

**MINUTES
NORTH LEBANON TOWNSHIP
PLANNING COMMISSION**

DECEMBER 13, 2004

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 a member of the public.

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

COMMENTS FROM THE PUBLIC

A.) Steve Dresch – 2630 Charlotte St; NL Business Park

Mr. Dresch stated he had attended meetings before about his concern with Charlotte St being closed. He said with the street being closed all the time there is no way an emergency vehicle could get back to his home. Chp Martin asked Dresch how he gains access to his home. He reported he uses the “top” lane, which, is scheduled to be closed also. Chp Martin said it would seem they would have to allow him to have access. Mr. Dresch stated, according to Bob McNary, of the LVEDC, they can do whatever they choose to do. Mgr Grumbine asked if the area is open from Hanford Dr? Dresch said it is open sometimes but he had been told he does not have a right-of-way use from there. He said he has a R-O-W either from Charlotte St or the “top” lane. If both of those streets are to be closed down, Dresch said he should have a right-of-way from Hanford Dr. noted on his deed or he would be “landlocked”.

Dresch said another concern is the fact that his wife and children have asthma. The dust and mud created is terrible. They are not even able to be outside. He said he had been told it would be paved. This has not been done.

Mr. Dresch said he intends to remain where he is living. With having said that he would like to have a “buffer zone” such as the residents on 31st St and Joyce St. He said it is only fair that he gets the same thing those people received. Mgr Grumbine asked to respond to this comment. She pointed out that the land where Mr. Dresch is situated is an Industrial zone. She is not sure of the zoning for 31st St and Joyce St. At this late date she is not sure of what she can do for Dresch.

Dresch; NL Business Park (con't)

Mgr Grumbine said she can certainly ask but there are no guarantees for his request. Dresch remarked he is not part of the Industrial Park. Mgr Grumbine explained his property is not a part of the Park but his property is located in the Industrial zone that the Park is also located in. She tried to explain that the Twp Ordinances clarify that when an Industrial zone borders a Residential zone, a "buffer zone" is required. His property is located within the Industrial zone itself. The plan has already been approved therefore she wants to make him aware of the fact that the Twp can ask but cannot require that a buffer be added to surround his property. Mr. Dresch told Mgr Grumbine he is appreciative of the fact that someone is being honest with him. He feels as if he has gotten nothing but a "run around" from everyone else he has spoken to about these issues.

Mr. Dresch said he is also concerned about snow removal. He had been told by LVEDC that they would be responsible for snow plowing. His question is, if this guy is not responding to his calls now what happens when the snow is flying? Originally Charlotte St was only supposed to be closed temporarily. Now there is a large pipe across it that is very high and cannot be driven over.

There are plans to drill a well and there will be some blasting going on. What requirements will LVEDC have to follow while doing this project? Dresch asked what if his well should go dry after they have drilled for their well? Chp Martin stated there are regulations that must be followed as far as distances from an existing well. She is not sure of the exact regulations. That would have to be checked on. Mgr Grumbine remarked it would be State regulations as that is where the blasting permit would have to be gotten. She told Dresch there is also a Bond, which must be established when blasting. Dresch stated that in August he hired 2 independent labs to test his well water. Their findings were that nothing "was in there". What if, after all this construction, chemicals are now discovered in his well water? What types of regulations cover that issue? Chp Martin replied she would think that is State governed also, probably under the Dept of Environmental Protection.

Dresch said the "top lane" he is referring to runs all the way through to Joyce St. According to Horst Contracting, who is working for Valspar, it is considered an abandoned road. Dresch said this road was never at any time abandoned. The Gingrichs and the Grabys have used it regularly. His question is, if this is an abandoned road, is he able to place a "claim" on the road? Chp Martin and Mgr Grumbine both agreed this would be a legal question for him to ask the Solicitor. Mgr Grumbine explained there are several issues involved within this question. Would it revert back to the owner, which in this case would be LVEDC? Or maybe to the surrounding property owners? Dresch said he would think it would become part of the Frantz property. He said Mrs. Frantz has suffered, health-wise, due to this whole project.

Another issue Dresch brought up was the issue of the truck traffic on 25th St. He said they have a meter set up there now to monitor the truck traffic. Currently there are no trucks due to the fact that they are using 33rd St. After the first of the year they will not be permitted to use 33rd St and will be forced to use 25th St.

Dresch; NL Business Park (con't)

Then the truck count would be more accurate. It does not seem fair to him, that he maintained this lane for several years. The Business Park is gaining benefit from the use of it but is saying they plan to plow it under since it is considered an abandoned road. Chp Martin asked if he is aware of the road being listed on anybody's property deed. Dresch explained some of the history involved with this lane, which years ago connected 2 farms in the area. Chp Martin said he would have to find out if the lane is mentioned on anyone's deed. A surveyor will probably have to be hired to survey the area. Dresch said in speaking to Steckbeck's office, they were told the whole issue is "so screwed up" that it just is not known who owns what.

