

**MINUTES
NORTH LEBANON TOWNSHIP
PLANNING COMMISSION
FEBRUARY 14, 2005**

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

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

Also in attendance at this meeting was Michael Saxinger of Saxinger & Black, John Poff of Brian Hockley & Assoc., Theresa George, NLT employee and 7 members of the public.

7:00 PM -- CALL TO ORDER / PLEDGE TO FLAG

COMMENTS FROM THE PUBLIC

V-Chp Tice asked if there were any comments form the Public this evening, there were none.

MOTION TO APPROVE MEETING MINUTES

Chp Martin asked the Commission members if they had received the minutes. The January 10, 2005 minutes were available for approval.

MOTION: Was made and seconded to approve the minutes from January 10, 2005. Unanimously carried.

PLANNING MODULE INFORMATION

There are no Planning Modules for review this evening.

ACTIVE PLANS FOR REVIEW, DISCUSSION AND RECOMMENDATION

A.)Living Waters Chapel Land Dev Plan

Location/Zoned: Jay St/C2-A
Office Submission Date: 12-09-03

Mgr Grumbine provided the updated Land Dev Plan for the Living Waters Chapel that had been submitted to the Twp for approvals. This plan shows an addition to the existing church and revised stormwater planning.

Living Waters Chapel Land Dev Plan (con't)

There has always been a water run-off problem on Jay St at the driveway of Living Waters Chapel and this plan now corrects the problem. Mgr Grumbine reminded the Commission this plan has been on the agenda for many months and is now ready for a recommendation to the Supervisors. Commission members took several minutes to review the submitted plans. She was asked if the Engineer had reviewed this stormwater plan. Mgr Grumbine replied the County Engineer has approved the plan and there is a letter from County Planning suggesting a recommendation of approval for this plan. Chp Martin asked the Commission members if there were any questions. There were none.

MOTION: Was made and seconded to recommend approval of the Living Waters Chapel Land Dev Plan. Unanimously carried.

B.)Ketchum Minor Subd Plan**Location/Zoned:** Miller St/R-1**Office Submission Date:** 8-13-04

This plan is for a one-lot subdivision located on Miller St. DEP has approved the Planning Module, Park & Rec fees have been paid, the P&R agreement has been signed and County has provided their recommendation for approval of the plan. The Commission reviewed the minor plan and read the letter provided by County Planning.

MOTION: Was made and seconded to recommend approval of this minor Subdivision Plan. Unanimously carried.

ACTIVE PLANS ON HOLD WITH LEBANON COUNTY PLANNING DEPT

The following plans are still on hold with Lebanon County Planning:

A.)Countryside M H Park Land Dev Plan**Location/ Zoned:**Carol Ann Dr/ R-R.**Office Submission Date:** 06-15-00

A meeting had been held last week with County Planning, Mgr Grumbine, Sol Wolf, Mr. Piazza, his Attorney and the Wastewater department. The meeting was to discuss and coordinate all the outstanding issues. Mgr Grumbine told the Commission this plan has been on the books for 4 ½ years. Chp Martin stated there is quite a lengthy list of comments, which the Commission members would read through until the next meeting.

B.)Harold/Barbara Kreider Land Dev Plan**Location/ Zoned:**Tunnel Hill Rd/ Ag**Office Submission Date:** 12-26-02

There has been no new information on this plan.

C.)Brohnwood Prelim Subd/Land Dev Plan**Location/Zoned:** Narrows Dr/ R-1

(Narrows Glen)

Office Submission Date:11-21-03

Brohnwood Prelim Subd/Land Dev Plan (con't)

Mgr Grumbine informed the Comm members she has a meeting scheduled with the Engineer for 2-28-05. She told the Commission John Poff, of Brian Hockley & Assoc., is present to discuss the plans with them. Mr. Poff told the members he would like to present them with the updated plans, which contains the most recent revisions. Also a letter addressing the comments that had been made previously issued about the plan was provided for the Commission members. He then asked the members if he could take a few moments of their time to discuss some of the changes in the plan. It is his intention to be able to come back to the Commission during their March meeting to get a recommendation for approval. Mr. Poff told Mgr Grumbine he would like to keep their scheduled appointment for 2-28-05 to discuss some of the Twp's comments listed.

