

MINUTES
NORTH LEBANON TOWNSHIP
PLANNING COMMISSION
JULY 12, 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 Commission members and Twp Manager were in attendance:

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

Also attending the meeting were Mike Saxinger of Saxinger & Black, Inc. and 6 other individuals. The meeting was called to order at 7:00 Pm. The pledge to the American flag was completed. Chairperson Martin asked the public to sign the attendance sheet before leaving this evening. Individuals, who wish to speak, are asked to identify themselves and state their address before speaking.

COMMENTS FROM THE PUBLIC

There were no public comments at this time.

APPROVAL OF MEETING MINUTES

The minutes for June 14, 2004 were before the Commission for approval this evening.

MOTION: Was made and seconded to approve the minutes from the June 14, 2004 meeting. Unanimously carried.

PLANNING MODULES FOR REVIEW

There are no Planning Modules for review this evening.

ACTIVE PLANS FOR REVIEW, DISCUSSION & RECOMMENDATION TO BOARD

There are no Plans for review and recommendation this evening.

ACTIVE PLANS ON HOLD WITH LEBANON COUNTY PLANNING

A.)Countryside Mobile Home Park Land Dev Plan

Location/Zoned: Carol Ann Dr (23 new units) / R-R

B.)Harold & Barbara Kreider Land Dev Plan

Location/Zoned: Tunnel Hill Rd / AG

C.)Brohnwood Preliminary Subd/Land Dev Plan

Location/Zoned: Narrows DR / R-1

D.)Living Waters Chapel Land Dev Plan

Location/Zoned: Jay St / C2-A

A letter, dated June 28, 2004, to County Planning from the Twp identifies 2 comments that still need to be addressed with road issues at the end of the chapel's entrance and the connection to Jay St.

Living Waters Chapel Land Dev Plan (con't)

Mgr Grumbine explained these 2 comments were the results of plan revisions that had been submitted. The issues involve pipe preferences for the completion of this project.

E.)Leon Zimmerman Subd Plan

Location/Zoned: Oak & Maple Lanes / R-1

A copy of the comment list regarding the revised plan submission was provided for the Commission's review. Matthew & Hockley will be continuing work to complete the items on the list to be addressed before recommendation can be made for this subdivision plan.

F.)Greater PA Regional Council of Carpenters

Location/Zoned: Heilmandale Rd / I

A copy of a letter to County Planning from the Township was provided for the Commission's review. Most of the items are basic corrections on the paperwork. Chairperson Martin stated there does not seem to be any major problems to address. A 50' R-O-W shown on the plan, which previously was to be but has not been completed and dedicated to the Twp, will have to be addressed.

G.)North Lebanon Business Park Subd Plan

Location/Zoned: N 25th St / I

North Lebanon Business Park Plan is on hold with the County.

H.)Valspar Land Dev Plan

Location/Zoned: NL Business Park / I

Mgr Grumbine explained a revised traffic study had been received for the Valspar Plan. The conclusions and recommendation portion of the traffic revisions has been provided for the Commission's information. She suggested they review the information. If the members have any questions they should contact Mgr Grumbine in order to have the answers by the next Commission meeting.

RECEIVING OF NEW PLANS

There are no new plans for to be received tonight.

ITEMS FOR DISCUSSION / COMMENTS FROM COMMISSION MEMBERS**A.)Homestead Acres – Phase IV**

Engineer: Mike Saxinger

Revised plans were discussed at the last meeting. DEP requested one of the crossings over the wetland area be eliminated so as to not be using the wetland area. The Planning Commission last month had asked to have a re-design that would still connect the 2 developments but would eliminate 1 of the stream crossings. The revised plan was laid out for everyone to review. Member Smeltzer asked if the revisions reflect the suggestions that had been offered by the Commission members at last months meeting. Mgr Grumbine agreed the revision incorporated the Commission's suggestions. She continued on by explaining that Saxinger had some questions to present to the Commission but as he is not in attendance she is not sure what the questions had been. The questions were in reference to the required street specs. To recommend the design as it is now would require a variance of some sort.

Homestead Acres – Phase IV (con't)

Member Smeltzer stated this would be a minor variance in order to comply with DEP's request about the wetlands. Member Smeltzer stated there were not any lots "lost" with the suggestions that were given. Chp Martin said the size of Lot #81 was changed but it seems to work out better. Member Scheer said in looking at the overall plan, the revisions seem to "fit" much better for the overall plan. Mgr Grumbine repeated there were 2 waivers that Saxinger wanted to discuss with the Commission.

