

PALMER TOWNSHIP PLANNING COMMISSION

PUBLIC MEETING - TUESDAY, MAY 9, 2017 - 7:00 PM

**CHARLES CHRIN COMMUNITY CENTER OF PALMER TOWNSHIP - 4100 GREEN POND
RD, PALMER, PA**

The May meeting of the Palmer Township Planning Commission was held on Tuesday May 9, 2017 at 7:00 pm with the following in attendance: Robert Blanchfield (Chairman), Robert Lammi, Jeffrey Kicska, Robert Walker, Thomas Grube, Richard Wilkins, Andrew Rossi and Supervisor Jeff Young. Also in attendance were Planning Director Cynthia Carman Kramer, solicitor Ryan Fields, and engineers Ralph Russek and Brian Harman.

1. Minutes of March 2017 Public Meeting

Motion: Approve, Moved by Thomas Grube, Seconded by Jeff Kicska. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Walker, Wilkins

OLD BUSINESS

2. Duke Lots 2 & 3 - Lot Line Adjustment Plan

1611 & 1620 Van Buren Road - J8-23-1C & J8-23-1D
TI-1 District
Request by Duke Realty Limited Partnership

DISCUSSION

Present on behalf of the applicant, Duke Realty, were engineer Steve Walsh and attorney Blake Marles.

The plans propose the consolidation of Lots 2 and 3 of the Chrin Commerce Centre – Northwest Quadrant Subdivision. The lots are located to the north and east of the Van Buren Road cul-de-sac, which was constructed as part of the subdivision, and are located in the TI-1 Transportation Industrial District 1 (TI-1 District). Construction is progressing on the previously approved manufacturing/distribution buildings on the two lots and the associated infrastructure.

Marles explained that Duke Lot 1 and 2 were approved as two lots but the water company will not provide common access for the fire pump to two lots so they would like to combine them into one lot. He presented a proposed condominium plan and explained that if either building were ever to be sold it would be as a condominium unit, and the shared access and utilities would remain as common elements.

Russek stated that Pidcock's comments are just housekeeping items, and they do recommend approval.

Blanchfield asked if there was an LVPC and Upper Nazareth review. Walsh said nothing in Upper Nazareth is changing, but they will submit a plan to them. The

plan has gone to LVPC for review.

Seeing no other question or comments, Blanchfield called for a motion.

The Commission voted to recommend approval of the plan, subject to the following conditions:

1. Comments of the Township Engineer's letter dated April 27, 2017 are satisfactorily addressed.
2. All conditions of approval from the Chrin Northwest Quadrant subdivision plan and the Duke Lots 2 & 3 land development plan pertaining to these lots are incorporated by reference.
3. Any comments from LVPC or Lower Nazareth are satisfactorily addressed.

Motion: Approve w/ Conditions, Moved by Thomas Grube, Seconded by Robert Lammi. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Walker, Wilkins

3. Werner Enterprises - Conditional Use Application - Trucking Terminal Use in PO/IP District

1470 Tatamy Road & Newlins Mill Road- K8-5-2 & K8-5-9

PO/IP District

Request by Werner Enterprises, Inc.

DISCUSSION

Present on behalf of the applicant, Werner Enterprises, were Randy Kraft, attorney Joe Fitzpatrick, and traffic engineer Peter Terry. Blanchfield provided a summary of the application to date. Russek stated they have reviewed traffic and road condition information and they have been back and forth a few times, but the data required for the Conditional Use as requested was still incomplete. The May 5, 2017 letter from Harman stated that the traffic signal warrant analysis and pavement design analysis are incomplete. Any data presented tonight would be taken under advisement for further review.

Fitzpatrick explained why they are there in light of Pidcock's comments. They do believe they have gone beyond what is required for a Conditional Use. Looking at the property and the zoning ordinance provisions and what Werner has done to address residents' concerns, they have gone far enough. It is up to the Board of Supervisors to determine the adequacy of what was provided. If they can move forward to the BOS, they can provide information before then. They know they need to come back and go through complete plan reviews. They do not feel they were given adequate guidance on the pavement study. They are just trying to move forward respectfully and are trying to do the right thing.