Dresch said he knows where his property lines are and what he owns. Chp Martin told Dresch he would have to have the information in paper form. Dresch said he spoke to Lebanon County Planning, a man named Gene, who told him all that "they" want is to get him out of there and they certainly are not going to listen to him. Chp Martin questioned if anyone had approached him to make an offer to buy. Dresch said he is aware of the amount that 2 other properties were purchased at and he considers the amount to be a joke. He said his home is paid for. He does not want to go back to another mortgage and fixing up another home when they are happy with their current home.

Chp Martin said his option is to then hire an attorney and a surveyor to establish who owns what and where the true property lines are located. Dresch said the problem with that is the other property owners do not want to do this. Another issue is the sewer that is being run along Charlotte St. He said he is positive that once the sewer is complete, the properties will NOT be put back to original condition. The access they are using for construction is the one Dresch says he created by having 110 tri-axle loads of stone brought in. Once they start using the access they cut into the property it will begin sinking down and they will definitely find out what he has been talking about! A short stretch that they have already begun filling in has cost them \$60,000. Dresch told the Planning Commission it seems they are doing whatever they choose to do and he is having a problem with it. He said he fought for many years to keep this area cleaned up.

Chp Martin told Dresch the Planning Commission really couldn't do anything for him. The Planning Commission can make recommendation to the Supervisors about contacting Lebanon Valley Economic Development Corp. She continued onto mention that even the Supervisors could not force LVEDC to do anything. They can request things for them to do but could not force them to do it.

Dresch repeated his comments on the lane connected to Hanford Dr. He said he has a lot of money invested in this lane and they are planning on plowing it under. It just is not right said Dresch! Whatever gets done with this situation, he wants this information recorded on his deed. He has already received verbal commitments and it has not guaranteed him anything. From now on he wants it in writing. Chp Martin repeated her advice to collect his neighbors and seek the advice of an attorney. Dresch said his neighbors have just given up on this situation. Mgr Grumbine said she would review with the Twp Solicitor to see if there is anything at all the Twp could do.

Dresch; NL Business Park (con't)

Dresch said he has tried to be a good neighbor to Valspar and has called the Police a few times. Valspar has been good with him also. His problem is the Economic Development Corp and their lack of response.

Dresch said he is also concerned about water run-off. If there is a problem with water, would they be permitted to just "flood him out"? Mgr Grumbine said that is an issue Lebanon County Planning would have to address. She told Dresch that for these types of concerns he should not be speaking to Gene, who is a zoning officer and has nothing to do with these issues. He needs to speak to the subdivision planners, either Earl Meyer, Bob Sentz or Kris Troup. If there is some type of storm water problems contact one of them who will in turn contact the County Engineer to review the problems.

Mgr Grumbine told Mr. Dresch she would check into the "buffer zone" request but does not expect anything to come of the request. She told him she would definitely check on some of the other issues he had brought up tonight, such as Charlotte St still being closed. She would also be asking about Dresch's right-of-way on Hanford Dr and the snow removal questions. When the conversation returned to Charlotte St, Mgr Grumbine said she intended to review this issue as she thought that the talk had been that the street would only be closed for about 2 weeks. Dresch said he knows that Charlotte St has always been a problem for everyone. Chp Martin said she is certain there are regulations about "land locking" a property. Mgr Grumbine told Mr. Dresch she would try to find some answers for him about some of the issues he raised tonight.

Mr. Dresch said he had one more question regarding the sale of his property. He said he had been approached by several different businesses about his property. His question is, IF he should decide to sell, would the new owner be governed by the Lebanon Valley Economic Corp guidelines? Chp Martin said his property would have to conform to all the regulations for an Industrial zone but not guidelines established by the LVEDC. Mgr Grumbine said she would check with Sol Wolf on this question but she is fairly certain the only restrictions would be that of the Ordinances for an Industrial zone. Dresch then questioned if the "top lane" gets closed off, what should he do about his mailbox and the school bus stop? Mgr Grumbine asked if his mailbox is located on Joyce St. Dresch replied it is located on Joyce and 30th Sts, near the Frantz's. He said the bus stop is located at 31st and Tunnel Hill Rd. This is a question for the school district Mgr Grumbine told Dresch. The Twp does not control the school bus stops. She said she wanted to warn him that if he does get a right-of-way for Hanford Dr, he would probably be assigned a new address. Dresch questioned if his mailbox could be located there also. Mgr Grumbine stated that when Hanford Dr is dedicated to the Twp, he would then be assigned an address from a Twp access road. Dresch questioned if Hanford Dr is to become a Twp road. Mgr Grumbine replied that she would have to check on that because so many discussions took place she honestly couldn't remember what was decided about Hanford Dr. Mgr Grumbine repeated that she would get back to him with some answers. Mr. Dresch thanked Mgr Grumbine for her cooperation and taking the time to listen to him.

