

**PALMER TOWNSHIP PLANNING COMMISSION**  
PUBLIC MEETING - TUESDAY, FEBRUARY 8, 2022 - 7:00 PM  
PALMER TOWNSHIP MUNICIPAL MEETING ROOM, 3 WELLER PLACE (LOWER  
LEVEL), PALMER PA 18045

The February 2022 meeting of the Palmer Township Planning Commission was held on Tuesday, February 8, 2022 at 7:00 PM with the following in attendance: Chairman Robert Blanchfield, Vice-Chairman Chuck Diefenderfer, Jeff Kicska, Robert Lammi, Robert Walker and Robin Aydelotte. Also in attendance were Ron Gawlik of The Pidcock Company, Planning Director Cynthia Carman Kramer, and Supervisor Michael Brett. Absent was Richard Wilkins.

1. Minutes of January 2022 Public Meeting

Motion: Approve, Moved by Robert Lammi, Seconded by Chuck Diefenderfer. Passed. 5-0. Commission Members voting Ayes: Aydelotte, Blanchfield, Diefenderfer, Kicska, Lammi  
Commission Members voting Abstain: Walker Commission Members Absent: Wilkins

OLD BUSINESS

2. Palmer Residences - Preliminary/Final Land Development Plan

530 Milford Street - M8-8-1B-3  
HI District  
Request by Exchange 3, LLC

DISCUSSION

Present for the applicant were Jason Buchta of Ott Consulting Engineers and Abe Atiyeh.

The plan proposes the construction of an 84-unit, 4-story midrise apartment building on a 2.9-acre lot. The property is located on the east side of Milford Street, within the Heavy Industrial/Mixed Use (HI) zoning district.

Gawlik stated that Pidcock has no problem with the requested waivers. He explained that there were Environmental Site Assessments done in 2018 that were reviewed by Palmer's Environmental Consultant. The assessments showed that the soil exceeds the State's standard for arsenic concentrations for residential uses. The Consultant recommends completion of more thorough site investigation activities consistent with the Act 2 requirements and recommends that the site enter the Act 2 Program to demonstrate the site is safe for residential use. Gawlik stated that the concerns of the Environmental Consultant should be satisfied before approving the plan.

Atiyeh handed out a letter with additional information from Barry Isett & Associates, Inc. on ways to remediate the environmental issues on the site. Buchta summarized that their Environmental Consultant is recommending a soil

management plan engineered to cap items as part of an Act 2 relief of liability application. He explained that an Act 2 program is voluntary and no formal environmental submittal is required because an NPDES permit is not required. Atiyeh explained that there are two spots under the grass that would be capped. Three spots, under the pavement, would be left alone, unless disturbed by construction. Atiyeh believes going to the DEP would be overkill for this project. If Act 2 release is needed, it will take this project 18 months to 2 years to get done. If that was the case, Atiyeh would not pursue a residential use for this site and instead pursue a commercial industrial use. Blanchfield stated that since they were just seeing this letter for the first time, it needed to be submitted formally and reviewed by the Township Engineer and Township Environmental Consultant. Gawlik stated that this proposal may result in modifications to the plan once the Environmental Consultant is given the opportunity to weigh in on this new information. Gawlik questioned if this plan has been in front of the Conservation District for E&S approval. Buchta stated it has not yet.

Gawlik stated the applicant is not using the sedimentation basin on site and questioned if that has been previewed with the Conservation District. Buchta stated it has not. Gawlik stated if the use of the basin is required, that would impact the limited disturbance which would trigger an NPDES Permit. Until that is resolved, Gawlik is unsure how that would impact this plan.

Gawlik stated the traffic generation report appeared sufficient. A traffic study would not be beneficial to the Township based on the level of traffic impact from this site. Blanchfield stated a trip generation report would be acceptable. Buchta explained that angled parking on the site is not viable because a significant amount of parking would be lost. Signage and painted arrows on the ground can be added.

Atiyeh stated they accept the conditions of the Fire Commissioner's comments and confirmed there will be a fire hydrant in front of the building. Lammi questioned the parking spaces that were proposed in the front of the building that would block emergency vehicles. Buchta explained that location will be a striped section with no parking spaces.