Mike Saxinger explained the revisions he has made were due to the comments from the Planning Commission at the last meeting. In trying to complete the revisions there were 2 different situations that arose which will need to be discussed. There is a possibility that 2 waivers will need to be requested. One of the waivers is for a variance from the 150' turning radius required by the County for the cul-de-sac design. In order to maintain the 100' separation at the intersections the 150' turning radius could not be met. The actual street radius would be affected if the 150' turning radius were designed for the area. To maintain the straight street radius at 100' it becomes necessary to decide upon the better of the 2 "evils" and the cul-de-sac seemed to be the lesser of the 2 "evils". Saxinger then suggested that a condition could be placed on the plan. A "stop ahead" sign could be placed on the straight road to warn of a stop sign approaching. This could be placed in the location of the tower. Another option would be to maintain the area with vegetation and no other plantings that might obstruct the view.

The other area is already a utility service area. No one could change this area anyway. The clear sight triangle could be enlarged. Due to the utility area, which is restricted already, there is not a need to restrict the whole area. Saxinger told the Commission, from an environmental standpoint, their suggestions for revisions were very good. There are just a few small issues that will need to be resolved. The channel will be able to be preserved in its original state and the lots will have nice size backyards.

Saxinger said he is asking the Commission for their recommendation on the 2 waivers he has presented this evening. His concern is whether he should request the approval of the waivers before the actual engineering work is completed. Bob Sentz, of County Planning, has indicated he would agree to whatever the Twp agrees to for this situation. Mgr Grumbine explained it would probably be better to get all the issues "ironed out" now and submit all the approvals with the plan submission. Chp Martin said she thinks the "stop ahead" sign is a good idea. When a car is stopped there is then 3 or 4 car lengths for another vehicle to have clear sight of the stopped vehicle. Saxinger stated he would place notations on the plan and increase the sight triangle. Member Smeltzer said he does not have a problem with the radius, as this is such a unique situation. He agrees the sight triangle needs to be increased. Mgr Grumbine said an increased sight triangle and a "stop ahead" sign should both be implemented.

Saxinger asked if an increase for the sight triangle to 150' would be acceptable? Chp Martin agreed. She then confirmed that all these restriction notations would be contained on the deed so that a prospective buyer would be aware of the restrictions. A conversation followed about disclosure statements and prospective buyers. Saxinger told the Commission members they are still trying to recover 2 acres of wetlands. Until this is accomplished, he is not sure what can be done in the rest of the planning process until the permitting status is changed. He is hoping the fact that 1 culvert has been eliminated, will allow them to utilize a General Permit, a minor stream crossing permit. Originally DEP/Army Corps had told him because of the 1-acre fill that had occurred in Phase 1 of Homestead Acres, a joint Permit Act would be required. The fact that there are now only 2 crossings may change the requirements, which Saxinger is hoping to go with the General Permit (minor stream crossings) and separate the 2 issues. To DEP these 2 issues are the 1 issue. To him, it is 2 separate issues. He is hoping to convince DEP to allow a General Permit. This plan could then move forward to submission.

B.)UCC – PSATS Notification

PSATS has provided an update on the Bill that has been placed before the Governor in regards to the Uniform Construction Code. The bill is suggesting certain exemptions from the UCC for existing residential repairs.

C.)Member John Scheer – North Lebanon Business Park

Member Scheer said he had been thinking about the presentation for the Business Park. When the discussion about the tunnel on 25th St had been discussed the engineers said the expense for building a bridge over or around the existing railroad was too exorbitant. The thought occurred to him that perhaps a new tunnel could be constructed. He wondered if anyone had considered that. His thought was to construct a new tunnel directly into the Business Park. It was an option that had not been discussed. The traffic could turn off Rte 422, onto 25th St and travel directly through a tunnel into the Business Park. Scheer said this was a thought that had occurred to him after the meeting. Chp Martin said there would probably be regulations from the railroad for passing under their rails. She then added that any method would be a lot financially but if this is something that they expect approval for, now is the time to make the requirements. Scheer said this could be one way to eliminate a lot of problems.

Member Smeltzer said the grading around the tunnel is the problem. An “at grade” tunnel would never be allowed. When the plans were reviewed there was some mention of the tunnel, Chp Martin read the notation of signal lights. Mgr Grumbine stated it is her impression these were to be merely stop and go lights, not the red, green and amber lights. There followed some discussion about the Center St area and the lane that has questionable R-O-W access.

Ellie Maeder, NLT resident, asked if this Park is something the Twp wants. Chp Martin answered the Twp does want Industry. Ms Maeder then asked, but here at this location? Chp Martin stated this area is zoned Industrial and has been for many years. Member Smeltzer said the Twp, at some point in time, selected this area for Industrial uses. So yes the Twp is looking for this to happen. Maeder then asked about Tunnel Hill Rd supporting all the traffic. Chp Martin said that whole area is rock. It will support the traffic. Member Smeltzer said the traffic study is still incomplete and is a state road. Maeder asked if the Twp is doing it's own independent traffic study. She was told, no. Mgr Grumbine explained the Twp does not do independent traffic studies. The developer is responsible for providing a traffic study. It would be very costly for the Twp to have a study completed. It is more cost effective, for the Twp, to hire someone to review the provided traffic study report. She repeated again that because Tunnel Hill Rd is a State road the Twp has no jurisdiction over anything to do with Tunnel Hill Rd.

