UPPER ALLEN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
December 30, 2019
7:00 P.M.

PC MEMBERS
R. Wayne Willey, Chairperson
Philip Cerveny, Vice Chairperson
Jeffrey M Walter, Secretary
Barry Natwick (Absent)
Scott Steffan (Absent)
Amanda Parrish (Absent)
Robert Siodlowski

TOWNSHIP OFFICIALS - PRESENT
Jennifer Boyer, Comm. Dev. Director
Mike Welt, Zoning/Code Enforce. Officer
Joshua Bonn, Esq. Solicitor

BOARD OF COMMISSIONERS
Ginnie M. Anderson, Commissioner

CALL TO ORDER

Chair Willey 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. Mr. Natwick, Mr. Steffan, and Ms. Parrish were noted as absent.

APPROVAL OF NOVEMBER 25, 2019 MINUTES

Chair Willey called for the approval of the Minutes of the December 25, 2019 Planning Commission Meeting. Secretary Walter made a MOTION to approve the Minutes of the November 25, 2019 meeting. The MOTION was SECONDED by Vice-Chair Cerveny. The motion carried unanimously (4-0).

REVIEW OF BOARD OF COMMISSIONERS MINUTES

Chair Willey noted the copies of the Board of Commissioners Minutes from the November 6th and November 20th, 2019 meetings. Chair Willey accepted these minutes.

NEW BUSINESS

A. Time Extension for Cottage Brook – Lots 4 and 5 796 Cottage Brook Lane.

Mr. Robert Staiger, property owner at 796 Cottage Brook Lane, represented the plan. Mr. Staiger indicated that they are still working on getting estimates and the neighbor’s approval of the estimates. He is asking for an additional 180 days in which to finalize the plan and get it recorded.

No public comment.

Secretary Walter made a MOTION to approve an amendment to Condition# 11, allowing the
Applicant an additional 180 days to address all outstanding conditions and record the plan. The 180-day period shall expire on June 30, 2020. The MOTION was SECONDED by Vice-Chair Cerveny. The motion carried unanimously (4-0).

B. Oakwood Hills Phase 1B Revised Land Development, UAT File # 19-04-01

Christine Hunter with H. Edward Black represented the Applicant. Ms. Hunter explained that the plan is to revise Phase 1.B to take two internal storage rooms and convert them into studio apartments. The building footprint would not change. The buildings are currently under construction, but the Applicant recognized a need for studio and one-bedroom apartments in the area. The Applicant is at a stage of development where they can easily revise the building plan to accommodate the additional units. Overall, the demand for storage units was less than anticipated. Additionally, Ms. Hunter indicated she had received the Fire Department’s comments about a month ago and has already addressed them. There are no issues with the comments.

No public comment.

Vice-Chair Cerveny made a MOTION to recommend approval of the plan with conditions. The MOTION was SECONDED by Secretary Walter. The motion carried unanimously (4-0). The conditions are:

1. The following items shall be addressed on the Building 4, 5, and 6 sprinkler plans:
   a. Plan #4, the two dry standpipes and the automatic sprinkler FDCs are on the same side of the structure and all face the parking lot.
   b. Plan #5, the one dry standpipe and one automatic sprinkler FDC comes out the same side of the structure and faces the parking lot.
   c. Plan #6, the two dry standpipes and the automatic sprinkler FDCs are on the same side of the structure and all face the parking lot.

2. The following items shall be addressed for the revised land development plan:
   a. All FDCs shall be properly marked with they systems that they feed.
   b. The fire engines must be able to access all FDCs and they should be on the same side of the building so the fire department does not have to tie up another piece of apparatus to feed the FDCs.
   c. The first apartment building, the fire department is not able to use the standpipes due to the location of the FDCs.

3. The Applicant shall obtain approval of the planning module for the additional units 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.
4. The Applicant must contribute to the Township Recreation Land Acquisition and Improvement Fund in the amount of $4,600.00. 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.

5. 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.

6. 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.

7. 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.

8. The landscape architect licensed by the commonwealth of Pennsylvania shall sign and seal the landscaping plans, as designed in accordance with Section 245-206.E of the Codified Ordinances of Upper Allen Township.

