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*Middle Paxton Township*

**MIDDLE PAXTON TOWNSHIP  
Planning Commission  
Meeting Minutes  
August 10, 2020**

The August 10, 2020 meeting of the Middle Paxton Township Planning Commission was called to order at 7:00 p.m. by Chairperson Liz Rodda. The meeting was held outside under a tent due to COVID19 restrictions. The following members were present: Ralph Stone, Jeffrey Smith, Bill Kotkiewicz, Chip Brown, and Gary Deimler.

Also present were Julie Seeds, Recording Secretary, Ed Fisher, Representative with Light-Heigel & Associates and Steve Stine, Township Solicitor.

Following the Pledge of Allegiance to the Flag, Gary Deimler moved to approve the meeting minutes for July 13, 2020; seconded by Ralph Stone. The motion passed unanimously.

Chairperson Liz Rodda thanked the Township for providing the tent to keep with the Governor’s orders of no more than 25 people permitted indoors due to COVID19.

**OLD BUSINESS:**

- Jason & Aleta Serrano and Stephen Prouse – 2551 Fishing Creek Valley Road  
Proposed Text Amendment, AMENDING THE MIDDLE PAXTON TOWNSHIP ZONING ORDINANCE OF 2000, AS AMENDED, BY AMENDING ARTICLE 3 (ENTITLED, “AGRICULTURAL AND RURAL RESIDENTIAL DISTRICT (A-RR)”), BY ADDING “FARM-TO-FOOD BANK” AS A NEW USE PERMITTED BY RIGHT.

Charlie Courtney of McNees, Wallace and Nurick, LLC was in attendance along with Jason and Aleta Serrano, and business associate Stephen Prouse to discuss the revised text amendment that was first reviewed at the July 13, 2020 Planning Commission meeting. Mr. Courtney stated feedback was received from the Township Planning Commission along with Dauphin County Planning Commission, the Text Amendment was revised and he proceeded to walk through the revised amendment.

Mr. Courtney spoke about accurate and inaccurate information for the benefit of all in attendance; to hear from the property owner(s) and their intent for the property and not just

rumors. He also added that since the Serrano's are planning to reside at the property they want to become part of the community and have a good relationship with the residents and certainly do not want to be pariahs of the community. He added this is not a fight in anyway; [they] are here to make a presentation and not be a legal fight.

Mr. Courtney introduced Jason Serrano who explained how he and his wife Aleta purchased the property, 2551 Fishing Creek Valley Road, three (3) years ago. Mr. Serrano thanked the many people he has met who reside in the area who offered information about the area. Mr. Serrano explained his background is in finance, stated the demographics of the area and how his heart is in feeding the most vulnerable, especially during this pandemic. He asked that people judge him by his heart and not by rumors. Jason explained that most food banks around the country are run mostly by volunteers with four (4) employees. He said they do not just feed the hungry, they also help the community. Mr. Serrano explained that only 12% of the floor plan of the proposed food bank building is actually storage space while 80% is open space for community activities; community center and exercise room. Mr. Serrano also spoke about teaching trades to young adults, i.e. plumbing, building, carpentry and welding.

Mr. Serrano presented a floor plan and described how the 60,000 square foot building is planned to be a drive through building. Only non-profit organizations, churches etc., will be permitted to pick up food. No consumers will pick up food.

Mr. Courtney spoke about the revised text amendment and the specifics with regard to increased traffic. The average daily trip generation is one (1) tractor trailer per day which equals two (2) trips, and two (2) box trucks per day (4-trips) and 20 passenger car trips per day, (40-trips). Mr. Courtney compared the trips from the proposed food bank use to a residential subdivision which could be 751 weekly trips by extrapolating how many single family residences could be constructed on the 200 acre parcel.

Mr. Courtney added the other element to the text amendment is crops will be grown on site and then stored in the building. The proposed text amendment, 'Farm to Food bank', in essence will also take donated food from farms instead of allowing it to go to waste, along with food grown on-site. The revised text amendment has specific standards that must be met; the organization must have nonprofit status, food grown on-site and only distribution to the agencies who then distribute to the consumers. Mr. Courtney reviewed all sections of the revised proposed text amendment and pointed out that five (5) tractor trailer trips per week is not a typical warehouse, and though the building may look like a warehouse it will not generate the truck traffic like a warehouse or even a grocery store.

Chairperson Liz Rodda asked Kyle Snyder with Dauphin County Planning Commission to review their comments on the proposed text amendment. Mr. Snyder explained their review is from the previous reiteration of the proposed text amendment. He just received the revised amendment and did not have time to review for the meeting. Mr. Snyder reviewed the comments for the initial proposed amendment and stated it was found to be generally consistent with Dauphin County Comprehensive Plan and County planning efforts in protecting and preserving agricultural resources.

Ed Fisher with Light-Heigel and Associates, engineers for Middle Paxton Township, spoke next and explained that this is at a planning and zoning issue at this time and the changes that were made were responsive to the concerns the Planning Commission had at the last meeting.

Mr. Fisher stated that text amendments are not unusual and added the Municipalities Planning Code requires municipalities provide for all uses and it's almost impossible to write an ordinance to anticipate all uses. That's why text amendments are used in situations that could be unique and different. Mr. Fisher stated that most comments were already addressed and the way the revised text amendment is written prohibits just anyone from building this in the Township.