Chp Martin stated the Commission is here to review anything he would like to share with them. By looking at the plans tonight they would then be ready to review the plans in depth at the March meeting. Poff explained the revisions that had been made were in response to a letter dated July 27, 2004. Since that time, work has commenced on the requested revisions from the Twp and working with County and DEP on stormwater issues. Some of the various issues that Mr. Poff discussed with the Commission involved curbing details, trench specifications, addition of Street lights, lot widths, wording of the street specifications, redesign of detentions ponds, Lot 53 that contains some "wetlands", and Lot 6 that contains a Right-of-Way to the cemetery to the rear of the Lot. There was quite a bit of discussion about the water run-off and the detention ponds involved in this plan. Mr. Poff explained some of the areas where the water will be piped to drain into detention ponds. In reviewing many of the comments, Poff apologized to the Commission. One correction that needs to be made on the plan is the northern boundary of the development that must be lined with a double row of tree plantings as a screen planting. Currently the plan is not showing a double row. Chp Martin questioned if the trees would be planted around the cemetery area? Mr. Poff told her that is correct.

Mr. Poff discussed Lot 6, which contains the easement to the cemetery area called the Schmutz Farm Cemetery. The plan shows this easement on sheet 3. The easement is 10' for access to the cemetery area. The area will be fenced in, with a gate, by the developer, according to Mr. Poff. The easement will be recorded on the plan along with mention that the property owner will be responsible for the maintenance of the easement area. Chp Martin asked if this comment would be on the deed to this property. Poff indicated that this would be noted on the deed. He provided a copy of the deed restriction that would be presented to County Planning for recording on the deed.

Mr. Poff indicated an area on the plan where some pipes were to be connected to carry stormwater. He explained the design outlined on the plan and the reasons the design had to be created the way it was. To complete the design as had been requested would have negated the purpose of the stormwater relocation. The design detailed on the plan will correct the problem with the water flow just in a different manner than had been requested. The water will be directed to the detention pond. Poff told the Commission he has had many discussions with Rick Bolt, County Engineer, regarding a few yard inlets that had been depicted on the original plan.

Brohnwood Prelim Subd/Land Dev Plan (con't)

It was decided to create a head wall in place of the inlet. The maintenance issues would be much less. A head wall will be constructed with a swale to catch much of the water and directed into the systems. This will eliminate the water going onto the street. Chp Martin questioned if all water is being directed away from the property owners. Poff agreed this was true. He continued onto explain some of the issues he had discussed with Mr. Bolt and the solutions that were agreed upon. Mgr Grumbine questioned if the swales will be noted on the deeds to the properties affected? She explained we run into difficulties years later when the homeowners decide to fill in the yard areas for a level yard. Mr. Poff said he would make a note to have this done. He said normally this would be indicated to the buyer when the purchase is made. Mgr Grumbine said that typically is not the case, unfortunately.

Member Scheer asked some of the grading that is shown on the plans. Poff answered the swale will be sloped in order to “push” the water into the bottom of the swale, where it will be directed into the catch basins. Chp Martin then said it is the job of the inspector to make sure the grading is done properly.

Mr. Poff pointed out a crosswalk area that had been requested by the Twp. The detail shows the crosswalk going up to the access drive of the school. There is no sidewalk leading to the school. The driveway leads to the school entrance with sidewalks directly in front of the school. There are no sidewalks along Narrows Dr to the school. The crosswalk would be across Narrows Dr to the access drive for the school and then on the sidewalk area located in front of the school. Sidewalks are also shown in front of Lots 53 & 54, which had been requested. Available in the plans are the details for vertical curbing installed at the 2 entrances to the development. Also shown is reconstruction of the street in areas where stormwater inlets will be designed with an overlay of the entire property. This would be one of the very last items done.

