

MINUTES

LOWER SWATARA TOWNSHIP PLANNING COMMISSION

**REGULAR MEETING
NOVEMBER 20, 2014, 7:00 P.M.**

Meeting was called to order by Chauncey Knopp at 7:00 P.M. with the following present:

Chauncey Knopp, Chairman
Eric A. Breon, Vice Chairman
Christopher DeHart
Kimber Latsha
Paul Wagner
Robert Greene, Planning & Zoning Coordinator
Peter Henninger, Solicitor
Tonya Bibb-Sakr, Recording Secretary

Others in Attendance:

Hubert Gilroy, Attorney, Martson Law Office
Scott W. Akens, P.E., Akens Engineering Associates
Bob Unger, Cumberland Design & Building Company
R.E. Murphy, Cumberland Design & Building Company
Tom Mehaffie, LST Commissioner
Jon Wilt, LST Commissioner

MINUTES

A motion was made by Mr. Latsha and seconded by Mr. Wagner to approve the Minutes of the October 23, 2014 meeting.

Motion unanimously approved.

ALLIED PROPERTIES, INC. – 2751 SPRING GARDEN DRIVE SPECIAL EXCEPTION REQUEST

The Planning Commission discussed the request of Allied Properties, located at 2751 Spring Garden Drive, for a Special Exception pursuant to §27-1004(3) of the Lower Swatara Township Zoning Ordinance to maintain outdoor storage of material and equipment at the Property.

Hubert Gilroy, attorney for Allied Crawford, introduced himself as well as Scott Akens, engineer for the project; Bob Unger, contractor; and Dick Murphy, contractor. He went on to explain that they are here because they filed a special exception application with the LST Zoning Hearing Board requesting a permit to have outside storage at the property. They would like the Planning Commission to review this and make a recommendation to the

Zoning Hearing Board. They are going before the Zoning Hearing Board on December 2nd. He continued with what they are planning to do. They want to put up the building and also put on an addition to the existing building to make sure it is completely blocked from any of the residential uses across the street. They feel the outside storage is consistent with the other uses in the neighborhood. He then turned the floor over to their engineer.

Scott Akens came to the microphone to explain the plan he had on the display. He explained how they were going to connect the buildings and have the outside storage behind the existing building. They will be extending the asphalt apron in one area and removing the entrance driveway in another area in order to offset the impervious coverage so that they are not over the allowable 65%. They will also be doing some basin improvements to account for the additional storm-water that will be created with the additional impervious. He said they will get an NPDES (National Pollutant Discharge Elimination System) permit through the Conservation District as part of the land development with this project. He concluded with saying that other than that, it is a fairly simple plan.

Mr. Gilroy added that they will be back in front of the Planning Commission with the Land Development Plan if they get the Special Exception approval from the Zoning Hearing Board.

Mr. Breon asked if there was any plan for any truck traffic along Spring Garden Drive.

Mr. Akens explained that the truck traffic will enter and exit the site in the same manner as they do now.

Mr. DeHart asked what would be stored in the outside storage area.

Mr. Akens said that it would be rebar and raw steel. There will be an overhead crane to do the loading and unloading.

Mr. DeHart asked if it would be a 24 hr. operation or just two shifts.

Mr. Greene informed that it is a 24 hr./5 day per week operation.

Mr. DeHart said the reason he is asking is that he is concerned about the noise level for the local residents.

Mr. Breon asked the contractors to explain what the exact type of business is.

Mr. Unger explained that American Steel and Aluminum moved in there in 1972 after they were flooded down on Cameron Street in Harrisburg. They sell mostly steel I-beams and heavy steel shapes. They store the steel inside the building as well as outside where they load their trucks.

Mr. Knopp asked if the outside steel would be loaded at night.

Mr. Unger replied that it is a 24 hr. operation but if the Township did not want them working after a certain time, they should tell them if there was a timeframe that needed to be followed.

Mr. DeHart said that the noises inside the building would be muffled, so it is mainly the outside noises that are of concern.

Mr. Unger said that the outside loading would all be behind the new connector building so that would muffle the noise somewhat.

Mr. Breon then asked if what they are volunteering to do if the sound is too loud for the residents.

Mr. Knopp added that it would be fine if the evening shift could be limited to only inside work.

Mr. Gilroy stated that he doesn't think they can commit to that but he will run it by the owners/operators.

Mr. Breon emphasized that the noise level has the possibility of being very loud due to these large steel beams being dropped.

Mr. Henninger stated that the application says 6 to 8 trucks per day in and out.