Diefenderfer questioned the dumpster location. Buchta stated it would either be located inside the building and wheeled out for collection or located in the upper corner of the property with fencing around it. Blanchfield stated that an outside location would be preferred.

Lammi expressed his surprise that the developer had not met with the Conservation District yet. Atiyeh stated that impervious coverage is being decreased and that the NPDES Permit won't be required. Diefenderfer stated that it is unknown if anything needs to be done with the retention pond and the amount of "hot spots" with arsenic in the soil. Atiyeh would like to cross that bridge when they come to it. Diefenderfer questioned if Atiyeh needs approval from the Township before submission to the Conservation District. Gawlik stated Atiyeh is able to start that process without Township approval. Walker would rather it goes to the Conservation District first. Kicska would prefer to wait for clarity from the Conservation District. Atiyeh this to be moved to the Board of

Supervisors, either with an approval with conditions from the Planning Commission or with a decision to deny.

Walker requested input from Brett on behalf of the Board of Supervisors. Brett stated that the developer should not be telling the Commission what to do. Brett would not like to skip steps in the process and he supported the Commission's comments. Lammi commented that the Commission tries to make sure that plans are clean before they get to the Board of Supervisors. Atiyeh stated that the court settlement of the lawsuit allows him rights to put in tractor trailer parking and he will not wait to proceed due to minor issues. Blanchfield commented that soil contamination on a site isn't an issue that the Planning Commission deals with all the time and they are not comfortable with moving this forward. Atiyeh stated that he has the right to use the site for commercial industrial use and the Township can deal with the community on a warehouse and tractor trailer traffic. Diefenderfer questioned if a month will make a difference.

Charles Young, 33 Glasgow Way, stated that there is a system in place, permits that should be obtained and the developers spend their time trying to get around that. Lammi explained that the permit doesn't need to be obtained before the plan is approved. A meeting should take place with the Conservation District to see if the permit is needed due to the concern about the environmental issues on this site.

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

Motion: Tabled, Moved by Jeff Kicska, Seconded by Robert Walker. Passed. 6-0. Commission Members voting Ayes: Aydelotte, Blanchfield, Diefenderfer, Kicska, Lammi, Walker  
Commission Members Absent: Wilkins

## NEW BUSINESS

### DISCUSSION

Blanchfield requested that a representative from II-VI, Inc. explain the overall project concerning the proposed changes to the site, electrical systems, substation, and Bloom Energy before discussing each Conditional Use application.

BJ Blair, Facilities Manager for II-VI, Inc., explained that their semi-conductor division is rapidly expanding. They currently occupy 55,000 SF of the facility. The remaining 230,000 SF was occupied by Neovia, who is currently their tenant, and but they will be out of the building in March. II-VI is going to expand across the entire building with their semi-conductor manufacturing business and they are going to consume a lot of power. They are going to need a Bloom Energy fuel cell and have an on-site substation to support the growth beyond the fuel cell. The overall plan is to continue to expand in the Easton area and they are already looking at a second building. They have a location in New Jersey and expanded into the Lehigh Valley due to the cost of electricity. When they go to the substation, it's about 2 cents a kilowatt, which is substantially cheaper. The market suddenly blew up and they took on a very large

customer whose demand continues to increase weekly.

Blanchfield questioned if they are just trying to supplement their own power need. Blair confirmed. They are the third largest consumer of Met-Ed power and the largest consumer by square footage Walker questioned if they will own the substation. Blair confirmed. Walker questioned if they will be taking power at a higher voltage. Blair confirmed. He explained the silicon carbide chip technology that they manufacture and its uses in cell phone towers, satellites, military missiles, electric vehicles, etc.

3. Bloom Energy - Conditional Use Application - Fuel Energy Server as Accessory Use and Modification of Prior Conditional Use Approval in PO/IP District  
2251 Newlins Mill Road - K8-5-8  
PO/IP District  
Request by Bloom Energy

### DISCUSSION

Present for the applicant were Greg Oross of Bloom Energy, B.J. Blair of II-IV, Inc., and John Farina, Consultant for II-IV, Inc.

