



March 27, 2026

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

Re: Pennsylvania Digital 1 (PAX-1) Phase 1B – Preliminary Waiver/Modification/Deferral 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 1B Preliminary 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.

MODIFICATION REQUESTS

SALDO:

1. Section 501.A.2 (Plan Scale) **MODIFICATION**

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) **MODIFICATION**

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.



Provision of Ordinance Involved: Plan Scale

Minimum Modification Necessary: Only applies to location map.

3. Section 501.C.19; 303.J.12 & 303.K.12 (Metes and Bounds) **DEFERRAL**

Ordinance: Description of easements require metes and bounds.

Facts of Hardship: Providing metes and bounds for easement descriptions prior to final approval and design of the subject utilities would unnecessarily burden Township staff with additional review.

Provisions of Ordinance Involved: Easement metes and bounds on Preliminary Plan.

Minimum Modification Necessary: Provide accurate metes and bounds for the approved easement design at the time of Final Plan approval.

4. Section 703.A.10 (Curb & Sidewalk Country Club Road and PA Data Dr) **WAIVER**

Ordinance: When a land development abuts a street (Country Club Road and PA Data Dr) 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.

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

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.

6. Section 707 (Sidewalk) **WAIVER**

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.

EIA:

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

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.

~~8. Section 718.D.3.B. (Plans and Elevations)~~ **NOT NEEDED**

~~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.

STORMWATER:

9. Section 303 J.3 Detention Basin Slopes **MODIFICATION**

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.

10. Section 303.H.17 (Dewatering) **MODIFICATION**

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.

11. Section 303 B.2 Infiltration of Stormwater **MODIFICATION**

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.

ITEMS TO BE ADDRESSED IN FINAL PLAN

12. Section 302.A.13 Construction Detail (Inlets) **DEFERRAL**

Ordinance: Provide Construction Details for non-standard inlet boxes

Facts of Hardship: Final engineering/configuration of inlet structures may change prior to Final LDP

Provisions of Ordinance Involved: Construction Details

Minimum Modification Necessary: Defer approval of this construction detail until Final Land Development approval

13. Section 719.B.2 and 3 Final Landscape Plan **DEFERRAL**

Ordinance: Provide Construction Details for non-standard inlet boxes

Facts of Hardship: Final engineering/configuration of inlet structures may change prior to Final LDP

Provisions of Ordinance Involved: Construction Details

Minimum Modification Necessary: Defer approval of this construction detail until Final Land Development approval

14. Section 303. H.12 – Geotechnical Engineer MRC Certification **DEFERRAL**

Ordinance: Infiltration shall be in accordance with DEP BMP Manual

Facts of Hardship: DEP has new guidelines that are recommended but not official and clarity between the two is necessary from geotechnical engineer and DEP

Provisions of Ordinance Involved: 3rd Party Approval and Regulations Clarity

Minimum Modification Necessary: Request to provide these 3rd Party approvals and confirmation as part of Final Land Development approval

Sincerely,

A handwritten signature in blue ink that reads "Justin Ross".

Justin Ross, P.E.

Principal

888-987-1993