

APPROVED

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
JULY 16, 2015**

**MEMBERS IN**

**ATTENDANCE:** Mark Robertson, Vice Chairman  
Mark Swomley  
Charles Wurster  
Charles Stuhre

**ALSO IN**

**ATTENDANCE:** Kristen Denne, Township Manager  
Trisha Lang, Director of Community Development  
John Luciani, First Capital Engineering  
Christopher King, Solicitor  
Sue Sipe, Stenographer

**NOT PRESENT:** Alan Maciejewski

**1. CALL TO ORDER:**

**A. Pledge of Allegiance**

Vice Chairman Robertson called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**2. ACTION ON THE MINUTES**

**A. JUNE 18, 2015**

**MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF JUNE 18, 2015 AS PRESENTED. MR. WURSTER SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. BRIEFING ITEMS**

**A. LD-14-04 Pleasant Valley Road Tract**

Sandy Kime, ELA Group

Nate Pipitone, Representing Van Guard

Mark Henise, ELA Group

Mr. Kime indicated based on the review received from Mr. Luciani, Township Engineer on June 21, 2014 they wanted to discuss key issues as well as requested waivers. Mr. Kime referred to the storm water waiver requests as identified in the engineer's review:

Waiver of §281-15.B.1.j - maximum slide slopes for detention basins shall be 4:1.

Waiver of §281-13.B.2 - post development peak flows must be less than or equal to 50%.

Waiver of §289-41.A.3 – dedication of land sufficient to widen the street or correct alignment – Mr. Kime stated he asked their engineer to request this waiver to preserve their rights since they were under the impression this is not a valid request due to the fact this not a subdivision under terms of the PA Municipalities Plan Code. Additionally, they are not asking the Township to take any dedication since this would be a private road. Mr. Kime noted if there is an additional right of way the Township would

require for future traffic, the owners will work with the Township so long as they are assured there is no adverse impact.

It was identified that the street abutting a street of improper width or alignment is Pleasant Valley Road which has a right of way of 30 ft.

Discussion was held regarding the difference between the types of road – the developer classified the road as a collector when it was actually a minor arterial road. It was noted the developer did a request for information. He indicated that PennDOT was unaware of any highway occupancy permits for the work done at Pleasant Valley and Mt. Zion Road. There were drawings that included documentation showing that Kinsley built the right turn lane at the location at the former Girl Scouts facility.

Addendum: Mr. Luciani indicated the day after the meeting he received an email indicating the discussion included the fact that they did know it was minor arterial road.

It was noted there was a discrepancy in the interpretation from the applicant that the dedication refers to land sufficient to widen the road and not dedication of the road itself.

Mr. Kime indicated that giving up additional right of way on this parcel could jeopardize the project. He stated they will review the road situation and come back again.

#### **4. ACTION ITEMS**

##### **A. York Container Rezoning Request**

David Koratich, LSC Design

Mr. Koratich indicated they are seeking a favorable recommendation from the Planning Commission for the rezoning of the York Container Property of 130 Mt. Zion Road. The proposal is to rezone the two R-1 tracts they currently own to Flexible Development. He noted last month approval was given for the subdivision to combine into one tract. At the Township's request an extension of land extending out to Market Street will remain zoned R-1 in order to maintain R-1 zoning along the entire portion of the corridor.

Additionally, it was recommended that another parcel currently zoned General-Industrial which is an overflow from G-I on the east side of Mt. Zion Road be removed from the G-I zoning and made part of the F-D zone. This parcel is also owned by York Container but is a separate deed.

**MR. SWOMLEY MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS THAT JJ18 AND JJ18A BE REZONED TO FLEXIBLE DEVELOPMENT CONDITIONED UPON THE EXTENSION TO MARKET STREET REMAIN R-1 AND THAT THE METES AND BOUNDS DESCRIPTION BE ENTERED ON THE DEED.**

**MR. WURSTER SECONDED. MOTION UNANIMOUSLY PASSED.**

##### **5. WAIVER RECOMMENDATIONS - None**

##### **6. OLD BUSINESS – None**

##### **7. NEW BUSINESS**

**A. Review of request for property at 1445 Eden Road to be considered for tax exemption under the Local Economic Revitalization Tax Assistance Act. (LERTA)**

Blanda Nace, VP Community Affairs, York County Economic Alliance.

Kenetha Hansen, VP Economic Development York County Economic Alliance.

