

**UPPER ALLEN TOWNSHIP
MINUTES OF BOARD OF COMMISSIONERS MEETING 2 – 6:30 P.M.
March 16, 2022**

COMMISSIONERS

Kenneth M. Martin, President
Richard A. Castranio, Jr., Vice President
Virginia M. Anderson, Assistant Secretary
James G. Cochran, Assistant Secretary
Jeffrey M. Walter, Assistant Secretary (absent)

TOWNSHIP OFFICIALS

Scott W. Fraser, Township Manger (absent)
Kelly Palmer, Assistant Township Manager
Andrew Parsons, Police Chief
Jen Boyer, Community Dev. Director
J. Stephen Feinour, Solicitor
Barry Cupp, Sewer Dept. Director
Jason Reichard, Township Engineer
Tom Shumberger, Fire Chief (absent)

CALL TO ORDER

President Martin called the March 16, 2022 Board of Commissioners regular meeting to order at 6:30 p.m. A moment of silence was observed, and the Pledge of Allegiance was recited by all. Roll call was taken by Ms. Palmer. Commissioner Walter was absent.

PRESIDENT’S ANNOUNCEMENTS

President Martin thanked the Upper Allen Township Fire Department for taking part in the traffic control efforts after the March 12, 2022 crash on Route 581 involving over 70 vehicles.

Owen Charles of 2421 Cope Drive, Mechanicsburg and member of Boy Scout Troop 195 was in attendance working on a merit badge. President Martin thanked him for being part of our community and wished him luck. The Township will send him a copy of the meeting minutes.

**CONSIDERATION/APPROVAL OF
BOARD OF COMMISSIONERS MEETING MINUTES**

President Martin asked for any comments or corrections to the Minutes of the February 16, 2022 Board of Commissioners meeting. There were none and Commissioner Anderson made a **MOTION** to approve the Minutes of the February 16, 2022 Board of Commissioners meeting, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

PRESIDENT’S RECOGNITION OF VISITORS

There were no visitors signed in to speak on items not already on the agenda.

CONSENT AGENDA

Commissioner Cochran made a **MOTION** to approve the Consent Agenda as follows, **SECONDED** by Commissioner Anderson.

Consideration/Approval of Staff Reports.
Consideration/Approval of Bills in the Amount of \$507,449.10

Consideration/Approval of Request for Release of Financial Security for Winding Hills PDR, Stage 3, UAT File #08-12-31

Consideration/Approval of Request for Reduction of Financial Security for Orchard Glen PRD, Stage 5, UAT File #14-01-02B

Consideration/Approval of Request for Reduction of Financial Security for Orchard Glen PRD, Stage 7B, UAT File #16-12-01B

The motion carried unanimously.

PUBLIC SAFETY COMMITTEE

FIRE DEPARTMENT UPDATE

Deputy Kunkel shared that the 1st Annual Outdoor Sportsman Show will take place on March 26th. The Fire Department has responded to over 100 calls this year.

POLICE DEPARTMENT UPDATE

President Martin, Vice President Castranio and Commissioner Cochran attended the swearing in of the Townships newest officers to graduate from the Police Academy, Officer Amanda Knaub who finished first in her class and Officer Dane Travers.

The Upper Allen Township Police Department went through accreditation procedures, and it was recommended they be re-accredited. One hundred seventy out of 1200 police departments in the state have an accredited department.

PLANNING AND ZONING COMMITTEE

DISCUSSION/UPDATE FROM MESSIAH UNIVERSITY REGARDING TEMPORARY HOUSING OF STUDENTS AT OAKWOOD HILLS

In 2020, Rider Musser Development and Messiah University made a temporary arrangement to house some university students at Oakwood Hills during the COVID-19 pandemic. At that time, both Rider Musser Development and Messiah University were committed to providing temporary student housing arrangements in two apartment buildings (2351 and 2381 Oakwood Hills Drive) until such time as the earlier of the following: 1) termination of the Governor's declaration of the COVID-19 emergency or (2) issuance of guidelines from the CDC or the PA Department of Health authorizing at least two students to occupy a single dormitory room, in which case the living arrangement will be terminated at the end of the then-current semester and students will be relocated to on-campus housing.

In May 2021, representatives from Rider Musser Development discussed the ongoing need to use some of the apartments for student housing. While the building at 2351 Oakwood Hills Drive was prepared for public use, the building at 2381 Oakwood Hills Drive was reserved for temporary student housing through May 2022. After May 2022, the apartments were to be made available to the public.

