



February 13, 2026

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

Re: Pennsylvania Digital 1 (PAX-1) Phase 1A – Final 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 PAX-1 Phase 1A Final Land Development Plan Submission.

This document is being presented 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.

Each item includes the background of the request, the specific hardship or limitation, the relevant ordinance provision, and the minimum modification necessary.

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## MODIFICATION REQUESTS

### SALDO:

#### 1. Section 501.A.2 (Plan Scale)

**Ordinance:** Plans shall be drawn to a scale not smaller than 1"=100' and individual plan sheets shall not exceed 1"=50'.

**Facts of Hardship:** Modification to permit sheet scale exceeding 1":50' for project clarity and presentation where appropriate. The plans are set at an adequate scale to allow comprehensive review and legibility of the large campus.

**Provision of Ordinance Involved:** Plan Scale

**Minimum Modification Necessary:** Most plans are 1"=50' but others are greater to show larger views of the campus.

#### 2. Section 501.A.6 (Map Scale)

**Ordinance:** The location map scale shall not exceed 1"=1000'.

**Facts of Hardship:** Modification to permit map scale exceeding 1":1000' for project clarity. The plans are set at an adequate scale to allow for legibility and smaller due to the large campus.



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**Provision of Ordinance Involved:** Plan Scale

**Minimum Modification Necessary:** Only applies to location map.

3. **Section 703.A.10 (Curb & Sidewalk Country Club Road)**

**Ordinance:** When a land development meets abuts a street (Country Club Road) which does not meet Township design criteria, curbing, sidewalks and drainage shall be provided.

**Facts of Hardship:** Modification to permit Country Club Road Improvements without the addition of sidewalk, curb and pavement base drain since none of these are currently located within the vicinity of the project and do not benefit the community or project given the rural character of this road. 708.C also permits township judgement to waive curbing requirements.

**Provision of Ordinance Involved:** Township's ability to waive such requirements for curb and sidewalk when neither exist in adjacent development.

**Minimum Modification Necessary:** Road improvements are proposed otherwise in accordance with the ordinance.

4. **Section 703.I.4 (Depressed Driveway Curbs)**

**Ordinance:** Where driveways access a curbed street, the driveway opening shall contain depressed curb with 1 ½" curb reveal across the driveway.

**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.

**Provision 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.

5. **Section 703.M (Grading within Street Right-of-Way)**

**Ordinance:** Street right-of-way areas, which are not part of the pavement section shall be graded to 2% from the top of the curb upward to a point 2' beyond the right-of-way line.

**Facts of Hardship:** A Modification is requested from this section to grade away from the top of street curb to the right-of-way in both a positive and negative slope direction and then meet standard cut and fill slopes required by ordinance. The campus includes most areas which accommodate this requirements; however, a few areas where grading becomes limited by environmental features, tie-in for cut/fill slopes and stormwater management facilities grading 2% only to the right-of-way and allowing grading away from the cartway would alleviate steeper

slopes on site and allow surface runoff to flow through vegetated areas rather than collecting and running across pavement unnecessarily.

**Provision of Ordinance Involved:** Curbing at Driveways

**Minimum Modification Necessary:** The project has requested and does not intend to install sidewalks on this campus. This ordinance provision is specifically provided for to accommodate sidewalks within a public right-of-way. If sidewalks are waived, this minor dimensional modification for grading in the right-of-way is not relevant.

**6. Section 707 (Sidewalk)**

**Ordinance:** Sidewalks and Pedestrian Pathways

**Facts of Hardship:** Modification to not require sidewalks along new interior streets since the development is not intended to be walkable nor promote pedestrian activities within a high security campus facility.

**Provision of Ordinance Involved:** Township's ability to waive such requirements for curb and sidewalk when neither exist in adjacent development.

**Minimum Modification Necessary:** Waiver of sidewalk requirements. Street improvements are proposed otherwise in accordance with ordinance.

**7. Section 711.D.4.K. (Sight lighting – Control of Glare)**

**Ordinance:** Fixtures shall not be mounted in excess of twenty feet (20') above finished grade of the surface being illuminated. At the sole discretion of the Board of Supervisors, Middlesex Township may permit the use of a mounting height not to exceed twenty-five feet (25') for fixtures meeting IESNA fill-cutoff criteria.

**Facts of Hardship:** 20' mounting heights require excess pole fixtures and impede landscaped screening and street trees.

**Provision of Ordinance Involved:** Fixture mounting height of 20'.

**Minimum Modification Necessary:** Request to grant the modification to allow 25' mounting height as prescribed by this ordinance section.

## **SALDO - COUNTRY CLUB ROAD**

**8. Section 703.C.1 & Table 703.1 (Street Width)**

**Ordinance:** The minimum street cartway width shall be required as found in Table 703.1. Collector Road standards require 36' cartway plus 4' shoulder.

**Facts of Hardship:** There is not sufficient right-of-way on the southern side of Country Club Road to allow for a full-width roadway section to be proposed, nor can this land be dedicated as it is not owned by the applicant. Therefore the following alternative street design is proposed with ordinance allowing Township discretion to modify this requirement upon review. The

roadways section will include (2) – 12' Travel Lanes with a 4' Paved and 2' Graded Shoulder along the improved frontage in-lieu of 18' Travel Lanes and 4' Shoulders on each side.