Mr. Poff addressed Mgr Grumbine by saying a request for an electrified flashing school sign is not warranted based on the requirements by PADOT. Another option would be for the Twp to petition PADOT for the placement of a “School Zone” sign. However, the sign would not be electrified or flashing any lights. Chp Martin stated that is something they would discuss. Poff said if anything is decided and he needs to take some sort of action, please let him know immediately. The timing with the March meeting could be thrown off by this issue, if not dealt with immediately. He repeated their goal is to get approval at the March meeting. Mr. Poff asked the Commission if they have any questions for him at this time. The members did not have any questions at this time.

Jere Putt – 1505 Jay St

Mr. Putt asked if this land they are discussing was Zoned Commercial at one time? Chp Martin replied it is located on the west side of Narrows Dr across from the Union Canal Elementary School. Mgr Grumbine responded saying it was at one time zoned Industrial, not Commercial. Mr. Putt questioned if the zoning for this area has already been changed? Chp Martin said she thought it had been rezoned about 3 years ago.

Brohnwood Prelim Subd/Land Dev Plan (con't)

Mgr Grumbine stated she thought it was longer than that. Mr. Putt then asked about the area that is being requested for an R-2 zone? Mgr Grumbine and Chp Martin explained it is east of the school and to the rear of the existing farmhouse off Narrows Dr.

William McMichael – 811 Kimmerlings Rd

Mr. McMichael asked if this area is to be connected to Public water, where is the City going to get all this water to feed all these homes in addition to what they already service? Chp Martin responded that she does not know the answer to that. That is the City's problem to solve. She said she is aware that there is some type of formula used to calculate the capacity but she does not know anything about it. That is something he would have to ask Lebanon City Water Authority about. Chp Martin replied to his questions about all the developments that are receiving public water by stating that in the planning and review process a form is completed by the developer and submitted to the City. McMichael asked again where does the City get the water? Chp Martin responded she does not know. Only they could answer that question for him.

Member Scheer asked if anyone has ever been turned down. Chp Martin said she does not know that either. Jere Putt stated that he had been turned down for re-zoning by the Twp. Chp Martin said the developer usually applies to the City for water and sewer capacity before any work is done on the plans that eventually get submitted for the planning process. John Poff stated that there is not a problem with capacity with water service that he is aware of. Mgr Grumbine said not water but there is with sewer capacity. Poff agreed he knew there are some concerns about sewer capacity but not with water. McMichael said he read an article that if another drought comes there will never be enough water to service all the water customers.

Member Scheer questioned who would be liable if something happened to the water source? Chp Martin said she thought Lebanon City would be. Mike Saxinger, of Saxinger & Black, stated that all public water authorities are accountable to DEP. They monitor all water authorities and public water supplies. The details involved he does not know.

**D.)Final Subd Plan for Woodlea Phase 3 Location/Zoned: Gary Ave/Watson St
Office Submission Date: 10-28-04**

No recent activity on this plan.

**E.) Spring Creek Preliminary Subd Plan Location/Zoned: Kimmerlings Rd
& N 8th Ave/ R-1 & R-2**

Mike Saxinger said he is not asking for any formal action on the plan tonight but he felt he would like to address the Commission on some of the revisions made to date on this plan. Mr. Saxinger explained this plan actually involves 4 different tracts of land however County had advised him to proceed with this as a subdivision plan. The owners will all sign the cover sheet as joint owners of the development.

Spring Creek Preliminary Subd Plan (con't)

Two tracts are owned by Spring Creek Dev Corp. Another tract is owned by a member of the Spring Creek Dev Corp. Saxinger pointed several X's marked on the plan which notes existing structures to be demolished. Also the "wetlands" areas are noted. The overall area is relatively steep, some areas more so than others. Mr. Saxinger pointed out some features of the stormwater design and the areas that will pipe water to the pond areas.

