

April 5, 2017
7:00 PM

The regular meeting of the Monroe Township Planning Commission was called to order by Chairperson Nelson. The Pledge of Allegiance was said by all.

ATTENDANCE

Sharon Nelson, Chairperson	Mike Pykosh, Solicitor
Sheldon Brymesser, Vice-Chairman	Greg Rogalski, Engineer
David DeNicholas	Kirk Stoner
Gary Page, Secretary	Holly Wood, Recording Secretary
Carl Kuhl	

MINUTES

On the motion of Mr. Kuhl, and seconded by Mr. DeNicholas, and by unanimous vote of the members it was duly RESOLVED to approve the minutes of the March 1, 2017 regular meeting with the addition of Mr. Brymesser to the attendance and a minor wording edit by Mr. Pykosh.

Ms. Nelson deferred to Mr. Pykosh to explain tonight's rearrangement of the agenda due to the need for members of the Planning Commission to recuse themselves from discussion on certain plans. Mr. Pykosh explained that Mr. Brymesser has a plan being presented tonight that he will need to recuse himself from; and Mr. Kuhl, being a Township Supervisor, may not participate in the Allenberry Conditional Use discussion. With these situations, the agenda will be re-arranged to address correspondences, audience participation for anything outside the items listed as business for tonight's meeting, the Harry Fox plan, the Sheldon Brymesser plan, the Allenberry Conditional Use application, and finally, the Comp Plan discussion. Audience participation regarding any business item for tonight will take place during that items presentation.

CORRESPONDENCE

None

AUDIENCE PARTICIPATION

None

UNFINISHED BUSINESS

Harry Fox Reconfiguration Plan (Deadline-May 1, 2017)

Mr. Linsenbach was present to discuss the Harry Fox Reconfiguration plan. Mr. Linsenbach stated that most items were cleaned up since the original presentation of this plan at the February meeting. He deferred to Mr. Rogalski for clarification on the sewer options that were in question at the last meeting. Mr. Rogalski explained that the new owners of the lots when they are sold will have the choice to connect to the public sewer system or install on-lot septic systems if they meet the distance requirements to deny public sewer. These are large lots and the testing has been done to make this a legitimate option for new owners.

Mr. Rogalski said all his comments are minor except for the driveway design requirements that need to be addressed. It was noted that waiver request #5 (dedicated open space (623.1)) as noted on the Engineer's comments dated March 31, 2017 is not necessary due to the fact that a fee in lieu of is being used to address this item.

Mr. Stoner noted that the 50' right-of-way access should be removed from the plan since that right-of-way will no longer exist in the new lot layout.

Mr. Pykosh questioned a typo on the front page of the plan referencing Warrington Township. Mr. Rogalski confirmed that this item must be corrected.

Mr. Linsenbach said all outstanding comments will be addressed.

On the motion of Mr. DeNicholas, and seconded by Mr. Kuhl, and by unanimous vote of the members it was duly RESOLVED to recommend approval of waivers 1 – 4 as listed on the Engineer's comments dated March 31, 2017.

On the motion of Ms. Nelson, and seconded by Mr. Kuhl, and by unanimous vote of the members it was duly RESOLVED to recommend approval of the Harry Fox Reconfiguration plan contingent on satisfaction of the Engineer's comments dated March 31, 2017.

Mr. Pykosh noted that this plan will be on the Board of Supervisors April 13, 2017 meeting agenda.

NEW BUSINESS

Sheldon Brymesser Subdivision

Mr. Brymesser recused himself from his Planning Commission seat and joined his engineer on the audience floor.

Eric Diffenbaugh was present to present the 2 lot subdivision plan explaining that this newly created lot was for Mr. Brymesser's grandson who works on the family farm. Mr. Diffenbaugh stated that he was also requesting 2 additional waivers tonight to address items A.7. and B.1. of the Engineer's comments dated March 31, 2017. He explained that the waiver request for B.1. of the Engineer's comments was only for the driveway portion of the lot, not the whole lot. Mr. Diffenbaugh presented these request in writing to the recording secretary.

