

Dickinson Township
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PLANNING COMMISSION REGULAR MEETING
OCTOBER 9, 2013

PRESENT: DENNY STRAUB, KEN GIFFHORN, 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: Troy Briggs, Chuck Stelflik, Charlie Courtney, Bob Line, Jr., Joan Line, Nathan Wolf, Bob Line III, Doug Shaffer, James Strader, Sue Ellen Dennison, David Dennison, Tom Dennison, Ron Secary, Barb Lehman, Martin Lehman, Rick Abodday, Dave Hurston, Ruth Hurston, Michelle Line.

CALL TO ORDER

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

APPROVAL OF MINUTES

1. September 11, 2013 Planning Commission Regular Meeting Minutes

Solicitor Smith requested that ...” because of the required criteria for grant of a use variance” added to the end of the sentence “Solicitor Smith said that a variance would not necessarily be the right course of action” at the end of the second page. Ken Giffhorn motioned to approve the September 11, 2013 Planning Commission meeting minutes with the suggested modification. The motion was seconded by Dan Wyrick and passed unanimously.

CHAIRMAN’S COMMENTS

Chairman Straub had no announcements

PUBLIC COMMENT

Sue Ellen Dennison recommended using wood chips for the Lindenwood trail instead of gravel.

REVIEW OF PLANS - No plans were available for review.

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 McNeese, Wallace & Nurick was present along with Troy Briggs, Regional Director from Goodman Bircher to answer any questions from the Planning Commission regarding the text amendment changes to the existing property from Business-Recreation (B-R) to Business-Industrial (B-I) and the zoning map amendment request. Attorney Courtney stated that Cumberland County’s Planning Commission reviewed the Carlisle Borough amendment and determined that their plan is consistent with the Cumberland County Comprehensive Plan and Exit 44 study. Solicitor Smith wanted to clarify for the record that the proposed plan was found to be inconsistent with the surrounding land uses.

Ken Giffhorn asked Attorney Courtney to elaborate on how he figured the warehouse would produce \$1 million dollars annually. Attorney Courtney said that his estimate was not based on the transfer tax, but

rather the real estate tax. The estimated income was based on a collective amount that would be allocated to each municipality on square footage. Ken Giffhorn noted that Dickinson Township has no real estate tax and would not benefit from such a tax.

Earl Bock asked how many jobs were projected to be created as a result of the project. Troy Briggs stated that it could be as many as 1,800 with an average salary of \$41,000 per worker. Mr. Briggs added that he has been contacted by two Fortune 500 companies who are interested in becoming tenants. He provided employment statistics and noted that Goodman Birtcher owns, manages and develops their real estate.

Denny Straub expressed concern over the stability of a long term client. Mr. Briggs explained that the facility was going to be almost fully automated, which is a capital investment for their clients. He cited this as the reason as to why a company will not pick up and suddenly leave. Chairman Straub noted that Uni-lever left the area Mr. Briggs stated that they only moved to the area around exit 37 because they were expanding. Ken Giffhorn questioned what would happen if Mr. Briggs' client wanted to expand on the proposed site. It would only allow for westward expansion into farmland. Mr. Briggs said that his client seeks 1.5M square feet, but it would actually be two facilities side-by-side. Mr. Giffhorn asked Mr. Briggs if he is over building the area, but was told he was not since he was allowing for flexibility and expansion.

Tom Smith questioned if the office space would be built out for multiple companies and was told that each client would have their own office space. Mr. Smith asked how the anti-idling laws would be enforced. Mr. Briggs responded that the anti-idling laws are typically enforced through signage and leasing obligations. Lastly, Mr. Smith questioned if the developer would be willing to consider a berm higher than 6 feet. Mr. Briggs stated that they would be willing to consider increasing the berm height and planting higher caliper trees.

Dan Wyrick wanted to point out that the Cumberland County Planning Commission's recommendation on the Carlisle Borough application stated that it should be approved only if the Dickinson Township rezoning request is approved. Jim Bennett from the Cumberland County Planning Commission noted that the recommendation also included that the site be developed as Phase II, after other industrial parcels in the Exit 44 study were developed.

