

**MINUTES  
NORTH LEBANON TOWNSHIP  
PLANNING COMMISSION  
OCTOBER 8, 2007**

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 Smeltzer .....	V-Chairperson
William Tice .....	Member
A. Bruce Sattazahn .....	Member
Charles Allwein .....	Member
Cheri F. Grumbine .....	Twp Manager

Also in attendance at this meeting were several members of the public including Grant Smith of Stackhouse Bensinger Engineering, Cliff Weaver and Paul Zimmerman of LandMark; Josh Weaber of Steckbeck Engineering and Bob Funk representing SABVI.

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

**MEETING MINUTES APPROVAL**

**MOTION** was made and seconded to approve the minutes of August 13, 2007. The September meeting had been cancelled. Unanimously carried.

**PLANNING MODULES FOR RECOMMENDATION**

There are none this evening.

**ACTIVE PLANS FOR REVIEW AND RECOMMENDATION TO BOARD**

There are none this evening.

**PLANS ON HOLD WITH LCPD**

The following are plans that are on hold with the Lebanon County Planning Department.

**A. Brooke LP Subdivision Plan**

Location/Zoned: Sandhill Rd/ Beta Ave

Date Submitted: 1-26-07

The HOP for this plan has been received. A right-of-way agreement for the Municipal Authority is being prepared by Sol Wolf. An approval from the Authority will not be received until this agreement is accomplished and completed.

**B. Brusters Prelim Subdivision/Land Dev Plan**

Location/Zoned: Narrows Drive/C2-A

Date Submitted: 2-12-07

Revised plans have been received and are now being reviewed. Also received is a revised traffic study and a copy has been provided for the Commission's review and comments.

**C. Evelina Krall Subd Plan (5 lots)**

Location/Zoned: Narrows Dr & Weavertown Rd/ R-2

Date Submitted: 2-26-07

The last comment letter from the Twp was released 8-27-07. We are now waiting for a revised plan.

**D. Grosfillex Prelim Land Dev**

Location/Zoned: Joel Dr/ Ind

Date Submitted: 3-05-07

The Twp has completed its review and we are waiting for an approval from the Authority. The Authority has received advice that stated the Strong Waste Management Plan must be updated to show expansion of this facility and sewer information. Once this information is received the Authority will review for an approval.

**E. Craig/Carrie Machamer Minor Subd Pl (1 Lot)**

Location/Zoned: Weavertown Rd/RR

Date Submitted: 3-05-07

As of 8-21-07 the additional outstanding fees have been paid. A legal description was provided for the Lot Addition portion of this plan. A comment letter dated 8-29-07 from the Twp has been issued. We are now waiting for a set of revised plans to be submitted.

**F. Pierre/Eleanor Maeder Minor Subd Pl**

Location/Zoned: Tunnel Hill Rd/ R-1

Date Submitted: 3-06-07

The HOP for a driveway has now been received. An outstanding issue with the right-of-way agreement regarding sewer connection is under review. Sol Wolf is working with the LVEDC and the Maeder's engineer, Matthew & Hockley to get this accomplished.

**G. George W. & Marian L. Heist Final Subd Pl (lot addition)** Date Submitted: 3-12-07

Location/ Zoned: Old Ebenezer Rd &amp; Tunnel Hill Rd/ C2A

This plan has been labeled a Lot Addition Plan. Mr. Shaak had attended the Supervisors' meeting to discuss a cul-de-sac. The Supervisors decided an agreement must be completed regarding the maintenance issues and also ownership being held by the property owner NOT the Twp. The agreement has now been received and is being reviewed by the Manager.

**H. Susquehanna Assoc for Blind & Vision Impaired Subd/ Land Dev Plan**

Location/ Zoned: Leb Rails Business Park/ Ind

Date Submitted: 6-01-07

Mr. Bob Funk introduced himself to the Commission members and said he is here tonight for the SABVI Land Dev Plan. Chp Martin told Funk the particular plan he is asking about is on hold, as the Twp is waiting for revised information. He stated that he and Josh Weaber of Steckbeck Engineering were asked to attend the meeting this evening. Funk explained that he and several other representatives of the SABVI plan had attended the September meeting of the Board of Supervisors. He continued, telling the members that there were issues with the Business Park and LVEDC. As a result the SABVI plan had been placed on hold. Funk said he talked to Solicitor Fred Wolf twice today and was told the main issue with the Business Park was the inlet issue at Tunnel Hill Rd and Windsor Dr. Funk said according to Sol Wolf this is the issue that was the delay for the SABVI plan. On Friday when he had spoken to Earl Meyer he was receiving conflicting reports.