The SALDO only requires the frontage of the development to be improved; however, improving one side of Country Club Road to 18' while leaving the opposite side unimproved would create a more hazardous imbalanced roadway for motorists to navigate. Therefore, the applicant proposes to reconstruct the entire roadway within the development property extents using two 12' lanes and then including a 4' paved shoulder with 2' graded shoulder on the sides of the roadway that abut applicant land. This will allow consistent 12' travel lanes on both side of the roadway and the ability for additional shoulder to be constructed along the existing residences if those properties would ever be further developed in the future. This would provide an improved and safe upgrade to Country Club Road while minimizing unnecessary additional runoff, higher speeds, driver confusions, roadside parking and higher long term maintenance costs of additional pavement.

Additionally, it is unclear if Collector is the appropriate classification for this road. Country Club Road from our perspective does not function as a primary travel corridor linking multiple activity centers, it includes existing substandard design, is weight restricted and land-use context show it primarily serves access to adjacent rural parcels, which more closely aligns with a Minor/Local Access Street. According to the FHWA Highway Functional Classification Manual, traffic volume is not a determining criterion for functional class, so higher daily volumes as defined by SALDO would not directly elevate it to a Collector by AASHTO or PennDOT definition.

**Provision of Ordinance Involved:** Street Width

**Minimum Modification Necessary:** The road improvement will otherwise meet the ordinance and safety standards for the improved roadway without more invasive impacts to the neighbors.

#### 9. Section 703.H.2 (Street Horizontal Curve Radii)

**Ordinance:** Horizontal curves shall have a minimum centerline radius for Collector Streets of 350' and 150' for Minor or Private Streets (Table 703.1 shows 300' and 200' for Collector and Local Street respectively)

**Facts of Hardship:** Modification to maintain the existing radius of Country Club Road of 230' since there is not sufficient right-of-way on the southern side of Country Club Road to increase curve radii nor can this land be dedicated as it is not owned by the applicant. Furthermore, given the desire for lower speeds on Country Club Road, maintaining the existing tighter radius serves as a traffic calming measure and is safer and more favorable to the community to not encourage higher speeds on a rural road. This curve does exceed Local Minor Street standards which is compatible with the Alternate Street Design for proposed roadway cross section.

**Provision of Ordinance Involved:** Street Curve Standards

**Minimum Modification Necessary:** The road improvement will otherwise meet the ordinance and safety standards for the improved roadway.

**10. Section 703.M.2 (Designs within Street Right-of-Way)**

**Ordinance:** Grading of street right-of-way shall extend upward to a point two feet (2') beyond the right-of-way line.

**Facts of Hardship:** Insufficient room to include grading away from right-of-way beyond the ROW line and still allow for landscaped berm of sufficient height and slope to make appearance from adjacent residences appealing.

**Provision of Ordinance Involved:** Grading beyond right-of-way line.

**Minimum Modification Necessary:** Allow for grading of street right-of-way to stop at right-of-way line.

**EIA:**

**11. Section 718.D.3.A, 718.D.4.A, 718.D.4.B, 718.D.4.C, 718.D.4.D (Plan Scale)**

**Ordinance:** EIA exhibit plan scale 1"=100'

**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.

**Provision of Ordinance Involved:** Plan Scale

**Minimum Modification Necessary:** Only applies to included maps, all other sections are provided for.

**12. Section 718.D.3.B. (Plans and Elevations)**

**Ordinance:** Plans and elevations depicting the proposed size, square footage, height, number of rooms of buildings and/or other structures.

**Facts of Hardship:** Buildings contain proprietary, security-sensitive, and confidential information and are currently under development.

**Provisions of Ordinance Involved:** Plans and elevations of proposed buildings.

**Minimum Modification Necessary:** Deferring of this requirement to forthcoming building permit applications. Granting this modification would protect the proprietary and security-sensitive nature of the building design details, avoid redundant or premature submission of information, streamline the land development review process for both the applicant and Township staff, and ensure that complete and final building information is appropriately submitted and evaluated under building permit procedures.



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## STORMWATER:

### 13. 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, plantings. This landscaping will remove the need for routine 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 specific vegetation and will not be mowed. The MRC cells will allow the detention basin to fully dewater and not saturate and compromise these planting. Furthermore, basin side slopes of 3:1 are stable without matting and acceptable per the state BMP manual.

### 14. 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 existing grading and stormwater facilities. A minimum 2% grade causes unnecessary excavation, increases the complexity of construction and would alter existing drainage paths. The shallower swales will help promote infiltration, water quality and reduce accelerated runoff. These swales will also be identified for specific operations and maintenance to ensure sediment removal when necessary.

**Provisions of Ordinance Involved:** Minimum Swale Grade

**Minimum Modification Necessary:** We request to utilize swale grades of 0.5-2% in locations surrounding the Substations and PA Data Drive to efficiently collect pad runoff. These swales will be designed with sufficient freeboard.



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**15. Section 303.H.17 (Dewatering)**

**Ordinance:** All infiltration practices shall infiltrate the stored volume within 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:** Basin 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.

**16. 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.

**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 an included to the maximum extend practical. Otherwise, DEP has required that we utilize a new alternative BMP design which 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.

Sincerely,

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

Nick Long

Senior Project Manager

888-987-1993