

MINUTES OF
SPRING GARDEN TOWNSHIP PLANNING COMMISSION
May 6, 2025

CALL TO ORDER: The monthly meeting of the Spring Garden Township Planning Commission was held on May 6, 2025, at 6:00 p.m.

Present:	John DeHaas Joel Sears Amy Mitten	Dawn Hansen, Zoning Officer Dave Davidson, C.S. Davidson, Inc. Robert Sandmeyer
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PUBLIC COMMENT PERIOD: No public comment.

APPROVAL OF MINUTES: Joel Sears made a motion to approve the minutes of the April 1, 2025, meeting with one spelling change. Seconded by John DeHaas. All in favor, motion carried.

ZONING HEARING APPLICATIONS: **Zoning Application 2025-04 – 1090 E Boundary Ave., DPIF3 PA 6 Boundary Ave, LLC** – has filed a Special Exception request for §310-10.C(7) (Uses by Special Exception), and §310-42 (General Standards of Special Exceptions) to allow multiple tenants within its approved warehouse logistics center. Additionally, applicants request a variance from §310-61(A) for industrial park access that will not be onto an arterial or collector street, and a variance under §310-41(C)(5) and §310-42(H) to extend the time to obtain a building permit or use certificate from six months to 24 months. *The property is located at 1090 E Boundary Ave. and is zoned IP (Industrial Park Zone).*

- Attorney Christian Miller of MPL Law and James Mascaro of DPIF3 PA 6 Boundary Ave, LLC (applicant) were present to provide an overview.
- This is a 29-acre site with a distribution center.
- All changes would be made to the interior of the building.
- Attorney Miller went over the requirements of the Ordinance for the special exception and variances.
- There will not be any more traffic than if there was one tenant.
- East Boundary Avenue is being improved to a Major Collector for the land development for the warehouse, so the variance is being requested until that portion is complete.
- This is 1.29 million square feet that will be divided for two tenants.
- Buffers and screening are already in place as per the land development plan.
- All utilities are public.
- They meet all the special exception requirements.
- It does not have access to an arterial collector street, but a subdivision plan has been approved and is being built to accommodate the use of the warehouse. When the updated Comprehensive plan is complete, this street will be renamed an arterial collector street.
- Per the request for a special exception, the applicant must apply for building permits within six months. The applicant would like to extend this timeframe to 24 months to obtain a tenant and obtain the necessary building permits for the fit out for the specific tenant.
- Ms. Mitten asked how the road becomes an arterial road.
- Ms. Hansen explained that once the roadwork is completed, and the comprehensive plan is updated, the road will be updated to a major collector street.
- Ms. Mitten asked why the Industrial Park special exception was not requested at the time of land development.
- Ms. Hansen explained that the property is zoned industrial, however, they are asking for the special exception of Industrial Park use to allow more than one tenant in the warehouse.

