. Steffan made a **MOTION** to recommend deferral of the plan until the fire safety and steep slopes are addressed. The **MOTION** was **SECONDED** by Vice-Chair Robert Siodlowski. The motion carried unanimously (5-0).

B. Autumn Chase PRD, Phase II Final PRD File # 22-07-01

Lauren McDaniel of Hertzler Road Associates represented the plan as the developer for Autumn Chase. Ms. McDaniel was seeking approval of the plan, and for two additional waivers to be granted in Phase II which were previously approved for Phases I and III.

Chair Willey called for a recommendation to approve the two waivers being requested. Vice-Chair Siodlowski made a **MOTION** to approve the Waivers of Section 220-9.C(2)(o) and Section 220-10.B(2)(b) for the Autumn Chase Phase II Plan. The **MOTION** was **SECONDED** by Ms. Parrish. The motion carried unanimously (5-0). The waivers are:

1. Waiver of Section 220-9.C(2)(o) requiring contours to be at one-foot vertical intervals or as authorized by the Township Engineer.

2. Waiver of Section 220-10.B(2)(b) requiring cross section details of rights-of-way, cartways, sidewalks, and utility mains.

No public comment.

Chair Willey called for a recommendation to approve the plan. Vice-Chair Siodlowski made a **MOTION** to recommend approval of the Autumn Chase Phase II Plan, with conditions. The **MOTION** was **SECONDED** by Ms. Parrish. The motion carried unanimously (5-0). The conditions of approval are as follows:

1. The staggering of dwelling units and the façade setback change shall be a minimum of four feet, per Section 245-221.E of the Township Ordinances.
2. Section 220-10.B(2)(c) of the SALDO requires pipe sizes and the location of valves to be shown for the proposed water distribution system. The water utility must also be shown on the street and utility profiles.
3. Prior to final plan approval, detailed design plans must be provided for each curb rap or reference the ADA ramp type identified by the PennDOT RC Standards or ADA regulation.
4. Sheets 6-7 shall indicate the width of the proposed sidewalks, per Section 330-18.B(5).
5. The plan shall include a landscaping plan showing all street trees, size, and species, in addition to any buffering requirements, per Section 220-9.C(4)(g).
6. Clear sight triangles shall be shown at all street intersections. Do any trees infringe upon these CLT areas??
7. Crosswalks shall be shown at all proposed intersections.
8. Crosswalks and a ramp shall be provided southeast of the proposed gazebo. It appears that the trail/pathway shown will encourage pedestrians to cross S Fall Harvest Drive without a crossing.
9. Soil erosion and sedimentation control plans must be provided for review and approval.
10. Note that on the profile sheets the manhole prefix is G13-_, not GS13-_. This mislabeling shall be corrected.
11. On Sheet No. 3 of 11, on the Pennington Drive blow-up, add manhole labels G13-10 and G13-11 upstream of existing manhole G13-06.

12. On Sheet No. 4 of 11 – S. Autumn Chase Drive Profile – the following shall be corrected:
 - a. Manhole G13-40: Inv. In. = 482.50.
 - b. Manhole G13-40 to G13-45: Slope = 5.82%
 - c. Manhole GS13-31: Revise note to read *“5’ Diameter Inside Drop Manhole per Township Requirements”*.
13. On Sheet No. 5 of 11 – Brittany Drive Profile - Manhole LS11-33 to LS11-34: Slope = 3.37%.
14. On Sheet No. 7 of 11 – Coral Bells Drive Profile – the following shall be corrected:
 - a. Manhole GS13-31: Revise note to read *“5’ Diameter Inside Drop Manhole per Township Requirements”*.
 - b. Manhole G13-40: Inv. In. = 482.50.
 - c. Manhole G13-40 to G13-41: Slope = 2.52%
15. On Sheet No. 10 of 11, the following shall be corrected:
 - a. Remove New Connection to Existing Manhole detail drawing (not needed).
 - b. Add Heavy Duty Manhole Frame (H-25) detail drawing.
16. On the Cover Sheet, the following shall be added and/or corrected:
 - a. Per the approved tentative PRD plan, setbacks for single-family attached dwellings (townhomes and duplexes) shall be as follows: 25-foot front yard setback, 10-foot side yard setback, and 15-foot rear yard setback. The Zoning Data and site plans shall be updated accordingly.
17. The proposed Stop bars should be four (4) feet away from the pedestrian crossing along Hertzler Road so that stop bars are compliant if a future decision is made to install pedestrian crosswalk markings.
18. 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 220-9.C(4)(h), Section 220-27, and Section 214-19.C of the Codified Ordinances.
19. The Applicant must submit a final copy of the Erosion and Sediment Pollution Control Plan to the Township in accordance with the requirements of Section 220-27.A(1) of the Codified Ordinances.
20. 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 220-20.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.

21. The Applicant must provide evidence that the storm drainage and stormwater management facilities have been reviewed and approved by the Township Engineer, in accordance with Section 220-31 and Chapter 214 of the Codified Ordinances.
22. 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 in Phase II (56 EDUs).
23. The Applicant must enter into a Sewer Extension Agreement in accordance with Section 200-15.D(8) of the Codified Ordinances 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.
24. 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 214-20.E of the Codified Ordinances.
25. The Applicant must sign the plan and have the signatures notarized according to Section 220-9.C(2)(dd) and 220-10.B(1)(a) of the Codified Ordinances.
26. 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 220-10.B(1)(b) of the Codified Ordinances.
27. All plans, profiles or drawings required under the provisions of this chapter shall include a certification by a Pennsylvania-registered professional engineer attesting that all elements of the plan are in conformity with the Township Code and applicable state regulations, as required by Section 220-15.N(3) of the Codified Ordinances.
28. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-13 of the Codified Ordinances.
29. 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 220-13 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.