Nathan Wolf, Attorney for the Line Family and Dickinson Township resident, noted that Carlisle Borough will hold their meeting regarding the Goodman-Birtcher application the following evening. He noted that Phase 1 of the Exit 44 study still has not been built out. Mr. Wolf stated that, if built, this warehouse would increase the developed area square footage from 10.7 million to 18 million. After reminding the Planning Commission that there is no entitlement for a zoning change, Mr. Wolf requested the Planning Commission recommend the denial of the application to the Board of Supervisors.

Joan Line read a prepared statement and noted that there are a lot of vacant warehouses in the township. She requested denial of the application.

Sue Ellen Dennison wondered if Mr. Briggs' average salary assessment included health benefits. She stated that these types of warehouses ship our chickens to China and then ship them back to this country in the form of frozen, cheap chicken nuggets. Ms. Dennison discussed pollution, air quality, soil chemistry, outsourcing, trash and homelessness. She would like to see a sound barrier wall erected to keep the homeless out of the area.

Jim Strader wondered if there was a limit to the number of warehouses that would be allowed in the area. He expressed his concerns over air pollution, light pollution, noise pollution and truck traffic. Mr. Strader added that people outside of the area come to fill warehouse jobs.

Bob Line III questioned whether or not this would be considered responsible growth. He noted that without a nearby railroad, the project might be better slated for an area like Cameron Street in Harrisburg. He stated that most warehouse jobs pay somewhere between \$10 and \$15 per hour.

Robert Line Jr. noted that workers were coming from Harrisburg to fill the Carlisle warehouse jobs. His family farm is 2,500 feet from the interstate. Mr. Line wanted to know how his farm would be protected.

Michelle Line stated that she had been discussing the application with other residents and that everyone just wants what is best for the community. She explained that Cumberland County has an Air Quality Control Board. Mrs. Line discussed impervious coverage reduction goals of the Chesapeake Watershed. She said that an automated warehouse would replace workers, not create jobs.

Wanting to provide clarification, Ken Giffhorn stated that a lot of information is known about Cumberland County's fertile soils. He talked about the Comprehensive Plan and the creation of the six regions within the plan.

Solicitor Smith reviewed the application process, noting that there is no deadline or timeline being established at this point and that the Township has no obligation to create more B-I ground since it is already fully used. The Township only needs to provide enough uses to support the community and there is no legal obligation to provide more B-I ground, but it can be a policy decision for the Board of Supervisors. The Planning Commission's objective is to make a recommendation to the Board of Supervisors on the requested text amendment and zoning map change. A discussion on the review period and established legal requirements ensued. The Planning Commission identified some areas of concern within the proposed text amendment and determined to tackle each of them individually.

The Planning Commission began by discussing the building height changes proposed in Section 5(D), which would amend Section 205-69.4 of the current zoning ordinance. The proposed change would allow the maximum building height to be increased by one foot for every two feet by which the building exceeds applicable minimum yard requirements, up to a maximum building height of 50 feet. After a brief discussion, Earl Bock **MOTIONED** to recommend the removal of Section 5(D) and retain the maximum building height at 40 feet as per the current zoning ordinance requirements. Ken Giffhorn **SECONDED** the motion and it **PASSED UNANIMOUSLY**.

Impervious coverage, as modified by proposed Section 5(C), was discussed next. The proposed change would permit maximum lot coverage of 75% if the subject property were served by public water and public sewer. The Planning Commission discussed what percentage they thought would be appropriate, deciding on 70% at the most. Dan Wyrick **MOTIONED** to recommend retaining the current impervious coverage amounts of 50% for on-lot sewer only properties, 60% for properties with public sewer or public water and 70% for properties that are serviced by both public water and public sewer. The motion was **SECONDED** by Earl Bock and **PASSED UNANIMOUSLY**. The deletion of the maximum lot size of 25 acres from proposed Section 5(C) was questioned. Attorney Courtney and Jim Bennett noted that maximum lot sizes are not typically included in industrial use zones. However, the Planning Commission felt the maximum lot size was originally included in the approved zoning ordinance for a specific reason. Earl Bock **MOTIONED** to recommend the re-insertion of the maximum lot area of 25 acres for warehouse and distribution centers, while allotting the minimum lot area of 5 acres and minimum lot width of 300 feet requirements to remain in the proposed text of Section 5(c). The motion was **SECONDED** by Ken Giffhorn and **PASSED UNANIMOUSLY**.