- Attorney Miller explained that the special exception is not required unless you are having more than one tenant.
- Mr. DeHaas asked if there were any notes on the original land development plan that would be affected by this change.
- Mr. Mascaro answered that there were not.
- Mr. Sandmeyer asked the Zoning Officer if there would be any issue with parking with multiple tenants. Is there enough parking for this use? If there is a different use, would they need to change the parking?
- Ms. Hansen explained that parking is based upon use and if the use changes, they must bring the parking requirements into compliance with the zoning ordinance.
- Mr. Sears inquired as to the motivation to have this special exception for multiple tenants.
- Mr. Mascaro explained that developers are looking for leases and the market is volatile due to the uncertainty of the tariff situation. There is also a glut of warehouse space. The tenants are looking for smaller spaces, not an entire building. They want to be prepared for any tenant that would like to sign a lease and be able to market the rest of the building.
- Mr. Sears asked what would happen if the developer wants the entire building.
- Mr. Mascaro answered that they would lease the entire building in that instance.
- Mr. Sears asked what effect that would have on the special exception status.
- Ms. Hansen explained that the special exception would remain in place, but they would not have to use it.
- Mr. Sandmeyer asked how sewer and water are handled. Is this a building code regulation?
- Ms. Hansen responded that this is a building code regulation. For each use there is a different building code that must be followed and would be determined what each tenant has in their portion. They would be billed separately.
- Mr. Sandmeyer made a motion to recommend a to the Zoning Hearing Board approval of the special exception 310-10.C(7) and 310-42 for an Industrial Park with multiple tenants. Mr. Sears seconded the motion. All in favor, motion carried.
- Mr. DeHaas made a motion to recommend approval to the Zoning Hearing Board the variance for 310-61(A) for industrial park access not through an arterial or collector street as this road is being rebuilt under the land development plan and will meet the requirements of a major collector once completed and the comprehensive plan is updated. Mr. Sandmeyer seconded the motion.
 - Public Comment – Roberta Boffo, 1080 Grandview Rd. – had questions about how the road will be updated in the comprehensive plan.
- Vote taken, all in favor, motion carried.
- Mr. Sears made a motion to recommend to the Zoning Hearing Board approval of the variance under section 310-41(C)(5) and 310-42(H) to extend the time to obtain a building permit or use certificate from the time frame of 6 months to 24 months. Mr. DeHaas seconded the motion.
 - Public Comment – Roberta Boffo, 1080 Grandview Rd. – asked questions about tax breaks for the builder.
- Vote taken, all in favor, motion carried.

Subdivision/Land Development Plans: Preliminary Land Development Plan: 3D Metals, Donald Graham, 1520 S. George St. – Office with enclosed storage.

- Eric Johnston of Johnston and Associates was present representing the applicant and provided an overview of the plan.
- This will be a 1792 square foot building with an office and enclosed storage associated with his business.
- Six parking spaces will be provided per ordinance.

- Connecting to public water. They are requesting a waiver to connect to public sewer. They are proposing a temporary 1000 gallon holding tank. Normal business operations with three employees would have very little sewage usage. Note 23 on sheet 1 shows that proposal.
- There has been an entrance constructed with an HOP for a minimum use driveway. The base is in, and he will be paving it. He agrees to monitor the entrance to make sure it does not exceed the minimum use requirements.
- There are 7 waivers requested.
- Ms. Mitten asked for more information on the waiver for section 275-29.
- Mr. Johnston explained that the requirements of the ordinance state that the arterial right-of-way (ROW) must be 80 to 120 feet. Currently, the existing ROW is 50' total. Granting additional ROW already exceeds what is required. The front setback required is 50'. This would not allow sufficient building envelopes given other constraints.
- Mr. Davidson explained that the adjacent property nearly sits in the ROW.
- Ms. Mitten asked for more information on section 265.305.I for the riparian buffer.
- Mr. Johnston explained that it is like the ROW in the front. Due to the constraints of the property, they would like to keep the existing 50' riparian buffer instead of extending it, which would leave limited building area.
- Mr. DeHaas asked if Mr. Davidson had any comments.
- Mr. Davidson went over the remaining open conditions he had from his comment letter, including the operations and maintenance agreement for the holding tank, administrative items, and recommended granting all requested waivers. No changes need to be made to the plan based on what has been presented.
- Mr. Sandmeyer asked to see a copy of the HOP.
- Ms. Hansen provided a copy of the approved HOP and explained that it has been roughly installed with a curb cut and stone ballast. It will need to be paved.
- Mr. Sandmeyer noted that the HOP has been closed. He found that unusual. It needs to be paved to the ROW to close it out. It needs to be inspected when the paving is done. If it is closed, they won't be able to inspect. This should be a condition.
- Mr. Johnston is not sure why it was closed out. He will get clarification from PennDOT regarding why the HOP was closed without being paved.
- Mr. Sandmeyer inquired why a holding tank would be put in when there is sewer available across the street.
- Mr. Johnston explained that this is mainly a cost problem. There is going to be very little sewage produced with the number of employees.
- Mr. Davidson had them add a note to the plan stating that they would connect within 6 months of notification from the Township.
- Ms. Hansen explained that the only availability of sewer is in York Township and there is no availability in that sewer flow.
- Mr. DeHaas confirmed that a 1000-gallon tank with a flow of 40 gallons a day, so every 25 days or less it will need to be pumped. This agreement would be in accordance with the Township ordinances.
- Mr. Sandmeyer made a motion to recommend approval of the following waivers:
 - A waiver for Preliminary Plan Review (275-9B)
 - A waiver for the requirement to connect to sanitary sewer accessible within 1000 feet with a note on the plan to install within six months of notification by the Township. (275-34)
 - A waiver for installation of curbs, gutters, and sidewalks with a note on the plan to install within six months of notification by the Township. (275-43)
 - A waiver for dedication of additional ROW along PennDOT road (275-29A)