Chairperson Liz Rodda opened up the discussion to the Planning Commission members. Bill Kotkiewicz stated he was a little confused as to how the concept changed from last month's meeting that was being proposed as a warehouse distribution center to now a school and farm to food bank. Mr. Serrano answered that the teaching of trades and fitness center is to incentivize the volunteers for the food bank. Mr. Stephen Prouse, friend and spokes person for the Serrano's then spoke and said the mission never changed, just the wording of the text amendment to match their mission. Mr. Courtney followed up by saying the primary use is farm to food bank, any accessory use that was discussed, i.e. vocational training, activity and fitness center, will be for the volunteers and their families. Mr. Courtney added as an example that if a church has a daycare, the primary use is the church and the accessory use is the daycare.

Gary Deimler asked if the proposed changes that have been made to this text amendment meet the letter of the ordinance. Ed Fisher stated this is a text amendment, it is not the matter of meeting the ordinance, this is a text amendment, which is an addition to the ordinance and the Serrano's have addressed the concerns that were discussed from the last meeting.

Gerry Duke with Dauphin County Planning Commission stated at this time they do not know if they meet all the requirements. They are still reviewing the revised text amendment and may look at it again at the September 14, 2020 Dauphin County Planning Commission meeting.

Chip Brown, stated it's certainly hard to argue with the mission and it's located in the A.R.R. Agricultural Rural Residential District. Mr. Brown is concerned with tractor trailer traffic along Fishing Creek Valley Road, more so the 'S' turns. Ed Fisher replied that public and private schools are permitted under special exception in the district and that even as an accessory use it's already permitted without an amendment. Mr. Courtney added that many uses are permitted in the Agricultural Rural Residential (A.R.R.) District, not just agriculture and to be careful not to look at the district just by name but by what is allowed in that district.

Jeffrey Smith asked for a clarification of the Dauphin County comments stating that 93 parcels in Middle Paxton Township would meet the criteria of the proposed text amendment. Kyle Snyder answered in the affirmative with looking at GIS of the Township. Ed Fisher added that all parcels have to connect to a collector roadway and not all 93 parcels in his opinion would meet that criteria.

Chairperson Liz Rodda asked for comments from those in attendance.

The following individuals addressed the Planning Commission citing their concerns and objections to the proposed text amendment to the Zoning Ordinance intended to enable construction and operation of a “Farm to Food Bank” as a food distribution center/storage facility on the 200 acre property located at 2551 Fishing Creek Valley Road in the Township’s Agricultural and Rural Residential (A-RR) District.

- Peter Labella, 355 Arnold Avenue
- Mary Jane Davis, 609 Stoney Creek Drive
- Chris Cuomo, 1500 Red Hill Road
- Ben Braddock, 758 Fishing Creek Valley Road
- Harvey Bartash, 400 Toms Road
- Charles Hickock, 250 Hidden Valley Lane
- Brenda Schimrer, Hickory Hollow Road
- Angela (Angie) Shaw, Le Sentier Lane, 605 Le Sentier Lane
- Jacob Hall, 625 Le Sentier Lane
- Sean Delaney, Attorney for Save Fishing Creek Valley, 1471 Clarks Valley Road
- April Showers, representing John and Tammy Alwine, 2455 Fishing Creek Valley Road
- Cindy Hanwell, 2830 Fishing Creek Valley Road
- Ron Jesiolowski, 1231 Fishing Creek Valley Road
- Dan Privett, 2550 Fishing Creek Valley Road
- Brian Sanders, 501 Hidden Valley Lane
- Larry Hoover, 1411 Potato Valley Road
- Kurt Stoner, 2461 Fishing Creek Valley Road
- John Wheeler, 21 Hilltop Road
- Gerald Blinebury Jr., 1714 Potato Valley Road
- Harold Beers, 2421 Fishing Creek Valley Road
- Laurie Saltzgeber, 1801 Fishing Creek Valley Road
- Matthew & Ashley Shaw, 551 Le Sentier Lane
- Nicholas Huntley, 1511 Potato Valley Road
- Christian Masters, 3020 Fishing Creek Valley Road
- Mike Kraft, 1301 Red Hill Road
- Tracey Hanwell, 2830 Fishing Creek Valley Road
- Christine Capuzzo, 2280 Mockingbird Road
- Igor Drucker, 465 Countryside Lane
- Eugene (Gene) Stilp, 1550 Fishing Creek Valley Road
- Joseph Hoover, 1411 Potato Valley Road

The following individuals addressed the Planning Commission citing their favorable support of the proposed text amendment to construct and operate a farm to food bank facility at 2551 Fishing Creek Valley Road.

- Wade Archibald, 2280 Fishing Creek Valley Road
- Graham Hetrick, 201 Hetrick Lane

Jason Serrano thanked everyone for coming out to express their concerns and offered to reach out to the community to have an open discussion and dialogue and asked to table the text amendment. Mr. Serrano apologized for offending anyone and if the accessory uses are highly objected to, he will relook at those uses. Mr. Serrano offered contact information to anyone who would like to discuss the proposed use with him and his wife Aleta.

Chairperson Liz Rodda asked if there were any additional comments. Hearing none, Ms. Rodda asked if there was any action from the Planning Commission. Bill Kotkiewicz motioned to table the text amendment, seconded by Ralph Stone. The motion passed unanimously.

Sean Delaney as counsel for the interested party, requested to be copied on all correspondence between the Township and applicant.

Having no additional comments and no new business, motion was made by Gary Deimler to adjourn the meeting, seconded by Ralph Stone. The motion passed unanimously.

The meeting adjourned at 9:14 P.M.

Respectively Submitted,  
**SIGNATURE ON FILE**  
Julie A. Seeds  
Recording Secretary