Saxinger next reviewed some of the details about the proposed development. The plan shows 40 single-family dwellings and 31 townhouse units. The townhouses are clustered in the open portion of the site and the single-family dwellings are located more in the wooded area. Considering the disturbance that will be necessary there will not be a lot of the wooded area left but there will be as much of it saved as possible.

Mr. Saxinger showed the Commission members the line of travel that is designed for the water run-off that is to be directed into a 36" pipe and taking it through the development and discharges directly into the "wetlands" area, where it was originally headed. The idea is to take the water where it would have gone, eventually, but without disturbing the development. The stormwater in the development is being handled by 2 detention basins. Chp Martin expressed her concern that no stormwater, from this development, be directed to any of the existing homes. Saxinger stated that would not happen. That is one of the reasons that retaining the existing tree line is important in this stormwater design. Saxinger said another concern was to minimize any impact on the church's existing ball fields.

Mr. Saxinger told the Commission there is one waiver that is associated with this plan submission. He pointed out an intersection that is depicted as a thru street. The grading of this intersection is what is being requested for a waiver. He told the Commission that the requirements for County are considered to be stringent when compared to other municipalities. A safety issue for a thru street is not quite as demanding as it is for a 4-way intersection. In speaking to County, it seemed they did not have an opposition to this waiver, according to Saxinger. He proceeded to discuss the street layout for the area and again explained the "wetlands" pretty much dictated a good bit of the design. When considering the sewer layout, Saxinger mentioned the church was willing to work with them on an easement that will be required in the one area. He said there is also an area where they would be working with DEP on a minor stream crossing in the "wetland" area. Lot 41 would have a storm basin and the owner would be responsible for maintenance issues. Lot 21 encompasses the storm basin and would be comprised of the "wetlands"

Mike Saxinger asked Mgr Grumbine if he could be provided with a list of street addresses. She explained he would have to get approval of the street names first, before street numbers are issued.

Homestead Acres IV – Update – Mike Saxinger

Mike Saxinger told the Commission members he would like to give them a brief update on Homestead Acres IV. This plan involved a “wetlands” mitigation site. To give the Commission an idea of some of the design that would be required he showed them a design for a development located in S Lebanon Twp called Rockledge. In this situation an agreement had been reached with the purchaser of a specific lot that would be utilized for the “wetland” mitigation. DEP must grant approval for this type of arrangement and location. While waiting for DEP’s approval on this situation, work is commencing on the plan submission for the 4th phase of Homestead Acres. The work on the “wetland” mitigation and the floodplain work will be continuing in order to have this plan ready for submission.

Chp Martin questioned the public to see if they might have any questions. There were none.

RECEIVING OF NEW PLANS

There are no new plan submissions to receive this evening.

ITEMS FOR DISCUSSION / COMMENTS FROM COMMISSION MEMBERS:**A.) Zoning Amendment Request – Harlan Bross (Evelina Krall) Narrows Drive/Weavertown Rd**

The Planning Commission has been asked to discuss the Zoning amendment request received from Bross Estate for property located off Narrows Dr near the Union Canal Elementary School. The Commission will then make a recommendation to present to the Supervisors at the Public Hearing scheduled for Monday, February 21, 2005.

Chp Martin asked her fellow Commission members if anyone had any comments they wished to make on this issue. Member Scheer referred to some information that had been provided to the Commission. It was a fact sheet that outlines various costs to the Twp when developing occurs. The information was compiled in 1992 and it can only be assumed the ratio is higher now than in 1992, said Scheer.

Member Ulrich stated that, when considering the proposed development directly across the street (Narrows Glen), Countryside Mobile Home Park expansion and Orchard View being developed all in the same area, plus the development being planned off Kimmerlings Rd, he felt to re-zone this area to R-2 seems absolutely undoable, when considering the tax base. Another thought he had was, where are the new elementary schools, which will have to be built with all this developing be located? All the new students that developing would bring would require new schools and expansion of the high school facilities to accommodate all of them. Not to mention the expanded Police force that would have to be considered.

