

## **PALMER TOWNSHIP PLANNING COMMISSION**

PUBLIC MEETING - TUESDAY, MAY 10, 2016 - 7:00 PM

PALMER TOWNSHIP LIBRARY COMMUNITY ROOM - 1 WELLER PLACE, PALMER, PA

The May meeting of the Palmer Township Planning Commission was held on Tuesday, May 10, 2016 at 7:00 p.m. with the following in attendance: Robert Blanchfield (Chairman), Robert Lammi (Vice Chairman), Tom Grube, Richard Wilkins and Jeffrey Kicska. Also in attendance were Zoning Officer James Raudenbush, Engineer Ralph Russek, Attorney Charles Bruno, Attorney Ryan Fields and Supervisor Liaison Jeffrey Young. Chairman Blanchfield opened the meeting by leading those present in the Pledge to the Flag.

Chairman Blanchfield informed the Commission the Board of Supervisors had appointed a new member, Robert Walker, to the Commission. Walker has been involved with Palmer for many years and will be a big asset to us in this new capacity.

### 1. Minutes of April 2016 Public Meeting

Motion: Approve, Moved by Robert Lammi, Seconded by Thomas Grube. Passed. 5-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Wilkins

### OLD BUSINESS

2. Werner Enterprises Training & Maintenance Facility - Preliminary/Final Subdivision and Land Development Plan  
1460 Tatamy Road - K8-5-2  
PO/IP District  
Request by Werner Enterprises, Inc.

### DISCUSSION

Blanchfield recommended that the Commission review the Conditional Use Request first since this would be the stepping stone to the land development plan. All were in agreement with this.

After lengthy discussion on the Conditional Use application, the Commission moved to table the plan until such time as the applicant submits a traffic study receives necessary information and review from PennDOT.

Motion: Tabled, Moved by Thomas Grube, Seconded by Richard Wilkins. Passed. 5-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Wilkins

### NEW BUSINESS

3. Conditional Use Application - Trucking Terminal Use and Building Height in PO/IP District  
1460 Tatamy Road - K8-5-2

## DISCUSSION

Present for this application were Attorney Joseph Fitzpatrick, Paul Szewczak of Liberty Engineering and Randy Kraft of Werner Enterprises. Fitzpatrick reviewed the conditional use application and highlighted what they were proposing which would be a 67,005 Sq. Ft. tractor-trailer training and maintenance facility. The maintenance portions of the operation would operate 7 days a week/24 hours a day. Training/education and business functions would operate 7 a.m. to 5 p.m., 5 days a week and 7 a.m. to noon on Saturdays. At present they were anticipating 40 employees with expansion in the future. They meet and exceed the required parking spaces necessary. Fitzpatrick strongly expressed that this use is not a trucking terminal. He stated that all truck traffic would be directed to travel north on Tatamy Road to the Rt. 33 interchange. There would not be any traffic traveling through any residential developments. There would be absolutely no distribution and/or swapping of product in the trailers from one to another. There would be no docks built on this site. Stormwater management would be on-site as well as off-site but would not be a problem. As far as fire safety, they have all necessary provisions for this, there are no public health hazards. He stated that there have not been any changes as far as the use since they first came in months ago. Mr. Kraft reviewed the conditional use submission and read from the Zoning Ordinance 190-13 which references truck terminals. He also stressed that this is not a terminal but is a training and maintenance facility and that there would be no handling of large amounts of materials for loading and/or unloading. Trucks could come in with loads which would be left at the terminal and another driver would come in and pick it up, but never swapping loads to other trailers. Drivers could stop here to freshen up, get a review on driving, get additional training, do classroom work, or get maintenance done on their trucks. They would not have any beds for overnight sleeping but they would have an area with lounge chairs to relax for the night.

Fitzpatrick stated that if the Commission and/or Board of Supervisors determine that this is a trucking terminal there are restrictions which would dampen the chances of this lot being used for this applicant. They are asking for a recommendation to the Board of Supervisors that this is not a trucking terminal. He stated he feels they have presented enough evidence that proves they are a training/maintenance facility

Blanchfield asked what the status of the traffic study was as this was a very large and important part of this application. Their Traffic Engineer Peter Terry responded that they are waiting for PennDOT's review of their proposed trip analysis and were told they would have something in 20 days. Terry noted he was having problems with this study because since they are not a trucking terminal he had to figure out how to create the study as far as intersections and traffic. PennDOT wanted studies submitted from other Werner facilities. There wasn't definite data that was able to be submitted as this is a proto-type project. He looked at the trips from their property north to Main Street as well as west to Rt. 33.