Mr. Stoner stated that the County had no major issues with the plan. Mr. Rogalski agreed that there were only minor clean-up details that needed addressed. Mr. Rogalski also noted that Mr. Brymesser was granted a zoning variance for the driveway.

On the motion of Mr. Kuhl, and seconded by Mr. DeNicholas, and by unanimous vote of the remaining members it was duly RESOLVED to recommend approval of waivers 1 – 3 as listed on the Engineer's comments dated March 31, 2017, as well as the 2 new waiver requests as listed in the letter dated April 4, 2017 from Diffenbaugh Wadel, Inc.

On the motion of Mr. DeNicholas, and seconded by Ms. Nelson, and by unanimous vote of the remaining members it was duly RESOLVED to recommend approval of the Sheldon Brymesser Subdivision plan contingent on satisfaction of the Engineer's comments dated March 31, 2017.

Mr. Pykosh noted that this plan will be on the May 2017 Board of Supervisors agenda.

Allenberry Conditional Use Application

Mr. Kuhl recused himself and left the meeting. Mr. Brymesser returned to the meeting.

David Weihbrecht was present to request a recommendation of approval for the modification request of the existing Conditional Use. Mr. Weihbrecht explained that the modification is in regard to the water service for the development. An agreement cannot be reached for public water services, so his client is proposing individual wells for the development. Mr. Weihbrecht explained that a new hydrology study was performed and reviewed by Pennoni Associates that says the aquifer is more than sufficient to support the development and surrounding homes. He also stated that fire protection is being addressed with underground storage tanks. Mr. Weihbrecht also explained that the current plan is in compliance with current stormwater management rules.

Mr. Rogalski gave a brief history of the currently approved conditional use for the property. He explained that this first came to the table in 2000, was modified in 2003, and was modified again in 2007. The prospective sale in 2007 did not occur and things reverted back to the 2003 conditional use approval. Mr. Rogalski explained with the Tolling Act in place the 2003 approval is still valid.

Mr. Rogalski explained that there are some new items that were addressed due to the expiration of the traffic study and the stormwater concerns. The traffic study was redone and is basically the same, and the stormwater concerns are being addressed with up-to-date compliance.

Mr. Rogalski explained that in 2003 the Monroe Township Municipal Authority was an operating authority; and the idea was that the Authority would get involved with water services, obtaining a contract with South Middleton Municipal Authority to supply the necessary public water for the development. Since that time, the Municipal Authority ceased operating as an operating authority and became a lease back authority that makes recommendations only to the Board of Supervisors. South Middleton is not receptive to working with a private developer and the Township does not want to be in the water business. Mr. Rogalski explained that the ordinance allows for cluster development in this zoning type with the use of public water or a hydrology study. The new hydrology study shows that the aquifer will support the development and surrounding homes, and that the same aquifer would be used for the public water solution if it could be obtained. The hydrology report shows minimal impact to the surrounding area.

Duane Stone, attorney for the Friends of Cockley's Meadow Drive, addressed the Planning Commission with several concerns. Mr. Stone stated that his understanding of the ordinance would require the need for a new Conditional Use approval, that with the 2005 updates the 2003 approval would cease to exist. He also stated that the open space regulations of the ordinance are being violated. It is his understanding that 90% of the dwellings should be single family homes, and that is not the case with this plan. Mr. Stone also cited MS4 regulations that he thinks have not been addressed, especially in the Cockley's Meadow Drive area where there is already issues with run-off that will only increase with development. Mr. Stone questioned whether the impact to the Yellow Breeches Creek has been considered and the placement and removal of trees to provide shade and light and noise barriers.