- A waiver for the requirement for a registered landscape architect's signature due to minimal planting requirements. (275-40.1.B(1))
- A waiver for street trees due to the preservation of existing mature trees (275-40.1.H)
- A waiver to permit riparian buffers to meet SALDO 274-50.1.L(2) – 50' from top of street embankment – in lieu of larger buffers as required.
- Mr. DeHaas seconded the motion.
- Public Comment – Roberta Boffo, 1080 Grandview Rd., had concerns about the waiver for the riparian buffer.
- There is a motion with a second, all in favor, motion carried.
- Mr. Sandmeyer made a motion to recommend approval with the following conditions:
 - Approved DEP Planning Module should be submitted (275-24D).
 - An Operations and Maintenance Agreement should be provided for the holding tank.
 - An owner's notarized signature is required. (275-24.C.(22))
 - Security for proposed improvements (sewers, landscaping, stormwater, erosion control) must be posted before final plan approval (275-24.D.5)
 - Stormwater management approval is required prior to recording plans. (265)
 - Clarification on the status of the HOP.
 - A development agreement is required prior to recording plans.
- Mr. Sears seconded the motion. All in favor, motion carried.

OTHER BUSINESS: Intermunicipal Comprehensive plan – Discuss the draft Intermunicipal Comprehensive plan.

- Ms. Hansen explained that comments regarding the draft plan from the Planning Commission Board, Engineer, and staff will be accepted until June 9, 2025.
- Those comments are being integrated into the draft plan. On June 23, 2025, the Comprehensive plan Advisory Committee will be meeting at York Township to discuss the draft plan and make recommendations to the Planning Commission in July for Planning Commission review so that there is a solid draft plan to be recommended to the Board of Commissioners.
- Updated drafts will be sent to the Planning Commission as they become available.
- Mr. Sandmeyer inquired if the sewer would be part of the Comprehensive plan.
- Mr. Davidson said that it would be addressed in the ACT 537 Plan.
- Mr. DeHaas commented that the need for sewer in an area in the Township should be part of the Comprehensive plan.
- Mr. Davidson said that the ACT 537 is the document that addresses such an overwhelming project.
- Mr. DeHaas also commented about mixed-use zoning.
- Ms. Hansen encouraged Mr. DeHaas to provide these comments for the plan.
- Mr. DeHaas feels the goals of York Township should be adopted by Spring Garden Township.
- Ms. Mitten asked the Zoning Officer if the ACT 537 has been as neglected as the Comprehensive plan, which would explain why it has not been a part of the Comprehensive plans in the past.
- Mr. Davidson explained the 3M plan and the ACT 537.
- Anne Gray, 1471 Sleepy Hollow Rd, - Made comments regarding the availability of sewer for all residents.
- Roberta Boffo commented on the Zoning portion of the Comprehensive plan.
- Lynne Huddleston – 808 Clearmount Rd asked about attending the June 23 meeting.

With no further business to address, motion to adjourn by Mr. DeHaas, seconded by Mr. Sears. All in favor. The meeting adjourned at 7:07 pm.

Respectfully submitted,
Dawn Hansen, Zoning Officer

Approved