On August 18, 2021, representatives from Rider Musser Development and Messiah University

discussed the use of the apartment building at 2381 Oakwood Hills Drive with the Board of Commissioners. After much discussion, the Board of Commissioners permitted the use of the building to be used temporarily to house students until May 2022. Ms. Kathie Shaffer from Messiah University also agreed to provide an update to the Board in March 2022.

On March 3rd, the Township received a letter from Krista Greene from Rider Musser Development. The letter stated that on June 1st, the apartment building at 2381 Oakwood Hills Drive will be turned over for public leasing. There are no plans to lease any buildings to Messiah University in the future.

Ms. Shaffer, Vice President for Operations at Messiah University gave an update on COVID at the University. They went to mask optional when the CDC changed their guidelines. Ms. Shaffer estimates that 20% of students are still wearing masks. They have a strict protocol for colds in that employees can come to work, but they must wear a mask and go through COVID testing on days two and five. They have seen an uptick in vaccinations with 91% of graduate students, 74% of undergraduate and 90% of employees being vaccinated. Messiah University will continue to monitor and follow CDC guidelines. They are offering vaccination clinics, free masks and free home tests. They are following NCAA guidelines for athletes.

As Messiah University moves forward, they are fully operational. The lease with Rider Musser Development will end on May 15, 2022. Student housing will be fully back on campus next fall. They will keep a few apartments available on campus for quarantine for the next school year. They are planning a full summer with overnight camps.

Commissioner Anderson asked Messiah University to let the Township Police Department know if they plan to close the parking for the creek on any dates. Ms. Shafer said the schedule will be finalized and shared in April.

Vice President Castranio thanked Ms. Shaffer for putting in the sidewalk along Grantham Road. President Martin stated that we have reestablished good communications.

CONSIDERATION/ACTION ON A FINAL LAND DEVELOPMENT PLAN FOR WINDING HILLS PRD, STAGE 8, UAT FILE #22-01-29. (END DATE: 03/17/22)

The proposed project is for the development of Lot L in Stage 8, Section II of the Winding Hills development. Lot L will be developed into a 2,740 square foot clubhouse area for the residents. Twenty off-street parking spaces will be provided. The lot will be serviced by public water and public sewer. No new street is proposed with this project. The proposed use of the subject property is consistent with the Township's Zoning Ordinance and Comprehensive Plan.

TIMELINE

The following table presents the review period timeline for the above referenced application.

PLAN REVIEW PERIOD	CURRENT DATES
Application Date	01/03/22
Review Period Beginning Date	01/31/22

Last Available Planning Commission Meeting	02/28/22
Last Available Board of Commissioners Meeting	03/16/22
Review Period End Date	03/17/22

OTHER AGENCY REVIEWS

The following agencies were notified on January 4, 2022 that this plan is available for review. Revised plans were provided on January 31st and reviewed by staff. Their comments have been included in this report.

AGENCY	SUBMISSION OF COMMENTS
Community Development Department	01/13/22; 03/01/22
Township Engineer (C.S. Davidson, Inc.)	01/21/22; 02/28/22
Sewer Department	01/24/22 No Comments
Police Department	01/05/22 No Comments
Fire Department/Fire Marshal	No Comments Received
Cumberland County Planning Commission	01/18/22

PLANNING COMMISSION RECOMMENDATION

The Upper Allen Township Planning Commission, on January 31, 2022, unanimously (6-0) voted to recommend approval of the Applicant’s plan with conditions listed below.

The Applicant has since revised its land development plan to address several outstanding conditions. The conditions listed below are what remain and should be considered when acting on the plan.

Mark Allen with Alpha Consulting Engineers shared that a 2700 square foot community center will be in Stage 8. Only residents and guests of Stage 8 will be permitted to use this center. This area will have its own Homeowner’s Association.

Commissioner Anderson made a **MOTION** to approve the final land development plan for Lot L in Stage 8, Section II of the Winding Hills PRD, UAT File # 22-01-03, with the following conditions:

SUBDIVISION, LAND DEVELOPMENT & ZONING

1. A lighting plan shall be provided. Lighting shall not exceed the property boundary line in accordance with Sections 220-32 and 245-261 of the Township Ordinances.

ADMINISTRATIVE

2. Any modifications, waivers, and/or deferrals granted by the Board of Commissioners shall be listed on the final plan, including the date in which such action was granted, in accordance with Section 220-10.B(3) of the Codified Ordinances of Upper Allen Township. All deferred improvements shall be shown on final plans as future improvements.