Mr. Funk stated he had attended the Supervisors' meeting in the hopes of getting some cooperation from everybody, including the LVEDC Board, to get things moving on the SABVI plan. Funk said he was made aware the Supervisors meet twice a month. He was hoping to receive a building permit before November 20<sup>th</sup> which would take us into hunting season.

Bob Funk told the Commission members that he was under the impression after the Supervisors' meeting that everyone had agreed to cooperate. He said he was upset when he found the Sewer Authority letter was not in Earl Meyer's hands as of Friday.

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**Susquehanna Assoc for Blind & Vision Impaired Subd/ Land Dev Plan (con't)**

After speaking to Fred Wolf today, Funk said he was told that the sewer was not the issue. The issue was the storm water inlet and that was a Supervisor issue. Since that was the issue and it is a Supervisors issue, Funk said he was hoping for some sort of approval from the Planning Commission this evening despite the fact that Earl Meyer had not approved the plan.

Josh Weaber told the Commission members he has the review letters for the SABVI plans. However he has nothing regarding the Business Park issues. Member Smeltzer asked Funk and Weaber if they have any idea why the items for the Business Park have not been addressed. Funk replied that LVEDC is a non-profit group and unfortunately do not think like developers think and just complete the items. It is his understanding it is down to one major item, the inlet.

Chp Martin asked where the inlet is that is being mentioned. Is it in the SABVI portion of the park? Also are the other issues being addressed? Funk replied that some of the issues are legalities, according to Sol Fred Wolf. The inlet is on the LVEDC property, not SABVI. Chp Martin asked about the SABVI plan only. She asked if they have, in their hands, the comments from Lebanon County Planning Dept. Weaber replied he does have the comments from LCPD however he does not have an approval letter from County. Funk stated that when he spoke with Earl he had promised that he would get this letter out, however, he is now on vacation and therefore not able to get the letter. Chp Martin asked Josh Weaber to read the comments from the County. She informed Weaber the Commission would not proceed without an approval letter from the County. He proceeded to read a total of 13 different comments from the County review. Chp Martin said her concern is that everything is proceeding on the issues outstanding with the Business Park. Funk and Weaber stated they only received the first set of comments from the Authority and were waiting for this letter, as they were waiting to hear from the Authority their decision on which way they wanted the sewer lateral to connect. This property had two choices for connection and it was up to the Authority on which direction to go for sewer connection. Thus they are now behind on working out these details because of the tardiness of receiving this letter.

At this point Manager Grumbine interjected and asked that she be able to provide some concrete evidence regarding this situation. Manager Grumbine read aloud two emails between Steckbeck's office and the Assistant Township Manager regarding this plan. The emails were dated May 17 and May 18, 2007 and at that time discussion centered specifically on the sewer connection for the SABVI plan. The decision was clearly made during these two emails and Steckbeck's office (Steve Sherk) had even noted that the connection to the N. 25<sup>th</sup> sewer main would require approval from West Lebanon Township. Thus, Manager Grumbine indicated that Steckbeck's office did not have to wait for the "official" October letter from the Authority, as they had reviewed this issue with the Authority even before the plan was officially submitted to the Township/Authority in June of 2007. Also, Manager Grumbine stated that with the Authority Engineer, Scott Rights, being a representative from Steckbeck's office, Weaber, Sherk or others working on the SABVI plan from Steckbeck's office, could have gone directly to Mr. Rights in their own office to get his input. With Mr. Rights working closely with the Authority he certainly would have had inside knowledge of what the Authority's regulations are and the requirements when doing plan reviews.

Chp Martin questioned, so this has not been approved by the Sewer Authority as of yet? Mgr Grumbine replied correct. After hearing all the items read aloud, Chp Martin asked her fellow Commission members for any remarks or comments.

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**Susquehanna Assoc for Blind & Vision Impaired Subd/ Land Dev Plan (con't)**

Member Smeltzer referred to the sewer at the Valspar location. What line are they using? And will it be the same sewer line for SABVI? Funk replied that from what he is given to understand from Steckbeck's office, it will be a different line. There are 2 lines available and the line on 25<sup>th</sup> Street was decided upon. After some discussion, Member Smeltzer voiced that any approval tonight for SABVI would have to be contingent upon all the issues being settled with the LVEDC items. Bob Funk mentioned Larry Bowman who is on the LVEDC Board and is following up on those items. Smeltzer told Funk he can sympathize with the SABVI position being caught in this confusion. However he can also understand the Twp's not allowing further development within the park until all these issues are settled. It does bother him that there is no letter from County Planning recommending approval.

