

MINUTES

SOUTH MIDDLETON TOWNSHIP PLANNING COMMISSION 520 PARK DRIVE BOILING SPRINGS, PA 17007

December 19, 2006

PRESENT: TROY TRUAX, JESSE MOOSE, TONY GONZALEZ, HOWARD ROSE, TOM HOUF, PHYLLIS GIVLER – PLANNING COMMISSION; Richard Mislitsky – Solicitor; Brian O’Neill – Engineer; Tim Duerr – Zoning Officer; Diane Hollinger – Recording Secretary; John Madden; Pam Fisher; Bob Geist; Bob Beers; Jim Baker; Sarah Dusingberre; John Snyder; Dave Nesbit; Chris D’Angelis.

Chairman Troy Truax called the meeting to order at 7:00 PM. Planning Commission and staff introduced themselves.

MINUTES

Tom made a motion to approve the minutes of 11/21/06, as amended. Jesse seconded, and the vote in favor was unanimous.

PUBLIC INPUT

There was no public input.

#06-17 ROBERT M. FREY – FINAL MINOR SUBDIVISION

Pam Fisher, Dawood Associates, presented this plan that proposes the subdivision of an approximately 13-acre parcel into 3 separate parcels of approximately 2, 3 and 8 acres. This property is located between Alexander Spring Road and Commerce Drive. There is a proposed shared access right-of-way through the property. Ms. Fisher stated that the proposed access onto Alexander Spring Road would only be from this shared right-of-way. She added that a note will be placed on the plan.

There was no public comment.

Modifications:

Section 305 a. – Preliminary Plan; Section 502 g. – EIA Report; Section 602 c. – Stormwater Management Plan; Section 602 d. – Erosion and Sedimentation Control Plan; Section 602 f. – Grading Plan; Section 602 g. – Landscape Plan; Section 606 – Recreation Fees – defer to land development; Section 703 z. – Show access in compliance with ordinance; Section 707 – Sidewalks; Section 708 – Curbs and Gutters; Section 716 c. – Access standards for access drives.

Tony made a motion to recommend approval of the modifications, with the stipulation that if a waiver is granted from Section 703 z., that a note be placed on the plan that no access to Commerce Avenue or Alexander Spring Road, other than the shared access, shall be permitted.

Howard seconded, and the vote in favor was unanimous.

Phyllis made a motion to approve #06-17, subject to staff comments. Tom seconded, and the roll call vote in favor was unanimous.

#06-18 CARLISLE HOTEL PARTNERS, LP – FINAL MINOR LAND DEVELOPMENT

Pam Fisher, Dawood Associates, and Dave Nesbit, Nesbit Development, presented this plan that proposes the construction of a Fairfield Inn Suite containing 85 guest rooms. There will be no restaurant or cafeteria proposed within the hotel. The property is located between Alexander Spring Road and E. Commerce Avenue, Carlisle, PA. Ms. Fisher stated that a setback variance had been granted for the building, and that access to the hotel would be from the access drive only. She added that Lot 2 will be a restaurant.

Jesse commented that the applicant is requesting a modification of Section 708 (curbs and gutters), Ms. Fisher replied that they are actually seeking a deferrment rather than a waiver with a 6-month notice to install curbs and gutters. She also said that the applicant prefers to wait until the adjacent properties are developed in order to obtain the proper grade of the road. Mr. Mislitsky asked whether the Board of Supervisors usually grants this modification request with the 6-month notification. Brian replied that the staff does not support the waiver at all, and wants curbs installed in order to prevent trucks from parking along Alexander Spring Road. Mr. Nesbit suggested signs not curbs, to discourage parking along the road. Brian said that signs are not effective, and that truckers run over the signs, and park along the road. Regarding stormwater management, he said that the County Conservation District discourages curbs. Ms. Fisher suggested erecting a small fence. She said that it is not a matter of cost, but that it would be better to wait until adjacent properties are developed, and that there would then be better alignment of the road before constructing the curb. Jesse asked how long the curb installation would be deferred. He suggested a deferrment until Lot 1 is developed. Ms. Fisher replied that that would be acceptable. Ms. Fisher also said that the adjacent property owned by Mr. Cohick already has stormwater issues, and that he should also be considered during this review process. Brian stated that the Subdivision and Land Development Ordinance can require upgrading and widening of the road, as well as curb installation along the entire frontage of the subdivision from which this lot was created. Mr. Mislitsky asked whether a 6-month notice to install curbs would be acceptable. Brian replied no, that it would be preferable to have it widened while construction is going on. Mr. Mislitsky asked whether it could be done with the 6-month notice. Brian replied that there could be difficulty in dealing with an as yet unknown future owner a few years from now. Brian asked whether the future owner of the hotel could be forced to install curbing when they did not agree to the note that would be added to the plan at this time. Mr. Mislitsky replied yes. Troy agreed that the curb installation is part of the land development process. He then asked whether the curb installation would be a hardship from an engineering standpoint. Ms. Fisher replied 150 feet of road frontage is not very much distance to establish line and grade, and that it would make more sense to wait until Lot 1 is developed to make the road improvements. Mr. Mislitsky suggested a 6-month notice for curb installation instead of a deferrment. Ms. Fisher said that the applicant does not want to create drainage problems for the