3. 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.
4. 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 ensure 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.
5. 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.
6. The Applicant/Owner shall sign the plan and have the signatures notarized in accordance with Sections 220-9.C(2)(dd) and 220-10.B(1)(a) of the Codified Ordinances of Upper Allen Township.
7. The plan and stormwater report must be signed and sealed by all applicable professionals, in accordance with Sections 220-9.C(2)(e) and 220-10.B(1)(b) and Chapter 214 of the Codified Ordinances of Upper Allen Township.
8. The Applicant must provide evidence that the stormwater system and sanitary sewer system design has been reviewed and approved by the Township Engineer.
9. 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.
10. 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.
11. 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.
12. 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.

13. The Applicant shall comply with all other conditions listed in the Revised Tentative Plan approval.
14. The Applicant must provide evidence that the storm drainage, stormwater management facilities, and stormwater report have been reviewed and approved by the Township Engineer, in accordance with Section 220-31 and Chapter 214 of the Codified Ordinances of Upper Allen Township.
15. Upon approval of the final plan and prior to obtaining the county signature for final plan recording, the Applicant shall provide a CD that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), MAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted.

Since there are conditions on the approval of this plan, the plan will be rejected unless the owner/applicant agrees, in writing, within thirty (30) days, to comply with and abide by the specific conditions of approval.

The motion was **SECONDED** by Commissioner Cochran. The motion passes unanimously except for Vice President Castranio who abstained because he is employed by the engineering firm.

**CONSIDERATION/ACTION ON A PRELIMINARY/FINAL LAND DEVELOPMENT
PLAN FOR MODWASH, UAT FILE #21-11-29. (End date: 03/27/22)**

The previous use of this site was for the PNC Bank. The Applicant is proposing the development of the site to include a 4,464 square foot automate conveyor style car wash with vacuum facilities. The total tract acreage is 1.202 acres. The development will be served with public water and sewer. The proposed commercial use of the subject property – a vehicle wash use – is permitted in the Zoning Ordinance and consistent with the Township’s Comprehensive Plan.

The Applicant has requested the following waiver and deferral.

1. Deferral of the requirements to install curbing along South Market Street, in accordance with Section 220-5.3.A. No curbs exist along this area of South Market Street.

Staff Comment: PennDOT typically does not recommend curbing on their roadways so that stormwater can drain naturally into grass areas. Staff has no issues with recommending a deferral be granted.

Planning Commission Recommendation: approval.

2. Waiver of the requirements to install sidewalks along South Market Street, in accordance with Section 220-5.3.B. Applicant would like to see a fee in lieu of, in accordance with Section 220-5.3.B(8).

Staff Comment: Per Section 220-5.3.B(8), the Board of Commissioners may accept an offer for a fee in lieu of installation of the sidewalks, provided that one or more of the following conditions exist:

1. *Sidewalks are scheduled to be installed as part of a Township, county, or state project that has been funded for construction.*
2. *Where the District Executive of PennDOT recommends, in writing, that no sidewalks be constructed, and the Township agrees.*
3. *The sidewalks are not logical extensions of or links to other existing, planned or proposed pedestrian facilities.*
4. *Where a combination of conditions exists (such as, but not limited to, topography, hazardous conditions, impacts to environmentally sensitive areas, or other conditions warranting same upon the recommendation of the Township Engineer) which make it impractical or not feasible to construct a sidewalk.*
5. *The sidewalks are not a proposed feature as depicted in the Township's Comprehensive Plan or any Official Map as may have been adopted by the Township.*

Planning Commission Recommendation: Accept a fee in lieu of.

There are no planned sidewalk installation projects proposed for this area. Sidewalks were deferred at the time PNC Bank was built in 2001. Sidewalks were also deferred for JoJo's Pizza in 2014. The option to provide a fee in lieu of the deferral was not adopted until November 2019. Approval to accept a fee in lieu of could be accepted.

RECREATION FEE/LAND DEDICATION

The applicant shall, upon plan approval and prior to plan recording, contribute to the Township's Recreation Land Acquisition and Improvement Fund, in accordance with Section 220-5.15.D(4) of the Codified Ordinances. The contribution amount shall be \$1,800.00.

TIMELINE

The following table presents the review period timeline for the above referenced application.

PLAN REVIEW PERIOD	CURRENT DATES
Application Date	11/29/21
Review Period Beginning Date	12/27/21
Last Available Planning Commission Meeting	02/28/22
Last Available Board of Commissioners Meeting	03/16/22
Review Period End Date	03/27/22

OTHER AGENCY REVIEWS

The following agencies were notified on December 2, 2021 that this plan was available for review. A revised plan was forwarded to several staff/agencies on January 5, February 10th, and March 3rd, 2022. Their comments have been included in this report.

