

**PALMER TOWNSHIP PLANNING COMMISSION**  
PUBLIC MEETING - TUESDAY, JANUARY 12, 2021 - 7:00 PM  
ZOOM MEETING

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The January 2021 meeting of the Palmer Township Planning Commission was held on Tuesday January 12, 2021 at 7:00 pm via Zoom with the following in attendance: Chairman Robert Blanchfield, Richard Wilkins, Jeff Kicska, Robert Lammi, Robert Walker, Michael Brett and Chuck Diefenderfer. Also in attendance were Solicitors Charles Bruno and Andrew Gould, Ron Gawlik of the Pidcock Company, Secretary Kathy Sciascia and Supervisor Jeff Young.

1. Reorganization - Election of Officers

Blanchfield welcomed Chuck Diefenderfer to the Planning Commission. Blanchfield then turned the meeting over to Solicitor Bruno to act as Temporary Chairman. Bruno introduced Attorney Andrew Gould who will be assisting in our municipal matters.

Bruno called for nominations for the position of Chairman of the Palmer Township Planning Commission. Wilkins nominated Robert Blanchfield as Chairman, Lammi seconded the nomination. Bruno asked for any other nominations, with no other nominations he called for a motion to close the nominations. Moved by Lammi, seconded by Wilkins. Nominations were closed. Blanchfield was appointed Chairman for 2021.

Motion: Confirm, Moved by Jeff Kicska, Seconded by Robert Lammi. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

Bruno then turned to the meeting back over to newly appointed Chairman Blanchfield. Blanchfield called for nominations for the position of Vice-Chairman. Walker nominated Richard Wilkins as Vice-Chairman, seconded by Kicska. Hearing no further nominations, nominations were closed. Wilkins was appointed Vice-Chairman for 2021.

Motion: Confirm, Moved by Robert Walker, Seconded by Jeff Kicska. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

Blanchfield called for nominations for the position of Secretary. Staff member Kathleen Sciascia was nominated and appointed Secretary for 2021.

Motion: Confirm, Moved by Richard Wilkins, Seconded by Robert Walker. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

2. Minutes of October 2020 Public Meeting

Motion: Approve, Moved by Robert Lammi, Seconded by Jeff Kicska. Passed. 6-

0. Commission Members voting Ayes: Blanchfield, Brett, Kicska, Lammi, Walker, Wilkins

Commission Members voting Abstain: Diefenderfer

### NEW BUSINESS

3. Wolf's Run Land, LLC - Conditional Use Application - Vehicular Parking Setback and Number of Attached Units for Townhouse Dwellings

Van Buren Road - K8-14-4 & K8-15-2

MDR & HDR-2 District

Request by Wolf's Run Land, LLC

### DISCUSSION

Present for the applicant were Michael Tuskes, Attorney Joseph Piperato and Phil Malitsch of Hanover Engineering.

Blanchfield gave a summary of the application. The applicant, Wolf's Run Land, LLC, is seeking conditional use approval under the following sections of the Zoning Ordinance: 190-43.C and 190-58.8.C - permitting off-street parking within the front yard area of townhouse dwellings, and 190.43.E and 190-58.8.J - permitting more than four attached townhouse dwelling units in a building.

A preliminary subdivision plan for this development was approved by the Board of Supervisors in November 2007. The plan proposed the construction of 249 townhouse and twin dwelling units on a 60+ acre tract, in two separate sections divided by the Schoeneck Creek. The "West Village" proposed 142 units with access from Van Buren Road and the "East Village" proposed 107 units with access through the existing Wolf's Run neighborhood. In conjunction with the preliminary plan approval, a prior conditional use approval for the same issues was granted, as outlined in a decision letter dated December 17, 2007. The current application seeks to expand that conditional use approval by increasing the number of townhouse buildings with 5 or 6 attached units. The 2007 approval was for 5 buildings in the West Village only. The current request adds an additional 13 buildings of 5 or 6 attached units in the East Village.