Mr. Breon then added that at least 2/3 of the trucks will be loaded at night with the second and third shifts. He also added that he doesn't want to restrict their business as much as they don't want an empty building but there has to be a sort of compromise here.

Mr. DeHart suggested a written agreement that if the noise level is too loud something will be done.

Mr. Unger said that they cannot commit this evening to anything.

Mr. Gilroy added that he will tell the clients tomorrow morning that it may be a smoother flow in front of the Zoning Hearing Board if they address nighttime outside activities.

Mr. Breon asked other than just discussing the plan, what are we being asked to do tonight?

Mr. Henninger explained that procedure with special exceptions under the MPC and the Township's code is that they have to come to the Planning Commission and we have 30 days from the application in which to give a report to the Zoning Hearing Board (ZHB) as to

whether it is in your opinion compliant with zoning. You can make a recommendation or a report to the ZHB. He added that nothing is being done here tonight other than gathering info for passing recommendations to the ZHB.

Mr. Henninger then asked the contractors if there were outside storage areas in the other facilities around them.

Mr. Gilroy said yes. He said that they drove around and saw there are a number of facilities in the area that already have outside storage.

Mr. DeHart asked what the height of their outside storage would be.

Mr. Unger replied that it would not be very high, it appears from the photos they were sent that it will most likely be between 3 to 5 feet tall.

Mr. Gilroy interjected that it certainly would not be as tall as the building.

Mr. DeHart asked if the crane would be the height of the building.

Mr. Akens answered that it would be right below the roof-line.

Mr. DeHart then questioned the access-way. He asked them to confirm that they would be removing the east access.

Mr. Akens confirmed that they were removing the east access.

Mr. DeHart suggested that if they do remove the east access, they should put in a beefed-up turf so there would be another access into the property for emergencies. He also asked if there would be any over-sized, extra long loads.

Mr. Unger was not aware of any over-sized loads. The largest would be around 45 to 50 feet.

Mr. Wagner asked if there will be any painting with the beams that would be done on site.

Mr. Akens said he was not 100% familiar with the operational side of the business.

Mr. Breon informed them that we would need a little more information as far as hazardous materials on site other than diesel fuel.

Mr. Unger said he does not believe they do a lot of fabricating of the product; they sell a raw material to people who then take the raw material elsewhere to be fabricated. They are not looking into putting in a paint booth. He says it is a distribution operation not a fabrication facility.

Mr. Breon asked if the yard-crane was electric or diesel.

Mr. Unger said that it was an electric, top-running crane.

Mr. Greene confirmed that this was strictly going to be used for shipping purposes, there is no fabrication. He stated he was in a meeting with this company several months ago with our engineer, they did learn from them some information and they indicated at that time there would be no fabrication done at this location; this is strictly raw product coming in with them storing it onsite, loading and unloading it, and shipping it.

Mr. Breon asked if there was a process we wanted to use to pass to the Zoning Hearing Board.

Mr. Knopp said if in agreement, we would just make a recommendation with the stipulation of the after-hours outside loading to stop due to noise levels.

Mr. Latsha offered the cut-off time for nighttime outside loading should be 10:00 pm.

Mr. Greene informed that even though we would be making a recommendation to the ZHB, the ordinance does allow this board to send a representative to the zoning hearing proceeding.

Mr. Knopp then asked if there were any other questions or comments.

Mr. Latsha made motion for approval subject to the stipulation that they have restricted hours for the outside loading/unloading from 10 pm to 6 am. Mr. DeHart seconded the motion.

Motion unanimously approved.

OTHER BUSINESS:

Mr. Greene reported to the committee that we have received proposals from different firms to begin our process of updating our Comprehensive Plan. This will be an item that will be starting early next year (first quarter). The proposals we've received range from a 12 month to an 18 month time period.

Mr. Greene also advised that he was given an assignment to look at the Sign Ordinance to do a modification. There is one specific issue at this time that needs to be addressed and then we come back later to do an overall sign amendment. The issue is to determine if the ballfields and recreation facilities would allow individual businesses to

advertise at the fields. At the present time, our ordinance does not address it, so we would like to get that adopted so come Spring, we are ready to allow the advertisements.

Mr. DeHart wanted to offer some food for thought. The Township's zoning consists of the following: 26% residential; 38% agricultural; 36% commercial.

ADJOURN

A motion was made by Mr. DeHart and seconded by Mr. Latsha to adjourn the meeting.

Motion unanimously approved.

Meeting adjourned at 7:28 P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Robert S. Greene', written over a horizontal line.

Robert S. Greene
Planning and Zoning Coordinator