

**MINUTES  
NORTH LEBANON TOWNSHIP  
PLANNING COMMISSION MEETING  
FEBRUARY 9, 2004**

The regularly scheduled meeting of the North Lebanon Township Planning Commission was held at the North Lebanon Township Building, 725 Kimmerlings Road, Lebanon, PA, at 7:00 PM. The following people were in attendance:

Darlene Martin ..... Chairperson  
William Smeltzer ..... Vice Chairperson  
John Scheer ..... Member  
Mike Ulrich ..... Member  
Cheri F. Grumbine ..... Twp Manager

Attending this evening were 8 individuals and Jim Boyer of David Miller Assoc.

The meeting was called to order at 7:00 PM. The pledge to the American flag was done.

**COMMENTS FROM THE PUBLIC**

There were no public comments tonight.

**APPROVAL OF MEETING MINUTES**

The January 12, 2004 minutes were presented for approval.

**MOTION:** Was made and seconded to approve the minutes from January 12, 2004. Unanimously carried.

**PLANNING MODULES FOR REVIEW**

There was no Planning Module information to be reviewed tonight.

**ACTIVE PLANS FOR REVIEW, DISCUSSION & RECOMMENDATION TO BOARD**

There are no plans for recommendation this evening.

**ACTIVE PLANS ON HOLD WITH LEBANON COUNTY PLANNING**

**A.) Countryside Mobile Home Park**      Location/Zoning: Carol Ann Dr/ R-R

Mgr Grumbine explained that she had met with Leb Co Planning about this plan being carried for such a long period of time. County Planning has said they will contact Countryside in April or May to inform them that there will be no more extensions granted unless work has begun on this project.

**B.) Harold/Barbara Kreider Land Dev Plan**

**Location/Zoned:**TunnelHill Rd; Ag  
**Engineer:** Blue Marsh Surveyors

Kreider's are still working on resolving the access problem to their property off Tunnel Hill Road.

**C.)Conestoga Log Cabin Leasing Preliminary/Final Subd Plan**

**Location/Zoned:**Heffelfinger Rd/RR

The Commission members have been provided with a copy of a letter that was received by the Twp from a neighboring property owner. The letter is for informational purposes only. Also provided was Mgr Grumbine's response to this property owner. The plan is on hold with County.

**D.)Brohnwood Prelim Subd/ Land Dev Plan**

**Location/Zoned:** Narrows Dr/R1

A comment list was sent to the Engineer regarding the Brohnwood Plan. A copy of the comments has been provided for the Commission members. The members reviewed the list of comments.

**E.)Orchard View Final Subdivision Plan**

This plan is still on hold as Tri Valley has not submitted their Park & Rec fees. Member Smeltzer asked if Tri Valley has asked for any permits to begin work. Mgr Grumbine said they would not be able to have any permits because there has not been an approval for the Final Plan until the fees have all been paid. Also needed is an approval letter from the NLT Municipal Authority on sewer-related issues.

**F.)Living Waters Chapel Storm Water Design Location/Zoned: Jay St**

Planning Commission members reviewed a comment list from Leb Co Planning and Edward Black & Assoc in regards to the storm water issues involved with this plan.

**RECEIVING OF NEW PLANS:**

There were no plans to be received this evening.

**ITEMS FOR DISCUSSION/ COMMENTS FROM COMMISSION MEMBERS****A.)Zoning Request from Earl Hess - Water Street**

Mr. Earl Hess was present this evening, as well as Jim Boyer, Engineer from David Miller Assoc. Mr. Boyer introduced himself to the public. He started his presentation by explaining exactly where the property is located. It is located on the east side of Water Street, directly across from Winchester Circle, which is Phase 3 of the Deerfield North development. A description of the property was given next. The tract of land consists of approximately 20 acres and is owned by Henry & Sarah Smith.

**Water Street Rezoning Request (con't)**

The property is currently zoned Agricultural and contains a single family dwelling with some farming buildings. The Comprehensive plan for the Twp identifies some of the soils on this farm as "prime" farmland. However, the amount of identified area is very minor. The southern portion of the tract has been labeled as a flood plain zone. Currently the property has on-lot systems for water and sewer. The well water has tested high in nitrates. However public water and sewer is available in this area. If it were not for this fact, this proposal would not be made. Surrounding this tract is an area of medium density residential houses.

