

**MINUTES**

PLANNING COMMISSION

LOWER ALLEN TOWNSHIP

REGULAR MEETING

March 18, 2008

The following were in ATTENDANCE:

**PLANNING COMMISISON**

Brett McCreary  
Geir Magnusson  
Richard Jones  
Donald Dentler

**TOWNSHIP PERSONNEL**

Dan Flint, Community Development  
John Eby, Township Planning and  
Zoning Coordinator  
Peddrick M. Young, Sr., Liaison  
Jim Bennett, Cumberland County  
Planning Commission  
Danna S. Lutes, Recording Secretary

Mr. McCreary called to order the March 18, 2008 meeting of the Lower Allen Township Planning Commission.

Dr. Dyszel was absent with excuse.

**OLD BUSINESS**

**Zoning Ordinance Amendment #2007-02, the Application of LFGC, Inc. Proposing a Conservation Park Overlay Zoning District**

Mr. McCreary stated that there would be a discussion only between the Planning Commission and Applicant.

**Staff Comments**

Mr. Flint advised that he had no additional comments at this time.

**Cumberland County**

Mr. Bennett advised he had no additional comments at this time.

## Board Comments

Mr. Magnusson commented that he has been on the Planning Commission for several years and always tries to do his job to the best of his conscious, for the welfare of the Township and to be fair and unbiased toward the Applicant. He further commented that he has studied all the plans and matters so he could give an honest opinion as the Planning Commission's judgment goes to the Board of Commissioners who can uphold or overturn a recommendation. Mr. Magnusson advised that he spent more time on this submission than on any other item in the past due to the lack of information as an overlay district is completely new to him. He further stated that he has not been able to form an opinion on this matter.

Mr. Magnusson advised that he needs more knowledge regarding overlays in general. What is decided on overlays may or will be the basis of future development in the Township. He further advised that he needs more time to make a judgment and suggested the Board of Commissioners provide outside expertise so the Planning Commission can learn about the nature of overlays and possibly about overlays in other municipalities of similar nature and circumstances as Lower Allen Township. Extensive discussion ensued.

Marc Kaplan, representing the Applicant, identified himself to the Board and advised the Board that they welcome the opportunity to discuss this overlay with the Board and whatever professional is selected.

Mr. Magnusson moved to table action on Zoning Ordinance Amendment #2007-02, the Application of LFCG, Inc., Proposing a Conservation Park Overlay Zoning District until such time as the Planning Commission has had the benefit of advice from an outside expert and feels confident that the matters can be discussed with knowledge and give a fair answer to the applicant. Mr. Jones seconded the motion. Motion carried 4-0.

Mr. Jones moved to table any action with regard to an ordinance amending Lower Allen Township's Zoning Ordinance by adopting a Conservation "Overlay" District which would apply to lands zoned R-2 Single Family Residential District and include applicable development standards. Mr. Dentler seconded the motion. Motion carried 4-0.

Mr. Magnusson moved to request from the Board of Commissioners permission to engage an outside consultant or consultants on educate the Planning Commission on overlays and conservation ordinances. Mr. Dentler seconded the motion. Motion carried 4-0.

## **NEW BUSINESS**

### **SLD #2008-01 -- Preliminary Subdivision Plan for Orchard Glenn**

Bob Fisher, RJ Fisher Associates identified himself to the Board.

Mr. Fisher advised the Board that the plan before them is located in both Upper Allen and Lower Allen Townships. In the Lower Allen portion of the site, there are 27 single family detached lots

on 32-1/2 acres. In the Upper Allen portion, there are 218 lots proposed. Of those lots, 210 are dwelling unit lots and the other lots are open-space lots for a total of 118-acres in the Upper Allen Township portion. Additional land in Upper Allen Township is being dedicated to Upper Allen Township, as part of its Park and Recreation Plan, which is immediately adjacent to the project off Winding Hill Road. The only thing in Lower Allen Township is the one cul-de-sac.

Mr. Fisher acknowledged receipt of comments from Staff and County. Comments from Upper Allen Township were previously received. Plans have been revised and re-submitted to Upper Allen Township. Lower Allen Staff and County comments were received following re-submission to Upper Allen Township. Mr. Fisher advised there are no issues with Staff or County comments. One comment was the spelling of Orchard Glenn. It has been amended to be spelled "Orchard Glen".

One of the main Staff comments was the extension of Carlson Road, which is shown continuing into another portion of Lower Allen Township. The Township prefers it to be an emergency access or dead-end type of street. The Applicant is open to the Township's wishes.

The remaining comments are engineering comments and the Applicant plans to meet with the Township Engineer and address said comments.

Mr. Fisher advised that he would be happy to answer any questions.

#### Staff Comments

Regarding the extension of Carlson Road, Mr. Flint advised the Board that Staff did not want to provide a future means for traffic to reach the Rossmoyne/Lisburn Road area. There is value in having it as an emergency access and definitely a pedestrian connection between neighborhoods.

Even though the Lower Allen phase of this project is not scheduled until 2016, the stormwater management will be constructed with the first phase. Staff is interested in meeting with the Engineer to review the details.

Mr. Flint advised that the rest of the comments are detail comments.