Mgr Grumbine mentioned the possibility of tabling this until more of the outstanding items are completed. Chp Martin asked about the possibility of holding a special meeting before next the November scheduled meeting. Mgr Grumbine asked the Planning Commission if they really want to open that door. We have had numerous requests from past developers and have always stood firm on maintaining the scheduled meeting dates with no "special" meetings. Future developers will expect the same consideration. Chp Martin said she does not remember doing it since she is on the Commission, in looking at the possibilities.

Chp Martin said there is no way they can provide an approval, as they do not have a letter from County recommending the approval. Bob Funk insisted this is an approval for SABVI that is being sought, not the Business Park.

Member Smeltzer said a conditional approval could be given with 3 contingencies; the sewer authority letter, the completion of all the LVEDC issues and the approval letter from Lebanon County Planning. He also added he seriously doubts the Supervisors will sign off on this plan at the next meeting. Bob Funk stated we seem to be in a Catch 22 situation. Member Smeltzer told Funk that the Supervisors have stated that this development is no longer buildable until it comes up to the standards of the Township. The Planning Commission supporting the Supervisors will require the LVEDC to complete the issues that are to date not completed to Twp standards. LVEDC has not completed these issues for months and actually for years said Smeltzer.

Weaber, from Steckbecks office, said if an approval is gotten this evening it would then give LVEDC 2 more weeks to get all the other issues accomplished before the SABVI plan goes before the Supervisors. If not, the SABVI plan will be lying around for another month until it goes before the Planning Commission again.

Chp Martin asked if anyone has any idea how far along LVEDC is in the issues they were told to accomplish? Mgr Grumbine replied she had received an email just this evening from Jeff Steckbeck indicating that Handwerk is scheduled to start the installation of the inlet and storm water pipe on Tunnel Hill Road this Thursday, October 11.

Member Smeltzer informed Funk and Weaber the permission they would need from West Lebanon Twp for sewer connection will take some time also. He then asked Mgr Grumbine if this Twp has ever given an approval without a letter of recommendation from Lebanon Co Planning? He was told, no. Funk told the Commission this is a unique situation. Chp Martin explained the building permit cannot be gotten without the approved Land Dev Plan. The approved Land Dev plan cannot be received unless LVEDC completes all the work completed.

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**Susquehanna Assoc for Blind & Vision Impaired Subd/ Land Dev Plan (con't)**

**MOTION** was made by Member Smeltzer to recommend conditional approval for the Susquehanna Association for the Blind and Vision Impaired Land Dev Plan development plan. Conditions being:

1. Receiving a clean letter from the Municipal Authority on sewer issues;
2. Receiving a clean letter from Lebanon County Planning Dept on the items to be completed on the SABVI plan;
3. LVEDC completion of items 1-13

Member Tice said for the purpose of the motion stated he will second the motion. Members Smeltzer, Tice and Allwein voted in favor; Member Sattazahn voted "no" and Chp Martin abstained from a vote due to a conflict with possible bidding on the project through their business. The Motion is carried on a 3 to 1 vote.

**I.) Conestoga Log Cabin Leasing Revised  
Linda & Loretta Drive – Revised Cul-de-Sac**

This plan was submitted to correct an error that had been found in the original recording of this area several years previously. According to the Engineer on this project neighboring property owners have signed off on this plan with the exception of one person. Once this signature is received the plan will be ready for a recommendation to the Supervisors. Manager Grumbine reported that since this signature was not obtained by tonight's Planning Commission meeting, Sol Wolf will prepare to file legal action to get this plan finalized, so the Twp can record the deed of dedication for the cul-de-sac streets. Manager Grumbine stated that this last signature has remained outstanding for several months and it is now time to get this issue resolved, so that the Township can complete the dedication of these two cul-de-sacs.

**J.) Holiday Inn Express Final Land Dev**

Date Submitted: 7-20-07

Location/Zoned: Rte 422 (E Cumberland St)

A comment letter dated 8-30-07 was issued from the Twp. The traffic study submitted for Brusters Ice Cream also includes this development.

**RECEIVING OF NEW PLANS****A. Herman & Patricia Dundore Minor Final Subd**

Date Submitted: 8-28-07

Location/Zoned: N 4<sup>th</sup> Ave & E Canal St

While this plan has been received at the Twp office, no comments will be released until outstanding issues from the Linda & Loretta Dr plan have been finalized and the plan is recorded. A letter was forwarded to engineer, Brian Hockley, and the Dundores making them aware that no reviews or comments will be forthcoming on this plan until the other issue is resolved satisfactorily to the Township.

