

Bern Township Planning Commission Meeting of July 11, 2023

Present: Planning Commission: Steve Tricarico, James Dailey, Michael Werley, Glenn Sweigert, and James Rumbaugh.

Also attending: Mr. Keith Mooney, Solicitor; Kent Morey, Spotts, Stevens & McCoy.

The meeting was called to order at 7:30 pm by Mr. Tricarico.

Minutes

Mr. Dailey made a motion to accept the minutes of the meeting of June 13, 2023 as written. Mr. Werley seconded. All in favor. Motion carried.

Public Comment

Ralph Porr, Mimosa Lane resident, expressed concerns pertaining to the Penske project and the 35' building height, quality of life and noise pollution. He hopes that Penske can work with the residents.

Beverly Miller, Stinson Drive resident, spoke about light pollution. She also spoke about a self-conducted traffic count where 222 vehicles passed her residence in three hours. Mrs. Miller said she is concerned about increasing the amount of travel on Stinson Drive. She also stated there is a sinkhole on Stinson Drive that needs to be addressed.

Terre Homan, W. Leesport Road resident, expressed concerns about a gully on W. Leesport Road, truck noise and airbrakes. Ms. Homan stated that she feels this development is the wrong choice and will be detrimental to their home values.

Anne Broomall, W. Leesport Road resident, stated that the traffic is already bad on W. Leesport Road and it is dangerous getting in and out of their driveways.

Steve Zmroczek, Leisch's Bridge Road resident, is concerned about flooding issues and stated that this should be addressed prior to land development.

Terri Smith, W. Leesport Road resident, stated she would not have purchased her home if she had known about the land development project. She informed the Planning Commission that someone has already hit the back of her vehicle.

Beth Burkovich, W. Leesport Road resident, spoke about quality of life issues relating to noise from airbrakes, horns beeping when trucks enter bays, idling trucks, air tools and reverse alarms. Ms. Burkovich stated that the building bays will face W. Leesport Road and residents will be able to look into them. She also spoke about light pollution and recommended low LED lights pointing downward be utilized because the residents already deal with the lights from the Big Show Sports Complex. Ms. Burkovich went on to express concerns about air pollution from idling trucks and the chemicals and fumes from truck repair. Ms. Burkovich cited the Bern Township Zoning Ordinance Article 18 184-154 Prohibited Uses stating no building or structure

may be erected, altered or used and no lot or premises may be used for any activity which is noxious, injurious or offensive by reason of dust, smoke, odor, fumes, noise, vibration, gas effluent discharge, illumination or similar substances or conditions of a repetitive nature. Ms. Burkovich recommended a reevaluation of the Township Zoning Ordinance and that incompatible Zoning Districts be remapped. She also encouraged the Township to develop a new official map and ordinance of planned future public facilities. She would like the area to be utilized for community gardens and walking trails by expanding the current municipal park facilities and protecting the farmland, conserving the wetlands and species present at the site.

Subdivision and Land Development Plans

Roberts Boundary Line Adjustment Sketch Plan for Record

Mr. Daniel Laudenslayer from Tarson LLC was in attendance representing the plan. Mr. Laudenslayer provided a brief summary of the plan. The SSM letter dated July 7, 2023 was discussed. Mr. Sweigert made a motion to recommend granting the waiver request for Section 154-32.1(l) [sic] (154-32.1(1), for relief from permanent stone, concrete or iron pipe encased in concrete monuments shall be accurately placed at the intersection of all lines forming angles in the boundary of the subdivision because the two corners along west Main Street cannot be set with a concrete monument; Mr. Daily seconded. All in favor. Motion carried. Mr. Werley made a motion that the BOS approve the Preliminary Plan subject to the July 7, 2023 SSM review letter; Mr. Sweigert seconded. All in favor. Motion carried.

Mr. Tricarico stated that the Stinson LLC Lot 1 Subdivision Sketch Plan needs to be moved prior to the Penske Collision and Repair Center Sketch Plan because the subdivision needs to take place prior to the land development.