Cohick property. Brian stated that it makes more sense to now add the curbs, widen the roadway, plan storm drainage and put inlets where they will eventually be located. Mr. Nesbit said that it is standard procedure in many municipalities, for the future owners to pay for curbs and road widening, and that he felt that curbs would not deter trucks from parking along the road. Jesse suggested returning to the subdivision and require curbs and sidewalks on both lots. Ms. Fisher said that she has seen trucks parked along Alexander Spring Road west of the proposed project area. Mr. Nesbit said that he was unaware of any problem with stormwater before tonight, and that they have been trying, in good faith, to resolve these issues, that this is a high-quality hotel that is being proposed, and they they will have future submissions for the other 2 lots. Mr. Mislitsky commented that other developers have said the same thing.

Ms. Fisher suggested that the costs for improvements be included in the letter of credit, and then wait until Lot 1 is developed to install the improvements. Brian said that this plan does not account for the road widening, curbing or possible drainage structures. He also said that it has been stated that the staff did not support the request for modification of requirement of Section 708 on previous plan review memos. He added that the applicant's engineer has requested a "deferral", but provided no details on what that meant, or until when the deferral was to occur. Staff had asked for this clarification in the latest plan review memo.

There was no public comment.

Modifications:

Section 305 a. – Preliminary Plan; Section 502 g. – Modified EIA Report; Section 602 g. (6) – Landscape Architect Certification on Landscape Plan; Section 706 b. – Screening required for parking perpendicular to and within 100' of a public road; Section 706 e. – Parking facilities within 10' of property line; Section 706 f. – Island every 10 spaces in parking lot; Section 706 i. (4) – Access drives not to exceed 35 feet; Section 707 – Sidewalks; Section 708 – Curbs and Gutters; Section 710 c. (4) (c) (ii) – Run-off values; Section 710 c. (4) (c) (v) – Calculations for peak discharge; Section 716 c. (2) (d) – Upgrade roadway to current standards.

Jesse made a motion to recommend the modifications, with the exception of Sections 708 and 716 c. (2) (d). Tom seconded, and the vote in favor was unanimous.

Troy made a motion to approve #06-18, subject to staff comments. Tony seconded, and the roll call vote in favor was unanimous.

#06-09C PARKVIEW AT BOILING SPRINGS – CONDITIONAL USE

#06-11C GEORGETOWNE – CONDITIONAL USE

These plans were tabled.

#06-23 THE TOWNES AT SUMMERBRIDGE VILLAGE – PRELIMINARY SUBDIVISION & LAND DEVELOPMENT

This plan was tabled.

#06-24 WESTGATE, PHASES 5, 6 & 7 – FINAL SUBDIVISION & LAND DEVELOPMENT

Fawn Cassel, Dawood Associates, presented this plan that proposes to complete Phases 5, 6 and 7 of the Westgate Development. Regarding Section 304 g. of the Subdivision and Land Development Ordinance, Ms. Cassel said that the applicant is seeking an extension of the 5-year protection from changes in ordinance requirements to allow the project to be developed as per the ordinance requirements which this plan was originally approved under at preliminary. Troy stated that ordinance requirements have changed over the years. Tim explained that the Westgate submission was based on the 1989 Zoning Ordinance and the 1990 Subdivision and Land Development Ordinance.

Troy asked whether a revised phasing schedule had been submitted. Brian replied that it had.

Jesse asked whether the stormwater issues have been resolved. Brian replied that the plan had been redesigned to meet the maximum impervious requirement. Jesse said that the impervious requirement should be added to the plan.

Brian said that a street lighting requirement will be added to the plan, stating that that there shall be street lights at major intersections, and dusk-to-dawn pole lights.

Jesse said that a draft copy of the deed is needed, and that a note concerning impervious coverage should be added to the plan. Mr. Mislitsky stated that a restriction on impervious coverage can be placed on the deed.

Public Comment:

Supervisor Jim Baker stated that this subdivision has had a history of drainage problems.

Phyllis made a motion to table this plan. Tom seconded, and the roll call vote was 5 to 1, with Troy casting the dissenting vote.

#06-25 TRAMMELL CROW (SPARKS TRACT) – FINAL SUBDIVISION

This plan was tabled.

#06-26 EXEL, INC. – FINAL SUBDIVISION & LAND DEVELOPMENT

The applicant proposes to subdivide the Royer Tract just north of I-81, and east of Allen Road, into seven lots. Warehouses are proposed for four of these lots, with Lot 5 to be used as recreation/open space buffer, and nothing being proposed for Lots 6 and 7.

There were no comments from either the Planning Commission or the public.

Troy made a motion to recommend approval of #06-26, subject to staff comments. Jesse seconded, and the roll call vote in favor was unanimous.

#06-27 DEBRA L. SECREST – FINAL MINOR SUBDIVISION

This plan was tabled.

#06-18C HOOKE & SUTER – CONDITIONAL USE

This plan was tabled.

ADJOURNMENT:

The meeting was adjourned at 8:03 PM.

WITNESS:

**SOUTH MIDDLETON TOWNSHIP
PLANNING COMMISSION CHAIRMAN:**
