



November 26, 2025

To: Middlesex Township Board of Supervisors
350 N Middlesex Rd
Carlisle, PA 17013

Re: Project PAX-1 Phase 3 – Preliminary Waiver/Modification Requests

Middlesex Township Board of Supervisors,

Per Section 1502 of Middlesex Township's Subdivision and Land Development Ordinance, the following outlines the preliminary waivers and modifications requested for the Project PAX-1 Phase 3 Preliminary Land Development Plan Submission.

This document is being presented at the outset to identify ordinance provisions that may not be fully applicable to this project, areas where deviations have been made in order to deliver a higher-quality plan set, or instances where full compliance is limited by engineering and design constraints.

The preliminary list below is intended for discussion with Township staff and engineers. Each item includes the background of the request, the specific hardship or limitation, the relevant ordinance provision, and the minimum modification necessary.

As the project progresses, this summary will be refined to include only those waivers and modifications that are supported by the Township and carried forward for final approval. The final list of waivers and modifications will then be added to the final plan set prior to approval and recording.

SALDO Section 501.A.2 – Plan Scale Requirements

Ordinance: Plans shall be on sheet sizes no larger than twenty-four by thirty-six inches (24"x36") and drawn to a scale not smaller than one inch to one hundred feet (1"=100'). To provide better detail and clarity, a larger scale may be required, in which case presentation of the Plan may require more than one sheet. In this case, individual plan sheets shall not exceed one inch to fifty feet (1"=50'). If multiple plan sheets are used, match lines and a key map shall be provided indicating the sheet orientation and view with respect to the subject property for each plan sheet. The minimum text size shall be of sufficient size to provide a clear and readable drawing. A sheet layout index shall be provided.

Facts of Hardship: Project PAX-1 covers a large overall area when compared to most Subdivision and Land Development Plans. A limit of one inch to one hundred feet (1"=100') causes some plan sheets to not provide sufficient value for review or use, as they have little or no proposed features. Plans have deviated from this scale to provide legibility and clarity when viewing the large campus.



Provisions of Ordinance Involved: Individual plan sheet scale no smaller than 1"=100'

Minimum Modification Necessary: Due to the project size, the scale of several plan sheets is set at 1"=150'. This scale allows for efficient and effective review and visualization of phases and campuses from a more wholistic perspective. We request a modification to provide plan sheets to this scale.

SALDO Section 501.A.6 – Location Map Scale Requirements

Ordinance: Location map at a scale not smaller than one inch to one thousand feet (1"=1,000') showing the location of the proposed subdivision or land development in relation to named streets, boundaries, previous subdivisions, and other prominent features.

Facts of Hardship: Project PAX-1 covers a large overall area when compared to most Subdivision and Land Development Plans. A limit of location map scale to one inch to one thousand feet (1"=1000') causes the map to take exorbitant cover sheet space and limits room for other pertinent Plan information.

Provisions of Ordinance Involved: Location map scale no smaller than 1"=1000'

Minimum Modification Necessary: We request to utilize a location map scale of 1"=2000". This scale allows for sufficient review of nearby streets, boundaries, previous subdivisions, and other prominent features given the project size.

SALDO Section 703.I.4 Depressed Driveway Curb

Ordinance: Where driveways access a curbed street, the driveway opening shall contain a depressed curb with a minimum of one-and-one-half-inch (1½") curb reveal across the required width of the driveway. At each end of the driveway opening a two-foot (2') curb transition to full height curbing shall be provided.

Facts of Hardship: The campus does include driveways access the street however, this traffic will be greater than typical residential or small business driveway traffic. The depressed curb will fail if placed in areas of routine traffic as well as in areas of heavy transport loadings into and out of the substation yards.

Provisions of Ordinance Involved: Curbing at Driveways

Minimum Modification Necessary: The driveways into each campus are proposed to have routine flow of employee and delivery traffic and traversing an elevated curb is not practical for longevity of the concrete. Similarly, curbs pose challenges for transport delivery into and out of the substation yards as well as long term integrity of the curbs due to these heavy loads. Each driveway is proposed to paved



meeting or exceeding the ordinance minimum length thus depressed curbs at each driveway is not necessary.

SALDO Section 707.A.1 Sidewalks

Ordinance: Sidewalks must be installed along both sides of all new interior streets in all residential, commercial and industrial subdivisions and land developments within the Township unless otherwise waived by the Township. Sidewalks must also be constructed along the side of all exterior streets upon which the subdivision or land development fronts. Where sidewalks are required to be installed, curbing, street widening and drainage improvements must also be provided. However, the Board of Township Supervisors may waive such a requirement in the case of subdivisions or land developments that are not adjacent to an area where sidewalks have previously been constructed. A grant of such a waiver shall be recorded in the minutes of a public meeting of the Board of Township Supervisors and shall require that the following language be shown on the Final Plan: "The owners of these lots, upon notification by Middlesex Township, shall be responsible for the construction of sidewalks to Township specification within six (6) months of the date of such notification."

Facts of Hardship: Due to the high level of security in and around these facilities, no public foot traffic is expected within the data center complex, as there are no connecting sidewalks to or near the property. Employees will be accessing the complex via automobile. The addition of sidewalks would also increase the impervious area of the site and adversely affect stormwater runoff.

Provisions of Ordinance Involved: Sidewalk requirements along interior roadways and street frontage.