MOTION TO APPROVE MEETING MINUTES

The September 13, 2004 minutes were available for approval. The October and November meetings had been cancelled due to a lack of agenda items.

MOTION: Was made and seconded to approve the minutes from September 13, 2004. Unanimously carried.

PLANNING MODULE INFORMATION:

There are no Planning Modules for review this evening.

ACTIVE PLANS FOR REVIEW, DISCUSSION AND RECOMMENDATION:

There are no plans for review or recommendation this evening.

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

Revised plans for the park expansion had been received in the Twp office on 11-22-04. Member Scheer said he had noticed some digging activity on the property. Mgr Grumbine said she did not think the owner had met with the City yet for a pre-construction meeting on the water installation. She said she does not know what he would be digging. Member Scheer said he also has piles of stone on the property. The digging activity is occurring in the area where the new road will be located. Mgr Grumbine said the Twp office will do some checking on this to see what might be happening there.

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 for some time.

C.) Brohnwood Prelim Subd/Land Dev Plan Location/Zoned: Narrows Dr/ R-1
Office Submission Date: 11-21-03

There is nothing new to report on the progress of this plan.

D.) Living Waters Chapel Land Dev Plan Location/Zoned: Jay St/C2-A
Office Submission Date: 12-09-03

Chp Martin remarked she noticed the new addition is now completed. However this plan is for the stormwater issues along Jay St.

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

Lebanon County Planning has reported there has been no revised information submitted to them since the original submission of this plan in August. Sewer and water capacities have been confirmed and the Park & Rec have been paid. Once County receives the revised plans addressing the comment list from them, the County Engineer will complete a review. Once County is satisfied all issues have been met, a letter recommending approval will be forwarded to the NL Planning Commission.

RECEIVING OF NEW PLANS:**A.)Final Subdivision Plan for Woodlea Phase 3 Location/Zoned:**Gary Ave/Watson St
Office Submission Date:10-28-04

This Final Subdivision Plan is showing 13 lots for single-family dwellings. Mgr Grumbine stated this is the final phase of the Woodlea development and will now tie everything together. Jay St will then be continuous all the way to Sandhill Road. The Commission members reviewed some of the details shown on the plans.

MOTION: Was made and seconded to receive the Final Subdivision Plan for Woodlea Phase 3. Unanimously carried.

ITEMS FOR DISCUSSION / COMMENTS FROM COMMISSION MEMBERS:**A.)Update on NL Business Park**

Chp Martin stated this was pretty much discussed previously. She asked if any of the members had any further questions. There were not any more questions/comments on this issue.

B.)Development Recreation Fees

The Board of Supervisors had decided in November to increase the Recreation fees from \$750.00 per lot to \$1250.00 per lot, based on a study completed by Rettew Assoc. Member Tice asked if this figure is in line with other municipalities. Mgr Grumbine answered, yes it is.

C.)End of Year Report

A copy of the End of Year Report had been provided to the Commission members previously to review. Chp Martin asked if anyone had any questions or comments on the report. Member Scheer remarked on the Briar Lake homes, which are now being built. Everybody was in agreement that they were surprised at the size of these homes.

End of Year Report (con't)

The only addition would be the Final Subdivision Plan for Woodlea, as the Commission had just received it this evening.

MOTION: Was made and seconded to approve the report and forward to the Supervisors. Unanimously carried.

D.)Zoning Amendment Request

Mgr Grumbine explained this is new information just received by the Twp office. Each Commission member should have received information about this request by mail. The Supervisors have not even seen or discussed the issue as of yet. Mgr Grumbine said a visit to the site and review of the information will be on the next agenda. There was some discussion about the classification request, which is for R-2. Member Scheer mentioned he thought the Twp did not want anymore R-2 zones. Mgr Grumbine stated that is what the Planning Commission and Supervisors must discuss and decide. Chp Martin remarked the opinions of the neighboring property owners are a large consideration in this requests. The neighboring property owners contested the 2 previous requests, Henry Smith and Jere Putt. The members mentioned many issues that will have to be discussed regarding this request and the zoning classification being requested.

E.)Distribution of Meeting Cards

Meeting cards listing the dates and times of all the Board/Commission meetings for 2005 were provided to the Commission members and are available in the Twp lobby.

F.)Distribution of the Meeting Minutes

Some members of the Planning Commission have opted to have the meeting minutes e-mailed to them. Any members wishing to have a hard copy will be provided with copies of the Supervisors minutes and will receive them the night of the next Commission meeting. Hard copies of the Commission minutes will be mailed to their homes in order to allow review time before approving the minutes at the next meeting.

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