Mr. Hess is requesting the zoning be changed from Agricultural to R-1. If this request is granted Hess is planning to proceed with a subdivision of the tract. A sketch plan was displayed for the public to view. The layout is designed according to the density allowable in the R-1 district. There are approximately 34 lots identified. This is the maximum density for this amount of property. This project would provide an extension of the water & sewer systems. Main access to the lots would be primarily Water Street with side avenues connecting to neighboring properties, which are developing.

Mr. Boyer said this is a basic summary and he feels they are justified in what they are requesting due to the information that has been provided. This proposal would not present a detriment in any way. In answer to the "prime" farmland that had been mentioned earlier, the majority of the "prime" land had been subdivided already in 1985. The tract is located directly adjacent to already existing residential housing. Areas to the west and south area are already zoned R-1. Water Street has already been upgraded as part of the Deerfield North development. All of the existing facilities are capable of supporting the future planned developing of this area.

As part of the presentation tonight the Twp had asked them to provide a preview of the planned housing for this area. At this time Earl Hess will answer any questions in regards to the plans for this tract of land. Mr. Hess introduced himself to the public and told them he has been in business since 1964. The majority of his building projects have been located in Lancaster County. Deerfield North is a project that his firm has constructed in North Lebanon Twp. Mr. Hess explained to the Comm members the criteria his company used to evaluate the advantages of building on this tract of land.

The sizes of the houses are determined by the size of lots. Most of the homes in Deerfield North development are constructed on an 8500 square foot lot. The proposed lots would contain 15,000 square feet. This equates to approximately twice the size of the lots in Deerfield North. Mr. Hess provided some pictures he had taken in a development that his company is currently constructing in Denver, PA. The pictures are similar to what would be planned for this proposed development.

**Water Street Rezoning Request (con't)**

Member Scheer asked about the quality of the land to the east of the Smith property. Mr. Hess said he thinks Mr. Artz owns the property to the east of the Smith land. He does not know about the quality of the land. Member Smeltzer asked Hess if he has made any contact with Artz. Mr. Hess responded no, not recently. Hess mentioned while completing Phase 5 of Deerfield North a street access, which had been requested by the Supervisors, had been incorporated into the plan to allow for any future connections of any new developing in this particular area.

Member Scheer asked Mr. Hess if he is involved in any other developing in NL Twp, proposed or approved. He was told, no. Chp Martin said what the Commission members are concerned about is how much Agricultural land does NL Twp wish to preserve. This particular request is for 20 acres of Ag land. Member Smeltzer stated the "prime" Ag land in this property is very minor and minimal. There are a lot of trees and water areas. Member Smeltzer questioned the floodplain areas and the lots that would be proposed. Jim Boyer explained if a configuration could be "fitted" the area would be used if not the area would then be lost as far as houses on that particular area.

Chp Martin asked Mr. Henry Smith how much of the 20 acres he actually was able to farm. Mr. Smith said about half of the 20 acres was used for farming. Mr. Hess said the slope of the land is only about 5% to 8%. There would be some water management required. Chp Martin then asked if the existing farmhouse would be remaining or be removed. She was told it would be removed.

Member Scheer asked the question, "What is unique about this land?" It seems suddenly everyone is asking to re-zone. What he is asking is, what is special about this particular request that the Commission could say to the public we approved this request because ----. Chp Martin said the fact that the water and sewer is accessible is one factor. There is residential housing in the area already. Member Scheer said he feels sooner or later the water & sewer will be available everyplace. Soon we might have everyone requesting to be re-zoned. Member Ulrich asked if the Comprehensive Plan identifies each and every property as future residential. Member Scheer said it certainly seems that way. The Twp is really booming.

Mr. Hess stated they would not be extending sewer and water services through Ag land to serve the proposed development. The services are already adjacent to the proposed area. That is one difference with this request. Member Scheer then said he had tried to look at the math involved with the growth within the Twp. By his calculations, by the year 2010 the Twp will experience as much as and more growth than it has in the last 10 years. Chp Martin said it is her guess, when looking at this particular area, if this becomes residential, the neighboring 2 property owners will become residential areas also. The end result will be that the whole area will be residential instead of Agricultural.

**Water Street Rezoning Request (con't)**

Darlene questioned Mgr Grumbine how much Agricultural lands there are located in NL Twp percentage wise. She then asked how much lands are in the Land Security Program. Mgr Grumbine directed the Commission attention to the Zoning map in the meeting room. The Ag Security area is pretty much scattered throughout the Twp. Member Scheer said he feels there must be a way to "shut this off". He has real concerns about this much growth in NL Twp.