Stinson LLC Lot 1 Subdivision Sketch Plan

Mr. Aristides Otero from Stackhouse Bensinger was in attendance representing the plan. Mr. Otero provided a brief summary of the plan. The July 7, 2023 SSM review letter was discussed. Atty. Mooney stated he need to look at a note on the previous subdivision plan because subdividing the lot again doesn't make the previous agreement to make improvements to the roadway when Lot 1 is developed go away just because they are subdividing the lot again and developing on the part that is not next to the roadway. Mr. Tricarico cited Section 154-18.A(14) that states "Where a sketch plan shows the proposed subdivision of only a part of the subdivider's total property, the plan shall be accompanied by a plan of the proposed street system for the remainder of the property so that the street system in the submitted portion can be considered in relation to future connections with the unsubmitted portion. In the case of extremely large properties, the Township Planning Commission may delimit the area for which a prospective street system on adjacent property must be shown. The subdivider shall also include a statement indicating proposed future land use for the unsubmitted portion of his property." Mr. Tricarico also stated that one of the goals in the Township Comprehensive Plan is to limit the number of access points to the road system and suggested there needs to be an

overall road system for all three lots with one access point onto Stinson Drive. Mr. Daily asked if there are plans for Lot 1B and is it the same owner. Mr. Otero stated there are no plans presently and that it is the same owner. Atty. Mooney stated the roadways need to be in place while the properties are under one owner so easements will not be needed. Mr. Sean Yentsch, Vice-President of Facilities for Penske, provided some details as to why Penske chose the location and stated they had met with the Township to discuss their intentions and gain insight. Mr. Morey informed the public that the meeting was not an official meeting with the Board of Supervisors(BOS) or the Planning Commission, but Township staff and the consulting engineer. The meeting was to discuss the previous proposals for the property and to address some of the concerns that have been raised such as screening and truck traffic.

Discussion took place on the wetlands.

Sue Minnich from West Leesport Road expressed concern about her property location and truck traffic.

Peggy and Ralph Porr from Mimosa Lane brought up a previous discussion about not having the driveway off of West Leesport Road and do not want to see it there.

Tara from West Leesport Road is concerned about the soccer fields and traffic.

Sue Minnich expressed concerns about the driveway and the soccer field.

Penske Collision and Repair Sketch Plan

Mr. Sean Yentsch provided background information on Penske Body Shops. He stated that they are for Penske Trucks only and that they are traditionally repurposed Penske Truck Shops. This facility would be the first of its kind and Penske would like any input the Township would like to provide. The building height needs to be double the truck height because the body is taken off the truck. There will be a second story for offices and training. Most of the traffic will be from employees, not tractor trailers. All work will be done within the building. The back of the building will have rack storage to keep everything inside. The building will be 25' down so that a person standing on the roadway will basically be looking at the roof. There a berm built up with grass and landscaping. Mr. Yentsch also stated it will never be a warehouse because Penske keeps their buildings. Mr. Tricarico asked if the building direction was rotated from the original plan and Mr. Yentsch stated it has been rotated so the bays face north and south allowing the building to set lower in the ground so it is barely visible from the road. Mr. Tricarico expressed concern because the bays now face the residential area and noise will be directed towards the homes. Mr. Yentsch pointed out the proposed berm should help buffer the sound as well as any trucks in the parking area. The building could be rotated again, but it would raise the elevation. Mr. Tricarico asked if Penske rents tractor trailers. Mr. Yentsch replied yes. Mr. Tricarico asked how damaged trucks are brought into the facility. Mr. Yentsch stated by tow truck. Someone asked if it will be a 24 hour per day operation. Mr. Yentsch replied yes with the majority of the work taking place during 7:00 PM until 5:00 PM. Mr. Tricarico asked if trucks could be restricted

from coming into the facility overnight by holding them at the Hartman location until the next day. Mr. Tricarico went over the Township Noise Ordinance.

