CALL TO ORDER

Vice-Chair Cerveny called the Planning Commission Meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Toner. Chair Willey was noted as absent.

APPROVAL OF SEPTEMBER 30, 2019 MINUTES

Vice-Chair Cerveny called for the approval of the Minutes of the September 30, 2019 Planning Commission Meeting. Secretary Walter made a MOTION to approve the Minutes of the September 30, 2019 meeting. The MOTION was SECONDED by Mr. Robert Siodlowski. The motion carried unanimously (6-0).

REVIEW OF BOARD OF COMMISSIONERS MINUTES

Vice-Chair Cerveny noted the copies of the Board of Commissioners Minutes from the September 4 and September 18, 2019 meetings. Vice-Chair Cerveny accepted these minutes.

NEW BUSINESS

A. West Winding, Preliminary Subdivision & Land Development Plan

Vice-Chair Cerveny noted the applicant for the West Winding Plan requested the plan be tabled until a later date. Vice-Chair Cerveny asked if the plan would be discussed at the November meeting. Ms. Boyer said she is uncertain at this time.

Secretary Walter made a MOTION to table the plan until a later date. The MOTION was SECONDED by Mr. Steffan. The motion carried unanimously (6-0).

B. Gettysburg Pike, Lot 4 Final Land Development Plan

Doug Gosik, Williams Site Civil, represented the plan as the engineer for the Gettysburg Pike, Lot 4
Final Land Development Plan. Mr. Gosik stated that the Planning Commission has seen this plan layout on multiple occasions between a Sketch Plan submitted last summer, followed by a Preliminary Plan submission last December, and now the Final Land Development Plan. Since the approval of the Preliminary Plan, Williams Site Civil has been working on a road improvements design to make the required PennDOT improvements. They are proposing a phased improvement approach to the intersection since this area might soon see additional development of the surrounding properties.

The Final Land Development Plan before the Planning Commission is very similar to the Preliminary Plan. Minor adjustments have been made with regards to refining the 10,000 square foot building that is located closest to Gettysburg Pike. This is an architectural update as floor plans are starting to be laid out for that building. Mr. Gosik noted that they are still showing a generic box for the other office building since they have not yet secured a tenant for the larger building. Mr. Gosik noted that he will be speaking with staff to clarify some comments on the provided staff report but sees no major issues with anything significant.

Vice-Chair Cerveny asked if the right-turn lane on the middle entrance to the site will be done initially or is it part of the phased improvements. Mr. Gosik explained that it was part of the South Market Street improvements, in addition to the left turn lane into the site. He noted that they will be doing the right-turn only lane at the light of South Market Street and Gettysburg Pike headed eastbound. There is enough traffic that turns right to free up space, allowing for safer left-hand turns out of the building site.

Vice-Chair Cerveny asked if there is enough right-of-way for the proposed right-turn lane. Mr. Gosik stated that Mr. Eberly, the seller of the property, agreed to dedicate additional right-of-way so the necessary traffic improvements could be completed when deemed appropriate by the Board of Commissioners.

Ms. Amanda Parrish asked if the planned traffic improvements were the reason for the deferral of curbs and sidewalks along Gettysburg Pike. Ms. Boyer explained that during preliminary plan conversations, we anticipated future development nearby, requiring further improvements to be made at this intersection. The Commissioners felt it was best to defer the curb and sidewalk improvements along Gettysburg Pike so that any future widening/improvements would not tear up a brand new sidewalk.

Mr. Gosik raised concerns about installing sidewalks along the northwestern portion of the property as it has its set of challenges, including steep slopes and a channel running along certain portions of the land. Furthermore, he does not know how the abutting site will be developed which leaves the design of the sidewalk unknown at this point. Ms. Parrish suggested to have the sidewalk constructed up until the right-out only access point and then defer the remaining portion until the neighboring property is developed.

Ms. Parrish asked to clarify which plantings are being deferred on the property. Mr. Gosik stated that none are being deferred; they are providing the required number of plantings just in different locations on the property.
No public comment.

Secretary Walter made a **MOTION** to recommend approval of the Gettysburg Pike Lot 4 Final Land Development Plan, UAT File No. 19-09-30, with conditions. The **MOTION** was **SECONDED** by Mr. Robert Siodlowski. The motion carried unanimously (6-0). The conditions are:

**SUBDIVISION, LAND DEVELOPMENT & ZONING**

1. Sidewalks shall be installed along South Market Street from the intersection up the “right-out only” access point on the property in accordance with Section 220-16.B(3) of the Codified Ordinances of Upper Allen Township, if the Township deems the improvements necessary at this time.

2. The travel lanes for the access drives shall be a minimum of 12 feet wide for each travel lane, in accordance with Section 245-17.6.C(4) of the Codified Ordinances of Upper Allen Township.