Minimum Modification Necessary: We request to waive the requirement for sidewalk requirements along interior roadways and street frontage. As part of this waiver, the note "The owners of these lots, upon notification by Middlesex Township, shall be responsible for the construction of sidewalks to Township specification within six (6) months of the date of such notification" will be added to the Final Plan.

SALDO Sections 718.D.3.a, 718.D.4, 718.D.4.b, 718.D.4.c, 718.D.4.d– Plan Scale

Ordinance:

Section 718.D.3.a A site development plan including notes pertaining to the number and type of lots or units, the square footage and/or acreage of the tract, and depiction of the features which are proposed, such as streets, driveways, parking areas, buildings and other structures, and all impervious surfaces. The plan shall be drawn at a scale of not more than one inch to one hundred feet (1"=100') and



may be submitted as an attachment to the report. The plan shall reflect all the information required for a Preliminary Plan.

Section 718.D.4 An identification of physical resources associated with the natural environment of the tract including such features as geology, topography, soils, hydrology, and the like.

The identification of physical resources shall include a narrative description of the qualitative and quantitative aspects of each of the resources mentioned above. In addition, these resources shall be mapped at a scale of not more than one inch to one hundred feet (1'=100') as specified below and may either be incorporated into the EIA Report or be submitted as attachments to the report.

Facts of Hardship: A scale of 1"=500' has been utilized to more clearly show the required information and features on and surrounding the project area given the large project area.

Provisions of Ordinance Involved: Plan Scale

Minimum Modification Necessary: Only applies to included maps, all other sections are satisfied.

Stormwater Management

SWM Section 303 J.3 Detention Basin Slopes

Ordinance: The maximum inside side slopes of Detention Basins shall not be steeper than four (4) horizontal to one (1) vertical (4H:1V). The minimum required slope for the basin bottom is (2%) unless the designer demonstrates to the Township's satisfaction that the basin bottom will be landscaped with appropriate wetland vegetation pursuant to Section 303.L herein.

Facts of Hardship: Detention basin side slopes are designed at 3H:1V to utilize existing topography efficiently and provide greater storage. Basin bottoms are proposed to be flat with appropriate seeding and deep-rooted, wetland plantings. This landscaping will remove the need for mowing.

Provisions of Ordinance Involved: Detention basin side and bottom slopes.

Minimum Modification Necessary: We request the ability to set side slopes at 3H:1V and for basin bottoms to be flat. Basins will be landscaped with wetland vegetation and will not be mowed.

SWM Section 303 K.9 Swale Grades

Ordinance: Where drainage swales are used in lieu of or in addition to storm sewers, they shall be designed to carry the required runoff without erosion and in a manner not detrimental to the properties they cross. Drainage swales shall provide a minimum grade of two percent (2%) but shall not exceed a grade of nine percent (9%).



Facts of Hardship: Due to site topography, several swales must fight grade to tie into grading and stormwater facilities. A minimum 2% grade causes unnecessary excavation increases the complexity of construction.

Provisions of Ordinance Involved: Minimum 2% swale grades.

Minimum Modification Necessary: We request to utilize swale grades of 0.5-2% in locations surrounding the PPL substation to efficiently collect pad runoff. These swales will be designed with sufficient freeboard and outlet via subsurface inlets. The PPL substation is comprised of stone surfacing and is designed as impervious but will likely infiltrate much of the rain water prior to sheeting to these swales. These lower grades also slow flow and limit the risk of erosion and sedimentation.

SWM Section 303 B.2 Infiltration of Stormwater

Ordinance: Infiltration of surface water runoff at its source is to be the primary mechanism for stormwater management. Soil infiltration testing will be used to verify infiltration rates. Infiltration practices include, but are not limited to those referenced elsewhere in this Ordinance and as outlined in the publications referred to by this Ordinance.

Facts of Hardship: Following extensive infiltration test of the site, it has been concluded that the site has nearly no permeability. In a couple select locations infiltration basins have been designed and included to the maximum extent practical. Otherwise, DEP has required that we utilize a new alternative BMP design which is new to the state. This utilizes small MRC cells for water quality with bypass of higher storms for detention. While not designed for these detention and MRC basins will naturally infiltrate some small amount of water while but the majority will discharge laterally to the adjacent floodplain of the creek and mimic existing runoff characteristics of the site.

Provisions of Ordinance Involved: Stormwater Infiltration

Minimum Modification Necessary: A waiver from Section 303.B.2 for infiltration basin requirements subject to an approved PA DEP Stormwater BMP per Section 301.E.

SWM Section 303 H.18 Dewatering

Ordinance: All infiltration practices shall be designed to infiltrate the stored volume within forty-eight (48) hours.

Facts of Hardship: *The applicant has designed the stormwater BMP facilities in accordance with DEP requirements and worksheets which allow up to 72 hours for dewatering to occur. A modification to allow the design to adhere to DEP requirements is requested.*



Provisions of Ordinance Involved: 48-hour dewatering.

Minimum Modification Necessary: *The project is utilizing a DEP approved alternative stormwater design as required by the state. This design includes a 72 hour dewatering calculation as a requirement.*

Sincerely,

A handwritten signature in blue ink, appearing to read "Nick Long".

Nick Long – Sr. Project Manager
LIVIC Civil
1015 Mumma Road, 2nd Floor
Wormleysburg, PA 17043

Enclosures

Cc: File (1258-03)