Terry explained the traffic signal warrant analysis. There are a variety of factors you can look at, but even if you meet warrants, it means you can put up a traffic signal, but it doesn't mean you have to. They use a PennDOT supplied spreadsheet to determine warrants. They didn't do an 8 hour warrant because of the low volumes on the 4 hour warrant. The same with the crash analysis, the

volume of traffic was not high enough. For the pavement analysis, they were confused as to where they needed to analyze. They looked at the area in front of the proposed driveway. They know they need to do improvements along their frontage, and they have offered to look at the other roads affected.

In response to Fitzpatrick's comments, Russek stated that section 190-203 of the zoning ordinance says that any truck terminal requires a traffic study and pavement analysis, and requires that "any existing roadway" needs to be studied. As for the traffic signal warrants, they disagree with Mr. Terry's assumptions, and that all warrants need to be analysed. Harman added that the studies done for the 4 hour analysis, they looked at two hours in the morning and two in the afternoon, and three of the four met warrants but what about the hour before or after in the afternoon? If these were looked at, they may also meet the 8 hour warrant. They should run all warrant analyses outlined in the MUTCD.

Blanchfield stated this is a difficult situation, as the Commission relies on information from staff and consultants, and they can't evaluate anything new presented tonight. He asked if Werner can provide what is required before the BOS meeting on May 23. Lammi asked Russek to clarify where they need to evaluate the pavement. Russek referred to Item 2 in the May 5th letter. They will work with the applicant to give them specific guidance if needed. Lammi asked if Majestic or anyone else on Newlins Mill Road did a pavement analysis and if that information was available. Russek replied they will probably find much of Newlins Mill Road already upgraded, and it may not have been required if it was not a Conditional Use. Fitzpatrick asked if there were any additional outstanding items regarding the Conditional Use. Russek said the May 5th letter is a summary of what they are looking for. Kramer concurred. Fields pointed out that the ordinance requires the traffic study to be submitted with the Conditional Use application and we have not had the traffic study during the whole time we have been reviewing the application. Lammi stated this was an unusual situation because most applicants come in with a Conditional Use application and Land Development plans together.

Kraft stated that the February meeting discussion went into a lot about transferring of loads, but that is really a small part of what they will do there. They want it known for the record they were not trying to deceive anyone about what they are. He thinks they have been caught up too much in nomenclature and are being required to do more than other uses that might be more intensive. They will have a small impact compared to the big picture in this area, but they will be an attractive facility and a good neighbor. If the application was moved forward to the BOS, they would rather not come back for the May 23 BOS meeting, could they come in June instead? Fields stated they would need to provide an extension beyond the current deadline of May 31, 2017. The applicants took a brief recess to discuss options.

Lammi asked about the Werner facility in Bath, if the trucks there would be moved to Palmer. Kraft said yes, they currently rent 60 spaces and those would be moved here. Lammi said in February he asked about cutting back the number of truck parking spaces. Kraft stated it is a matter of economics to plan

for more spaces than they need rather than not have enough. They currently have trucks waiting to be sold, they would be able to use spaces like that, he doesn't see that they would even have 100 trailers parked there. Lammi stated that at truck maintenance facilities you often see parts strewn around the property. Kraft said they do not ever leave parts laying around, their facilities are kept clean, safe and quiet. Their trucks are so new, mostly just requiring oil and tires, not body work or major overhauls.

Fitzpatrick asked if the Planning Commission would consider a conditional recommendation of approval subject to satisfying the Township engineer's comments. Fields said the Township engineer's position tonight has been that there are still major outstanding issues. Blanchfield added he understands that they will be providing an extension regardless.

John Voloshin, 200 Brendan Road, stated he can't believe we are even considering letting this company come here to make a truck graveyard. People who live here don't want more warehouses and trucks, these are killing their property values, and safety is an issue.