Mr. Porr expressed concern about the sound of trucks shifting gears. He asked how many spaces there will be for trucks and asked if the facility will be fenced in. Mr. Yentsch stated the facility will be fenced in. There was not a definitive answer on the number of spaces.

Mrs. Miller asked how many employees will work per shift and if the lights will be on all night in the parking lot. Mr. Yentsch replied approximately 7-9 office employees and approximately 30 technicians with less employees working during third shift. The parking lots will have lights on all night. Mr. Tricarico went over the regulations for lighting. Mr. Yentsch stated they will be within the requirements.

Mr. Zmroczek asked if there will be screening on the rear of the property because he is concerned about headlights shining onto his property. Mr. Yentsch spoke about some different things that are being proposed on the backend of the property. Lighting was discussed again.

Mr. Morey asked about the secondary access. Mr. Yentsch stated they do not want a secondary access off Stinson Drive. There was discussion about the second access. Atty. Mooney stated that an emergency access is important because if employees are trying to exit how are emergency vehicles getting in. There was discussion on ways drivers would get to the sight.

Ms. Burkovich asked about the definition of industrial use and questioned if the proposed use was an allowable use for the zoning district. Atty. Mooney stated he would have to look at it, but the zoning officer would have told Penske it wasn't an allowable use.

Mrs. Reed stated that this proposed project has much less impact than the projects that were proposed by other developers for the location.

Mr. Tricarico stated that if the zoning ordinance allows the use the Township cannot prohibit them from developing their land, but they have to follow the ordinances. He also expressed that Penske is going above and beyond to meet the needs of the Township residents. He thanked the public for coming to provide input.

Mr. Daily said that the previous proposed use for the lot was an allowable use, but the owner was seeking a lot of variances from the Township. Because the Supervisors recognized the concerns of the residents they did not grant the variances so the developer moved on.

Mr. Yentsch asked what Penske can do to make a difference.

Mr. Tricarico stated the Township wants the driveway access on Stinson Drive. Mr. Yentsch asked if the Township is prepared to make improvements to Stinson Drive because the corner at West Leesport Road is not wide enough and he doesn't feel taking trucks under Route 222 is the best way to get them to the facility.

Ann Broomhall asked if a sidewalk would be planned for along west Leesport Road and agrees with other residents that traffic should be kept off West Leesport Road.

Sue Minnich and Kathy LaRue asked questions about the road widening and the possibility of another access driveway on west Leesport Road for Lot 1B. Ms. LaRue and Mrs. Reed expressed concerns over the road widening and Ms. LaRue's property as well as the intersection at Stinson Drive.

Bob Fies from Cedar Hill Drive asked questions about drainage and stormwater. Discussion took place on catch basins and stormwater facilities.

Mrs. Miller asked why Old Airport Road couldn't be used to access the site. Old Airport Road does not run to the property and the parcel is owned by someone else. More discussion took place on the driveway.

Jim Coleflesh asked about relocating the soccer fields. More discussion took place on the wetlands and the driveway location.

Mr. Tricarico once again stated the Township really wants to limit the number of access drives on the roadways and feels this should happen while the land is under one owner. He also thanked the residents for coming and encourage them to come to not only Planning Commission Meeting, but Supervisors Meeting as well.

Mr. Daily asked the residents to send comments to Diane DeJesus, Township Secretary, for her to forward to the Planning Commission. He also encouraged them to send the comments to the Supervisors.

Mrs. Reed thanked Mr. Sweigert for his service to the Township as a member of the Planning Commission. Mr. Sweigert has resigned from the Planning Commission and this was his last meeting.

Solicitor

Mr. Mooney stated he had nothing to present.

Adjournment

Mr. James Dailey made a motion to adjourn at 9:07 PM; Mr. Werley seconded. All in favor. Motion carried.