

CUMBERLAND COUNTY PLANNING COMMISSION

Minutes of the Meeting

April 15, 2010

The monthly meeting of the Cumberland County Planning Commission was held Thursday, April 15, 2010 at 7:30 a.m. at Business Central, 18 N. Hanover Street, Carlisle, PA.

Roll Call

Members present included Chris Knarr, Ron Glesner, Raj Jain, Bill Forrey, Bruce Rosendale, Jackie Eakin, Debora Ealer, Allan Williams, and Barbara Wilson; staff members present included Jim Szymborski, Jeff Kelly, Jim Bennett, and Rebecca Wiser. Guests included Nathan Wolf – Wolf & Wolf Attorneys of Law, North Middleton Twp residents - Charles and Judy Johnson, Roy Lindtrom, Rick Hoover, Laura Hoover, Terry Aeseonst, and Merle Gayman; Dan Flint – Lower Allen Twp.

The meeting was called to order by Chairman, Chris Knarr at 7:30 am.

Minutes

The March 18, 2010 meeting minutes were approved with a clarification of policy that the minutes identify planning commission members in cases of a split vote. The vote was unanimous.

Public Comment

None

New Business

A. Subdivision and Land Development Plans (Information)

Jeff Kelly referred to the list of 10 plans that were presented for review this month. The plans that were submitted were minor. Plans of interest included one in South Middleton Township proposing 16 townhouses and duplexes, and a Carlisle plan seeks to expand an administration building at Dickinson College.

B. Ordinance Amendments (Action)

1. North Middleton – Zoning Map Change – Industrial to Neighborhood Commercial, Newville Rd.
 - Nathan Wolf presented a history of the lots to be rezoned and the original application submitted in 2009. At that time, the application proposed a rezoning to High Density Residential. In November 2009 they revised the application to be consistent with the Township's updated comprehensive plan. The intent of the zoning change is to provide some protection for the existing residences from the adjacent industrial zone. It was noted that the Township planning commission recommended the change be approved as long as it is consistent with the comprehensive plan. After discussion, the County Planning Commission noted concerns that not all the parcels along Newville Rd are included in the rezoning, which may be construed as spot zoning. Also the interpretation of the township planning commission's recommendation was unclear.

Ron Glesner made a motion to table the application, seconded by Raj Jain, with a request that the following issues be addressed: (1) minutes from the township planning commission be provided, (2) provide a more accurate map of the parcels proposed for rezoning, (3) The applicant, township, and county staff should coordinate to provide more comprehensive information and an

accurate description of the properties involved. Vote was unanimous. Debi Ealer recused herself from the vote and submitted a letter for inclusion in the minutes.

2. Hopewell - Zoning Ordinance update

- Jim Bennett indicated this is an update to the township's existing zoning ordinance. The update was based on the Tri-County model zoning ordinance. County planning staff has been working with the township for the past year in making the revisions. There are no proposed changes to the zoning map. Debi Ealer made a motion to recommend approval of the ordinance with staff comments, seconded by Jackie Eakin. Vote was unanimous.

3. Lower Allen – Subdivision and Land Development Ordinance update

- Dan Flint presented the update to the Lower Allen ordinance. Several areas were improved to reflect current planning practices including procedures for traffic impact studies, parking options, landscaping, and traditional neighborhood development. Staff and commission comments included clarification of sketch plans submissions and considering allowing staff to determine completeness of a plan submission before it is considered by the planning commission. The draft ordinance was recommended for approval with comments on a motion by Bill Forrey, seconded by Barb Wilson. Vote was unanimous.

C. Ordinance Amendment (Information)

The following ordinance amendment was recommended for approval with comments by staff.

1. Lower Mifflin – Zoning Ord Amendment – Track number of lots subdivided in Agricultural and Conservation zones
 - Clarifies procedures for sliding scale preservation zoning, which limits the number of lots that can be subdivided from a parent tract.

The following ordinance amendment was recommended for disapproval with comments by staff.