Bruno said when the Planning Commission reviews a conditional use application they should be providing recommendations, not just comments. This comes before the Board as a revised conditional use application. It came to the attention of the Township through the submission of the revised preliminary and final plans that substantial changes were made which increased the number of units on the east side. That part of the project is adjacent to the Wolf's Run neighborhood. The concern on the part of the Township is there would be a potential increased impact on traffic and other issues with the increased units and density on the east side. This conditional use plan and the revised preliminary and final plans will run concurrently so everything will be heard before the Board of Supervisors at the same time. Bruno asked Piperato about the extension of time for the plans. Piperato said the forms have been executed and returned. Bruno went on to explain the conditional use application.

Piperato said the Wolf's Run plan has been before the Township for many years.

It has been extended over a period of time, so therefore the preliminary plan approval is still in place. The applicant is seeking final plan approval for Phase 1. Piperato went on to read the approvals from the Board of Supervisors letter dated December 17, 2007. The Planning Commission recommended approval on October 9, 2007. Malitsch said the changes to the East Village, which previously did not have the 5 or 6 unit townhouse buildings, triggered the conditional use hearing. There are 13 buildings consisting of 5 units each proposed in the East Village. Piperato asked if any buildings would contain 6 or more units. Malitsch said no. Piperato asked if this project is proposing any buildings 160 feet or close to that as stated in ordinance sections 190.58.8.J and 190.43.E. Malitsch said all of those buildings are less than 160 feet. Blanchfield asked about the 6 unit buildings. Malitsch said they are less than the 160 feet. Piperato asked for clarification that the only 6 unit buildings were in the West Village, there were none in the East Village. Malitsch said yes. Piperato said the ordinance would allow up to 8 units provided the applicant demonstrates an excellence in design. The current plan shows that there is variety of design in the buildings, not every 5 unit building is a carbon copy of one another. Piperato asked what impact would the 5 unit buildings have on the surrounding neighborhood. Malitsch said it will not have a large impact on the neighborhood because the use itself is allowed in the zoning district. The 5 unit buildings are smaller than the 4 unit buildings that were originally approved.

Piperato asked Malitsch to explain ordinance sections 190.58.8.B and 190.43.C. Malitsch said what is being proposed is keeping with what was approved with the original plan. Those sections are basically saying the Township doesn't want parking in the front yards because they don't want the garages to become the predominant feature of the buildings. This road network was previously approved for the East Village, so this request is a continuation of the previous approval, otherwise the whole design of the road network would need to be changed. Piperato asked if the applicant then meets that section of the ordinance. Malitsch replied that it is not his area of professional expertise to comment on building design, but he would say that the building layout is consistent with the character of what was previously approved.

Piperato asked Malitsch about some of the general standards for conditional uses. Piperato asked if both of these conditional uses will conform with the spirit, purpose, intent and other applicable standards of the ordinance. Malitsch replied yes. Piperato asked if each conditional use will conform with the provisions of all other Township ordinances. Malitsch replied yes. Piperato asked if each conditional use will comply with all State and Federal laws and requirements. Malitsch replied yes and they are in the process of renewing some of those previous approvals, most notably the NPDES permit. Piperato asked if each conditional use will be suitable for this particular location. Malitsch replied yes because the townhouse use itself is approved by right in both applicable zoning districts. Piperato asked Malitsch if he agreed the proposed uses would not be detrimental to the general health, welfare, safety and morals of the community. And that the uses would not cause significant damage to any public or private property due to inadequate or improper stormwater management. Malitsch replied that is correct because regardless of the number of units per building or where the driveway is, they still need to meet the same standards for stormwater

management. Piperato asked if the proposed uses would significantly affect the character of an existing residential area. Malitsch replied no, it is a minor difference between a 4 unit building and 5 unit building. Piperato asked if the uses would pose a significant threat of explosion, fire or other hazard or threat to public safety. Malitsch replied no. Piperato asked Malitsch if, in his responses, he had considered the existence of adjoining residential neighborhoods and adjacent zoning districts. Malitsch replied yes. Blanchfield stated that the most important questions for the Planning Commission to consider there were whether they were detrimental to the general health, welfare, safety and morals of the community and whether they would significantly affect the character of an existing residential area.