The Planning Commission will not receive this plan until the other issue with Linda & Loretta Dr is completed.

**B.) Crossings @ Sweet Briar Prelim Subd**

Grant Smith of Stackhouse Bensinger introduced himself to the Commission members. He is in attendance this evening due to the fact that Scott Miller had to be somewhere else tonight. He took the time to introduce Cliff Weaver and Paul Zimmerman of Landmark Homes. This subdivision plan involves a semi circle from Kimmerlings Rd to Mt Zion Rd and Narrows Dr. It circles around the rear of existing properties along Kimmerlings Rd. It contains approximately 103 acres and 193 proposed single family units, as well as 3 commercial lots are being proposed.

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**Crossings @ Sweet Briar Prelim Subd (con't)**

One of the 3 lots will be a community center. The community will be an age restricted community, similar to the Briar Lake development. Plans were available for the Commission members to review.

A number of waivers will be asked for and Mr. Smith expects they will be granted. He mentioned relief from cul-de-sacs requirements. The intersections will also be asked for relief as far as the equation that is required. Some of the lot depth and ratios will be asked to be considered for waivers. Two flag lots are included in the plan. While the Ordinance does not prohibit flag lots, it does discourage them. Sidewalks are another issue that will be asked to be waived. As opposed to sidewalks on both sides of the streets, a meandering walking path is being proposed throughout the development.

Smith discussed the wetlands in this area. In the planning of this proposed development the wetlands are crossed over twice. All other areas of the wetlands will not be touched. Smith said most of the other criteria in the Twp ordinances are complied with. There will be no parking in the street at all, according to Smith. A question was asked about visitors for the residents. Where will they park? The units will have 2 car garages and sizeable driveways. This is an overall view of the proposed community. Public sewer and water letters have been provided along with the submission. Landmark plans to complete this community in 3 phases. Member Smeltzer questioned if everything (sewer) will come through Briar Lake. He was told yes it will be connected into Briar Lake.

**Mark Fortna – Kimmerlings Rd**

Mr. Fortna mentioned he had stopped in the office to view the Crossings of Sweet Briar Preliminary Plans. He was advised to attend the meeting tonight. He said he is interested in the sewer plans for this development and how it will affect the east end of Kimmerlings Road. Mr. Smith told Mr. Fortna he may come to the front to view the map. When questions were asked about connection of the existing homes once the new sewer lines are in this development, Mr. Fortna and his neighbor who was also present and interested in public sewer was told they would need to attend the Municipal Authority meeting to discuss this issue with them. Several minutes were spent reviewing the map and discussing the topography of the area.

Member Smeltzer said he would like to remark on the cul-de-sacs. He has safety concerns about them. His concerns are about emergency response vehicles.

**Audrey Zellers – Kimmerlings Rd**

Ms. Zellers raised a concern about the road going into the community from Kimmerlings Road, which is close to her home. She said the traffic goes very fast on Kimmerlings Road and she and her husband already have difficulty pulling out from their driveway and having “close” calls. Chp Martin stated the Commission would probably request a traffic study, which will be listed in their comments.

**MOTION** was made and seconded to receive the Crossings @ Sweet Briar Preliminary Subd Plan. Unanimously carried.

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**ITEMS FOR COMMENT & DISCUSSION****A. Bioretention/ Rain Garden Information**

Member Sattazahn returned the information that had been provided stating he had read through it and found it interesting. Sattazahn again discussed the rain garden that had been installed in the Hummelstown location. He expressed his concern that there is not anyone enforcing these types of retention applications being constructed and maintained correctly.

**B. Dennis & Phyllis/ Glen & Penny Seyfert and Seyfert Orchards Inc.**

A letter has been received requesting that this plan be withdrawn as the land is currently in Land Preservation and they are unable to continue with this proposed Lot Addition.

**C. County Convention for Local Municipalities – Oct 18, 2007**

Three members indicated their interest in attending a presentation given by the County Conservation District on October 18. Darlene Martin, Bill Smeltzer and Bruce Sattazahn have all indicated their interest and responded to attend.

**D. Marlins Diagnostic Land Dev Plan**

LCPD has received a Land Dev Plan for Marlin's Diagnostic. The Twp has refused submission as the plan submission was incomplete. The Twp has asked the County to include in their comments that the Twp has not received a complete plan submission.

As there was no more business to conduct motion was made and seconded to adjourn the meeting.

Respectfully Submitted,

Theresa L. George  
Recording Secretary