AGENCY	SUBMISSION OF COMMENTS
Community Development Department	12/14/21; 01/12/22
Township Engineer (C.S. Davidson, Inc.)	12/17/21; 01/20/22; 02/28/22
Traffic Engineer (TRG, Inc.)	12/16/21; 03/09/22
Sewer Department	11/08/21; 12/17/21; 01/06/22; 02/25/22
Police Department	12/03/21 No Comments
Fire Department/Fire Marshal	12/28/21 No Comments
Cumberland County Planning Commission	11/02/21

TRAFFIC

The Township's Traffic Engineer reviewed the Trip Generation Study provided by the Applicant and offered the following comments. The site plan shows an Automatic Car Wash with one (1) wash tunnel. The proposed ModWash is anticipated to generate 4 AM peak hour, 9 PM peak hour, and 82 Daily trips. The trip generation estimates were based on existing traffic counts from the Aqua Duck car wash across Route 114 from the proposed site. The site traffic estimates used in the study are consistent with the traffic collected at the Aqua Duck car wash.

The previous use of the PNC Bank estimated a use generation of 24 AM peak hour, 51 PM peak hour, and 246 Daily trips. The carwash will generate less traffic than the bank did. Based on this Trip Generation Study, a full Traffic Impact Study is no required. No other improvements are currently necessary.

PLANNING COMMISSION RECOMMENDATION

The Upper Allen Township Planning Commission voted to recommend approval of the Applicant's requested deferral and waiver at its January 31, 2022 meeting. They also unanimously (6-0) voted to recommend approval of the Applicant's plan with conditions listed below.

The Applicant has since revised its land development plan to address several outstanding conditions. The conditions listed below are what remain and should be considered when taking action on the plan.

Commissioner Anderson made the **MOTION** to approve the waiver request for Section 220-5.3.B. to install sidewalks along South Market Street. The Applicant shall submit a fee in lieu of in accordance with Section 220-5.3.B(8), **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Commissioner Anderson made the **MOTION** to defer the requirements of Section 220-5.3.A. to install curbing along South Market Street. No curbs exist along this area of South Market Street and PennDOT does not recommend curbing be installed at this time. The deferment shall be in place

until such time the Township deems the improvement necessary, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Commissioner Anderson made the **MOTION** to approve the Preliminary/Final Land Development plan for ModWash, UAT File #21-11-29, with the following conditions:

SUBDIVISION, LAND DEVELOPMENT & ZONING

1. The following comments are in response inadequacies in the revised curb ramp design. Please revise:
 - a. The running slope and cross slope of the southern ramp exceeds the maximum allowable slope.
 - b. The running slope of the northern curb ramp exceeds the maximum allowable slope.
 - c. Based on our review, it appears that modification of the existing Type C inlet will be required to facilitate the construction of a compliant ADA ramp.
 - d. Warning dome details indicating what type and color are to be used must be shown on sheet C600.
 - e. The curb ramp detail on sheet C600 needs to include dimensions.
 - f. We do not concur with the irregular sidewalk alignment proposed as a result of the replacement ADA ramps. An alternative design will be required to avoid creating a significant offset in the alignment.
2. A note must be added to the plan that states all construction shall conform to the Upper Allen Township Standard Construction & Materials specifications with a specific reference to the proposed open-cut excavation work in Kim Acres Drive.

STORMWATER

3. Provide a note in the BMP Maintenance Program on C801 that states the facility will utilize biodegradable chemicals to prevent groundwater contamination.
4. The Designer needs to review stormwater pipe profile No. 3 to ensure the minimum cover is being maintained per the pipe manufacturer's specifications.

ADMINISTRATIVE

5. 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 220-5.7.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 the Township.
6. This project is situated in the Spring Run Special Sewer District within the Township (Ordinance 741, Chapter 200, Article XI) having an additional cost per EDU, in addition to the current tapping fee per EDU. The applicant shall pay a total tapping fee amount before recording the plan.