Richard Boes, 1438 Boiling Springs Road, addressed the Planning Commission with questions and concerns. He asked if there was any guarantees concerning well impacts. Mr. Boes stated he was under the impression that this was going to be a 50+ community, but heard that this idea is off the table now. He also stated that he does not feel the traffic study detailed the type of traffic using the Boiling Springs Road. Mr. Boes stated that the speed limit is 40-45 mph, but people travel 55 mph and there has been increased truck traffic in the area over the last 2 years. He feels the road is dangerous and getting more dangerous as time progresses. He feels PennDOT should re-evaluate the speed limit for this particular section of the road.

Lynn Keiser, 1471 Cockley's Meadow Drive, addressed the Planning Commission with her concerns regarding rain run-off during times of normal rainfall. Ms. Keiser presented 3 photos of said rain run-off and expressed concerns for how much worse it may get. She also asked if the school board was aware that this community is no longer planned as a 50+ community. Ms. Keiser also expressed concern for the traffic that will be generated in her area from the development residents wishing to use the Yellow Breeches for fishing purposes.

Mr. Weihbrecht responded to the area residents' concerns with the fact that a new traffic study was completed to address traffic and the stormwater will be better managed with the

development due to current regulation. 2 stormwater basins will be installed to retain the run-off, actually correcting the current situation that Ms. Keiser is experiencing.

Ms. Nelson questioned the stormwater run-off regulations and how they are now a standard with all development. With regard to the MS4 comments by Mr. Stone, this area is not in a regulated MS4 area, the stormwater is being addressed to meet current requirements.

Mr. Weihbrecht noted that the Yellow Breeched is considered a high quality waterway, with that said, PA DEP makes the developer jump through hoops to get approval of their stormwater plans.

Ms. Nelson asked if any part of the development abuts the Yellow Breeches to provide for any area for the residents to fish. Mr. Weihbrecht said there is a section of land that abuts the creek.

Ms. Nelson asked Mr. Pykosh what the procedure for tonight is, do we need to make a recommendation tonight? Mr. Pykosh said that the Planning Commission must make a recommendation tonight with regard to the public water vs. private well situation. The use of private wells is the issue being addressed with the conditional use modification request.

Lee Leinaweaver, 1484 Boiling Springs Road, addressed the Planning Commission with concerns regarding depth of the wells. Mr. Leinaweaver said his well is only 50 feet deep, how deep will the development wells be, will they affect his well?

Tim McCurdy, 1449 Cockley's Meadow Drive, addressed the Planning Commission to verify Ms. Keiser observations and photos. He also spoke on behalf of the Yellow Breeches Anglers stating that the hatchery has experienced the lowest flow ever this year with the drought conditions, he fears that adding 128 homes to the area with private wells will harm the area residents and the creek.

Bill Wessels, 1463 Cockley's Meadow Drive, addressed the Planning Commission asking for clarification on why South Middleton will not provide water services. Mr. Rogalski said Monroe Township does not have the means or methods to provide a public water service and South Middleton is unwilling to provide service and issue a contract to a private developer.

Mr. Weihbrecht said that according to the hydrology study and the reports associated with it there will be no adverse effects to the area wells or creek. There is science behind the study, and they are trusting the science.

Sharon Brandt, 1481 Cockley's Meadow Drive, addressed the Planning Commission asking why public water acceptable and doable in 2000 and 2003 and not now? Is cost an issue? Ms. Brandt also asked when the traffic study was completed and stated that the access area to the creek from the development for fishing is located on a 70-80 degree slope, making access difficult.

In answer to Ms. Brandt's questions, Mr. Rogalski explained that the approval at that time was contingent on public water agreements being obtained, things have changed with the operation authority no longer in existence.

Ms. Nelson explained that the Planning Commission is not a decision making body and can only pass along a recommendation to the Board of Supervisors for their hearing on April 12. Ms. Nelson stated that the Planning Commission will forward all the residents' concerns and comments along to the Board of Supervisors with their recommendation.

