

**MINUTES**  
**UNION TOWNSHIP PLANNING COMMISSION**  
**August 5, 2020**  
**Union Township Building**  
**Lickdale, PA**

Karl Hinkle Chairman called the meeting to order at 7:00 p.m.

**Attendance**

David Yavoich, Chairman (absent)  
Karl Hinkle, Vice Chairman  
Dave Matterness, Secretary  
Frank Via, Commission Member (absent)  
Glenn Rudy, Commission Member  
Herb Eckert (Alternate Commission Member)  
Gary Longenecker (Alternate Commission Member) & Supervisor  
Liz Krause, Zoning Officer/Recording Secretary (absent)  
Brent McFeaters, Township Manager  
Steve Sherk, Township Engineer  
Two Supervisors-Dennis Firestone, Kerry McCrary  
Mike Thurley, Chrisland Engineering for Lebanon Federal Credit Union  
Bob Gerhart, Matthew & Hockley  
Dane DiAngelis  
Ryan Kuhn & Justin Doty for Freightliner  
Greg Kowalski, H. Edward Black & Associates for Wellspan

**Approve the Minutes**

Dave Matterness made a motion seconded by Herb Eckert to approve the minutes from the July 1, 2020 Planning Commission meeting. All approved.

Public Comments - None

**Old Business**

**Freightliner Minor Subdivision & Preliminary Land Development Plan**

Justin Doty explained to the Planning Commission members that due to their timeline being altered because of Covid-related issues, the developer has requested the plan be processed as a preliminary plan and asked for preliminary plan approval. Steve Sherk commented that the plans have satisfied the criteria for preliminary approval and that no building or Zoning permits will be issued until final plan approval is granted. After a brief discussion, Gary Longenecker made a motion seconded by Dave Matterness to recommend the Board approve the Freightliner Minor Subdivision and Preliminary Land Development Plan. All approved.

**Home 2 Suites Subdivision & Land Development Plan**

No action was taken, and the plan was tabled until the September meeting.

## **Lebanon Federal Credit Union Final Land Development Plan**

Steve Sherk said he received a resubmission of the plan the previous day but did not have an opportunity to review the revised plans. Mike Foley of Chrisland Engineering explained that there will be a total of two entrances for the two properties shown on the plan, one of which will be used exclusively by the Lebanon Federal Credit Union.

Gary Longenecker asked if the main driveway will be the one that lines up with Dollar General and Mr. Foley said that will be the residual driveway that will be designed to road standards and will be there for the future, but right now it is just to provide access for the residents in the back and it is lined up with the lot across the street. The entrance for the credit union is shown where the existing driveway is located on the plans which is currently being used for the residents in the rear of the property. Steve Sherk said it is his understanding that the credit Union prefers to maintain their own entrance because they don't know the use of the other lot.

Dennis Firestone asked what happens to the driveway that the resident is currently using? Mr. Foley said the driveway that the resident is currently using will be eliminated and will be replaced by the credit union entrance. He pointed out that currently there is one driveway but there will be two entrances in total for the two properties.

Mr. Foley presented three waiver requests regarding the roadway and sidewalk improvements along Jonestown Road. Karl Hinkle expressed concern about Jonestown Road not being widened because it's only a two-lane road and cars will be stopping to turn into the credit Union. Mr. Foley said they had a traffic assessment done that estimated 25 to 30 peak trips and they didn't feel it rose to the level to require road widening. Steve Sherk clarified that the road width is 33' and he isn't concerned about the width of the road in that area. After a lengthy discussion about the waiver requests, the Planning Commission took the following action:

- Dave Matterness made a motion seconded by Gary Longenecker to recommend the Board approve the waiver to Section 5.13.B regarding the requirement to install sidewalks along Jonestown Road so as to match other recent development along Jonestown Road with a deferment that if there's ever a project requiring sidewalks, it would be the landowner's responsibility to install the sidewalks. All approved.
- Karl Hinkle made a motion seconded by Dave Matterness to recommend the Board approve the waiver to Section 5.11.C.10.a. regarding the requirement to widen the street and install sidewalks so as to match other development along Jonestown Road. All approved.
- Dave Matterness made a motion seconded by Glenn Rudy to recommend the Board approve the waiver to Section 5.11.C.11.b regarding the requirement to widen the existing cartway (or install a new wearing course overlay) so as to match other recent development along Jonestown Road. All approved.

No other action was taken, and the plan was tabled until the September meeting.