The applicant, Bloom Energy, is requesting conditional use approval for installation of 40 natural gas fuel cell energy servers on a 19.8 acre lot, which contains an existing 281,473 square foot industrial/distribution building. The use requires conditional use approval under Sections 190.137C and 190.221.C(1) of the Zoning Ordinance for an accessory use in the PO/IP district. The application is also being reviewed as a modification to the original conditional use approval for an industrial/distribution use.

Blanchfield stated that it was the Planning Commission's role to review the application and provide comments to the Board of Supervisors for their consideration in the conditional use hearing. He explained that the application had been reviewed by the Township's Environmental Consultant who found it an acceptable technology to produce electric at the facility.

Oross played a short video to explain how Bloom Energy fuel cells and servers work. Oross explained that this installation will produce 15,000 kilowatts of energy. The servers will be placed on the eastern side of the property at 2251 Newlins Mill Road. The proposed server installation will disturb approximately 24,000 SF and will be located on an existing asphalt parking area and there will be no increase in impervious coverage or stormwater runoff. The installation will be approximately 232 feet from the front property line, 352 feet from the rear property line, and 115 feet from the side. This installation will result in the loss of 17 existing tractor trailer spaces. This proposal will provide no visual or noise related impact on residences. The Fire Commissioner stated he would not require any further fire protection or safety information regarding the project.

Aydelotte questioned if the noise measurements listed were for one unit or for the cumulative noise. Oross explained that the noise comes from the fans located on the top of the cabinets that contain the power modules and would

sound like a low hair dryer hum. Gawlik confirmed that the ordinance requires the noise level to be measured at the property line. Blanchfield questioned if all of the units are power units. Oross explained that some are ancillary units that will contain gas and water meters on pads, but all of the units will look the same.

Aydelotte questioned if there will be excess methane or water. Oross explained that natural gas that goes into the system has to be filtered. The methane has to come out so that the natural gas is completely pure. The water is also purified. 80 to 100 gallons of water are used when the server is initially started to get the electrical process going. There is no combustion in the system. The electro-chemical process is very hot. The water is evaporated and shot out the exhaust fan. There are very slight emissions to this. They are working on hydrogen fuel cell technology, which would be zero net carbon.

Kicska questioned if this is temporary until they build the proposed substation. Farina explained this will be a critical power source for the facility that won't ever go off. Walker questioned the utility power. Farina explained there will be the 75 megawatt substation and the 15 megawatt Bloom Energy fuel cell providing critical power to the building. There will be transfer switches designed so that should the fuel cell drop off, the critical power will then be picked up by the substation. The primary power source for critical power will be the fuel cell.

Blanchfield questioned the disposal of waste product. Oross explained that the methane is filtered and taken out every six months, replaced, and recycled in Texas. There is a contract with that facility to clean the filters, bring them back, and make sure they are running efficiently. Diefenderfer questioned if they are considered hazardous waste. Oross confirmed and stated they are handled and recycled accordingly.

Blanchfield questioned if there would be any visible water vapor. Oross said no. Blanchfield questioned the hours of operation of the facility. Oross stated they operate all day, every day. Blanchfield questioned if the facility can operate without the truck parking spaces that will be lost and what would happen if this operation leaves the site or if this technology becomes obsolete. Blair explained they will only maintain four spaces. They need very little truck parking for shipping out and for the materials that are coming in. They are obligated through their contract with the landlord and Bloom Energy to return everything on site back to its original state, if/when they would ever leave the site.

Blanchfield questioned a discrepancy in the Conditional Use Application on the second question on the first page that states "fifty forty (40)" fuel cells. Oross confirmed that it should only state forty. Diefenderfer questioned if forty units is adequate with the rate they are expanding. Blair explained Bloom Energy will be delivered quicker than the substation. The fuel cells will be a stepping stone until they are ready to take on more power. As the substation comes on, they will continue to expand across the whole building, and use the rest of the power from the substation. Bloom will stay online and handle all of their critical loads.

