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Middle Paxton Township

**MIDDLE PAXTON TOWNSHIP
Planning Commission
Reorganizational Meeting Minutes
May 10, 2021**

The May 10, 2021 Reorganizational Meeting of the Middle Paxton Township Planning Commission was called to order at 7:00 p.m. in the Township meeting room by Township Manager and Recording Secretary, Julie Ann Seeds. The following members were present; Liz Rodda, Gary Deimler, Jeff Smith, Chip Brown, and Ralph Stone.

Following the Pledge of Allegiance to the Flag, nominations for Chairperson were requested. Ms. Liz Rodda was nominated by Mr. Chip Brown, seconded by Mr. Gary Deimler. The nominations were closed and Ms. Liz Rodda was elected by unanimous vote and assumed the Chair.

Ms. Liz Rodda requested nominations for Vice-Chairperson. Mr. Jeffrey Smith was nominated as Vice-Chair by Mr. Gary Deimler, seconded by Mr. Ralph Stone. The nominations were closed and Mr. Jeffrey Smith was elected by unanimous vote.

Ms. Liz Rodda asked if all members were in general concurrency with the meeting dates and time that is set as the second Monday of each month at 7:00 pm., with the location at the Township Meeting Room, 10 Elizabeth Avenue. The members answered in affirmative.

The regular meeting commenced at this time;

The October 12, 2020 meeting minutes were reviewed, Mr. Jeffrey Smith moved to approve the meeting minutes, Seconded by Mr. Ralph Stone, the motion carried unanimously.

The December 14, 2020 meeting minutes were reviewed, Mr. Gary Deimler moved to approve the meeting minutes, Seconded by Mr. Ralph Stone, the motion carried unanimously.

With no old business to conduct the Commission moved on to new business.

Application for Zoning Amendment – Pocono Business Park LLC

Salzmann Hughes, P.C. attorney E. Lee Stinnett II representing Pocono Business Park, LLC (“Applicant”) presented a petition requesting to rezone a portion of a larger tract as noted as Commercial-Office District along with a small portion of the R-3 District on property identified as Dauphin County Tax Parcel ID No. 43-020-029 to a Commercial-Industrial District (C-I) and to amend the Middle Paxton

Township Zoning Ordinance, specifically Article 2 (entitled “Designation of Districts”), Section 201 (entitled “Zoning Map”), and the Middle Paxton Township Zoning Map.

The applicant is the equitable owner of a 38.58 acre tract identified as “Lot 2” within the aforementioned tax parcel located immediately to the north of Allegheny Street adjacent to the interchange of Route 22/322 and Route 225 (Peters Mountain Road) and is proposing to develop a warehouse facility on Lot 2.

Mr. Stinnett noted a few items including the proximity of the current C-I District directly across S.R. 225 interchange and that a large area intended for (C-I) was taken as part of the highway expansion leaving a smaller area that would not support a warehouse use.

Mr. Stinnett introduced Mr. Joel E. Young with RETTEW Associates who presented a number of slides of the surrounding area within the large tract of land that already has a contingent approval for 216 apartments and an narrative of the proposed development with a conceptual site plan consisting of an approximate 248,000 square foot warehouse building, with loading dock berths, 45 trailer parking spaces and 153 passenger vehicle parking spaces. Allegheny Street will serve as the access to and from the proposed warehouse facility which is also the same access drive as the proposed River View at Middle Paxton residential development. There is also proposed a gated access drive extension to Affection Road that will only be utilized by emergency services.

Mr. Young stated due to the topography and how the slope falls on this site and the visibility from 22/322 is almost non-existent and not attractive or conducive to commercial office or retail. In addition, the view shed to residents in the area will be limited. Ample room is proposed around the facility for buffer area and the lighting will be shielded so as not to allow lighting to spill off the property.

