

**North Middleton Township Planning Commission
July 18, 2023**

The meeting of the North Middleton Township Planning Commission was held at the Township Municipal Building, 2051 Spring Road Carlisle, PA on July 18, 2023. Chairman Bradley Mitchell called the meeting to order at 6:00 p.m. Present were Ronald Anderson, Harry Kelso, Scott Forsythe, Mehdi Atar, Township Secretary Dana Billet, Solicitor Zachary Rice, Engineer Doug Brehm, and Recording Secretary Tasha Cressler. Not in attendance was Township Manager John Epley.

Visitors: See attachment #1

Public Input: There was none.

Meeting Minutes – May 16, 2023

Ron Anderson made a motion to approve the minutes from May 16, 2023. Scott Forsythe seconded the motion, the motion carried.

Pending Applications:

Creek Terrace Land Development Plan #2023-06: This is an application for a Lot Consolidation and Land Development Plan for Creek Terrace, LLC on properties located at 70, 80, & 90 Creek Road, and 12, 34, 54 Cranes Gap Road. The project proposes 38 townhomes. Dan Wise of RJ Fisher and Associates was in attendance representing Creek Terrace LLC. This plan will consolidate six existing properties into three properties which would each house a townhouse development area, in the neighborhood commercial zoning of Creek Road and Cranes Gap Road. Mr. Wise confirmed the Zoning Officer's comments have been addressed by dated letter June 27, 2023, and Mr. Wise has met with Engineer Doug Brehm to begin resolving the outstanding engineering comments. The comments from the North Middleton Authority are also being reviewed and addressed.

Chairman Mitchell requested clarification of the zoning of the area, as the submission included mention of medium-to-high residential. Mr. Wise indicated part of these sites may be in medium residential zoning.

Mr. Anderson indicated the cover sheet included seven waiver requests, however the requests before the Commission include nine waivers. Mr. Wise indicated they had a separate waiver submission, however the plan will be updated to match the finalized waiver requests. Mr. Brehm indicated that during his meeting with Mr. Wise, it was established that they would need additional waivers provided in writing, which led to the separate waiver submission.

Mr. Rice provided the language of the MPC, which allows a modification to be granted, if the enforcement of an ordinance will exact undue hardship because of specific conditions of the land in question. All requests must be in writing and accompany the application for development. The requests must include the grounds and facts of unreasonableness or hardship on which the request is based, the provision(s) of the ordinance involved, and the minimum modification necessary.

Scott Forsythe questioned the parking space arrangement, as each unit is to have 3 spaces. Each townhome would be allotted 3 spaces, one in the garage, one in the driveway, and a visitor space in an additional parking area. Scott also requested clarification as to the County's question as to whether spaces would be available for trailers or boats. Mr. Wise indicated there would be a deed restriction, and any recreational vehicles would need to be kept off-site. The neighboring property, Hillside Storage has RV Parking available for rent. The owner of Hillside storage was not amenable to partnering with the developer regarding additional ingress or egress options for the properties.

Scott Forsythe asked if the additional amount of traffic would impede the nearby intersection(s). Mr. Wise indicated there was a traffic impact study, and it was determined it would not impact the area.

Chairman Mitchell asked if the deed restriction would convey if the property was sold in the future. Table 204-35B indicates developments containing more than 6 single-family attached, there shall be provided off-street parking/storage space for boats, travel trailers, tent campers, and trailers used to transport recreation vehicles. However, if the developer is proposing a private deed restriction which does not allow these vehicles, it would be a private issue which would eliminate the Township from involvement in any disputes.

Mehdi Atar asked whether the parking spaces were handicap accessible. Mr. Wise indicated the homes are three stories, private units, therefore it is not required, however one space for each site has been designated as handicap accessible for visitors.

The Planning Commission provided feedback regarding the requested waivers. Chairman Mitchell requested that many of the justifications be based in fact, as at the present time they are based on opinion. Mr. Wise indicated Waiver Chapter 180, Section 24.B.16 would be withdrawn upon resubmission of the plan, as a survey has been completed. The Township will also attempt contact with the Fire Chief to confirm the Ingress/Egress waiver will not be an issue. Mr. Brehm indicated curbing may lead to additional issues if a waiver was not accepted, due to drainage issues. Mr. Rice questioned whether the last few waivers were due to the specific characteristics of the site. Mr. Wise indicated they were requested based on the limitations of the space. Several of these waivers would be more so "modification" waivers to allow a slight difference between the ordinance requirement, and what the Developer was seeking. The only area that is up against an adjoining property would be along a right-of-way. This site will reduce the amount of drainage from the neighboring properties, as the property would collect that drainage and distribute it into the stormwater drainage system.

Ron Anderson asked if any notification has been provided to the neighboring property regarding this potential development. The Developer has spoken with some neighbors but is unaware if all neighbors have been informed.

Mehdi Atar made a motion to table the plan, requesting the re-submission resolve many of the outstanding comments, and ensure all information is accurate and up to date. Scott Forsythe seconded the motion, the motion carried.

Creek Terrace Land Development Plan #2023-06 Waiver Requests.
Due to the tabling of the plan, no actions was made on any waiver requests.

1. Chapter 180, Section 24: Preliminary Plan
2. Chapter 180, Section 24.B.16: Use of LIDAR contours
3. Chapter 180, Section 37.C: Two or more means of ingress and egress
4. Chapter 180, Section 38: Sidewalks along lot frontage
5. Chapter 180, Section 39: Curbs and gutters along road frontage
6. Chapter 180, Section 84.C: Steep Slopes
7. Chapter 180, Section 84.E: No change with greater slope within 10' of property line
8. Chapter 180, Section 85.2.d: Include steep slopes in stream protection overlay
9. Stormwater Management Ordinance 175-12.A.3: Runoff volume management

Old Business: No Old Business

New Business:

Chairman Mitchell highly recommends the PennDOT webinars regarding intelligent vehicles,

Adjournment:

Chairman Mitchell adjourned the meeting at 7:04pm.

Respectfully Submitted,



Secretary Ron Anderson

Tasha Cressler
Recording Secretary