9. 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 of Upper Allen Township.

10. The Applicant shall complete all site and sewer improvements for this Phase 1.B, in accordance with Township specifications, and dedicate all applicable improvements to the Township within five (5) years from the date of the signed financial improvement agreement. If the Applicant requires more than five (5) years to complete the improvements, they may ask for an extension from the Board of Commissioners.

11. 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. 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.

12. 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.
13. Prior to obtaining the county signature for final plan recording, the Applicant shall provide a CD that includes a .dwg AutoCAD file that shows any revised parcel boundaries, lot lines, building footprints, road rights-of-way, edge of pavement, and any utility or easements (public and private), etc.

C. West Winding Preliminary Subdivision/Land Development Plan, UAT File # 19-10-01

Mark Allen from Alpha Consulting Engineers represented the Applicant. Also, in attendance were Anthony Faranda-Diedrich from Charter Homes and Jamie Strong, Esq. from McNees, Wallace & Nurick, LLC. Mr. Allen presented the plan, stating the plan calls for the creation of 160 residential single-family lots plus additional private open space lots throughout the development.

The Applicant was asked who would maintain the pump station. Mr. Faranda-Diedrich stated the neighborhood association would maintain the pump station. Mr. Faranda-Diedrich had met with Mr. Barry Cupp, Sewer Department Manager, recently to discuss the project, and the pump station will be built to Township specifications. If the Township wants to assume control of the pump station, they only need to tell Charter Homes.

Vice-Chair Cerveny and Chair Willey both asked if any consideration was given to improving the mis-aligned intersection of South York Street and West Winding Hill. Both felt the sight distance was not acceptable for new traffic coming to the area. Mr. Allen said no, but they would research it more. Chair Willey also asked if the improvements and traffic counts for the recent South Market Street improvements were factored into this study. Mr. Allen said no. Ms. Boyer stated that Traffic Planning & Design (TPD) was involved in the review and traffic reporting for projects along South Market Street, so they are aware of the improvements to this area. Staff and the Applicant can discuss this issue further with PennDOT during the Scoping Meeting.

Chair Willey asked Mr. Allen to explain what was meant by no increase in the Level of Service (LOS). He found it difficult to believe there would not be an increase in traffic. Mr. Allen explained that PennDOT allows for a 10-second delay between one LOS to another. While there may be an additional delay resulting from the development, the additional delay is not significant enough to change the LOS.

Mr. Siodlowski asked if the home designs will be the same as seen in the Arcona development. Mr. Faranda-Diedrich said they will be similar, but larger.

Mr. Siodlowski asked how the plan would change if Charter Homes had to comply with the new ordinance amendments to the C-1 Zoning District. Mr. Strong said the plan application was submitted on October 1, 2019 and the hearing for the text amendment was held on October 2, 2019, so the Applicant feels they comply with the ordinance in existence at the time of submission. Mr. Strong said that the plan would need to be different, but exactly how is unknown at this time. The question becomes, does the new ordinance apply? That’s why we
need to discuss with the Township Solicitor.

No public comment.

Mr. Siodlowski made a **MOTION** to recommend approval of a time extension for 90 days. The **MOTION** was **SECONDED** by Vice-Chair Cerveny. Commissioner Anderson asked if the 90-day period was enough. The Applicant should ask for what they believe will be a realistic time in which they can address all the issues, rather than asking for multiple time extensions. It was suggested that the time extension be increased to 180 days. Mr. Siodlowski **AMENDED THE MOTION** to recommend approval of a time extension for 180 days. The **AMENDED MOTION** was **SECONDED** by Vice-Chair Cerveny. The motion carried unanimously (4-0).

**BUILDING INSPECTOR’S REPORT**

Chair Willey noted the Building Inspector’s Report for November 2019.

**ADJOURNMENT**

There being no further business Vice-Chair Cerveny made a **MOTION** to adjourn. The **MOTION** was **SECONDED** by Secretary Walter. Chair Willey adjourned the meeting at 7:45 PM.