

# ***STRABAN TOWNSHIP PLANNING COMMISSION***

*Alan Zepp, Darrin Catts, Patt Kimble, Roy Weaner, Sharon Hamm*

## **MEETING OF: June 25, 2014, 7:00 p.m.**

The Straban Township Planning Commission met this date, as publicly advertised, at 7:00 p.m. in the meeting room of the Straban Township Municipal Building, 1745 Granite Station Road, Gettysburg, PA 17325 with Board Chairman Alan Zepp presiding. Others in attendance were: Vice Chairman Darrin Catts, Member Secretary Patt Kimble, Member Roy Weaner, Member Sharon Hamm, Township Solicitor John S. Phillips, Traffic Engineer Jodie Evans, Township Engineer Erik Vranich, and Zoning Officer Earl Baer.

Others in attendance: Mark Magrecki, Penn Terra Engineering, Christy Blakely and Laura Mondrick, The Keith Corporation; Teresa Sparacino, Delta Development Group; Dave Lazas, ATAPCO Properties; Robin Fitzpatrick, Adams County Economic Development Corporation; Jonathan Cox, Rhoads and Sinon LLP; Rick Klein, Representative-Discovery Gettysburg; Paul and Christine Kellett, property owners in Township; Sandra and Lawrence Martin, residents; Skip Strayer, resident; George Kimble, resident; Carrie Stuart, resident; Dick Mountfort, Biglerville; and Vanessa Pellechio, Gettysburg Times.

### **Minutes:**

**Mr. Catts moved, seconded by Ms. Kimble to approve the May 28, 2014 minutes as presented. Motion carried unanimously.**

### **Land Use Reviews (Preliminary/Final Plans):**

**Hampton Inn – Prel./Final Subdivision/Land Development Plan (Rt. 30/Shealer Rd.) – Must act by 9/3/2014**

No discussion.

**Mark Gettysburg – Prel. Subdivision Plan – (south side of York Rd. just East of Rock Creek) – Must act by 7/10/14**

The Straban Township Board of Supervisors Meeting of June 3, 2014 gave this project a one month extension. Along with the extension, a letter dated June 3, 2014 was also sent to Sharrah Design Group requesting information on the delay(s) of the project since no activity has occurred since 2012. No representative present to offer information on the project.

**Mr. Catts moved, seconded by Ms. Hamm to recommend denying the plan based on no activity presented to the Planning Commission. Motion carried unanimously.**

**Gettysburg Station – Final Land Development Plan (York Rd. – south side Rt. 30 – btwn Peebles and Giant Shopping Centers) – Must act by 09/24/14**

No discussion.

**Tractor Supply – Prel./Final Land Development Plan – (east side of Smith Rd. approx. 500 feet north of Rt. 30) – Must Act by 07/17/14**

Mr. Magrecki (Penn Terra Engineering, Inc.) presented a resubmission of plans dated June 17, 2014.

SALDO 117-41-C - requiring the installation of sidewalk for all non-residential uses be placed along Smith Road to connect to the US Route 30 was revisited. The developer is proposing alignment for the sidewalk through the property as an alternative walking path location in lieu of a sidewalk along the right-of-way. The path will be bituminous except for the connecting portion located within the right-of-way where sidewalk connects to Route 30. Mr. Baer (Commonwealth Code Inspection Service) commented that he believed this to be a good middle ground to accommodate developers and Township requirements. Mr. Vranich (Wm. F. Hill and Associates, Inc.) stated he too thought it is a viable solution; however, access easement, and maintenance agreement needs to be identified, and documented (maybe with the driveway agreement).

Mr. Vranich led the discussion on the remaining conditions (items 1-16) outlined in the Wm. F. Hill and Associates, Inc. Letter dated June 24, 2014. The items encompassed outside agency approvals (i.e., PennDot, GMA, Adams County, Conservation District, etc.), easement rights, utility involvement/work with PPL, and plan revisions (i.e., roads, SWM, temporary variances).