7. 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.
8. 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.
9. 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.
10. The Applicant must provide evidence that the storm drainage and stormwater management facilities has been reviewed and approved by the Township Engineer, in accordance with Sections 220-5.14 and 220-5.18, and Chapter 214 of the Codified Ordinances of Upper Allen Township.
11. The Applicant shall enter into a Stormwater Best Management Practices Maintenance Operation and Maintenance Agreement and provide a Operations and Maintenance Plan with the Township and pay all applicable fees, in accordance with Section 214-20.E of the Codified Ordinances of the Township.
12. The Applicant must contribute to the Township Recreation Land Acquisition and Improvement Fund in the amount of \$1,800.00. 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 220-5.15.D.(4) of the Codified Ordinances of the Township.
13. Provide a statement signed by the landowner, acknowledging the stormwater management facilities and BMPs to be permanent fixtures that can be altered or removed only after approval of a revised plan by the Township, per Section 214-22.B(23) of the Codified Ordinances of the Township.
14. The Applicant must sign the plan and have the signatures notarized according to Section 220-3.5.C(2)(dd) and 220-3.6.B(1)(a) of the Codified Ordinances of the Township.
15. 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 220-3.6.B(1)(b) of the Codified Ordinances of the Township.
16. 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 the Township.
17. 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 220-4.2. 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.

18. The Applicant must also furnish financial security to the Township in an amount equal to the required percentage of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-7.3.B of the Codified Ordinances of the Township.
19. 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.
20. 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.
21. 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 written conditional 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__."
22. Upon approval of the final plan and prior to obtaining the county signature for final plan recording, the Applicant shall provide a CD to the County planning Office and the Township that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances of Upper Allen Township. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), MAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted.

Since there are conditions on the approval of this plan, the plan will be rejected unless the owner/applicant agrees, in writing, within thirty (30) days, to comply with and abide by the specific conditions of approval.

Mark Zimmerman of Morris Knowles and Alejandro Quintana of Hutton Real Estate were present to share more information and answer questions about ModWash Car Wash. A discussion ensued regarding how many vehicles can go through the car wash and staging areas. Concern was expressed by several commissioners about traffic backing up on the road entering the carwash and

that someone from Modwash would be available to address it. Mr. Zimmerman said there will be a site manager and three full time employees at all times with overlap during peak hours. The hours of operation will be 8 a.m. to 8 p.m. seven days a week. President Martin said that ModWash is warranted to this board that they are going to have a minimum of three employees at all times. President Martin said they do not want traffic for Modwash interfering with Kim Acres Drive.

Vice President Castranio asked about water reclamation. Mr. Quintana shared that there are re-claimed tanks in the parking lot, that they currently re-use 50-60% of the water and sediment goes into an oil water separator.

President Martin asked if there is a potential choke point when exiting and Mr. Zimmerman said they have not noticed that at their other locations. Twenty vehicles can be in the vacuum area at the same time and the average amount of time spent is five to ten minutes. President Martin asked about stormwater onsite and Mr. Reichard, Township Engineer, said that they address all concerns.

Commissioner Cochran asked if a fire truck can fit, and Deputy Kunkel said it should be able to.

President Martin asked if there was a traffic study done. Mr. Zimmerman said they did one specifically for this. Ms. Boyer said it did not meet a threshold for a full traffic study, but it did compare. Mr. Zimmerman said their traffic engineer monitored the carwash across the street. Ms. Boyer said the traffic was discussed in planning committee.

There is security lighting at night. Lights are dimmed from 8 p.m. to 8 a.m. Ms. Boyer was satisfied with the lighting.

Eric Fairchild of 1224 McCormick Road asked if there was a problem with the water pressure like at the Mechanicsburg School. Commissioner Cochran said that the school is a higher elevation and that this is Suez water. Mr. Fairchild asked how many gallons of water it takes to wash a car. Mr. Zimmerman said it took 17 to 30 gallons with a portion reclaimed. Four to six thousand gallons of water will be used a day.

President Martin asked if this was a corporate entity or a franchise. Mr. Quintana confirmed it was a corporate entity. Mr. Quintana said that the timeline is mid-April for construction with a projected November opening.

Commissioner Cochran asked how we get EDU credits for this. He said they credit them with a 15% recycle rate and wanted to know when they would ask for a credit larger than 15%. Mr. Cupp said the Township will monitor flow coming out of the system and that it can be difficult to do, but there is technology out there.

The motion was **SECONDED** by Commissioner Cochran. The motion carried unanimously.

**AUTHORIZATION TO SCHEDULE A PUBLIC HEARING FOR VARIOUS
AMENDMENTS TO THE ZONING ORDINANCE AND SUBDIVISION LAND
DEVELOPMENT ORDINANCE**

Township staff are proposing several amendments to the Subdivision Land Development (SLDO)

Ordinance and the Zoning (ZO) Ordinance.

SLDO Amendments

The PA Municipalities Planning Code (PA MPC) historically required a two-step process for approving a subdivision or land development plan. First, a preliminary plan was to be submitted, reviewed, and approved, which was a generalized concept type plan for a development. The final plan provided design details for specific sections to be offered for immediate development. The final plan was required to meet any terms or conditions under which the preliminary plan was approved. Only upon securing final plan approval could the plan be recorded, and lots sold, rented, or leased, and development commence.