Mr. Nace stated his role is Project Manager for the York County Industrial Development Authority, owner of the 1445 Eden Road tract referred to as the Harley Davidson West Campus. Mr. Nace provided the following background and history regarding the project:

- November 2009 the YCIDA was approached by the Commonwealth to assist with the retention of Harley Davidson at the time when they were considering relocation of operations to TN or KY. One of the conditions was to divest themselves of the western portion of their campus and their obsolete buildings. YCIDA worked with them until June 2012 to reach an agreement to purchase their property.
- Most of the buildings were demolished on the west campus; 58 acres were subdivided which the YCIDA purchased in June 14, 2012. On November 15, 2012 a request for an F-D overlay was presented to the Planning Commission and approval was recommended which the BOS approved December 13, 2012.
- During that period they received a letter of intent to purchase from Developer H. In August 2013 they received a notice of termination due to issues with the existing environmental conditions and timing for testing groundwater contaminants. Another developer (B) presented a letter of intent with a proposal to create a large commercial shopping center with the primary client working with a cookie cutter design. Due to the environmental conditions and the location of the wells there was no way to position the building. Consequently, after working with the developer for almost a year a letter of termination was sent in January 2015. Currently a letter of intent was received from a potential developer named North Point based out of Kansas City. They requested a 75 day due diligence period to study the site. They are ready to move and well-funded. They have until the end of July to determine if they wish to fully execute and buy the property from the IDA.

Mr. Nace displayed the existing conditions of the site. He noted currently slabs are in place, which are considered environmental caps because of the groundwater plume and contamination that is below ground level. Any disturbance that would happen to the caps or formal buildings become the responsibility of the developer so there will be some environmental costs associated with development of this property. The official name of the site is the former York Naval Ordinance Facility.

Mr. Nace indicated the ground water contamination remedial activities are ongoing, noting they pump and treat about 250,000 gallons of water daily. There is an onsite treatment plant.

Mr. Nace explained the current proposal with the North Point developer is constructing a 750,000 sq. ft. industrial facility. He noted North Point has a strong relationship with several national companies who are interested in coming to this area. They would like to begin construction early in 2016, pending the permitting process with DEP and post construction storm water management. They would like to be operational by the 3<sup>rd</sup> or 4<sup>th</sup> quarter of 2016. It would likely be leased by one large tenant but they are designing it with an office on the north end as well as the south end so that they could split it and lease it to multiple tenants. The construction cost will be in the range of \$30-40 million. The job creation projection numbers for this developer is from .6 to 1.06 jobs per 1,000 sq. ft. - 750,000 times .6 – 400-800 jobs.

Mr. Nace reviewed the LERTA program, noting it was established by state law to allow a taxing body, in this case all three taxing authorities, the ability to exempt the improvements so they change and assess value on local real estate taxes for up to a 10 year period. Based on the increase in the assessed value, the schedule is typically a 10% sliding scale, resulting in an increase of 10% per year, i.e., there would be

100% abatement the first year, and subsequent years 90%, 80%, so on by the final year when it would be at the full taxable value. This provides the ability to phase in to cover some costs of the upfront added environmental or it can be passed along to a tenant which serves as an incentive to attract a user for the facility. The primary means to get into the LERTA designation is that it must be a deteriorated property defined as an industrial commercial or business property owned by an individual association/corporation. It must be located in a deteriorating area or could be any property which has been the subject of an order by a governmental agency requiring it to be vacated, condemned or demolished by reason of non-compliance with laws, ordinance or regulations.

Mr. Nace explained the process noting the Planning Commission would make a recommendation to the Board of Supervisors regarding LERTA designation. The Board of Supervisors would review that recommendation and agree to hold a public hearing to be advertised for 30 days. The public hearing allows the public the opportunity to testify about any known conditions, environmental hazards or blighted aspects of the property. The Board of Supervisors would then pass an ordinance that would designate the site as a LERTA property. The Board of Supervisors, the school board and the county commissioners would pass a resolution to participate in the abatement of those taxes.

Mr. Nace indicated the requested LERTA designation is for the parcel ID 04-6000K-10235B, consisting of 54.3 acres.

Mr. Nace stated he and Ms. Hansen met with the school district recently with a positive response for their participation. Based on their timeline and approvals through the Township their only caveat is that they would like to see it designated first officially as LERTA and then they would be willing to participate.

Mr. Nace indicated that currently when the property is sold to a developer, the tax liability to the developer on the existing assessed value is about \$90,000 a year. The value of this property is assessed at \$3.7 million. When the project is completed, it is anticipated to be in the 25 million dollar range.

Ms. Denne, Township Manager, asked for clarification on several topics, including the 60 day due diligence.

Vice Chairman Robertson asked if there was anyone in attendance who wished to speak. There was no public comment.

**MR. SWOMLEY MOVED TO RECOMMEND TO THE TOWNSHIP BOARD OF SUPERVISORS THE PROPERTY AT 1445 EDEN ROAD BE CONSIDERED FOR TAX EXEMPTION UNDER LERTA. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.**

## **8. ADJOURNMENT**

**VICE CHAIRMAN ROBERTSON ADJOURNED THE MEETING AT 7:10 P.M.**

Respectfully submitted,

Secretary

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