Blanchfield questioned if they have to heat the air to start the process. Oross explained it only requires natural gas and ambient air. Blanchfield questioned if

the Fire Commissioner would have access and training to the on-site shut down procedures. Oross confirmed and stated there is a very clearly marked emergency shut off button to the system that is located near the gas meters. Diefenderfer questioned if there will be a trained facility person physically on-site at all times. Oross confirmed.

Walker questioned how many cabinets are on site. Oross would guess about eighty cabinets, eight rows of ten cabinets. Diefenderfer questioned if there would be bollards or fencing. Oross stated this system will have a full yellow bollard perimeter around it.

Seeing no further comments or questions, Blanchfield called for a motion. The Commission voted to recommend approval of the conditional use application by the Board of Supervisors.

Motion: Approve, Moved by Robert Lammi, Seconded by Jeff Kicska. Passed. 6-0. Commission Members voting Ayes: Aydelotte, Blanchfield, Diefenderfer, Kicska, Lammi, Walker  
Commission Members Absent: Wilkins

4. II-VI Inc. - Conditional Use Application - Electric Substation as Accessory Use and Modification of Prior Conditional Use Approval in PO/IP District  
2251 Newlins Mill Road - K8-5-8  
PO/IP District  
Request by II-VI Inc.

#### DISCUSSION

Present for the applicant were B.J. Blair of II-IV, Inc., John Farina, Consultant for II-IV, Inc., and Jan Miller of Benchmark Engineering.

The applicant, II-VI, Inc., is requesting conditional use approval for installation of an electric substation on a 19.8 acre lot, which contains an existing 281,473 square foot industrial/distribution building. The use requires conditional use approval under Sections 190-137.C and 190-125.B for appropriate public utilities in the PI/C district. The application is also being reviewed as a modification to the original conditional use approval for industrial/distribution use.

Blanchfield stated that it was the Planning Commission's role to review the application and provide comments to the Board of Supervisors for their consideration in the conditional use hearing.

Walker commented that this summary states it is a Met-Ed substation. Farina clarified that this is a customer owned and operated substation. Farina gave background on the timeline of this project. In February 2021, they began working on the substation design. In October 2021, the Bloom Energy design was pulled in because II-VI realized that their energy requirement was going to exceed their electric service and Bloom created the stepping stone of auxiliary power that was needed. II-VI is taking over all 250,000 SF of manufacturing space and 30,000 SF of warehouse space in the building and they need this

electric service upgrade to the building. The substation has been reviewed and approved by Met-Ed. Met-Ed is not installing or operating the substation, but they have specific requirements that must be met.

Walker questioned if the substation will need to be altered if power usage and transmission changes. Blair and Farina indicated the substation will not need to be altered and gave a brief explanation of power needs and transformer capabilities. Farina explained that Bloom is an alternative to a diesel generator. Diefenderfer questioned if this is a dual feed. Blair explained it is a single tap feed that is coming from Met-Ed, the transmission line is fed from two services on either side of it, and eventually splits to multiple transformers.

Blanchfield questioned the alteration to the landscape berm. Miller explained that she had to grade into the berm. They can protect some of the trees and replace any that are affected. Gawlik noted that the existing berming and buffering would be modified as a result of this plan. Kramer clarified that the adjoining property was a residential use that needed to be buffered prior to Werner Trucking constructing there.

Blanchfield asked for clarification on the modification to the low flow channel for the stormwater. Miller explained she tried to maintain the width and depth as much as possible and she believes the capacity remains the same. An analysis of the existing basin on-site would be provided. Gawlik requested that the minor comments to stormwater calculations be addressed to the satisfaction of the Township.

Diefenderfer questioned if there will be space for the two projects to happen simultaneously. Blair explained that Bloom will be done before the substation work begins.

Charles Young, 33 Glasgow Way, questioned the appearance of the substation. Farina explained it is located in the back of the property. It will be fenced with barbed wire on a secured property with cameras.

Seeing no further comments or questions, Blanchfield called for a motion. The Commission voted to recommend approval of the conditional use application by the Board of Supervisors.

