

MINUTES

LOWER SWATARA TOWNSHIP PLANNING COMMISSION

**REGULAR MEETING
APRIL 27, 2023, 7:00 P.M.**

Meeting was called to order by Chauncey Knopp at 7:00 P.M. with the following present:

Chauncey Knopp, Chairman	Jim Diamond, LST Solicitor
James Young, Vice Chairman	Rich Snyder, LST Planning/Zoning Coordinator
Kimber Latsha	Tonya Condran, Recording Secy.
Dale Messick	Shawn Fabian, HRG
Howard Crawford	

Others present:

Laurie Castagna, resident
Tom Werner, MPC
Chris DeHart, LST

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Mr. Knopp asked if there was a motion to approve the February 23, 2023, meeting minutes. The motion was made by Mr. Latsha and seconded by Mr. Messick. All were in favor. Minutes were approved.

COMMENT FROM CHAIRMAN KNOPP

Mr. Knopp started off the meeting by reiterating that after each agenda item, and before the Planning Commission makes a recommendation, he checks with the Township Staff, HRG, DCPC, and our Solicitor, and then he asks for Public Comments rather than putting a specific agenda item for public comment at the beginning of the meeting. He feels it is more effective if we do it during each specific presentation. Then at the end of the presentations, he asks for any general public comments.

REQUEST FOR SPECIAL EXCEPTION

a. 2750 Commerce Drive (Miller Pipeline) – Zoning Hearing Board File
SE#2023-03. The Applicant, Miller Pipeline, requests a Special Exception to §27-1004.3

of Lower Swatara Township's Zoning Ordinance to allow for the outdoor storage of material or equipment.

Tom Werner, Construction Manager for Miller Pipeline, explained that they have applied for a special exception for the storage of equipment and material outside. He said he wouldn't consider it a "storage facility", it is just a place for the equipment to sit outside. Most of the time the equipment will be on the job, and only there while they are transitioning between job sites. As far as materials outside, it will be stone and/or sand in a bin, and some plastic polyethylene pipe. These will be the only materials kept on-site.

Mr. Knopp asked for any questions from the Planning Commission.

There were none at this time.

Mr. Knopp asked Mr. Snyder for any questions or comments.

Mr. Snyder stated that in 2001, there was a decision rendered on a Special Exception on this particular property. With that decision, the previous owner (Glen-Gery Brick Co.) had requested outdoor storage of raw materials and of finished product; that decision goes with the property, however the request that was made by the current applicant (Miller Pipeline) was to expand that for storage of finished materials and construction equipment. Mr. Snyder then pointed out on the plan where the bins and equipment would be located.

Mr. Diamond asked if that would be more for overnight parking as opposed to storage of the equipment.

Mr. Werner confirmed that saying it is not for long-term storage. He went on to say that his company is always looking for ways to be more efficient. He says he agrees that nobody really wants to drive by and see a bunch of equipment, so they would like to move this around to the back and make the employee-parking what is mostly seen from the road, which will be about 10 to 15 personal vehicles throughout the day. He reiterated that they are just trying to make things look a little bit better and run a little more efficiently.

Mr. Snyder said that we had initially reviewed the Special Exception request that came in, he wanted to state on record that this structure was historically a fueling canopy

that they had storage tanks and fueling capability on the site, and he had asked Mr. Werner to address that as part of this Special Exception request.

Mr. Werner said they have no intention of having anything like that on site.

Mr. Young stated that in the decision back in 2001, they had noted that the hours of operation there would be 7am to 5pm. He asked Mr. Werner if they would have similar hours of operation.

Mr. Werner responded that yes, and it probably wouldn't exceed 3 or 4pm. Maybe in the summertime, they would be open until 5pm. However, there may be some emergencies where they may be called out in the middle of the night, and they would have to come in and get a piece of equipment or some materials, but it is not a late operational business on a consistent basis.

Mr. Young asked if they would only enter and exit onto Commerce Drive via Russell Drive. He asked if that would change.

Mr. Werner thinks they would be entering off of Spring Garden Drive but it might depend on what direction they are coming from since they work all over Pennsylvania.

Mr. Diamond added that there is a 5-foot setback along the eastern fence-line.

Mr. Snyder said that essentially the zoning change line runs behind these industrial structures and the residences that are there. It was in the 2001 decision for screening. He showed on the aerial photos of this area, you can see that the screening was planted along there. Some were existing trees, and some were planted arborvitaes that have grown over the past 20+ years; the setback is from the fence in there. That 5-foot setback is from the property line, so if you have the arborvitaes along the fence line, that would be the screening.