## **Wellspan Preliminary Land Development Plan**

Greg Kowalski said they have addressed all of Steve Sherk's comments and are asking for preliminary plan approval. Steve Sherk said all items have been addressed for preliminary plan approval and he has no issues with recommending preliminary plan approval. Gary Longenecker made a motion seconded by Dave Matterness to recommend the Board approve the Wellspan Preliminary Land Development Plan. All approved.

### **Huffman Minor Subdivision Plan**

Bob Gerhart of Matthew & Hockley explained that this is a simple subdivision plan which involves several properties located at 44 Lincoln School Road, 50 Lincoln School Road and 425 Awol Road and noted that there is no land development proposed as part of the plan which proposes the subdivision of 6.0756 acres from the lands of Walter & Marion Huffman and 20.2772 acres from the lands of Theodore & Betty Huffman to be added to the adjoining lands of Warren Dougherty resulting in a 38.2975-acre lot. Mr. Gerhart added that East Hanover Township has conditionally approved the plan and they are in the process of preparing the Planning Waiver & Non-Building Declaration that is currently with the County. Steve Sherk said he has no issues with approving the plan. After a brief discussion, Dave Matterness made a motion seconded by Herb Eckert to recommend the Board approve the Huffman Minor Subdivision Plan. All approved.

### **Dane DiAngelis & Bob Gerhart Potential Subdivision**

Bob Gerhart explained that Dane DiAngelis owns the storage units located on the northside of Route 22 in front of what use to be the old motel and he would like to subdivide the storage units from the residential component of the property but does not want to move forward until they have direction as to what might be required before submitting any plans for review.

Mr. DiAngelis explained that when he did the plan for the storage units, he did the stormwater plan which was put in to house all the water in the area. He said he would like to split the residential part of his property off but will keep the stormwater with the storage unit property. He said the storage units have no sewer nor water so the only thing he would have to separate would be the electric, noting that the load would not change and there would be no earth moving at all with the potential subdivision.

Steve Sherk asked Mr. DiAngelis if he has an agreement for the shared driveway and Mr. DiAngelis said he does not. Dane said he maintains the driveway but asked to not be required to sign the maintenance agreement when he did his 2008 land development plan because there are so many other people that use the road. He said he previously asked if he could give more land so the Township could make it a road, but the Township did not want it. He noted that the road was built up to Penn Dot specifications and is shown on his 2008 land development plan but there is no maintenance agreement to repair the road.

Steve said that because they are creating a new lot and every lot is required to abut a public street or private street built to Public Street Standards he thinks they would either need to improve the street because a 25' wide street doesn't meet public street standards or he would need a variance to front to a substandard street or driveway.

Steve said he doesn't like to have multiple properties accessing a private driveway when there's no formal maintenance agreement to say who is responsible because everything could be fine today, but what about tomorrow. Mr. DiAngelis illustrated to the Planning Commission members where all the other residents access their properties and said he was concerned about a maintenance agreement because if someone got hurt on the road, would it be his liability. Mr. DiAngelis said this is an un-deeded driveway which has already been researched and he previously tried to give land to make it a Township road and but was denied. Karl Hinkle asked what is currently in the back of the property and Mr. DiAngelis said it use to be the Boltz Motel, an apartment, one big building with efficiency apartments two cottages with one bedroom, and a 3-bedroom-house with a two car garage. He added that in 2009 he put in a new sand mound that was solely for those homes and cottages which had nothing to do with the storage units.

Karl Hinkle commented that the private roads can sometime turn into a nightmare and the Township could end up with a road with no maintenance agreement and the people living there could be prohibited from using the road. Dane said he has already checked into that, and it is an un-deeded driveway for all existing residents. He said at one time he tried to take ownership of it because his argument was that if he has to provide right of ways to everyone and sign the maintenance agreement, then he should be able to purchase it, but it was all previously denied. He said all he wants to do is separate the residential property from the storage units and pointed out that all the residents have access through Peach Lane and Hill Drive which is a through Street. Karl Hinkle said he can understand why he wouldn't want to sign an agreement with everyone else using the road. Glenn Rudy asked if the road is paved and Dane said it is paved to the specifications. Glenn Rudy asked if this wouldn't be creating a flag lot, but Steve Sherk said it's not a flag lot but is more of an irregular-shaped lot and Mr. DiAngelis noted that the reason it is angled is because they stayed with the berm of the stormwater.

Bob Gerhart said they just wanted to get the opinion of everyone before moving forward with the Plan and the Planning Commission agreed that although it's an unusual project, they didn't have any concerns.

### **Adjournment**

Karl Hinkle adjourned the meeting at 8:08 p.m.

Respectfully submitted,

Liz Krause  
Recording Secretary