Motion: Approve, Moved by Robert Lammi, Seconded by Robin Aydelotte. Passed. 6-0. Commission Members voting Ayes: Aydelotte, Blanchfield, Diefenderfer, Kicska, Lammi, Walker  
Commission Members Absent: Wilkins

5. Greystone Capital Inc. - Conditional Use Application - Industrial Activity in PO/IP District  
1493 Van Buren Rd - K8-12-1  
PO/IP District  
Request by Greystone Capital Inc.

## DISCUSSION

Present for the applicant were Attorney Marc Kaplin, Lou Pektor of Greystone Capital,, Timothy Diehl of HD Engineering Solutions, and John Wichner of McMahon Associates.

The applicant, Greystone Capital, Inc. is requesting conditional use approval for construction of a 185,000 square foot industrial use building for the manufacturing and assembly of goods and supplies, on an 11.89 acre lot. The use requires conditional use approval under Sections 190-137.C and 190.125.D of the Zoning Ordinance for industrial use in the PO/IP district.

Blanchfield stated that it was the Planning Commission's role to review the application and provide comments to the Board of Supervisors for their consideration in the conditional use hearing.

Kaplin explained that the facility will be designed for one or more industrial users for manufacturing and assembly. There is a long list of uses that are permitted by conditional use in this type of facility. It will not be a warehouse. Kaplin referred to comments made in reference to the McMahon traffic study in the Pidcock letter dated December 8, 2021. The traffic study was prepared while the roads were shut down and counts couldn't be made. The traffic study was revised in accordance with Pidcock's comments and the application was resubmitted on January 18, 2022. The second Pidcock review letter was received on February 2, 2022.

Kaplin referenced the Staff Review Comment letter dated February 4, 2022. Kaplin confirmed that the use will not be a distribution center, warehouse, or truck terminal. The letter stated that the site should be designed to anticipate the most intensive potential industrial activity as far as traffic, parking, hours of operation, number of employees, buffering, and potential hazards, since no end user is identified. Kaplin disagreed and stated that is not a requirement of any ordinance provision. He explained the development would be designed to meet the needs of the probable user based on market desire. If a potential user has a need other than what was originally anticipated, the options would be to redesign the plan to provide for the additional demands or to only lease or sell to users whose needs do not exceed the facilities that are depicted on the plan. The letter also states that any potential tenants will need to submit an additional conditional use application. Kaplin disagreed and stated that if the use fits within the confines of the ordinance, there is no basis for sending the user back for another conditional use application.

Kaplin stated that another comment in the letter was that the applicant shall prove that the industrial activity will not create a significant hazard to the public health and safety. Kaplin took issue with that. He explained that since their use is a permitted conditional use, Pennsylvania law is clear that there is a presumption that the proposed use will not negatively affect the public health and safety. The developer's obligation is to prove that the use complies with the objective requirements of the zoning ordinance. The letter stated that the user shall comply with all performance standards of Article XVI Environmental Standards. Kaplin indicated those are not land development standards. Those requirements



are performance standards that the user will have to comply with. If a user doesn't, they would be subject to enforcement action under the zoning ordinance.

Blanchfield stated the Planning Commission would have an opportunity to discuss the various aspects of the land development plan at a later stage in the process, if conditional use approval is granted by the Board of Supervisors.

Diehl explained that this property is currently undeveloped and mainly used for agricultural purposes. He gave an orientation of the property explaining that it is adjacent to the Majestic warehouse site and the Highlands of Glenmoor development. It is a corner lot at the southeastern intersection of Newlins Mill Road and Van Buren Road. They plan to widen the roadways and dedicate 1.54 acres of right-of-way to the Township. There will be two points of access to the site. All designated truck traffic would come in along the Majestic property line with the Van Buren Road access for employees only. They would meet the required 150 foot setback and the required 40 foot buffer between an industrial use and residential use, and the surface stormwater management facility would be closest to the Highlands development. There would be 222 parking spaces, which allows for 185 employees, 16 truck dock spaces and 8 truck loading spaces. The nearest space to the residential development would be 532 feet. They are contemplating a 15-foot wide berm and installation of an acoustical wall along the residential development border. They are working with an acoustical engineer to figure out the exact placement of the acoustical wall in relation to the berm. Blanchfield questioned if the wall would go all the way down to the stormwater management area. Diehl stated it would go as far as necessary to dampen the noise. Kaplin explained the preliminary acoustic analysis indicates a 5 foot berm with an 8 foot acoustical wall on top of the berm. Blanchfield questioned if it would be a masonry wall. Kaplin explained there are a variety of materials that can satisfy sound deadening requirements and the wall would be attractive. Kicska questioned the wall location in relation to property lines. Diehl explained it would be solely on their property. Kicska questioned how much of the natural tree line would be affected. Diehl explained they would retain as much of the tree line as possible and commented on screening and landscaping.

