

## **TILDEN TOWNSHIP PLANNING COMMISSION**

**Tuesday, January 23, 2018  
Regular Meeting**

**The Tilden Township Planning Commission met in the Township Municipal Building on Tuesday, January 23, 2018 with the following present: Dale Keener, Joshua Breslin, Christopher Forte, Greg Kozlowski, Sharon Enevoldson, secretary, Anna Shollenberger, township engineer, Greg Haas, township supervisor, Fred Herman and 11 residents. A copy of the roster is on file with the secretary.**

**Chairperson Dale Keener called the meeting to order at 7:30 P.M. followed by the pledge of allegiance**

**Chairperson Dale Keener appointed Anna Shollenberger as temporary chairperson.**

**Anna Shollenberger asked for nominations for Chairperson for 2018. Greg Kozlowski nominated Dale Keener for Chairperson, and Chris Fortre seconded the motion. There were no other nominations received. Upon roll call, Kozlowski, Breslin, Forte and Enevoldson voted yes to elect Dale Keener as chairperson.**

**A motion was made by Josh Breslin to nominate Greg Kozlowski for Vice Chairperson and seconded by Dale Keener. There were no other nominations received. Upon roll call, Breslin, Keener, Forte and Enevoldson voted yes to elect Greg Kozlowski as vice chairperson.**

**A motion was made by Greg Kozlowski to appoint Anna Shollenberger as secretary, seconded by Sharon Enevoldson. Upon roll call, Keener, Breslin, Forte, Enevoldson and Kozlowski voted yes.**

### **PUBLIC PARTICIPATION**

**Susie Bigelow, 2023 Mountain Road, stated that her home will be affected by the proposed warehouse, opposed to the rezoning and having her property included in the proposed overlay zoning. Expressed concern about the 24/7 operation, noise, lights; truck traffic will triple in the area due the operation of the warehouses in Shartlesville and Perry township. She also contacted representatives at Hawk Mountain relative to the eagles nesting and flying in the area and they will review the situation at their February meeting.**

Fred Herman advised Ms. Bigelow that if someone attends the Board of Supervisors meeting regarding the Logistics Park proposal, the individual needs to be a resident of the Township.

### **APPROVAL OF MINUTES**

A motion was made by Greg Kozlowski, seconded by Chris Forte to approve the minutes of November 21, 2017. Upon roll call, Kozlowski, Forte, Enevoldson, Breslin and Keener voted yes.

### **SUBSTANTIVE VALIDITY CHALLENGE & PROPOSED CURATIVE AMENDMENT**

Dale Keener asked Greg Haas for recommendations and suggestions on the challenge & the proposed ordinance that was submitted by the developer, Century Development Associates.

Mr. Haas stated that the Commission needs to act on the exertion of exclusion and the ordinance because the developer asserts that it is exclusionary zoning. Engineer stated that the township's ordinance permits warehouse distribution centers in the "L-2" district. but does not provide for the size and height that is being requested. A developer could, however, seek a variance from the Zoning Hearing Board from these requirements. Century states that Logistics Parks are different from yesterday's warehouses. Engineer stated that they are the same from an operational standpoint. Engineer recommended that Exhibit "B" be revised, since it not legible. Exhibit "C", preliminary traffic evaluation be excluded in its entirety since it is irrelevant at this point. Engineer also stated that a determination could not be made at this time regarding if there is an impact to the sewer and therefore it should be removed from consideration.

A motion was made by Dale Keener, seconded by Greg Kozlowski to recommend to the Township Supervisors to deny the exertion of exclusion as presented by Century Land Development Associates LLC as submitted to Tilden Township. Upon roll call, Kozlowski, Keener, Breslin, Enevoldson and Forte voted yes. Vote was unanimous.

A motion was made by Dale Keener, seconded by Greg Kozlowski that in the event the Township Supervisors do not concur with denying the challenge, the Township Planning Commission wishes to make the following points relative to

**the documents submitted by Century Land Development Associates, LLC:**

- 1) With regards to the phrase stating that logistics center buildings are “typically containing at least 1,200,000 square feet of building area”, the Planning Commission believes this phrase is disingenuous and does not correctly reflect the character of other warehouse distribution center operations along the I-78 corridor and in relative close proximity to Tilden Township.**
- 2) With regards to the phrase stating that “Today’s logistic parks are different than yesterday’s warehouses”, the Planning Commission believes and feels that warehouses and logistic parks are the same from an operational and land use perspective and that Century’s assertion that Logistics Parks are different than yesterday’s warehouses is a mischaracterization.**
- 3) The Planning Commission cannot determine if there will be any negative impacts to the sewer service based on generating waste from this facility and recommends that any reference to sewer having minimal impacts be removed from consideration.**
- 4) The Planning Commission has identified and states in- factuality that warehouse distribution center uses are permitted in the “L-2” zoning district and the assertion from Century that there is no land in Tilden Township to permit the desired use is totally inaccurate.**
- 5) As a point of summary, while Century may not be able to construct the size (area or height) building that they wish to in the “L-2” zone, there is a process outlined within the Zoning Ordinance whereby an Applicant may submit for variances from the Zoning Hearing Board that could remedy that concern.**
- 6) Exhibit “B” (Concept Plan) is not legible as presented and cannot be reviewed. The Planning Commission requests that this drawing be revised to appear more legible.**
- 7) The Planning Commission believes that Exhibit “C” (Preliminary Traffic Evaluation) has no relevance at this point in time to the consideration of exclusion and should not be considered. All references to Exhibit “C” appearing anywhere within the document submitted should be removed and disregarded.**

Upon roll call, Kozlowski, Keener, Breslin, Enevoldson and Forte voted yes. Vote was unanimous.

The township engineer stated that there are two substantial changes since the original submission of the first ordinance.

- 1) From requiring an Applicant to go through the “conditional use” procedure, to allowing Logistics Parks to be a “use permitted by right” and
- 2) increasing the hours allowing trucks to enter and exit the site from 7 a.m. to 4 p.m. to a continuous basis, 24 hours a day, 7 days a week.

A motion made by Dale Keener, seconded by Chris Forte that the Planning Commission recommends to the Board of Supervisors the rejection of the proposed ordinance as presented in Exhibit “A” as submitted by Century Land Development LLC. Upon roll call, Keener, Forte, Kozlowski, Breslin, and Enevoldson voted yes. Vote was unanimous

#### **SALDO UPDATES**

The township engineer presented SALDO updates regarding streets, access drives and driveways to be reviewed at the February meeting.

#### **TRANSPORATION IMPACT FEE ORDINANCE**

Township engineer stated that the township’s Transportation Impact Fee Ordinance expired and the Supervisors want the existing ordinance to be updated and amended. The Engineer sent a letter to the Supervisors with a timeline and description of actions necessary for the ultimate adoption of the transportation Impact fee ordinance. He stated that the Supervisors need to first appoint an advisory commission and recommended that some or all of the planning commission members serve on the advisory committee.

#### **RE-APPOINTMENT PLANNING COMMISSION MEMBER**

The Board of Supervisors reappointed Chris Forte to a four (4) year term to the Township Planning Commission. Dale Keener congratulated Chris Forte on his reappointment.

**ADJOURNMENT**

Since there was no further business, a motion was made by seconded by Chris Forte, seconded by Josh Breslin to adjourn the meeting. The meeting was adjourned at 8:36 P.M. Upon roll call, Kozlowski, Breslin, Keener, Enevoldson and Forte voted yes.

**Attest:**

**Anna M. Shollenberger  
Secretary**