

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

June 10, 2024

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

TOWNSHIP PERSONNEL

Dean W. Villone, President

Rebecca Davis, Assistant Township Manager

Jennifer M. Caron, Vice-President

Steven P. Miner, Township Solicitor

Joshua Nagy

David Holl, Public Safety Director

Charles Brown

Isaac Sweeney, CED Director

Joseph Swartz

James Bennett, Township Planner

Michael Knouse, Township Engineer

Tony Deaven, EMS Captain

Nate Sterling, Administrative Secretary

Renee' Greenawalt, Recording Secretary

President Villone called the June 10, 2024 Regular Meeting of the Board of Commissioners to order at 6:00 PM. He announced that Proof of Publication for the meeting was available for review. This was followed by a prayer and the Pledge of Allegiance.

MEETING MINUTES:

President Villone requested a motion to approve the minutes of the May 28, 2024 Regular Meeting. Commissioner **BROWN** moved to approve the minutes. Vice President **CARON** seconded. The motion passed 5-0.

AUDIENCE PARTICIPATION: Any item on the agenda.

President Villone advised the audience that if there were any items on that evening's agenda that they wish to comment on, to please indicate as such. Mr. Richard Jordan and Mr. John Snyder indicated their intent to speak on agenda item 8A (Smith Land & Improvement Corp. Ford Truck Center).

CONSENT AGENDA:

President Villone stated that any Commissioner, staff member, or anyone in attendance who would like to have an item on the Consent Agenda removed for further discussion, they could do so at that time. There were none.

Items on the Consent Agenda:

- a. Check Register of June 3, 2024, in the amount of \$621,637.63.
- b. Check Register of June 7, 2024, in the amount of \$94,836.42.
- c. Moving Shane Katrancha, EMT/PSO-I in the Public Safety Department from probationary status to regular full-time status effective June 15, 2024.

Commissioner **BROWN** moved to approve the items on the Consent Agenda. Vice President **CARON** seconded. With no further discussion the consent agenda was approved by a vote of 5-0.

PRESIDENT

President Villone noted there was no business to address under his report.

ANY BUSINESS PERTINENT TO THE TOWNSHIP:

President Villone noted that if anyone wished to speak at that time on any issue, there would be 10 minutes allotted per person to speak at the podium. There were none.

COMMUNITY AND ECONOMIC DEVELOPMENT

Smith Land & Improvement Corp. Ford Truck Center

Director Sweeney introduced the item for discussion, to consider SLD 2023-06, the Smith Land & Improvement Corp. Ford Truck Center 2020 State Road, conditionally approved by the Board of Commissioners in February 2024. Since that time, pre-construction meetings have been held to discuss conditions of approval.

Director Sweeney referenced the applicant's June 5, 2025 letter, requesting to move forward with site construction prior to the recording of the plan.

Mr. Jordan highlighted the planned stormwater and utility, on-site private improvements for the property, all of which have been approved by the appropriate entities except for work that is subject to the Highway Occupancy Permit. The on-site stormwater improvements will also have a positive impact on existing problems downstream. These improvements include underground water retention, new sanitation and more. He noted that waiting to start the work will delay the improvement and project costs will rise, which is the reason for the request to begin the start of private site work. The applicant requested a waiver from the preliminary plan during the original submission to save time. Had that not been done, the applicant would be permitted to begin work prior to the plan recording. Vice President Caron asked to what extent the decision is discretionary. Mr. Knouse explained that since the plan was processed as a final plan with conditional approval, and no approved preliminary plan, there is no authority to proceed until the applicant satisfies the conditions, unless they request preliminary approval. He referenced several PennDOT comments of concern that are related to the sanitary sewer and a proposed 6% cross slope along the bike route, which is not ideal. He noted that the staff supports the redevelopment of the property and appreciates the efforts of the developer and engineer to address needed improvements.

Mr. Miner expressed concern, noting that none of the conditions have been met since the time the Board of Commissioners acted on the plan in February with conditional approval. There is no signed agreement for bonding or for stormwater management. He also noted his general concern about setting precedent. He agreed that it is desirable to redevelop the property, however no financial security has yet been posted and no improvements have been made since February. He recommended not acting due to these reasons.

Mr. Snyder acknowledged the unsatisfied outstanding conditions and noted the lengthy PennDOT process which could delay the start until the weather presents further obstacles. He requested to start moving earth with a temporary agreement, also acknowledging the liability to the applicant. He also stated that excessive delay could impact the viability of the project.

President Villone noted that since the item was on the agenda for discussion only, therefore action is not possible due to the Sunshine Act. He expressed discomfort in approving plans with so many conditions attached to them, noting a desire to avoid such in the future.