With many requirements for plan approval and seeking NPDES and other earth-moving approvals, preliminary plans often have the same details as final plans. Therefore, the Township has previously granted waivers to developers who wanted to submit a combined preliminary and final plan. The Subdivision Land Development Ordinance (SLDO) language was amended in May 2015 (Ordinance 739) to officially allow combined plans to be submitted without receiving a waiver. The SLDO allows developers to combine preliminary and final plans as one plan when the entire development is to be completed in one phase (Section 220-3.5.A).

§220-3.5.A. Filing. A separate preliminary plan application is required when a subdivision or land development is to be completed in more than one phase, whether proposed initially or cumulatively.

Once a development plan has received preliminary plan approval, developers may begin construction of improvements in accordance with said approved preliminary plan. Final plan approval may occur after the preliminary plan approval, but no final plan may be recorded unless a developer has installed all the improvements as shown on the final plan or provided the appropriate financial security, as required in accordance with Section 509 of the PA MPC.

Per Section 220-4.2. of the SLDO and Section 509 of the PA MPC, no plan shall be finally approved unless the installation of monuments and markers, streets, roadways, walkways, sidewalks, curbs, gutters, streetlights, fire hydrants, water mains, sanitary sewers, storm drains, stormwater detention basins, stormwater retention basins, or related drainage facilities, recreational facilities, open space improvements, landscaping and buffer yards, or other improvements required by this chapter and other Township ordinances, or improvements as specified by the Board have been guaranteed with the appropriate type of financial security.

The proposed amendment would allow developers to start work after they receive conditional approval of a combined preliminary and final plan but prior to recording the plan (as final approval). However, as with a preliminary plan approval, all technical comments should be addressed, a revised plan be submitted to the Township, and adequate money be deposited into an escrow account for associated inspections before any construction begins. A pre-construction meeting would also be required. Since most subdivision and land development plans are coming before the Township as combined preliminary and final plans, staff suggests an amendment to the SLDO. Chapter 220, Section 220-4.2.F, subsection 4 should be added as follows:

Section 220-4.2.F. Guarantee of improvements.

(4) If the developer chooses to install some or all improvements prior to recording a final or combined preliminary and final subdivision and/or land development plan, in place of using performance guarantees, then the developer shall be required to have adequate insurance, hold harmless agreements, an escrow account to cover the costs of inspections, an agreed upon professional estimate of the costs of the improvements to be used to establish the amount of the inspections escrow, and a written guarantee ensuring the completion of all improvements required or specified on or for the approved plan will be done so in strict accordance with the standards and specifications of this chapter and other applicable ordinances. No construction of permanent buildings or sale, lease, or rent of any individual lot or condominium unit shall occur until a final subdivision and/or land development plan has been recorded in conformance with requirements set forth in the Pennsylvania Municipalities Planning Code and § 220-7.6 of this chapter. Performance requirements and financial security shall be provided for improvements not completed prior to approving the plan for recording, in accordance with the § 220-4.2 herein.

Zoning Amendments

1. First, Township staff seek to clean up old section numbers from the previous SLDO. Sections 245-8.4.I(a), 245-16.8.B, and 245-17.2.D reference outdated SLDO section numbers. No other changes to the language or requirements are proposed.
2. Second, an amendment to Section 245-17.1 of the ZO is proposed. The Township encourages all grass areas to be free of parked vehicles. We want vehicles to be parked in appropriately designated areas. Our current language prohibits parking in grass areas for residential properties, but it does not exclude commercial properties. This amendment remedies that so no vehicle can be parked in any grass area, walkway, or trail. Parking of vehicles should be on stabilized surfaces designed to store vehicles.
3. Third, an amendment to Section 245-17.2 is proposed. Township staff seek to add a new requirement to clarify that any change of use or expansion of uses may result in having to submit a Traffic Study. Our ZO and SLDO indirectly reference the requirements, but we want language that is clear and concise. As we continue to see existing buildings be reused and existing businesses expand, the need for a traffic study and road improvements may be necessary.

REVIEW PERIOD

The following table presents the review period for the above referenced application.

PLAN REVIEW PERIOD	CURRENT DATES
Application Date	n/a
BOC authorization to have amendment reviewed	01/19/22
1 st Planning Commission Meeting	02/28/22
BOC Meeting set Public Hearing date	03/16/22
BOC Public Hearing Date (1 hearing required)	TBD
BOC Meeting to take action	TBD

CUMBERLAND COUNTY PLANNING COMMISSION REVIEW

The Cumberland County Planning Commission has reviewed the proposal on February 11, 2022

and recommends approval of the text amendment.