3. The landscaping plan sheet shall identify the planting requirements around the dumpster areas, in accordance with Section 220-26.B(1)(e) of the Codified Ordinances of Upper Allen Township. The plantings currently shown around the dumpster areas are other required plantings that were part of the modifications granted for Section 220-26.B and 220-26.D to allow required plantings in alternate locations on site.

4. The lighting plan on Sheet 10 shall provide information to show that all light standards shall not exceed 25 feet in height, in accordance with Section 220-32.D the Codified Ordinances of Upper Allen Township.

5. The plan shall include separate drawings to show façade treatment, elevation, floor plans lighting & signing in accordance with Section 220-9.C(2)(ff) of the Codified Ordinance of Upper Allen Township.

**GENERAL**

6. The following notes shall be added to the final plan:
   a. A note shall be placed on the plan stating construction of all work within the public street right-of-way and work related to storm drainage and sanitary sewer facilities requires inspection by the Township. Provide a minimum 48 hours’ notice to the Township before starting work.
   b. A note shall be placed on the final plan stating the Applicant shall demonstrate compliance with Chapter 192 of the Codified Ordinances of Upper Allen Township prior to the issuance of a Certificate of Occupancy.
   c. A note shall be placed on the plans stating that as-built Mylar plans and electronic data files shall be provided to the Township. All drawings must be signed and sealed by a professional engineer or land surveyor attesting to the correctness of the facility information shown, in accordance with Section 220-13.C(2) of the Codified Ordinances of Upper Allen Township.
d. On the landscaping plan, a note shall be added stating the landscapes areas shall be maintained by the property owner in accordance with Section 245-6.8B(3) of the Codified Ordinance of Upper Allen Township.

ADMINISTRATIVE

7. The Applicant must obtain a Highway Occupancy Permit (HOP) from PennDOT for access onto a state road, and supply the Township with a copy of the HOP prior to the plan being recorded, in accordance with Section 220-17.B(3)(a) of the Codified Ordinances of Upper Allen Township. Any changes to the road conditions as a result of the HOP shall be identified on the final plan.

8. The Applicant must show on the signature sheet of the plan the tax parcel number for the parent tract(s) included in the plan in accordance with the requirements of the Cumberland County Recorder of Deeds Office.

9. The waivers granted by the Board of Commissioners on July 17, 2019 shall be listed on the final plan, along with the approved waivers and modifications, in accordance with Section 220-10.B(3) of the Codified Ordinances of Upper Allen Township.

10. This project is situated in a Special Sewer District within the Township (Ordinance 741, Chapter 200, Article XI). The Applicant shall pay the required costs, in addition to current tapping fees and other sanitary sewer-related fees.

11. 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 of Upper Allen Township.

12. 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.

13. The Applicant must enter into a Sewer Extension Agreement 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.

14. The Applicant must provide a copy of agreements with other utilities, highways, or railways when crossing and occupying their easements. Any restrictions / conditions shall be noted on the plan.
15. 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 of Upper Allen Township.

16. The Applicant must provide evidence that the traffic impact report has been reviewed and approved by the Township Traffic Engineer, in accordance with Section 220-11.F of the Codified Ordinances of Upper Allen Township.

17. The Applicant must contribute to the Township Recreation Land Acquisition and Improvement Fund in the amount of $23,600.00. 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 220-28.D(5) of the Codified Ordinances of Upper Allen Township.

18. 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 of Upper Allen Township.

19. 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 of Upper Allen Township.

20. 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 of Upper Allen Township.

21. 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 of Upper Allen Township.

22. 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 insure 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 of Upper Allen Township. 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.

23. 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 of Upper Allen Township.

24. 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.
25. The Applicant shall obtain final water main design approval from Suez Water Company and furnish to the Township an updated design plan.

26. 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.

27. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 270 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__.”

28. Prior to obtaining the county signature for final plan recording, the Applicant shall provide a CD that includes a .dwg AutoCAD file that shows all parcel boundaries, lot lines, building footprints, road rights-of-way (to include curbs and sidewalks), edge of pavement, hydrants, and any utility or easements (public and private).

C. Winding Hills PRD, Stage 7 Final Subdivision & Land Development Plan

Mr. Mark Allen, Alpha Consulting Engineers, represented the plan. Mr. Allen explained the final Phase VII plan consists of 78 residential units, 59 of them being townhomes and the remainder being single-family detached homes. Mr. Allen stated that he sees no major issues with the staff report, and has no issues addressing the comments. He did mention that the stormwater comments were more grading comments rather than design comments.

No public comment.

Mr. Steffan made a MOTION to recommend approval of the requested deferrals for the Winding Hills PRD Stage 7 Final Subdivision & Land Development Plan, UAT File No. 18-12-31. The MOTION was SECONDED by Secretary Walter. The motion carried unanimously (6-0). The requested deferrals are:

1. Modification of Section 220-8.A(7) and allow the applicant to show contours at vertical intervals of two (2) feet instead of one (1) foot.