#### County Comments

Mr. Bennett inquired if the open-space is in Lower Allen or Upper Allen. Mr. Fisher responded that in Upper Allen there is a specific ordinance as to the percent of open space that is to be dedicated to the Township and the requirements for the open-space. Lower Allen is more a conventional type ordinance.

#### Board Comments

Per Mr. Jones' request, Mr. Fisher explained the stormwater management facility. There are some underground pipes and facilities, the exiting stormwater pipe is quite a distance from the property line giving an opportunity for additional infiltration.

Mr. Dentler inquired if Orchard Glen Drive will be open or an emergency access also. Mr. Fisher advised that it would be open. The Applicant would have no problem if the Township would also like it as an additional emergency access.

Mr. McCreary inquired if there were any sewer hook-ups in Lower Allen Township. Mr. Fisher advised that as currently designed, the first phases will be in Upper Allen Township. The sewer will go down East Winding Hill Road, in front of the Township Park and connecting into an existing sewer system. Eventually there will need to be an interceptor line that would come around the park and follow the power line to the interceptor that is in Upper Allen Township.

Mr. Magnusson inquired if a pumping station would be required. Mr. Fisher responded that it is all done by gravity.

Mr. Dentler inquired if there is public water. Mr. Fisher responded that there is a major water transmission line that cuts through the site. Some relocation will be required but there will be public water. Mr. Fisher advised that the plans have been submitted to the water company.

Mr. Dentler inquired as to a traffic impact study. Mr. Fisher advised that a traffic impact study has been done by Grover Miller.

Joel McNaughton, McNaughton Company, introduced himself to the Board. Mr. McNaughton advised that the traffic impact study comment has been forwarded to their traffic engineer asking for information regarding percentage contribution to the two main intersections. The plan ranges from 1.3% to 2.2% of the total traffic in either morning or evening peak hours at those two intersections. The Applicant's typical practice in such situations is to make a contribution to the Township toward future improvements at these two intersections.

Mr. Jones inquired if there was a waiver request for groundwater recharge. Mr. Fisher advised that such a request has been made. Perk tests and geotechnical work have been completed on the site. Some areas drain extremely fast, other areas drain extremely slow. Regardless whether or not it is planned, there will be some amount of infiltration on the site. These details will be reviewed with Staff to reach resolution.

Mr. Magnusson inquired if the Township line is the franchise water line since United is the supplier for Upper Allen. United would not supply the Lower Allen portion. Mr. Fisher referred to a letter from United Water where they gave the ability to serve Orchard Glen in both Upper Allen and Lower Allen Township and advised that it would be verified.

Mr. Jones advised that he would like to see more detail with regard to the comments regarding stormwater management.

Mr. Jones moved to table this plan until such time as there has been a review with the developer and staff regarding the activities of the stormwater management. Mr. Dentler seconded the motion. Motion carried 3-1, Mr. Magnusson voting in the negative.

### County Comments

Mr. Bennett inquired if the open-space was in Lower Allen or Upper Allen. Mr. Fisher responded that in Upper Allen there is a specific ordinance as to the percent of open space that is to be dedicated to the Township and the requirements for the open-space. Lower Allen is more a conventional type ordinance.

### **SLD #2008-02 – Minor Subdivision Plan for 1993 Hummel Avenue – Parcels A & B**

Mr. Flint advised the Board that this plan combines the two parcels. The Township has a small triangular parcel that contains a stormwater basin, which is the only thing on the parcel. As the property will soon be put on the market, stormwater is an integral part of the property. The two need to be tied together so they can be sold together. The only purpose of combining the parcels is for sale of the property.

### County Comments

Mr. Bennett had no additional comments.

### Board Comments

Mr. Magnusson moved to recommend approval of the waiver from the requirement to submit a Preliminary Plan. Mr. Jones seconded the motion. Motion carried 4-0.

Mr. Magnusson moved to recommend approval of the waiver from the requirement to provide sidewalks. Mr. Jones seconded the motion. Motion carried 4-0.

Mr. Magnusson moved to recommend approval of the waiver from the requirement to show contours on the plan. Mr. Dentler seconded the motion. Motion carried 4-0.

Mr. Magnusson moved to recommend approval of SLD #2008-02, Minor Subdivision Plan for 1993 Hummel Avenue – Parcels A & B, subject to all comments. Mr. Dentler seconded the motion. Motion carried 4-0.

### **OTHER BUSINESS**

### **Revised Zoning Ordinance: Draft – Conservation Subdivision (CS) Overlay District and Draft – Traditional Neighborhood Development (TND) Overlay District**

Mr. Flint advised the Board that this is not their official review of the two ordinances. That will come following the Board of Commissioners authorization to advertise for a hearing and the adjudication. This is the time for review and discussion.

Mr. Jones expressed his concern that both the proposed overlay district ordinances contained issues that should be incorporated into one or the other. However, if Staff is satisfied that what has been prepared as a Staff conservation district, it is what the Planning Commission would use

to make the comparison. Mr. Flint advised that these are two different overlays. Mr. Flint further advised that it was staff's intention to give the Planning Commission an opportunity to comment before the ordinance was taken to the Board of Commissioners and asked for permission to advertise. Discussion ensued.

**ADJOURN**

The Regular Meeting of the Planning Commission adjourned at 8:45 p.m.