PLANNING COMMISSION REVIEW

The Upper Allen Township Planning Commission reviewed this amendment request at their February 28, 2022 meeting. The Planning Commission unanimously recommended approval of the text amendments.

Commissioner Anderson made a **MOTION** to authorize staff to advertise the ordinance and a public hearing to be held on April 6, 2022 at 6:00 p.m. to discuss the text amendment request. The Board shall hear testimony during the Public Hearing. Following the close of the public hearing, the Board can consider taking action to either approve or disapprove the proposed ordinance at the regular BOC meeting on April 6, 2022 at 6:30 p.m., **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Planning commission meeting scheduled for March 28th at 7pm.

PUBLIC IMPROVEMENTS COMMITTEE

AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE MILL ROAD BRIDGE OVER TROUT RUN BOX CULVERT

Mr. Reichard shared that box culverts are on big delays and that the project will most likely take place in 2023.

Vice President Castranio made a **MOTION** to authorize advertising for bids for the Mill Road Bridge over Trout Run box culvert, **SECONDED** by Commissioner Cochran. The motion passed unanimously.

SANITARY SEWER SYSTEM

Mr. Cupp drafted a letter for Scott Fraser's review regarding Whitney Ridge Homeowner's Association and affected property owners to discuss the low-pressure sanitary sewer system. Commissioner Cochran asked Mr. Cupp to let the Board know when a date is set for the meeting.

ADMINISTRATION COMMITTEE

BUDGET UPDATE

At the end of February, General Fund Expenditures (all expenditures plus transfers) of \$1,303K exceeded General Fund Revenues (Revenues minus Fund Balance) of \$1,182 by \$121K. The majority of the expenses in the first two months of the year are related to payroll and insurance payments. Most of the revenue collected in January and February are related to prior year income tax and current year real estate transfer taxes. A small positive increase to net position is expected in March as real estate taxes begin to be collected and transferred to the Township by the Tax Collector.

The Sewer Operating Fund is currently in a net surplus position at this early part of the year in the amount of \$659K. This will fluctuate throughout the year during lulls in sewer rental collections and

large debt service payment periods. A slight decrease is expected in net position in March as sewer rental collections drop off.

At this early point in 2022, the Township expenditures are being managed within budgetary constraints. None of Upper Allen Township's Funds are currently in risk of operating in a deficit; all funds' revenues (Revenue plus Fund Balance) exceed expenditures.

PARK AND RECREATION COMMITTEE

PRESENTATION BY DERCK & EDSON ON THE 1215 MCCORMICK PARK PROPERTY INFORMATION FINDINGS

Jennifer Lee of Derck & Edson presented their Upper Allen Township 1215 McCormick Road Master Plan to the Board of Commissioners. It was presented to the Park and Recreation Board in February. Ms. Lee reviewed how they invited residents to four different public input sessions to collect information. Residents voted for the options they would like to see at the Park.

There was a good showing from all over the Township. Ms. Lee shared slides representing where the participants were from and their age group. Slides were shared that broke down by session, how many people attended, how many votes were cast, the percentage of interest in specific types of activities and the participation by age.

There were 231 participants with 2308 votes. The top option at 19% was walking/biking/hiking trails, the second option at 13% was pollinator/butterfly/native gardens, the third option at 13% was nature walking areas and the fourth option at 9% was pump track/skate park.

Every single comment was recorded and Derck & Edson organized them into groups. They identified what uses would be passive, transitional and active and what activities fall into each definition. Derck & Edson developed a diagram that depicted the types of use in different areas. They need to take this design and overlay it on topography, stream corridors and vegetative. There may end up being something on the site analysis plan that might not allow for what is suggested.

The next step is to get started on design.

President Martin said that this presentation was made at Park and Recreation and when they have their minutes approved, it can be viewed on the Township Website.

Eric Fairchild, of 1224 McCormick Road, stated that the terminology of passive and active is confusing. Mr. Fairchild asked how much earth will be moved. Commissioner Cochran said it depends on what the passive activity is and what the topography is sitting on. There may be some natural trails or we may need to move earth. Mr. Fairchild stated that he hoped there was not a lot of earth moving. President Martin said we will know as we get into design. Mr. Fairchild said that if you are moving earth, the farm has a long history and suggested it could be an archaeological dig. He wondered what they did with their trash 200 years ago. Mr. Fairchild said the main concern he has is what type of parking is envisioned, how many spaces, would it be centered in one place and would it require roadways to other areas? President Martin said there would be pockets of parking because it is such a big area, that is just an idea as he is not a designer. Mr. Fairchild said he counted 200 spaces at Winding Hill Park. Commissioner Cochran said that Winding Hill Park is an active

part set up for use of fields and that he would not expect to see that type of parking at McCormick.