30. The Applicant must also furnish financial security to the Township in an amount equal to 10% of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-52.B of the Codified Ordinances.
31. The Applicant shall obtain final water main design approval from Veolia Water Company and furnish to the Township an updated design plan.
32. 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.
33. 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.
34. 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 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__."
35. 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. 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), 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.
36. 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 declaration of planned communities/condominium documents (including amendments). The county Planning Department will not sign final plans until these files have been provided to them.

C. Mills at Shepherdstown Crossing (Chick-Fil-A) Revised Sub/LD File # 22-07-05

John Murphy and Mark Allen from the Alpha Consulting Engineers Inc. represented the plan as

the engineers, and Mr. Lowell Gates of 1140 Gettysburg Pike represented the plan as the owner/developer. Mr. Murphy provided a brief description of the layout, as the plan has changed with the addition of the Chick-Fil-A. Buildings 3 and 4 were removed and the space they occupied would be the Chick-Fil-A building site. He then moved on to discuss the traffic study and how it accommodated for the increased traffic caused by Chick-Fil-A.

Chair Willey asked if the road through the parking lot was still planned to connect to the parking lot at Daybreak Church, to which Mr. Murphy confirmed that it was still in the plan. Chair Willey followed up with a question concerning the layout of the entrances and exits from Gettysburg Pike, with Mr. Murphy explaining that the more northern entrance/exit, closer to South Market Street, was a left and right in and out, whereas, the more southern entrance/exit, closer to South York Street, is right in/right out only.

Next, Mr. Steffan stated that the entrance/exit at the Chick-Fil-A along the Carlisle Pike, located within the Silver Spring Square Shopping Mall, is too narrow and is difficult to navigate. He wanted to know how the number of parking spaces compared between the two sites. He expressed concerns that cars stacking in the drive-through might block in parked cars. He asked if driving lanes would be added to the Daybreak Church parking lot or would it be a free-for-all. He asked if the canopy was high enough for the fire trucks, and he wanted to confirm that sewer issues noted in staff comments were being addressed. Mr. Gates responded to the driving lanes question by confirming that this was discussed with the church. Mr. Murphy informed Mr. Steffan that this Chick-Fil-A will have 72 parking spaces, compared to the Chick-Fil-A on the Carlisle Pike which has 45 parking spaces. Mr. Murphy confirmed that a meeting with the fire department is planned, and that all comments will be addressed.

Vice-Chair Siodlowski reiterated Mr. Steffan's concerns over traffic stacking in the parking lot, specifically because of the proximity to Burger King. Mr. Murphy acknowledged these concerns and stated that this is a process and things will be addressed as they occur. Justin Thornton of Colliers Engineering & Design also noted that up to seven more stores are planned to be built in the area to help reduce pressure on the current stores, and that the larger building and drive through can handle more customers faster.

Mr. Kortze noted that traffic at South York Street could be a concern due to the school traffic to which Mr. Murphy clarified that the traffic study took that into consideration, but it would be looked at again.

PUBLIC COMMENT

Tina Prins of 1526 St. James Circle asked how the Gettysburg Pike will accommodate the number of cars coming in and out of the property with the 25-mph speed limit. Mr. Murphy stated that the traffic study accounted for speed limits and traffic on Sundays. Mrs. Prins also noted that the EMS services use Gettysburg Pike frequently and is concerned how more traffic will impact their travel.

Tim Prins of 1526 St. James Circle questioned if Daybreak Church had been accounted for in the traffic study. Mr. Allen acknowledged that it was not included in the study, but the study was performed at peak traffic hours.

Matt Nolan of 337 W Meadow Drive was concerned that traffic in the dedicated left turn lane on Gettysburg Pike could back up and block traffic using the proposed two-way left turn lane to the site. Mr. Allen explained that a 1,150 plus page traffic study was conducted with an approximate year of reviews from the state, the county, and the township. PennDOT vetted the study while also accounting for around 1,000 extra vehicles. The conclusion provided the minimum lane length requirement and that there should be an approximate four second delay at the intersection. Mr. Steffan asked how the study accounted for the addition of Chick-Fil-A. Mr. Allen stated that the turn lanes are double the length of the ones at the Silver Spring Square Shopping Mall and that a dedicated right turn lane from Gettysburg Pike onto South Market Street will be added.

Erik Weenink of 309 East Meadow Drive asserted that the township is too small for the increased volume of traffic a Chick-Fil-A would likely attract, which would cause traffic to cut through developments and cause excess noise pollution. Mr. Murphy assured Mr. Weenink that the township has experience with these types of projects and traffic issues and noise pollution will not be as bad as anticipated.

Jim Adams of 321 West Meadow Drive showed concern that the number of high traffic businesses including Burger King, 7/11, the potential business at the vacant 7/11 pad and Chick-Fil-A, all being at the same intersection will cause congestion along the two-lane Gettysburg Pike.

Mr. Gates stated that he picked the site specifically because of its location. He lives in the township and attends Daybreak Church. He felt there was a need for restaurants closer to the township.

Chair Willey called for a recommendation to defer the plan. Vice-Chair Siodlowski made a **MOTION** to defer the plan. The **MOTION** was **SECONDED** by Mr. Steffan. The motion carried unanimously (5-0).

No public comment.

BUILDING INSPECTOR'S REPORTS

Chair Willey tabled the Building Inspector's Report until the next meeting.

ADJOURNMENT

There being no further business Ms. Parrish made a **MOTION** to adjourn. The **MOTION** was **SECONDED** by Vice-Chair Robert Siodlowski. Chair Willey adjourned the meeting at 8:37 PM.