Chp Martin said as long as there is adequate sewer and water capacity the developing will continue. Member Scheer said that means wherever there is availability of sewer and water we will continue to see more developing. Member Smeltzer said the thing to remember is that this is Agricultural where sewer and water is already all around the area. With the current Deerfield North and some other surrounding properties, preparations have already been made in consideration of this particular land being accessible to receive water and sewer services. The sewer pumping stations were designed with capacity in mind for this growth. At the point in time when sewer and water is totally maxed out is when it will be tough for the Twp to approve any developing. Member Scheer then said that when these different zones were created, weren't they created because this was what was good for our Twp. Member Smeltzer said things have changed since this design for zoning was completed. That is the whole idea with zoning requests is to identify those changes and then address them accordingly. He added that with this particular piece of land the anticipation has been there for quite some time.

Member Ulrich said the street stub that had been requested was with these thoughts in mind. Smeltzer said the pumping stations and planning has always had this proposal in the back of the mind. Chp Martin said the Comprehensive Plan has included this area to be developed. Smeltzer said this is not just happening now. This proposal has been prepared for quite awhile.

Mrs. Smith mentioned when the one lot had been sold in 1995, the lot had to be researched for future use, as far as being used for a road. The house, which is built there, now was designed with the intention that some day a road would be constructed there also.

Member Smeltzer said he wants to clarify some of his thinking. It is not that he does not favor agricultural preservation. In his thinking this is a different situation due to some of the previous planning for this area. Member Scheer said he understands what has been said. It still does not change the fact that if this is approved what reason does the Twp have to say NO to the next request? Chp Martin repeated that this area is already set up to be developed. Member Scheer said yes and if they then decide to develop further, the developing would continue. At that point how do we try to stop the developing? Scheer said he finds this to be very scary and the Twp should try to find some way to control the growth.

**Water Street Rezoning Request (con't)**

Mr. Hess explained that the 537 Plan and Comprehensive Plan updates are where the Twp has control over what areas are developed and what areas are not. This particular area is already included in the 537 Plan. He advised that when the updates are being worked on, would be the time to specify areas not available for growth.

Member Scheer shared his thoughts that the City of Lebanon is emptying out and NL Twp is just growing and growing. He said if you look at NL Twp, we are BIG east to west but north and south we are not. In order to keep up with the growth rate we will need to address water and sewer in the areas not so populated. Even at this point in time, it is difficult getting around in NL Twp. According to his estimates we will be dealing with at least 800 more people in NLT. If we, as a Twp, don't control where these people are going, we loose all control. Member Smeltzer said he thinks the control comes into play with the Twp Ordinances that are adopted, Ordinances such as the ones that were updated a few years ago where the lot sizes were increased. These types of Ordinances are making the developments less densely populated.

Chp Martin asked if there were any more comments from the Comm members. When there were no more comments forthcoming she mentioned Member Bill Tice had phoned into the office, as he could not be here tonight. He has indicated he is NOT in favor of a positive recommendation to the Board of Supervisors due to concerns he has about possible future zoning requests.

**MOTION:** Was made by Member Smeltzer to recommend to the Supervisors to approve the change from Agricultural to R-1 zoning for the Henry/Sarah Smith property.

Member Scheer stated he would like to recommend that this request be placed on hold until a way to limit the growth question is decided. He is not trying to stop growth but feels it should definitely be controlled. Member Ulrich said he is in agreement with Member Scheer.

Chp Martin said she is in favor of approving this particular request as all sewer & water services are accessible and a majority of the land is NOT prime Agricultural land. Chp Martin stated that another reason for a favorable response is that a connection road between Sandhill Road and Jay Street would be beneficial for any future traffic needs. Any other areas that are surrounded by Agricultural lands should not be re-zoned, in her opinion. She said she feels this particular request should be approved.

The count for the Motion to recommend approval of a zoning change request was 2 in favor (Martin & Smeltzer) and 2 opposed (Scheer & Ulrich). Motion for recommendation failed.

**B.) Perry Tract - Sketch Plan**

Jim Boyer, the Engineer for the Perry sketch stated Bryan Perry had met with the Board and Mgr Grumbine previously about a month ago. A sketch plan about a potential subdivision in a R-R district was provided and discussed. The lot sizes proposed are approximately 20,000 square per lot with public water & sewer. The eastern side of the property is already pretty much set as a stub street from Homestead Acres is in existence. There is only enough area for 1 street to connect to Grace Ave due to the fact the lot areas are taken up by transmission line easements. The sketch plan is really the only option for this area to be developed. Also shown is a one-acre add on lot for one of the proposed lots.