The waiver/modification requests as depicted in the referenced above Wm. F. Hill and Associates, Inc. Letter were discussed and supported by the Planning Commission at the prior February and May 2014 monthly meetings.

**Mr. Catts moved, seconded by Ms. Kimble to recommend approval of waivers I through IV (depicted below) for the Tractor Supply Prel./Final Land Development Plan. Motion carried unanimously.**

I. SALDO 117-17 – This section establishes the requirements for a Preliminary Plan submission. The developer has requested a **WAIVER** of this section in order to submit as a combined Preliminary/Final Plan.

II. SALDO 117-20.G – As this preliminary/final plan only covers a part of the entire land holdings and the subdivided parcel relies on a shared access drive, a concept of future build out must be provided to demonstrate that the access drive is located appropriately. The development is requesting a **WAIVER** of this section.

III. SALDO 117-32.B(6) – No access drive shall be within five feet of any property line. As the access drive is located on an adjacent property and within an access easement, it is shown that this access will be a common access point. The developer has requested a **WAIVER** of this section.

IV. SALDO 117-39.D(2) – All properties and/or developers submitting a land development or redevelopment plan along Route 30 shall be responsible for installing all US Route 30 streetscape enhancements. A zoning application requesting a variance from the above streetscape requirements was held on April 29, 2014 along with a Decisional meeting held May 28, 2014. The Decisional meeting issued a temporary variance permitting the applicant to develop subject tract and to defer the installation of streetscape improvements. The developer has requested a **WAIVER** of this section in conjunction with the above variance application.

**Mr. Weaner moved, seconded by Mr. Catts to recommend approval of modifications V through VIII (depicted below) for the Tractor Supply Prel./Final Land Development Plan. Motion carried unanimously.**

V. SALDO 117-40.A – Curbing shall be provided in parking areas of commercial developments. The applicant has requested a **MODIFICATION** of this section to allow for wheel stops to be used in the area of the 20 northern-most parking spaces.

VI. SALDO 117-41.C – The section requires the installation of sidewalk for all non-residential uses. The developer has requested a **MODIFICATION** of this section. It is noted that the developer is proposing an alternative walking path location through the property in lieu of a sidewalk along the right-of-way. This was discussed and supported by the Planning Commission with easement and maintenance agreements to be documented on the plans.

VII. SALDO 117-60.D(1)(e) – A landscaped divider strip between abutting rows of parking shall be installed. Landscaped divider strips shall be a minimum of five feet in width. The developer has requested a **MODIFICATION** of this section to utilize a 16’ strip in lieu of three 5’ strips.

VIII. SWM 109.18.A – This section establishes the requirements for Peak Rate Runoff Control. The current design exceeds the pre-development runoff rates for the one year storm event. The developer has requested a **MODIFICATION** to allow for the one year post-development rates to exceed the one year pre-development rates. As previously stated, Wm. F. Hill and Associates, Inc. would not oppose the granting of this modification.

**Mr. Weaner recommended conditional approval based on the review letter of Wm. F. Hill and Associates, Inc. dated June 24, 2014 with the above items 1 through 16 to be satisfied. No second or motion to approve.**

Penn Terra, in a letter dated June 19, 2014, requested an extension of time to process the land development plans for the proposed project to October 15, 2014. **Ms. Hamm recommended approving the extension of time to November 5, 2014 which is after the November monthly Board of Supervisors meeting in order to allow applicant time to clean-up the outstanding items/conditions. Mr. Catts seconded. Motion carried unanimously.**

**Appearances:**

None

**Old/New Business:**

**Tax Increment Financing (TIF)–Gettysburg Crossing – Proposed Redevelopment Area**

Mr. Zepp read an opening statement to the Planning Commission members and audience. Addressing the main focus of the Planning Commission is to define the redevelopment area as to whether it meets the criteria within the blight definition of the TIF act. This statement is attached and entered as part of the record of this meeting.