Bruno stated that PennDOT could come back asking for additional information. The process has been started and now we are waiting for them to complete their review. They could ask for different peak hours to be studied, or other requests. Any approvals for the land development as well as the conditional use application would be conditioned on all of PennDOT's conditions.

Fitzpatrick stated that the trucking terminal approval would have more restrictions. There would be 300 foot setbacks required from residential uses as well as required berms. He noted they were advised by township staff to apply for the conditional use and to go that route. The seller is retaining the old historic home and renovating it. Bruno asked if the terms are manageable for this application and Fitzpatrick responded no, having the setback that far would deem the land unusable for this company.

Bruno noted he felt the township is not opposed to this and they understand the time frames and working with PennDOT but ultimately this Commission needs to feel comfortable with what they are reviewing and making a decision on.

Lammi stated he is trying to figure a way to look at this as a training/maintenance facility but there are items in the section of the zoning ordinance that do state that this would be a terminal. Bruno felt this was a procedural issue and not a variance and this is why it went this route.

Blanchfield stated the major missing piece for this application was the traffic study. This is for the conditional use request as well as the preliminary land development process. Fitzpatrick felt they really didn't need a conditional use appeal but they were urged go to this way. Could the Commission can make a recommendation to the Board of Supervisors that they don't need the conditional use approval since they are a training/maintenance facility and not a truck terminal?

Fitzpatrick also stated in the absence of the traffic study, which he realizes is a large stepping stone, they didn't want to push too hard for any type of decision. They agreed they would come back with the traffic study in hand. He asked if the Commission could give them some kind of assurance to go ahead with this project. Everything that is an issue is a zoning issue.

Wilkins stated that PennDOT's review of the study could come back to require more work, more intersection improvements, road improvements, extra lanes. They really need to wait to see what their review states.

Lammi asked about truck traffic, the travel direction as well as how many trucks would travel on Tatamy Road. He was told approximately 30 to 35 a day over 24 hours. The peak hours would be between 9 and 5. Lammi noted he has spoken with Tatamy Borough and they have some concerns about their borough roads. Kraft noted they had offered to go to Tatamy Borough and do a presentation for them. He assured everyone that the drivers would be directed from the facility north on Tatamy Road and onto the Rt. 33 interchange. They would not be

allowed to travel any other direction which would include into Tatamy Borough's local roads. Lammi asked about the students for the classes. Kraft stated there would be a training course on premises as well as the classroom. Everything would be on site, they would never go off-site for driver training. Once the student leaves it would be as a professional licensed driver and at that time would have a truck and travel the routes required.

Grube asked about the trailers and the overnight lodging. He was told the trailers would be dropped at the facility, and the drivers could take a shower and clean up. There would be quiet areas in the facility but no lodging allowed. They would have to go to a hotel for overnight sleeping. Trucks do have sleepers in them and they could stay in them. The trucks have an automatic shut off that they can only run idle for a certain amount of time. Drivers do have restrictions as to how long they can be on the road so they do need the rest time.

Blanchfield asked Raudenbush if he had any concerns with this. He responded that everything that has been reviewed are good points. There definitely needs to be something to tie into the definition; it may not completely be a terminal but the definition does apply.

Bruno spoke to the Commission as well as the applicant stating that the applicant noted they are not pushing this through but would like to have the feel of the Commission. He felt that would put this Commission in a tough spot; asking them to override the planning director and zoning officer's interpretations. This Commission is not required to do that. Ultimately that needs to be addressed by the Board of Supervisors. If they go for the "terminal" approval and go before the Zoning Hearing Board that Board is going to expect the required berming and setbacks that the applicants are struggling with. The Board of Supervisors is not guided by the planning commission on this issue. If the applicant would want to and they feel comfortable with their project they could discuss this with the Board of Supervisors and the 2 zoning issues. Bruno stated they do not have enough information to make any decision tonight and noted there are no time frame problems. He felt with the discussion tonight that no one had a problem with the project. It's just that they didn't have all the important information they needed to come to a decision. He also noted that what the township staff recommended is not a flaw in our process. They both felt this was the way for this applicant to proceed.

Fitzpatrick stated they are definitely caught in various issues and hopefully the Board of Supervisors can take care of this. The traffic study is in the process with PennDOT and knows that everyone is at PennDOT's mercy for their review findings. He will formalize in a letter to the Board of Supervisors asking for a favorable interpretation of this project being used as a training and maintenance facility.

Lammi and others felt the height was not a problem and Lammi asked if the building would be sprinklered and was told yes, definitely.