Mr. Latsha said that nothing was changing there then.

Mr. Young asked about lighting. Will there be any increases in lighting? He said the Zoning Hearing Board will be asking this at the Special Exception hearing.

Mr. Werner said he was not very familiar with the outdoor lighting, but they would address that when it comes up. But he said he didn't think the lighting would be an issue because of their hours of operation.

It was asked if the 2001 decision runs with the land.

Mr. Diamond confirmed that yes, the 2001 decision does run with the land. However, this Special Exception is solely focused on outdoor storage.

Mr. Latsha asked if they inherit the obligation to plant, maintain, and replace the arborvitaes when needed.

That would be the responsibility of the building owner.

Mr. Young asked if the underground storage tanks were still there.

Mr. Werner said that he does not believe that they are still there. There is fresh concrete there, so he thinks they have been removed. They will probably be doing a Phase 1 investigation.

Mr. Messick wanted clarification that they are just leasing this land.

Mr. Werner said yes, they are just leasing.

Mr. Messick continued that the Land Owner would be responsible to replace the arborvitaes if they all died for some reason.

Mr. Latsha said it would depend on what the Lease stated.

Mr. Werner said he believed that their agreement was that they would have to maintain what was there, but the Land Owner would replace any dead ones; but he didn't feel this was a big deal.

Mr. Latsha asserted that this is important to the residential folks behind there.

Mr. Werner said he understood that, of course.

Mr. Knopp asked if there were any questions/comments from HRG.

Mr. Fabian said he did not have much to offer with this. They are familiar enough with this layout, they just did some infrastructure replacement on the neighboring property to the south. He feels the screening buffer there is suitable, but there are some ash trees that have fallen that may need replacing down the road. But for the most part, it seems pretty much in line with the activities of the area, so he doesn't have any concerns.

Mr. Knopp asked Mr. Diamond for any questions/comments.

Mr. Diamond said no, it sounds like it is a mix of trucks and heavy equipment like backhoes and such, so there is not really much legal effect on anything.

Mr. Knopp asked if there were any questions/comments from the public.

There were none at this time.

Mr. Knopp asked the Planning Commission what they would like to do with this Special Exception request.

Mr. Latsha made the motion to recommend approval.

Mr. Young seconded the motion.

All were in favor.

Mr. Diamond recommended to put the Planning Commission's advisory decision in a written report and also add in there that there were no inconsistencies or incompatibilities with the Comprehensive Plan with considerations on traffic, with no impact of the utilities, and no impact on the schools.

Mr. Latsha made the motion to provide a written report to the Zoning Hearing Board.

Mr. Messick seconded the motion.

All were in favor.

Mr. Snyder added that this will now be forwarded on to the Zoning Hearing Board for a hearing which will occur on May 24, 2023, at 7:00pm.

NEW BUSINESS: none

OLD BUSINESS: none

OTHER BUSINESS:

May 25th Meeting

The next Planning Commission Meeting will be scheduled for Thursday, May 25, 2023, at 7:00 P.M.

PUBLIC COMMENT:

Laurie Castagna, a resident of Twelve Oaks, requested to speak about Aberdeen, a new development going in behind Twelve Oaks. She commented that if Aberdeen would've been on the agenda tonight, she could've had this whole room filled with residents. She said from what she heard at the Commissioner's Meeting last week, it sounds to her like they have asked for an indefinite extension. She went on to say that there is concern about opening up the cul-de-sac between the two developments. Ms. Castagna said that two of the residents met with McNaughton last week and they discussed the cul-de-sac. She claims that McNaughton does not want to open that up; they have told the residents that it would be their preference that they would have their own cul-de-sac, it would be less expensive for them and it would maintain separation of the two developments (Aberdeen and Twelve Oaks). She hopes that will be brought up when McNaughton is here again. She went on to say that with her discussions with the Twelve Oak residents, most of the residents do prefer the two separate cul-de-sacs.

Mr. Knopp thanked Ms. Castagna for her comment/concern. He asked for any other comments from the Public.

There were no more comments/concerns at this time.

ADJOURN:

A motion was made by Mr. Latsha and seconded by Mr. Messick to adjourn the meeting. All were in favor.

Meeting adjourned at 7:20 P.M.

Respectfully Submitted,

Donald A. Fure, Director of Codes/Planning & Zoning