Blanchfield referred to the traffic summary, which had been received and distributed by the Township in October, and asked who would be best to answer questions about that. Piperato noted that their traffic expert was not in attendance but Malitsch stated that he was prepared to talk generally about the traffic. Bruno asked Malitsch to confirm the number of additional units being proposed for the East Village. Malitsch replied that were currently 135 units, and there were previously 108 approved. Gawlik clarified that he is showing 107 previously approved, for a difference of 28. Malitsch said the trip generation increase would be 14 total weekday peak PM trips. The calculations add one peak PM trip for every 2 to 3 additional units. The additional trips are broken out as 9 entrances and 5 exits for a total of 14. Blanchfield noted that the traffic engineer's opinion in the study is that this increase does not constitute a substantial burden on the adjoining neighborhood. Piperato noted that the language used in the report is that the increase is "de minimis." Malitsch noted that with the original approval, the increase would have been 63 peak PM trips, so with the 14 additional, the total would be 77 peak PM trips. Blanchfield asked Gawlik to comment on the traffic summary. Gawlik stated that in their October review letter, they had noted that the total weekday trips would increase from 792 to 988 - an increase of 196, the peak weekday AM trips would increase from 51 to 63 - an increase of 12, and the weekday peak PM trips would increase from 63 to 77 - an increase of 14. They recommended that the Township may wish to discuss a voluntary traffic contribution. The study was done according to ITE standards. Lammi asked if the 196 weekday trips means anytime through the course of the day. Gawlik replied yes. Lammi said from a safety perspective, that 196 additional trips coming through the established neighborhood throughout the day is a concern with children playing outside. Brett agreed, and added that the additional cars could add to pollution and impact the desirability of the existing neighborhood. Malitsch suggested that the traffic issue is not related to the approval they are asking for because the number of units on that side of the project is not related to 5 unit townhouse buildings, it is related to the density of the zoning district. Lammi replied that allowing the 5 unit buildings added 28 units to that side.

Lammi stated he is also concerned about fire access to the units on the east side, as fire trucks would need to go all the way around to come through Wolfs Run. He asked if they had considered extending the northern cul-de-sac through to Van Buren, which would relieve both issues. He acknowledged that this would be in the floodplain, but they were intending to put a construction road through there anyway so why not make it a permanent roadway. Malitsch stated they had not considered

it because of the floodplain. Bruno asked if they would be willing to take a closer look at that. Malitsch said yes they could look at it. Kicska stated that looking at the map, the most direct route through Wolfs Run would be Scotty Drive, so that could be more than 1,000 more cars a week using that road. Piperato asked if this request is an item of consideration for this conditional use request or for the plan as a whole. Bruno said he wanted to correct something that Malitsch had said. This is not the same plan that had previously been approved for Strausser. He recalled that the previous plan, which included a retirement center in the northwest quadrant of this property, did provide for some means of access to Van Buren Road from the East Village. He disagreed with Malitsch saying that this use had been approved and that this request was just about a change in architectural style, because the plan upon which that approval was based has changed. The increase in the number of units allows for further consideration by the Planning Commission and the Board of Supervisors to determine whether these changes create any concerns for the adjoining neighborhood. For the Board of Supervisors meeting, it would be helpful to see the adjoining neighborhood so they can see how the traffic would integrate. Piperato noted that the road network that is proposed here is the same as what was approved under the previous approval. He said he understands that a number of Commission members see this as a substantial increase but is trying to understand why this is leading to discussion of a completely different traffic pattern. Bruno replied that the Commission members have the right to raise concerns and ask for consideration of changes to address these concerns. Gawlik showed a plan of the previously approved retirement center, which showed there was not a connection to the East Village. Lammi recalled that a road could not go in because of where that building had to be placed in relation to the floodplain. Without that building, the space would be there for a road. Tuskes said he understands what is being said and they will agree to look at this and work with the Township to try and make this connection. He added that in response to the comment about the fire access, one thing he wanted to add is that these units will now be sprinklered, which the previous plan did not have. Blanchfield said there have been a lot of issues to figure out with this plan and he appreciated Tuskes' ongoing willingness to work on these details. Tuskes said they have been working hard to resolve a lot of issues, such as the stormwater, the bike path and have been looking at improvements they can make to help with the traffic in Wolfs Run. Wilkins said he is glad that Tuskes has taken over the project and it looks like it will be a nice development. He thinks people will like the development better if they can get out directly to Van Buren Road. Tuskes asked if there would be support from the Township to get whatever approval or relief they need to go in the floodplain. Blanchfield said he thinks this Commission would support it as long as the engineers support it.

