



Dickinson Township
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PLANNING COMMISSION REGULAR MEETING AUGUST 14, 2013

PRESENT: DENNY STRAUB, KEN GIFFHORN, LYNN HOOVER, EARL BOCK, TOM SMITH, DAN WYRICK - MEMBERS; Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer; Jim Bennett, Cumberland County Planning Commission Representative; Susan Smith, Solicitor; Denise Gembusia, Secretary/Treasurer.

VISITORS: Leah Hoover, Troy Briggs, Chuck Stefflik, Charlie Courtney, Steve Lockwood, Laura Portillo.

CALL TO ORDER

Vice Chairman Straub called the meeting to order at 6:00 pm and led the audience in the pledge of allegiance.

CHAIRMAN'S COMMENTS

Vice Chairman Straub announced that Chairman Paul Strizzi submitted his resignation from the Planning Commission. He noted that Mr. Strizzi's resignation created a vacancy on the Planning Commission with a term ending December 31, 2013.

Vice Chairman Straub opened the floor for nominations for the Planning Commission Chairman. Ken Giffhorn nominated Denny Straub to be appointed as Chairman of the Planning Commission. The nomination was seconded by Tom Smith. Lynn Hoover motioned to close the nominations, which was seconded by Earl Bock. The motion passed unanimously.

The floor was opened for Vice Chairman nominations. Ken Giffhorn nominated Lynn Hoover to serve as Vice Chairman of the Planning Commission. The nomination was seconded by Earl Bock. Ken Giffhorn motioned to close the nominations, which was seconded by Denny Straub. The motioned passed unanimously.

PUBLIC COMMENT

There were no public comments.

APPROVAL OF MINUTES

1. *June 12, 2013 Planning Commission Regular Meeting Minutes*

Earl Bock motioned to approve the June 12, 2013 Planning Commission meeting minutes as presented. The motion was seconded by Ken Giffhorn and passed unanimously.

REVIEW OF PLANS

1. *Preliminary/Final Subdivision Plan for Scott Eimerbrink – deadline 9-12-2013*
2. *Planning Module for Scott Eimerbrink*

Zoning Officer Barrick stated that the applicant requested the Planning Commission table the items at this time.

BUSINESS

1. *Goodman Bircher application to amend Zoning Map and Zoning Ordinance text (Section 205-69.4 and 205-69.8) – discussion and comment for BOS.*

Attorney Charles Courtney from McNees, Wallace & Nurick presented the concept plan to the Planning Commission along with Troy Briggs, Regional Director from Goodman Birtcher. Ken Giffhorn asked if the property will be built without a tenant. He was told yes, but that the approach most logistics centers have been taking is to consolidate facilities in the Northeast part of the Country. Giffhorn thought the approach was gutsy since there are already two vacant warehouse properties in the same area. Mr. Biggs stated that the one facility had just been rented. He also noted that there is a need for a logistics center that is over a million square feet, but no such facility exists in the area.

Attorney Courtney discussed the desire for the text amendment, citing that they are requesting the Board amend the existing property from Business-Recreation (B-R) to Business-Industrial (B-I). Attorney Courtney explained that the current Zoning Ordinance differentiates between "distribution center" and "warehouse" while the draft Zoning Ordinance collapses the two uses into one section. He said that the applicant used the draft Zoning Ordinance standards as the basis for the requested modification. Mr. Giffhorn asked if, by approving this amendment, someone could consider the Board was spot zoning. Solicitor Smith said that she couldn't give a proper answer, but offered that the request is consistent with the surrounding uses.

Dan Wyrick requested Solicitor Smith review the Township's obligation to process the request. Solicitor Smith reviewed the process, noting that there is no deadline or timeline being established at this point. Mr. Wyrick asked if the Township has an obligation to create more B-I ground since it is already fully used. Solicitor Smith said that the Township only needs to provide enough uses to support the community and that there is no legal obligation to provide more B-I ground. She added that it can be a policy decision for the Board of Supervisors, however. A discussion ensued regarding Mixed-Use zoning.

Ken Giffhorn asked Attorney Courtney what precludes his client from abiding by the current zoning conditions. Attorney Courtney replied that two conditions would not be able to be met. The first is the 500 foot setback of the warehouse property from the Low-Density Residential (LDR) district and the Medium-Density Residential Office (MDRO) district. Typically, the setback is imposed on the activity and not the property. The way Dickinson Township's Zoning Ordinance is written imposes the setback on the property and not the activity. Additionally, the applicant will not be able to meet the 200 feet buffer from residential uses and districts. Attorney Courtney explained that the applicant only has a 100-foot buffer from one of the two properties that would be affected by this provision. He offered that the applicant has considered berming and improved landscaping to help ease the use on neighboring residents. Attorney Courtney added that there might be a storm water basin within a portion of the buffer area.

Attorney Courtney stated that the applicant was looking for approval of the Zoning amendment as soon as possible since there are time constraints on the client. He also stated that the applicant is seeking a clear height over 40 feet. The maximum would be 50 feet. Zoning Officer Barrick explained that the clear height provisions were in the Zoning Ordinance because of fire and emergency services (EMS) considerations.

There was a brief discussion over access drives, civilian traffic and truck traffic. Attorney Courtney offered that most of the questions would be answered after the PennDOT traffic study had been conducted. Ken Giffhorn asked about parking along Alexander Spring Road. Mr. Briggs explained that the proposed lane in between two of the warehouses would be used to queue trucks and allow for short-term parking.

Dan Wyrick asked questions about public utilities and how the taxes from the warehouse would be distributed. Solicitor Smith said that the County determines the policy regarding tax base distribution.

Attorney Courtney offered that the last change requested involves impervious coverage. Currently, the zoning ordinance allows for a maximum of 60% impervious coverage in the B-I district. The applicant is requesting 70% impervious for the warehouse.

Solicitor Smith noted that the applicant agreed at the Board of Supervisors' meeting of August 5, 2013 to make revisions to the application and re-submit the application. Attorney Courtney said he could red-line the changes,

have it back to Township within a week and be ready to re-present the application to the Planning Commission at the next scheduled meeting on September 11, 2013.

Ken Giffhorn asked Zoning Officer Barrick to contact EMS to find out if they have a truck capable of accessing the roof of a building 50 feet high. There was a brief discussion over the definitions of "truck terminals" and "logistic centers".

SOLICITOR'S REPORT

No written report was provided. Solicitor Smith reviewed recent legal decisions with the Planning Commission.

ENGINEER'S REPORT

The Engineer was not present.

ZONING OFFICER'S REPORT

Zoning Officer Barrick noted that the three task force groups have met to discuss the draft zoning ordinance. Dan Wyrick discussed actions within his group.

PARK & RECREATION LIAISON REPORT

No report was provided.

SUPERVISOR LIAISON REPORT

It was mentioned that no Board of Supervisors' Liaison has been assigned. Earl Bock motioned to nominate Dan Wyrick as Board of Supervisors' Liaison. The motion was seconded by Ken Giffhorn and passed unanimously.

ADJOURNMENT

Ken Giffhorn motioned to adjourn the meeting at 8:09pm. The motion to adjourn was seconded by Dan Wyrick and passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