2. Southampton – Zoning Ord Amendment – Appalachian Trail Overlay District
 - Amendment would not affect any private property adjacent to the trail. Recommend the Township either extend the buffer to impact adjacent properties; or document that the trail currently has appropriate protection and no other action by the Township is necessary to comply with Act 24.

D. Sewage Modules (Information)

The following sewage modules were reviewed by staff and forwarded to the municipalities.

1. Hopewell – Newburg/Hopewell Volunteer Fire Company (public)
2. North Newton – Troy Fraker, 1 commercial lot (holding tank)
3. South Middleton – Morgan's Crossing, 232 residential lots (public)
4. South Middleton – Jefferson Court II, 26 residential lots (public)

E. Countywide Stormwater Management Plan – Act 167

Jeff Kelly presented a background of the study. Two review committees (east and west) were formed in 2007 to advise the county and consultant in developing the plan. The committees included representatives from the municipalities, Home Builders Association, Conservation District, Chesapeake Bay Foundation, and watershed associations. The municipalities were surveyed to determine existing stormwater problem areas. The Plan began to be developed in 2008. Detailed hydrologic modeling was

done for the watersheds in the eastern portion of the county and release rates were determined. A county-wide release rate map was presented at the meeting and discussed.

During 2009 a model stormwater ordinance was developed based on the DEP model ordinance. The draft model ordinance was submitted to the municipalities for review in September 2009 and again in February 2010. Major concerns received from the municipalities included exemption criteria, definition of a “regulated activity”, volume control criteria, and references in the ordinance to the State’s Best Management Practices Manual. Barb Wilson noted her concerns regarding referencing the BMP manual, which is not regulatory, in a regulating ordinance.

After discussion Allan Williams made a motion, seconded by Jackie Eakin, to recommend the Stormwater Management Plan be approved and forwarded to the Board of Commissioners after addressing the comments and referencing the most current version of the State’s BMP manual in the model ordinance. Motion was approved on a vote of 8 to 1. Barb Wilson voted against the motion.

F. Bylaws Update

Bylaws update was included in the packet. Changes included term limits of 2 consecutive terms for members and term limits for officer positions. These changes were reviewed by the County Solicitor. The changes were approved on a motion by Barb Wilson, seconded by Jackie Eakin. Vote was unanimous.

G. 2010 County Planning Program Update

Jeff Kelly referred to the 2010 County Program update included in the meeting packet. The following items were discussed:

- The draft future land use map has been presented at the outreach meetings and comments were requested from the municipalities. Comprehensive Plan committee met and discussed the text descriptions of the character areas.
- The Agritourism Guide was distributed to the Planning Commission members. The Planning Department will be distributing it to municipalities and other agencies.
- Future land use map development for Upper Mifflin Township is continuing. The township has been provided a draft copy of the map.

H. Regional Program Update

Jim Szymborski provided updates on the following projects of the 2010 Regional Work Program

- The Regional Transportation Plan and Growth Management Plan updates will be provided on the Tri-County web site.
- Regional Growth Management Plan roundtable has been rescheduled for April 28, 2010 from 3:30 to 5:30 pm.
- Notices were sent to municipalities concerning conducting traffic counts.

Transportation Project Scheduled

- Lower Allen Drive right of way adding funding
- Shippensburg circulation plan – using federal funds for project
- Boiling Spring Road moved to final design phase
- Downtown Carlisle improvement project, let date is November, 2010
- Slate Hill Road Bridge added final design phase.

Jim Szymborski indicated coordination between Cumberland County and Tri-County in the updates of the County Comprehensive Plan and Tri-County Growth Management Plan.

I. Other Business

Raj Jain indicated that Ron Glesner and he toured western Cumberland County.

Allan Williams mentioned the Regional Goods Movement study and the traffic increases. Norfolk Southern railroad is planning to expand which will impact Cumberland County. Pennsylvania does not provide a law for public-private partnership for transportation improvements.

The next regular meeting of the Commission will be held on Thursday May 20, 2010, 7:30 a.m. at Business Central, Carlisle. There being no further business, the meeting was adjourned at 9:15 a.m.

Respectfully Submitted,

Jeffrey S. Kelly
Deputy Director