Commissioner Nagy noted that the plan was conditionally approved with a strong comfort level and expressed appreciation for the developer's planned solutions to address the existing stormwater issues. He indicated a desire to reach a satisfactory solution and asked if a preliminary plan was an option to move forward. Director Sweeney cautioned against that route. Mr. Miner agreed and noted the applicant chose the process and said there are other conditions that could be met while waiting for the outside agency approvals. Mr. Knouse noted that staff could engage with PennDOT on some of the issues to help move the process along. Members also discussed the possibility of the applicant satisfying specific conditions to provide adequate security for the Township and agree to permit some earth-moving work to begin.

Commissioner Swartz suggested that staff be encouraged to collaborate with the applicant and PennDOT to ensure that the stormwater, sewer, and bike path priorities are advanced and consistent with the plan. Vice President Caron expressed agreement. President Villone directed staff to continue dialogue with the applicant, engineers, and the solicitor to determine a solution for consideration at a future meeting.

Proposed Ordinance to amend Chapter 65 and Chapter 220-151

Director Sweeney introduced the item for discussion, to consider a proposed Ordinance to amend Chapter 65 Animals and Chapter 220-151 Non-intensive Agricultural Uses to provide for the keeping of domestic chickens as a permitted accessory use in all zoning districts, and authorization to forward the proposed Ordinance to both the Lower Allen Township Planning Commission and the Cumberland County Planning Commission for additional review and comment.

He noted that the item related primarily to domestic chickens. Mr. Miner clarified that the proposed ordinance applied only to the R1 zoning district and that additional changes would apply to the application for building and zoning permits. Mr. Bennett explained that the building permits relate to impervious coverage of the coop or accessory structure used to house the animals.

President Villone noted he was not in favor of requiring a permit fee to allow residents to have chickens but would support building permits to ensure structures were built properly and safely. Commissioners expressed discomfort in what might be considered as over-regulation of animals that might be considered as pets, but supported a sliding scale related to lot size and some action to prevent nuisance issues. Mr. Bennett explained that the Cumberland County model ordinance was the basis for what was proposed, and noted it was an evolving issue.

Following the discussion, members expressed consensus to have the proposed ordinance be revised to reflect their comments and which focuses on the related building structures where animals would be housed.

ASSISTANT MANAGER & PUBLIC WORKS DIRECTOR

Advertising Ordinance 2024-01

Assistant Manager Davis introduced the item for discussion and possible action, to advertise Ordinance 2024-01, amending Chapter 151 by adding tobacco product use regulations. She noted that the proposed ordinance reflected the consensus expressed by the Board at prior meetings.

Commissioner Swartz suggested one revision, to change the wording from “non-smoking policy” to “Tobacco Free Policy.”

Commissioner **NAGY** moved to advertise the Ordinance with amended retitling as “Tobacco Free Policy,” seconded by Commissioner **SWARTZ**. The motion passed 5-0.

Vice President Caron and Commissioner Swartz expressed appreciation to Commissioner Nagy as liaison to the Parks and Recreation Board in bringing it to the attention of the Board.

Termination of Cumberland County Yard Waste Processing Equipment Program

Assistant Manager Davis introduced the item, informing the Board of the pending termination of the Cumberland County Yard Waste Processing Equipment Program (shared use of the County’s grinder and leaf turner), effective July 1, 2024. She explained details of the program, in which equipment is shared with twelve other municipalities. The program is ceasing due to reasons associated with insurance liability. Township staff are meeting with other municipalities to search for alternative options, one of which is a transfer of the equipment to another municipality.

COMMISSIONERS REPORTS

Director Holl reported his attendance at the kickoff for the county hazard mitigation plan.

Captain Deaven made note of an EMS documentary to be shown at HACC.

Commissioner Nagy expressed appreciation to Manager Vernau for his work and research efforts in finding the Young Lungs at Play program to support the Tobacco Free Policy for the Township parks.

Commissioner Swartz announced that the Frederickson Library needed volunteers for administration of fundraisers, including staffing a booth at the Camp Hill Farmers Market from 3-5 pm and 5-7 pm on June 18, July 16, August 20, and September 17. He also extended well wishes to the community in recognition of Pride Month.

Vice President Caron expressed well wishes to all for a Happy Father’s Day.

President Villone thanked staff for their ongoing excellence. He also noted the large item drop-off service available at the Public Works Building and gave a shout out to Penn Waste for their customer service. He gave kudos to the Public Works Department for their recent efforts.

ADJOURNMENT

The meeting was adjourned at 7:30 PM.