A question was raised about one area in the proposed tract that the Perry's are hoping to get an answer to. The area has wetlands and steep grading. There are 2 different options they would like to discuss with the Planning Comm tonight. Option "A" shows a connection from Twigg Ave, located in the Homestead Acres Development, extending to the Fisher property. It would then be designated as Twigg Ave. Option "B" would be to provide a short cul-de-sac ending on the larger lot located at the end of Twigg Ave and not connecting to the Fisher property. Before any further work is done on subdivision plans the Perry's would like to hear some discussion on the 2 options described for Twigg Ave.

Member Smeltzer said in reviewing the information provided to him, he noticed a note that stated the Twp does not allow cul-de-sacs. He said he knows there was a cul-de-sac in Deerfield North. Mgr Grumbine reminded him that was constructed in 1990. Do we have an Ordinance that does not allow cul-de-sacs? Mgr Grumbine said it is addressed in the Twp streets specs. The engineer then said this particular cul-de-sac would be a short one. During winter maintenance it would be as difficult as a longer cul-de-sac. Member Smeltzer questioned the Fisher property (former Gish) and the Artz property, which all connect to the Perry property. His question is about the Comp Plan and Act 537 Plan. Do these tracts of land fit the criteria that the Smith property does? He would think not but would like to know the answer.

**Bryan Perry - 1875 Grace Ave**

Mr. Perry told the Commission they had appeared here at the Twp in 1996 with a re-zoning request. At that time there had been Ag land bordering the Perry Tract that was rezoned from Ag to R-1 but had been grandfathered in at 7500 square feet per lot. During the planning it was determined to not land lock the Perry property and to provide this stub road for future connections, employing prudent planning. In this area are Schoolhouse Meadows, Homestead Acres and Deerfield North. The Perry tract is considered a quarter of the various developments that will work its way out to Grace Ave. The original proposal had been to connect Twigg Ave. The existing Twigg Ave is now a cul-de-sac area, which had been developed in the early 80's. The houses being proposed will be approximately 3500 square foot.

**Perry Tract - Sketch Plan (con't)**

Between the times that Twigg Ave had been developed and now Mr. Perry has constructed a shop in the area, which was intended to be the future extension of Twigg Ave. Mr. Perry told the Comm members that they had met with great opposition from the homeowners on the existing Twigg Ave when it had been discussed removing the cul-de-sac and extending Twigg Ave. Perry described some of the existing features of the proposed area and also some of the neighboring building lots that connect to his existing home. These lots will be larger lots than what is currently being constructed in this area. This plan he is proposing has been lying in "wait" for many years.

Member Smeltzer questioned Mgr Grumbine about the procedure the Twp follows for temporary cul-de-sacs. After her response, Smeltzer asked if we (the Twp) do maintain them at that time. He said at this time he would rather see a temporary cul-de-sac than a short "stubby" cul-de-sac constructed there permanently. Perry said this was the feedback they had received from Lebanon County. Chp Martin stated her preference for the plan and the design of the proposed lots, although she is not looking forward to all the people this developing will bring. All the Pl Comm members indicated their agreement. Jim Boyer thanked the Commission and said they were looking for their input when attending this evening.

**C.) Questions About Traffic Studies**

Mgr Grumbine said in regards to the questions the Planning Comm had raised while reviewing the Brohnwood Plan for Narrows Dr about the requirements for Traffic Studies, she had contacted LCPD to ask about the requirements. Earl Meyer and Bob Sentz explained there are specific requirements that a developer must fall under before a request for a Traffic Study could be required. The requirement only starts when there are more than 100 lots. Therefore a Traffic Study could not be required for the Brohnwood Plan. Chp Martin questioned the sketch plan the Commission had reviewed for the former Babe property. Mgr Grumbine told her she had been told that particular plan had fallen through. Some general conversation followed about the combination of several developments in one area and the traffic problems that are created.

**D.) Annual Zoning Administrative Report from LCPD**

Lebanon County Planning has provided the annual Zoning Administrative report for the year 2003.

**E.) 2003 School Census**

Per Fred Daubert, of Cornwall-Lebanon School District, the current Census for North Leb Twp residents is 10,783. Member Ulrich raised the question of capacity with the school district for more developments. Chp Martin said the Ebenezer Elem School was already full by the time they had it built.

**2003 School Census (con't)**

All members agreed it would be interesting to see how the school district handles the future developing that is proposed for NL Twp.

There being no more business to discuss, motion was made, seconded and unanimously carried to adjourn the meeting.

Respectfully submitted,

Theresa L. George  
Recording Secretary