Blanchfield asked if the applicant received and reviewed the township's

geotechnical engineer's letter. Fitzpatrick stated yes and they understood it to read that they were not opposed to the project but wanted their engineer to discuss this tonight. Paul Szewczak of discussed the letter's findings. He stated they didn't have any issues with the findings and noted they would definitely work with CMT. He was questioned if they would be placing a retaining wall in the ponds but he felt the steeper slopes would work a lot better. He was asked if there was a problem with trucks traveling across the storm water system. He responded no problem at all and in fact the parking lot would be concrete which would add another buffer between the trucks and the system. He also noted they would be doing the road improvements on Tatamy Road along their property as well as up to Danforth Drive. They have already filed all permit applications with PennDOT for this.

At this time there were no further comments or questions by Commission members or staff. Blanchfield opened the meeting to comments from the audience.

John Hacker, Attorney for Anderson Raub who is the owner of this property stated that the Raubs will be the remaining primary neighbor to this project. His clients were actually concerned as to the use of this land but they have become very comfortable with this company now. Hacker also stated that the Raubs are not concerned with the required berms or setbacks for this project.

Anderson Raub, 1470 Tatamy Road, noted they will be retaining and refurbishing the old "manor" house. He stated they didn't see any problem with Werner Enterprises as a neighbor, and he didn't feel there would be any problems.

Eddie Calderone, 9 Country Side Court, stated he is a previous truck driver. He didn't agree there would be no noise or fumes. Has anyone gotten the figures from the local police department on the accidents at that intersection? This company could expand in the future, then there could be 150 trucks. What about the holding ponds, they will attract bugs. The developer says water is not going to sit, but in the future it will. If this does go through, which we know it probably will, please find another entrance into this development other than Tatamy Road. This big building will take their sunsets away.

Anderson Raub stated he still owns 90 acres across street which is zoned residential and he doesn't plan on selling it. He remembers when that development went in that they live in and they didn't want to live beside an operating farm.

Larry Cecio, 33 Country Side Court, stated the intersection is very dangerous and there absolutely should be a traffic light there. All these trucks that will be turning into this development will back up traffic on Tatamy Road. He suggests someone should check with the police on the accidents and traffic problems on this road. A light needs to be installed and needs to be added to the traffic study. In the township ordinance the definition for terminal requirements are for odor and noise and smells. This is why the requirements are there, not for what is the

process on site, it's the outside issues. Just because they agreed with this doesn't make it good for the neighbors or the community. They should try to get another entrance way such as on Danforth Drive. That is already an industrial park and has trucks through it.

A Werner Enterprises representative in the audience stated that the agreed trucks can be loud and do smell. Werner was in the process of installing \$400 million dollars of equipment to help reduce these problems. Their average age for vehicles would be 1 to 2 years old, they are constantly buying new trucks. They want to get to a point where their trucks are only one year old. The equipment today is totally different from years ago due to government regulations. They used to be able to change a battery in 20 minutes, now it takes 3-4 hours due to regulations. The diesel vehicles are not as loud and every truck has certain exhaust. They have state of the art safety on all their vehicles; whatever you can get on a vehicle for safety issues, they have.

Cecio stated this Commission and Board of Supervisors needs to protect their community. What if this facility sells in 5 years to someone who doesn't have the best of the trucks/etc. Then what will happen?

Supervisor Jeff Young asked what the address was for the local company. Werner responded 5448 Oakview Dr., Allentown, PA 18104, which is in Upper Macungie Township.

There being no further questions or comments by all in attendance, Blanchfield asked for a vote. It was agreed that this should be tabled until such time as all the information, such as the traffic study and PennDOT's recommendations are submitted and reviewed.

Motion: Tabled, Moved by Richard Wilkins, Seconded by Robert Lammi. Passed. 5-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Wilkins

#### PLANNING DIRECTOR COMMENTS

Lammi reported that the selection committee had conducted interviews with the top four companies who submitted comprehensive plan proposals and they had selected a firm out of Pittsburgh called Environmental Planning and Design, in conjunction a firm called JMT who will do the traffic component of the study. The committee consisted of Dave Colver, Jeff Young, Bob Lammi, Bob Blanchfield, Cyndie Carman and Chris Christman.

Lammi noted that the Planning Commission will have a very big role in the process. There will need to be another meeting per month for about a year that will not be held on a regular meeting night, and hopefully everyone will be on board with this. The members present were very interested and did not have issues with this. Lammi noted that Palmer Township does not have a lot of undeveloped land this time around.

PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Diane Grube, Secretary