Blanchfield commented on the difficulty of this situation of not knowing what type of manufacturing would be taking place. Kaplin explained the demand for this type of use is currently high and it is difficult to secure a user until the development process is underway. If this facility doesn't meet the needs of the user, the developer would either have to redesign the plan or tell the user to go somewhere else.

Pektor explained that the building has been reconfigured based on discussions with Mr. Fisher of the Highlands. Truck docking was moved to the north end of the property and car parking on the southern end. There is no truck parking because he doesn't anticipate the need for any of the potential users. The property is self-restrictive because it has been designed reflecting a low truck count. It is not conducive to truck traffic and could not be used as a warehouse. They tried to address a community concern by hiring the acoustical engineer to

ensure the berm and acoustical wall with vegetation will be a sufficient sound deadener.

Lammi commented that sound comes from the roof with most manufacturing buildings and questioned if acoustical devices were considered in those areas or other sound deadening alternatives. He doesn't feel that a wall would be appealing to see from a residential property. Kaplin explained sound studies were done at a similar facility on noise from truck traffic, reversing, beeping, and idling to determine what would be generated at the property line and what would need to be buffered.

Kramer stated there have been situations in the past when an industrial use was approved without knowing who the user was. The adopted policy is that the tenant submits a conditional use application that is reviewed by Kramer, the Zoning officer, and the Fire Commissioner against the conditional use approval and against all of the standards for that use that are in the ordinance. Kaplin agreed with that policy. Lammi commented on the process of developers putting up spec buildings and getting tenants later.

Pektor commented on current supply chain problems and the inability to get steel in less than 16 months. Build cycles went from 9 to 10 months to currently 24 to 36 months. He explained the difficulty of finding users because of the long lead time.

Kicska questioned the proposed height of the building. Pektor stated he would comply with whatever height the ordinance allows. Kramer confirmed that it is 40 feet.

Wichner explained the traffic studies were done following the Township ordinance requirements. The traffic studies include actual traffic counts at intersections within the traffic area, growth rates applied from other developments occurring within the Township in this particular area, future traffic from future population growth and other developments, and traffic from this development. Manufacturing land use data determines necessary improvements that are recommended. The Main Street closure in the fall of 2021 led to some of Pidcock's comments in their original review letter and a second traffic study was done.

Wichner explained that the Township has design plans underway for the signalization of the intersection of Van Buren Road and Newlins Mill Road, as well as at the intersection of Van Buren Road and Hollo Road. A recommendation in the traffic study is the construction of a 300 foot long northbound right turn lane from Van Buren Road onto Newlins Mill Road. Also recommended is a dedicated right turn lane into the proposed driveway on Newlins Mill Road. That is the only driveway that trucks are allowed to navigate. Both trucks and passenger vehicles are allowed on that driveway. The driveway on Van Buren Road is for passenger vehicles only. Truck turning exhibits for emergency vehicles were submitted to the Township. Blanchfield questioned the truck turns allowed at Newlins Mill Road. Wichner explained that trucks are allowed to turn both directions when exiting the Newlins Mill Road driveway.

Gawlik stated the signalization plans are pretty far along with PennDOT. The plans in front of PennDOT differ from this proposal. As part of the land development procedure, there would need to be coordination with the Township to make any necessary modifications to the plan.