2. Modification of Section 220-10 to allow the final plan on sheet sizes of 24x36 inches instead of 18x24 inches.

Mr. Siodlowski made a MOTION to recommend approval of the Winding Hills PRD Stage 7 Final Subdivision & Land Development Plan, UAT File No. 18-12-31, with conditions. The MOTION was SECONDED by Mr. Steffan. The motion carried unanimously (6-0). The conditions of approval are:
STORMWATER
1. We previously commented on a proposed drainage swale parallel with McIntosh Drive to the rear of Units 1251-1276. The Designer indicated that the swale is proposed as a temporary SESC stormwater conveyance system. We request the Designer review the grading plan and attempt to eliminate the broad-based depression and incorporate grading that will promote sheet flow toward McIntosh Drive. The current grading plan creates the potential for concentrated stormwater runoff across the public sidewalk.

2. The grading plan does not completely depict the limits of proposed grading improvements to the north of Lots 397 through 405.

SANITARY SEWER
3. On Sheet 3 of 15 – Existing Features Plan, show existing sanitary sewers and 30’ sanitary sewer easement north of Brook Shire Court (LS05-137 to LS05-154 and stub out).

4. On Sheet 7 of 15 – Grading/Utilities Plan,
   a. Show existing sanitary sewers and 30’ sanitary sewer easement north of Brook Shire Court (LS05-137 to LS05-154 and stub out).
   b. Extend sanitary sewer line from new manhole LS03-76 to existing manhole LS03-75.


6. On Sheet 9 of 15 – Profiles,
   a. Add manhole LS05-87A to Index Map.
   b. Change manhole LS03-69A to LS03-58A on Index Map.

7. On Sheet 11 of 15 – Profiles, LS05-156 to LS05-155, add note at manhole LS05-155 stating “Contractor to Verify Existing Invert Elevation Prior to Connecting to Manhole”.

GENERAL
8. Street names for Winding Hill Road and Orchard Blvd shall be added on Sheet 8, Grading/Utilities Plans.

ADMINISTRATIVE
9. The applicant shall obtain any required approvals of the Erosion and Sediment Control Plan from the Cumberland County Conservation District for Stage 7 and furnish to the Township a copy of the required NPDES permit in accordance with the requirements of Sections 220-8.D(6) and 214-15 of the Codified Ordinances of Upper Allen Township.

10. The sewer system shall be designed by a registered professional engineer and approved by the Township Engineer, in accordance with Section 220-26 of the Codified Ordinances of Upper Allen Township.
11. 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.

12. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, associated with all Plans in Stage 6, in accordance with Section 220-9.H and Section 220-44 of the Codified Ordinances of Upper Allen Township.

13. The Applicant must enter into a Sewer Extension Agreement 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.

14. The Applicant must provide a copy of agreements with other utilities, highways, or railways when crossing and occupying their easements with new sanitary sewer facilities.

15. The plan must be signed and sealed by all applicable professionals, in accordance with Sections 220-8.A(5) and 220-10.M of the Codified Ordinances of Upper Allen Township.

16. The professional responsible for plan and report preparation shall sign and seal the plan and report, in accordance with Section 214-22.B.(24) of the Codified Ordinances of Upper Allen Township.

17. The Applicant/Owner shall sign the plan and have the signatures notarized in accordance with Section 220-10.L and 220-10.N of the Codified Ordinances of Upper Allen Township.

18. 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 insure construction of the improvements and/or concrete monuments shown on the plan, and the applicant must enter an Agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-9.H and Section 220-9.I of the Codified Ordinances of Upper Allen Township. 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.

19. 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, in accordance with Section 220-44 of the Codified Ordinances of Upper Allen Township.
20. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolution, and regulations as may be in effect from time to time concerning the proposed development.

21. The Applicant shall pay such fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions and regulations as may be in effect from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.

22. The Applicant shall comply with all other conditions listed in the Revised Tentative Plan approval.

23. 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 of Upper Allen Township.

24. The Applicant shall obtain final water main design approval from Suez Water Company and furnish to the Township an updated design plan.

25. Prior to obtaining the county signature for final plan recording, the Applicant shall provide a CD that includes a .dwg AutoCAD file that shows all parcel boundaries, lot lines, building footprints, road rights-of-way (to include curbs and sidewalks), edge of pavement, hydrants, and any utility or easements (public and private).

BUILDING INSPECTOR’S REPORTS

Vice-Chair Cerveny noted the Building Inspector’s Report for September 2019.

ADJOURNMENT

There being no further business Mr. Steffan made a MOTION to adjourn. The MOTION was SECONDED by Secretary Walter. Vice-Chair Cerveny adjourned the meeting at 7:48 PM.