Ms Maeder said she had seen the revisions prior to the meeting this evening. Everything in the report refers to Valspar only. Member Smeltzer explained that as new businesses submit a Land Dev Plan they would be required to provide a traffic study that reflects their individual use. This would be required for every business that locates in the Business Park. Ms Maeder told the Commission that they are not approving Valspar they are approving the Business Park. Members Smeltzer and Chp Martin both disagreed with Maeder. These are 2 separate plans requiring 2 separate reviews and recommendations. Chp Martin remarked that the traffic study regarding the Business Park did not contain any information referencing the rail spurs at all. Member Smeltzer agreed with this remark. The Valspar plan will contain information about the deliveries they anticipate receiving by rail. Maeder then told the Commission that the decision they make would be for both of the plans at the same time.

Mgr Grumbine explained the Business Park approval would need to go through the planning process before Valspar is able to purchase a lot to develop. She told Maeder that this does not necessarily mean the rest of the park will remain divided as such. If another business comes to LVEDC and offers to buy the remaining lands, another subdivision plan would be submitted to the Twp.

North Lebanon Business Park (con't)

It all depends on the variables that express a need. In this situation, a plan to express the developer's intention was needed before Valspar could be submitted as a Land Dev Plan. When Maeder asked if Valspar is the developer for this Park, Mgr Grumbine said no. Lebanon Valley Economic Development Corp is developing the whole parcel. Valspar is only interested in Lot #1 of the Park. The Park must be approved before Valspar can begin construction.

Mr. Maeder asked if this would be like a "domino" effect. Once Valspar is established would it not be easier for other businesses to come into the Business Park. Chp Martin said once they are able to meet the regulations. Mgr Grumbine responded the on-site utilities, such as sewer and water, would be available. Each business coming into the Park, after Valspar, would be required to submit a traffic study. Each business after Valspar will have to meet regulations, along with improvements, fro a traffic study provided by their business.

Ms Maeder, Ms Maeder's son, asked if there was any information provided about the routes the trucks will be traveling. Would it be the turnpike or what? Chp Martin stated she remembered them saying the majority of the truck traffic would be traveling Rte 81. Mgr Grumbine said the traffic study indicated the majority of the Valspar traffic would be heading north from their plant. She quoted a phrase from the traffic study about Windsor Dr. While Tunnel Hill Rd has been found acceptable for the traffic, Windsor Dr will have to be upgraded to be acceptable for the requirements. Ms Maeder questioned why, with the original traffic study, were all the intersections in NL Twp as well as some in the City surveyed for the uses? Mgr Grumbine explained that Leb Co Planning required this as part of the Business Park planning process. Because Valspar trucks would be heading north does not mean all the future tenants of the Park would be traveling the same direction. Maeder then asked if there would any significant changes in the amount of train traffic. Mgr Grumbine said she would think there would be the same amount traffic, perhaps a higher amount of cars, as the train cars would be accessing the spur to Valspar. Ms Maeder asked if NLT is responsible for the roads and keeping them maintained. She was told that West Lebanon is responsible for 25th St.

Mgr Grumbine explained that Union Canal Dr is the only road that the Twp has a R-O-W greater than 50'. The minimum is 60' and in some areas the R-O-W is even wider. She said she had been told the reasoning for this was the preparation for anticipated truck traffic. Ms Maeder mentioned she has to cross Tunnel Hill Rd to get to her mailbox. She is not looking forward to having more traffic, as it is bad enough already. Chp Martin told her to call the Post Office and request a mail route switched to her side of the street.

Member Ulrich questioned if it is possible to stipulate that as more businesses come into the park and the traffic increases, the companies would then be mandated to share in the cost of constructing a bridge for 25th St. Mr. Maeder asked if there was any information about the residents being compensated for any depreciation in their property values if their properties are effected by this Business Park? Chp Martin said she really does not see why that would happen. She advised him to ask a real estate person. Ms Maeder said she couldn't imagine who would purchase her corner property knowing the park's employees would be traveling on Windsor Dr. She was told that there are people who do not mind traffic. Also, someone who would be working in the Park might find the property appealing. Someone else mentioned that Valspar or one of the other businesses might even be interested in this corner property.

D.)Spring Creek Sketch Plan – Engineer: Saxinger & Black Inc

Mike Saxinger offered a verbal update on the Spring Creek Sketch Plan. At this point they are still working on the grading questions.

Spring Creek Sketch Plan (con't)

It is just about at the point where they will meet with Sheila Wartluft regarding the sewer issues. With this plan also there are wetlands that will be crossed with sewer piping. Another problem will be a storm water basin and the sewer pipe. Saxinger said he has not seen a traffic report as of yet. Mgr Grumbine told the Commission the ELA Group is doing this traffic study also. They are the same group that is doing the study for the Business Park.

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