Nathan Pipitone, equitable owner of Pocono Business Partners, spoke to the process of searching for suitable acreage to construct a warehouse and calculating the land available in the C-I District is approximately 11 acres with a portion of it wetlands and residential houses that nowhere on the site could the 150 feet setback requirement be met and not suitable area for truck traffic. Mr. Pipitone explained that the proposed rezoned area will have very little impact on Township roads as the entrance to the property is close to the exit which keeps truck from traversing through the Township. Mr. Pipitone stated the amount of right of way that was confiscated by the State for the new highway interchange is approximately the amount land they are asking and the land is a contiguous extension from the land before the new interchange was constructed and split the property. Mr. Pipitone then gave traffic impact statistics when they were done previously for the proposed multifamily and commercial retail establishments and emphasized there will be no truck traffic on Haggy Lane and he reviewed the financial benefit to the school district and the Township with the additional taxes and the added jobs the project would create.

Mr. Pipitone reviewed the economic downfall of big box stores especially since the pandemic and most stores are looking for distribution centers.

Chairman Rodda asked the Planning Commission for comments;

Chip Brown asked if the Township Engineer reviewed the application. Mr. Ed Fisher, Light-Heigel & Associates, stated they would not do a review of a rezoning application; only if a plan is submitted.

Jeffrey Smith noted the Comprehensive Plan date is incorrect in the letter from Salzman Hughes and stated it is important that the rezoning application be consistent with the most current Comprehensive Plan dated 2016. .

Ed Fisher asked about the traffic study that was mentioned in the presentation and asked for additional information on trucks in the study. Mr. Pipitone stated they would work on getting that answer and also stated that a new traffic study will be required if the rezoning is approved.

Kyle Snyder with Dauphin County asked about the reference in the application about the connection to Affection Road and had a question about truck trips. Mr. Stinnett explained that proposed access will be gated and used for emergency purposes only and clarified truck trips calculation.

Liz Rodda questioned Mr. Pipitone about his statement in regards to the current C-I District and a building project of this size that it could not be built. Mr. Pipitone explained the C-I area that was taken by the right of way denies the Township the use and he added the current C-I District is actually better for Commercial Office/Retail due to the exposure to S.R. 225.

Chip Brown asked about the height of the building and it was stated no more than 35 feet in height according to the Township Zoning Ordinance. Mr. Lee Stinnett showed a perspective of the front of the facility.

Jeffrey Smith expressed his concern of taking a large 'chunk' of Commercial Office (C-O) District and then a developer coming in with the same request 'down the road' stating there isn't enough land for C-O and then it begins to snowball. Eric Clancy with LDI Associates, owners of the parcel of land, suggested perhaps swapping the districts to make up for the Commercial- Office where there is better exposure and visibility for commercial retail.

Chairman Rodda asked for questions from the audience; below are comments and concerns:

- Concerns about the impact on Township roads and noise.
- Concerns about truck traffic on Allegheny Street.
- Concerns about trucks trying to access Hagy lane and traffic turning onto Hecks Drive; no enforcement.
- A concern was expressed about trucks speeding through Dauphin Borough and increasing traffic onto 22/322.
- A question was asked about the grade of the driveway entrance.
- A question was asked about the impact fee that was discussed earlier.
- A question was asked if signage could be placed at the Dauphin Borough Exit that prohibits trucks.
- A question about the financial impact and school district.
- The height of the proposed warehouse was questioned.
- Concerns in regards to emergency services and additional equipment if needed.

Ed Fisher summarized the next step for the application for a rezoning request, the Board of Supervisors will be looking for a recommendation from the Planning Commission but if more time is needed for additional information then an option is to table the rezoning application.

Mr. Gary Deimler moved to table the rezoning application, Seconded by Mr. Ralph Stone. The motion carried unanimously.

Having no additional comments, motion was made by Mr. Chip Brown to adjourn the meeting, Seconded by Mr. Ralph Stone. The motion carried unanimously.

The Meeting adjourned 8:12 P.M.

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