President Martin said the intent of this board is not to pursue competitive, active use. Mr. Fairchild wanted to know if star gazing could make it into the plan. President Martin asked if you needed an area. Commissioner Cochran said you just need an area with no man-made light. President Martin said that the parks close at dusk.

Mr. Fairchild asked Ms. Lee and the Commissioners if they came up with a park that was a best case park to visualize and how close is it to Lower Allen Park. President Martin said this park will be a wow factor compared to Lower Allen Park. Ms. Lee said they looked at other parks as examples, but this park is not going to be like others, it is going to be unique.

Commissioner Anderson said that we worked a long time at Winding Hill Park and McCormick Park will take every bit as long. Commissioner Cochran said we need to have a park that is easy and affordable to maintain. President Martin said planning is an evolving process and it never stops. It is going to take time and part of that is the funding. Mr. Fairchild suggested eliciting for volunteers. President Martin said that sometimes interest wains and can be a challenge.

Jady Conroy, resident of Fairview Township. She is an avid bird watcher and wanted to put a word in for birds. Ms. Jady shared how important it is to maintain native plantings, that a manicured lawn offers nothing to birds, you want to attract insects and you need caterpillars. She said it would be a great loss if the Township does not protect native trees and plants. She said that all you need for star gazing is dark skies.

Bruce Schwartz of 1025 Apache Trail, stated that Ms. Lee did a good job and without bias. He said he was surprised there were not a lot of teenagers represented and that he had to look up what a pump park was. He said he played lacrosse when he was younger, before it was as popular as it is now. He said if we are going to put something there for young people, it would be wise to see what kinds of things have traction for young people as we look forward to 10 to 15 years out. Commissioner Cochran mentioned BMX. President Martin said he likes the reminder that we must design this with the idea of what will the generations after us appreciate.

Mr. Schwartz asked if there has been any movement on the house. Commissioner Cochran said that the Township has had some inquiries and they are having an executive session regarding possibly relocating it from the park. Mr. Schwartz said 989 McCormick Road was sold in December 21, 2021 and they tore the house down. That property was 6.8 acres and sold for \$661,000. The McCormick Park property around the house would be worth \$300,000 at a minimum and with three acres might be worth \$400,000.

Mike Getz of 1117 McCormick Road said he takes exception to what was said about BMX and Lacrosse. He thought we were going to try to maintain rural areas and have passive activities and BMX is contrary to that. Commissioner Cochran said it is not racing, it is like a skateboard park. Mr. Getz does not think we want to maintain the rural character of this area. He wants to make another plug for passive activities and keeping as many of the natural species that we can as it develops over the years. President Martin said that they hear his concerns and that in return, he wanted to share that this property had every possibility of being a big apartment complex and the Township does not want this and the neighbors do not, we want to be sensitive to that. Mr. Getz asked if the buffer area included passive areas or was just buffer. Ms. Lee said it is some of both and

that walking trails can be in the buffer and that in other areas, it may be appropriate to help buffer.

Mr. Schwartz wanted to say that he was not advocating for BMX or lacrosse field, rather he mentioned it to say he has total unawareness of what young people do today. He mentioned lacrosse because it was unpopular years ago and now it is popular. He suggests we look at what could be popular for young people in the future. Commissioner Anderson asked how many of us heard of bocce ball or pickle ball ten years ago. Commissioner Cochran said that pickle ball is an active use of the land and that bocce ball and shuffleboard are a different kind of active – it is smaller scale active.

President Martin thanked everyone for coming out. He knows that we will end up with a park that does not suite everyone’s preference 100%, but if everyone gets something they like, the Township has succeeded.

MISCELLANEOUS

Vice President Castranio and Commissioner Cochran will be representatives on the newly formed Stormwater Improvement Committee. It will meet prior to the Public Improvement Committee and it will have separate actions and minutes. This new meeting will be advertised to the public.

SOLICITOR UPDATE

There was no report.

TAX COLLECTION COMMITTEE UPDATE

There was no report.

CAPITAL REGION COG UPDATE

There is a meeting on Monday, March 21, 2022.

MUNICIPAL ADVISORY BOARD (MAB) UPDATE

There was no report.

PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS (PSATC) UPDATE

There was no report.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

President Martin recessed the meeting to move into Executive Meeting at 8:42 p.m.