John Halligan, 12 Canterbury Lane, stated the discussion has only been about legal and engineering issues, but what is truck traffic going to do to Newlins Mill Road? Just because the use is allowed doesn't mean it belongs in the middle of a residential area. Nothing should be approved until they know what Newlins Mill Road will look like.

Lammi stated when Werner first came in, traffic was proposed to come down Tatamy Road. They took considerable action to address residents' concerns and move the traffic to Newlins Mill Road.

Robert Bell, 2100 Dakota Drive, asked if traffic will come down Van Buren to Newlins Mill Road to their site, why is Newlins Mill Road and Tatamy Road an issue?

Jeff Raub, 1459 Tatamy Road, said the problem at Tatamy & Newlins Mill intersection is the sight line and asked what will happen to the house on the corner. Kraft said they will tear the house down and they will not do anything with that land.

Charles Young, 33 Glasgow Way, stated he doesn't understand the cumulative effect of developments, traffic, storm water. and asked who is tracking this.

Elizabeth Meredith, 10 Stone Creek Court, asked what the Planning Commission is doing to protect residents regarding traffic, especially on Route 33. Blanchfield said we are working on the Comprehensive Plan now, but that LVPC looks at roads like 33 and reviews plans for regional effects.

Lawrence Cecio, 33 Country Side Court, stated that Werner is trying to do the right thing, they have taken the brunt of people's frustration with what is happening in the area. They are a business, they are going to build something

there one way or another.

Lammi said that area has been planned for industrial use for many years. Nothing happened until the interchange provided access. The idea was to encourage manufacturing, warehouse/distribution wasn't even an idea back then, but that is what the market is now, and we have tried to plan for it the best we can.

Seeing no further questions or comments, Blanchfield called for a motion. The Commission voted to table the application to allow the applicant to address the two remaining issues identified in the May 5, 2017 Pidcock letter.

Fields clarified that the applicant had provided an extension until August 31, 2017 to render a decision on their plan, and to hear and render a decision on the Conditional Use application.

Motion: Tabled, Moved by Thomas Grube, Seconded by Robert Walker. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Walker, Wilkins

NEW BUSINESS

4. Zoning Text Amendment - Digital and Electronic Message Signs

DISCUSSION

Kramer gave the background on this amendment. She noted that this was being introduced to the Commission that evening and asked them to read through it carefully and come back ready to discuss it in June.

Young showed a map of existing billboard locations and what a 1,000 foot separation between them would look like.

Chuck Diefenderfer, 2918 Hay Terrace, suggested some changes to the proposed ordinance: if an electronic billboard is within 750 feet of a residence, it should be turned off between 11 pm and 7 am; remove the section allowing an electronic message sign within 200 feet of a residential property if separated by Route 22 or 33; require the luminance level be reduced to 150 nits in case of malfunction; clarify the intent of the section regarding blinking and twinkling lights; and require removal of a sign be paid for by the sign owner if it is abandoned. He also pointed out that only one digital or electronic message sign is allowed on a lot but there are places like the mall that are made of of more than one lot so they could have more than one sign.

Wayne Conrad, 41 Moor Drive, asked if there are any regulations against placing billboards in certain locations due to traffic safety. Diefenderfer stated that PennDOT has regulations in addition to the Township.

James Tierney, 120 Moor Drive, questioned if a digital billboard went up on 33, a mile from residential property, whether the sign would be visible from the

residence.

Seeing no further questions or comments, Blanchfield called for a motion. The Commission voted to table the proposed amendment.

Motion: Tabled, Moved by Jeff Kicska, Seconded by Thomas Grube. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Walker, Wilkins

PLANNING DIRECTOR COMMENTS

Kramer reminded the Commission of the Comprehensive Plan meeting the following Wednesday at 6 pm.

PUBLIC COMMENT

Ed Kunsman, 20 Aberdeen Drive, asked if the Commission could get microphones to use for the meetings.

ADJOURNMENT

The meeting was adjourned at 9:25 pm.

Cynthia Carman Kramer, Acting Secretary

Motion: Adjourn, Moved by Thomas Grube, Seconded by Robert Lammi. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Walker, Wilkins