Buffer yards, as defined in proposed Section 5(T) were contemplated, with each subsection being addressed separately. Dan Wyrick **MOTIONED** to recommend the addition of the Business-Recreation (B-R) zone and Conservation (C) zone to Section 5(T) (i) of the proposed zoning text amendment. The motion was **SECONDED** by Earl Bock and **PASSED UNANIMOUSLY**. Additionally, Dan Wyrick **MOTIONED** to recommend the buffer zone language in Section 5(T) (i) is changed from "100 feet along adjoining residential uses" to "200 feet along adjoining residential uses". The motion was **SECONDED** by Ken Giffhorn and **PASSED UNANIMOUSLY**.

Solicitor Smith reviewed the current zoning ordinance standards regarding buffering, screening and storm water management, noting that the proposed text amendment would modify §205.30.B. As written, the

text amendment can be interpreted to require the developer to have a 6 foot high and 100 foot wide space to meet the screening requirements. Attorney Courtney explained that that was not the intent of the developer. Dan Wyrick also noted that the text is not clear that the maximum slope of the earthen berm should be three foot run over 1 foot rise. Earl Bock **MOTIONED** to recommend the approval of Section 5(T) (ii) such that it will satisfy the screening requirements of current zoning ordinance §205.30.B (1) and that it clarifies the earthen berm slope of a 3 foot run over a 1 foot rise, and recommend the approval of Section 5(T) (iii) as written. The motion was **SECONDED** by Dan Wyrick and **PASSED UNANIMOUSLY**.

Separation of zoning districts as proposed in Section 5(I) was reviewed. Dan Wyrick **MOTIONED** to recommend the addition of the Business-Recreation (B-R) district and Conservation (C) district to Section 5(I) (i) and to change Section 5(I) (ii) to 500 feet from 100 feet from a residential use that is located in any other zoning district. The motion was **SECONDED** by Earl Bock and **PASSED UNANIMOUSLY**.

Section 7 of the proposed text amendment, which would modify §205-23.A of the current zoning ordinance regarding parking requirements for warehouses, distribution centers and wholesale establishments, was reviewed by the Planning Commission. Jim Bennett noted that Carlisle Borough has stricter requirements than what was being proposed. Dan Wyrick read the current parking requirement standards, which is one spot per every two employees on max shift and not less than 25% of the building floor area. Mr. Wyrick pointed out that it was impossible to determine the number of employees on max shift when the distribution center hasn't even been built. No motion was needed, as the Planning Commission agreed with the proposed requirement of 1 parking spot for each 2,500 square feet of floor area.

The proposed zoning map change was reviewed by the Planning Commission. Chairman Straub stated his desire to keep the parcel along the Interstate preserved for hotels, motels and restaurants. Chairman Straub **MOTIONED** to recommend retaining parcel 08-08-0581-006 as Business-Recreation (B-R) zoning. The motion was **SECONDED** by Ken Giffhorn and **PASSED UNANIMOUSLY**. Earl Bock **MOTIONED** to recommend the retention of the remaining parcels in the (B-R) zone. The motion was **SECONDED** by Ken Giffhorn and **PASSED UNANIMOUSLY**.

SOLICITOR'S REPORT

The Solicitor did not submit a report.

ENGINEER'S REPORT

The Engineer was not present.

ZONING OFFICER'S REPORT

Zoning Officer Barrick did not submit a report.

PARK & RECREATION LIAISON REPORT

No report was provided.

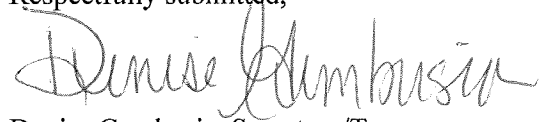
SUPERVISOR LIAISON REPORT

Mr. Wyrick stated that he emailed his report to the Planning Commission members.

ADJOURNMENT

Dan Wyrick motioned to adjourn the meeting at 9:42pm. The motion to adjourn was seconded by Earl Bock and passed unanimously.

Respectfully submitted,


Denise Gembusia, Secretary/Treasurer