Mr. DeNicholas stated that there is nothing in the ordinance requiring the development to obtain public water.

Barry Lombardo, 1464 Boiling Springs Road, addressed the Planning Commission to express his concern with the water situation. He asked if there will be one well for each home, to which the answer was "yes". Mr. Lombardo said he was here to share his wife's concerns with this plan. She comes from a Chicago suburb and enjoys her new home here, she doesn't want to deal with the things she remembers from Chicago. Mr. Lombardo asked if this was a phasing plan, to which the answer was "yes". He asked what happened if they just stop moving forward. Mr. Rogalski answered with the fact that bonding and such is required for each phase as protection for the Township. Those bonds can then be used to finish that particular phase to the standards required. Mr. Lombardo thank the members of the Planning Commission for their time and service to the community, he knows it is not an easy job to decide and make recommendation on matters such as these.

Ms. Nelson stated that leaving the legal stuff to the attorney's the Planning Commission must make a recommendation to approve, deny or offer comments on the conditional use application. Mr. Pykosh said that it is preferred for the Planning Commission to make a recommendation of approval or denial.

Mr. Brymesser said he was not aware of the 50+ community change or the individual wells. Mr. Rogalski said the 50+ community idea was taken off the table some time ago and that the school board is aware the change in the plan. Mr. Brymesser feels the stormwater issues will be better managed with the subdivision simply due to the regulations set forth in the ordinance. Mr. Brymesser feels this is a tough decision but there is nothing in the ordinance to recommend against it. Mr. DeNicholas agreed with Mr. Brymesser in that this is a tough decision, but there is nothing in the ordinance to force public water.

On the motion of Ms. Nelson, and seconded by Mr. Page, and by unanimous vote of the remaining members it was duly RESOLVED to recommend approval of the Conditional Use application to the Board of Supervisors with residents' comments and concerned attached as record contingent on all legal matters being addressed and Engineer's comments being satisfied.

UNFINISHED BUSINESS

Comprehensive Plan Discussion

Ms. Nelson asked the remaining members of the Planning Commission to review with her and discuss the comments received from Mr. Ross with regard to his suggested changes to the Highway Commercial and Industrial zoning uses. It was suggested that the Township should consider expanding the highway commercial zone along the Trindle Road area between Route 174 and the Mechanicsburg Borough line. Mr. DeNicholas stated that he is for this idea, with sewer up to the turnpike it would be the perfect area for this zoning.

Permitted uses noted as 211.2, 211.2.13, and Special exceptions noted as 211.3 in the Highway Commercial zone were all discussed.

Ms. Pykosh told the members to remember that Mr. Ross is a commercial realtor that will work to make it easier for him to sell property. Many of his comments and points of interest to be reviewed would make it easier to have possible issues creep up if his suggested changes were made.

Mr. DeNicholas said that Mr. Pykosh has a good point. Mr. Rogalski stated that these items were included in these areas for a reason. If we change them to make it more enticing to possible business owners, we run the risk of getting burned in the end.

It was decided to have Mr. Rogalski look into rewording section 211.2.13 to include minor maintenance installation, such as battery or wiper replacement and the like.

In regard to the Industrial zoning, it was suggested to allow warehouses as a permitted use, the Planning Commission chose to leave this alone and keep it as a conditional use.

Mr. Rogalski feels that the flex space design concept has validity in the future planning of the township.

Mr. Brymesser said we need to consider better, wider roads and more stop lights when we do our future planning. Mr. Rogalski agreed that the Trindle Road area is the perfect example of the need to be proactive with planning.

AUDIENCE PARTICIPATION

None

STAFF COMMENTS

None

ADJOURN

On the motion of Mr. Brymesser, and seconded by Mr. DeNicholas, and by unanimous vote of the members it was duly RESOLVED to adjourn the meeting at 8:55 PM.

Respectfully submitted,

Holly Wood
Recording Secretary