Ms. Sparacino (Delta Development Group) read and presented to the Planning Commission a formal statement offering further comments for consideration in the certification of blight for the redevelopment area. This statement is attached and entered as part of the record of this meeting.

**Mr. Zepp opened the floor for public comment on this specific topic.**

Mr. Kellett (property owner in Township) cited the Tax Increment Financing Act and the observation that the boundaries as a whole of the property being assessed were not taken into consideration by the governing body. The TIF project is to enhance and eliminate conditions of blight. The area in question could be further developed without the adoption of the TIF.

Mr. Strayer (resident) stated that the Planning Commission has the ability to make this decision but do they have the will to make a current situation better. He cited increase to the economy to benefit the community if the TIF is adopted. Mr. Strayer stated that the law is written to allow sufficient leeway for the Planning Commission to designate the TIF area; but, do they have the will?

Mr. Zepp referenced the Resolution for the Redevelopment Area that was prepared by Mr. Phillips (Phillips & Phillips). This Resolution defined the blighted area due to the existence of faulty street or lot layout. The 2011 Traffic Impact Study was named at last month's meeting as the basis for the conditions for blight that encompassed Route 30 and the Wal-Mart/Peebles driveway/intersection to Gateway Boulevard and Smith Road. Additionally, Camp Letterman Drive/Shealer Road from the intersection of Route 30 to the intersection of Shealer Road/Hunterstown Road was part of the study.

**Mr. Weaner moved, seconded by Mr. Zepp to adopt the Resolution for the Tax Increment District within the designated Redevelopment area. Motion carried with Ms. Kimble consenting.**

**Mr. Catts and Ms. Hamm disapproved the motion.**

**Mr. Zepp moved, seconded by Ms. Kimble to adjourn the meeting at 7:40 p.m. Motion carried unanimously.**

**Ms. Kimble moved, seconded by Mr. Zepp to reconvene the meeting at 7:50. Motion carried unanimously.**

Mr. Phillips recapped what occurred during the interim between officially adjourning and reconvening the Planning Commission meeting. Mr. Phillips stated that he conversed with Ms. Kimble on whether or not she was up-to-speed on the Special Meeting for this project that was held on May 22, 2014. Ms. Kimble did not get the opportunity to read the transcript from this meeting. Mr. Phillips pointed out that Ms. Kimble's vote would not be permissible since she was not fully informed of the background information that preceded this evening's vote.

Mr. Phillips gave options of re-voting or withdrawing the motion until the next Planning Commission meeting.

**Ms. Hamm made a motion to not approve the resolution, Mr. Catts seconded the motion.**

**Mr. Weaner and Mr. Zepp disapproved the motion.**

Ms. Hamm clarified that the decision for the TIF Redevelopment area is to be based on current criteria of existing blight. No updated evidence was submitted from the developer; so, the only evidence to make this determination is the 2011 Traffic Impact Study which does not support a current existence of blight.

Ms. Sparacino stated that Ms. Kimble should have the right to vote like the other Planning Commission members.

Mr. Phillips stated that the vote can be at the next scheduled Planning Commission meeting or a Special Meeting be held. Keep in mind that a Special Meeting must be advertised and a stenographer present.

Mr. Catts pointed out that the Planning Commission has been looking at this issue/topic for months and has put considerable time and effort into making this decision. He did not want to see the vote to be extended beyond this evening.

**Mr. Weaner moved, seconded by Mr. Zepp to revoke at the next Planning Commission meeting or at a Special Meeting and have full participation of all five Planning Commission members. Motion approved by majority vote.**

**Public Comment:**

**Adjournment**

**Mr. Zepp moved, seconded by Ms. Kimble to adjourn the meeting at 8:00 p.m. Motion carried unanimously.**

**NEXT MEETING:** SUPERVISORS: \_\_\_\_\_ July 7, 2014 \_\_\_\_\_  
PLANNING COMMISSION: \_\_\_\_\_ July 23, 2014 \_\_\_\_\_

Respectfully Submitted,

Tina M. McNaughton  
Secretary