Bross Zoning Amendment Request (con't)

Member Scheer said he had considered a remark made at a previous meeting. If this property were to be re-zoned to R-2, there is no guarantee that the actual plan submitted would show exactly what had been presented as a “possible” development. He feels the Twp would be vulnerable if the rezoning was approved as R-2. Chp Martin asked if he is saying that perhaps a zoning of R-R or R-1 would be more appropriate. Scheer said it just does not make sense to rezone it and add the additional expense on the Twp. He continued on to say that, after reading the information that had been provided to them this evening, the best type of scenario for the Twp would be to have a business like Comcast locate there. An office type building, where everyone comes there to work and then he or she leaves again. Chp Martin said or perhaps an Industrial Park, which is what this area is zoned for already. Member Scheer agreed with her.

Member Tice said his concern is the traffic flow and the burden of entering and exiting onto Rte 422. All the additional cars this would add, not to mention the additional costs to the Twp. Member Scheer said another issue that was brought out tonight is the water issue. He said it just does not seem doable when thinking of all the issues. Ch Martin stated it is currently zoned Industrial but is being used for Agricultural purposes. The total acreage is 33 acres.

A member of the public questioned if this land is where Jones Motors was located. Chp Martin told him no. It is right behind the Union Canal School. The individual asked if it is also on Weavertown Rd? He was told it is behind the school and up to Weavertown Rd. There are power lines that run through the property. Chp Martin explained the owners are requesting to be rezoned from Industrial to R-2, High Density. A proposed sketch plan has been provided but there is no guarantee that what is shown on the sketch plan is what will be submitted for plan approval. The individual asked if it is Agricultural? Chp Martin responded no it is zoned Industrial and is being used for agricultural purposes. The request is for a high-density residential zone to construct housing. Chp Martin continued on to explain many of the concerns the Commission members have for the R-2 zoning request. One of their largest concerns being the additional traffic that will be created.

William McMichael questioned the process. Is the Planning Commission going to give the Supervisors their input on this issue? Chp Martin agreed saying they have discussed the issues and tonight would make a recommendation to the Supervisors on the zoning request. He told Chp Martin he feels they are thinking along the right lines. He likes their thinking. Chp Martin explained there has to be valid reasons for a recommendation of denial. A denial cannot be given simply because they do not want developing. The concerns about traffic, increase in school population, and the additional expenses to the Twp due to increased demands for community services are all reasons the Commission had discussed for recommending a denial. At a previous meeting the Commission had asked for information on how much the community services cost the Twp when new developments are created. The information was provided to them and it is evident the Twp loses revenue and does not gain anything except the demand for more community service.

Bross Zoning Amendment Request (con't)

MOTION: Was made and seconded to recommend a denial for the rezoning request for an Industrial zone to an R-2 district. Unanimously carried.

Mgr Grumbine told Chp Martin she would prepare a MEMO to the Board of Supervisors explaining the Commission's recommendation.

B.)Information on Community Costs

Chp Martin suggested to her fellow Commission members they keep the information on Community Costs in their files in order to refer to it when necessary.

C.)Current Zoning Map

Mgr Grumbine told the Commission the maps are newly revised maps for zoning of the Twp. She asked that they keep the maps in their files. As it cost money to have the maps printed she asked that they try to maintain them with their files. This will be a valuable tool for their use when various zoning questions come up. An addition to the zoning map this year is the total acreage of each district and the percentage of that district within the Twp. This too will help when various questions are raised about the ratios of the different zones.

As there was not any other items to discuss the members were in agreement to adjourn.

Motion made, seconded and unanimously carried to adjourn.

Respectfully submitted,

Theresa L. George
Recording Secretary