Tim Fisher, 68 Moor Drive, expressed his concerns over this project. He commented on the proximity of the proposed building to residences and on the amount of parking, truck docking, and the proposed building size that is being crammed onto this parcel. He also expressed his concern for traffic that will be generated – 899 more vehicles per day (83 trucks, 816 cars), the proximity of 415 feet between the two additional traffic lights, stacking of tractor trailers, and the tight turning due to the sanitary sewer easement at Majestic. He commented on the residential opposition to this project, stating that it is not a permitted use and that the developer is seeking conditional use recommendation without knowing the tenant.

Gerry Genrich, 12 Moor Drive, stated his experience as an architect and gave a presentation to show the relationship between the three properties of the proposed industrial facility, the Highlands of Glenmoor residential development, and Majestic. His presentation showed the close proximity and discrepancy in elevation and grade. He showed the top of the manufacturing facility in relation to the houses, included pictures of the deciduous trees on the berm, and commented on the traffic flow, minimal truck turning radius, and the lack of a queueing area.

Fisher stated that under the proposed new zoning ordinance, this district would be PO/B (Professional Office/Business) which would not allow industrial use.

Jim Finnen, 18 Moor Drive, gave a brief history of the Highlands community. He explained that the community enjoys their quality of life and the opportunities available there to stay as active as possible in their over 55 community. The community sees this project as a threat to their health and welfare. He expressed the health concerns that would result from manufacturing and additional vehicle pollution so close to their homes. He applauded the committee that was put together to plan for the new zoning regulations in the Township.

Fisher requested that this be tabled until there is more information on who the ultimate user will be. Fisher stated that they presented objective testimony to prove that there would be a threat to the community's health and safety with this project.

Diefenderfer stated he is unsure how the Planning Commission would be able to complete a review to make a recommendation to the Board of Supervisors without being able to ensure there isn't a hazard to the public's health and safety without knowing who the tenant is or what the type of operation will be. Kaplin began to refer to previous case law. Blanchfield stated that the Planning Commission was without legal representation and was not going to discuss legal issues.

Seeing no further comments or questions, Blanchfield called for a motion. Lammi stated that since there was a deadline for a conditional use hearing to be held, and the Commission did not feel they had enough information to make a recommendation, he suggested the Planning Commission forward the application to the Board of Supervisors without recommendation. The Board would have the Township's legal counsel present for the conditional use hearing. Kramer stated she would forward the minutes of the meeting to the Board of Supervisors for their consideration as part of the conditional use hearing.

The Commission took no action on the application.

#### PLANNING DIRECTOR COMMENTS

None.

#### PUBLIC COMMENT

Wayne Conrad, 41 Moor Drive, questioned if the application for luxury apartments on the opposite side of the street was a future growth consideration in the traffic study for the Greystone project. Kramer stated that there is a separate traffic study going on for that project and the studies take into account the various projects that are being considered. Gawlik confirmed there is a coordination of traffic studies for that area.

Harry Graack, 1380 Van Buren Road, estimated that there is only 11 to 13% of free land remaining in northern Palmer Township. He expressed his concerns over traffic, open space disappearing, and the need for conservation and road improvements. He feels that action needs to be taken to stop developers before the rezoning takes place. He feels the new technology with the Bloom Energy proposal would be a positive development for the future of the Township.

Rich Karp, 107 Stephanie Drive, stated he doesn't feel developers should be allowed to come before the Planning Commission before the new zoning ordinances are approved. Diefenderfer explained that applications have already been submitted and they would be considered automatically approved if a decision isn't made by the required deadline. In reference to the Milford Street plan, Karp questioned how the same area can be zoned for both warehouses and residential. Diefenderfer and Lammi explained that particular project was based on a legal issue that was decided through a court agreement between the Township's Board of Supervisors and Atiyeh.

#### ADJOURNMENT

The meeting was adjourned at 10:02 PM.

Motion: Adjourn, Moved by Chuck Diefenderfer, Seconded by Robert Lammi. Passed. 6-0. Commission Members voting Ayes: Aydelotte, Blanchfield, Diefenderfer, Kicska, Lammi, Walker  
Commission Members Absent: Wilkins