Bruno noted that the Commission members had been given architectural renderings of the proposed townhouses and asked Piperato if there was any comment on those as that was part of the criteria for granting the conditional uses. Diefenderfer said he liked the variation in colors used. Lammi asked if two cars parked in the driveway would block the sidewalk. Malitsch replied there would be a minimum of 30 feet from the back of the sidewalk to the garage, in some cases 40 or 50 feet. Blanchfield said the rendering is very aesthetically pleasing. Tuskes added these would be comparable to the units in the Madison Farms

development in Bethlehem Township. They would be varying widths which allows for different floorplans. They use a lot more variation in color and material, which is a newer trend rather than having all the units look exactly the same. Brett stated the design looks great and that this is essentially a new neighborhood and he doesn't feel it needs to be completely consistent with the design of the original neighborhood.

Blanchfield asked what the next step is. Bruno replied that we typically like to have a conditional use run concurrently with the plan but this was a good opportunity for the applicant to hear the Commission's concerns, and he has shown a willingness to address these concerns. He recommended tabling this application and the next time we see it will be with changes to the plans that address these concerns. Blanchfield asked if this would be with the preliminary plan or a preliminary and final plan. Bruno replied that the changes should be reflected on both and moved along at the same time. Tuskes asked what if the Commission decides not to approve the conditional use for the 5 unit buildings, then they would be back to the drawing board, Blanchfield replied that from what he has heard tonight, there is not an opposition to the 5 unit buildings or the front yard parking, just an interest in making sure that the effects of the overall increase in units on traffic, etc. are considered and addressed. Commission members expressed agreement with this statement. Lammi added that there is a need for this type of housing due to current demographics and economic conditions. Piperato asked if the Commission would entertain making a conditional recommendation to the Board of Supervisors with the condition that it not move forward until the issues raised are addressed in the plans. Bruno replied that the Commission would not want to make a recommendation based on a plan that is not in the condition it should be and the Board would not want to receive a recommendation that is based on a different plan than what the Planning Commission reviewed. He added there had been a lot of positive feedback and favorable comments given by Commission members which should give Tuskes a level of comfort to move forward. Blanchfield agreed.

Young asked if the issue of guest parking had been addressed. Malitsch replied that the guest parking areas had been addressed.

Tuskes said they would like to submit the revised preliminary plan and the final plan for Phase 1 for the February meeting so they can get Pidcock's comments on the stormwater while exploring between the engineers what could be done with the road, just so this doesn't hold them up. Young asked about the bike path. Tuskes stated they have been working with Cyndie Kramer and she has them looking to move it to the south side of the creek so it can connect with the other sections of the Township bike path. Diefenderfer asked if there was anywhere they could connect a road in the south part of the property. Gawlik replied they would have to cross the creek to do that.

Michael Leahy, 40 Edinburgh Drive, said there was a lot of discussion about the neighborhood to the east but they should not dismiss the Glenmoor community that abuts this development to the north. Blanchfield said when the revised plans are submitted we expect to see some type of buffer to the north. Leahy said taking a road through the floodplain by the Schoeneck Creek might be a

challenge. Lammi said as long as it is not in the floodway, the approvals are a lot less.

Motion: Tabled, Moved by Richard Wilkins, Seconded by Robert Walker. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

#### PLANNING DIRECTOR COMMENTS

None

#### 4. 2021 Meeting Dates

Blanchfield confirmed that everyone had received the list of Planning Commission meeting dates for 2021.

#### 5. 2020 Annual Report

The Planning Commission approved forwarding the Annual Report to the Board of Supervisors.

Motion: Approve, Moved by Robert Lammi, Seconded by Jeff Kicska. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

#### PUBLIC COMMENT

Michael Leahy, 40 Edinburgh Drive commented that a Zoom meeting with one screen at a time takes away from the presentation. Lammi said when a plan is shown you can't see all the participants.

#### ADJOURNMENT

The meeting was adjourned at 8:55 pm.

Motion: Adjourn, Moved by Jeff Kicska, Seconded by Michael Brett. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins