

RYE TOWNSHIP PLANNING COMMISSION MINUTES

July 7, 2026

Commission members present:

Dan Vodzak, Chair
Tom Graupensperger (via phone)
Gordon Warren, Vice Chair
Sean Fedder
Sue Crist
Greg Weldon
Brenda Little, Recording Secretary

- I. **Call Meeting to Order:** Dan Vodzak called to order at 7:35 pm at the municipal building. The meeting was recorded to aid with the preparation of minutes.
- II. **Approval of June 2, 2026 Minutes:** Sean Fedder motioned and Tom Graupensperger seconded the motion. Motion carried unanimously.
- III. **Citizen Participation:** None
- IV. **Persons to be Heard:** None
- V. **Review of Subdivision Plans:** None
- VI. **Review of Sketch Plans:** None
- VII. **Correspondence:** None
- VIII. **Discussion:**
 - A. Burget & Associates have requested a continuance on the subdivision plans for **2775 Valley Rd.** until the October 27, 2026, Supervisors meeting.
 - B. **3124 Valley Rd. (Jim Shope property)** requested a stormwater management waiver. Tom Graupensperger referred to documentation in the June 2, 2026 meeting minutes:

For clarification, per the Zoning Permit Application, a land disturbance plan must be submitted for approval when land development includes land disturbance of more than 5,000 square feet. The BIU and UCC approvals are a part of the building permit but do not address other land alteration approval requirements outlined in the Rye Township ordinances. The Land Disturbance Approval process was discussed and includes approval of land disturbance activities involving 5,000 or more square feet, through the zoning permit issued by the Zoning Officer upon the Planning Commission's recommendation for approval, and Supervisor approval of the Land Disturbance Plan, Erosion and Sedimentation Control Plan, and Stormwater Management Plan. **The Applicant** must meet all applicable requirements of Chapter 360, Zoning and Chapter 320, Subdivision and Land Development.

Tom Graupensperger contacted PennDOT maintenance out of New Bloomfield to verify stormwater drainage under SR850 from the site. There are two cross pipes located underneath 850. One is west of the property, which is picking up water coming down from the parking area of Appalachian Trail (AT) and Edward's property access driveway pipe. A National Park Service representative attended a previous Planning Commission meeting, approximately 2 years ago, and discussed plans for replacing this AT parking. The AT parking area could possibly increase- approximately triple in size and impervious cover area.

A cross pipe also exists at 3126 VRD parcel, located just north of and downgradient from 3124 VRD, where added runoff from the land disturbance and a large field and groundwater-surface drainage ditch extends to Millers Gap Road, releasing stormwater. PennDOT was contacted to review the pipe crossings for condition and blockage, as anti-skid accumulations had been blocking three-quarters of the 18-inch diameter pipe at 3126 VRD. PennDOT will be clearing these cross pipes by flushing.

PennDOT indicated that it does not see a problem with the driveway based on their use of Stream-Stats evaluation. This quick check procedure woefully underestimates current extreme event storms and associated impacts. 3124 Valley Road did obtain a driveway Highway Occupancy Permit (HOP) from PennDOT and discussions with Jim Shope indicated that the placement of a pipe was reviewed with PennDOT, however it was not permitted, as they may have had concerns with roadway embankment erosion.

Tom identified that flooding and backwater issues, as originally discussed with Jim Shope, which should be evaluated per the ordinance and no impact determination verified for the 3126 Valley Road residence. The primary concern is that if a total pipe blockage occurs during an extreme rainfall event, that backwater flooding from the newly constructed 3124 driveway may back up and flood the prior existing 3126 parcel in the future. Changes in the contributing watershed will need to be monitored for added impervious areas and stormwater runoff, with added scour, erosion and sediment. The stormwater-flood evaluation is part of the Land Disturbance review and permit approval.

In light of the above, the Planning Commission is recommending the Supervisors deny the request to 'waive stormwater management plan.'

Specific items needed for 3124 Valley Rd, to evaluate further:

- 1.) A preliminary plan with spot elevations.
- 2.) A driveway profile.

- 3.) Flood control elevations.
- 4.) The Grade of the Culvert.
- 5.) Floor (first and basement) Elevations of the house upstream, 3126 Valley Rd.

C. 910 New Valley Rd: Hydro-Geotechnical Report Review.

Prepared by Navarro & Wright. Rye Twp. Solicitor is reviewing the Hydro-geotechnical report. Tom Graupensperger has looked over this report, made some notes and forwarded them to Max Stoner. The Commission board is waiting for a reply from the engineer.

IX. Correspondence:

- A. Perry County solid waste management** plan update and schedule:
Sean Fedder confirmed an email was sent about a review being sent out at the end of July 2026 or beginning of August 2026. And for the adoption of the solid waste management schedule update to be between October 2026 and December 2026. The Commission board is requesting Twp. Secretary; Taunya Matter forward a copy of the e-mail sent from Solid Waste Management to the Commission members.

X. Discussion:

- A. RFP Comprehensive Plan Update: In Progress.** Tom Graupensperger sent out information and a link to the Planning Commissioners to access the Tri-County-TCRPC website "Planning Tool-Kit" for potential zoning overlay district information to be addressed:

Information to include:

- a. Flashfloods
- b. Land Development
- c. Floodplains
- d. Scenic Preservation
- e. Historic Preservation
- f. Ridgeline Protection
- g. Agricultural (Prime Farmland Soils) and natural resource protection

Comprehensive plan research is primarily complete through the County Picture Perry and other data sources available. Alternative sewage disposal facility questions, stormwater impact areas, flooding and flash flooding versus landslide activities are consistent in the present Comp Plan update.

Soil maps were attached for review in association with the identification of landslide susceptible/prone soil areas based on Soil Survey/NRCS soils data and to be verified with DCNR-PADEP Landslide Debris Flow Susceptibility Map requested for verification review following GIS digital assessment review. Natural Resource assessment definitions are planned to be revised to include the appropriate soils that are indicative of hydric soils: wetlands; alluvial soils: flood-prone tributary areas; colluvial-high water table- steep and prohibitive slopes soils: landslide susceptible areas. Other natural resources: forests, watercourses and unique would be assessed using GIS mapping aeriels.

B. Review of TCRPC Toolkit Overlay Districts:

Topics included are Landslide Debris Flow assessment of susceptibility/Flashfloods/Floodplains/Scenic preservation/Ridgeline protection.

C. Review and outline of existing and additional items for Saldo and zoning overlay districts:

For streams where there is an absence of flood plain assessment, identify in ordinance a “flood prone area” where extreme events and flash flooding occur. The intent is to require that where a detailed evaluation has not been completed, that the limit of the alluvial soils- soils that have been deposited by flowing floodwaters would be used to identify the limit of the flood prone area-required during later phases of plan development, when appropriate.

Colluvial soils are located on the ridges and adjacent to a steep or prohibitive slope, unstable slope soils consisting of Weikert & Klinesville very shaly silt loam-WkF/D along both sides north-south trending Tributary Drainages. Hazleton-channery sandy loam HfF/D-South Valley Side-North Slopes Landslide Top with intermediate areas of Laidig and Lehigh Soils LgD/C & LpD/C colluvial soils with high water tables would also be included where watercourses are identified to document potential susceptible landslide areas. Colluvial soils toe out along the alluvial soils deposited by glacial melt flowing waters within the valley floor. Deposition of soils resulted in wetland and poorly drained soils intermixed with the alluvial soils. Building Setback lines established to avoid slope instability and slide concerns, where investigations are not performed would need be established for Tributary watercourse: Wk-F slopes to adjust for slip circle end of bedding (N to S) slope failures and deposition established with 2:1 slopes projected from toe edge of Wk-F through the adjacent upslope soil boundary.

Alternative definition for Alluvial soils, consistent with existing definition.

Add new definitions to ordinance; slope stability solutions, high risk prohibitive slope areas would need to be designed with investigations and design criteria from analyses performed by licensed Geotechnical/Soil Engineers. Additional Rye Township zoning/SALDO.

D. Event reforestation-Stormwater Impacts Mitigation and

SCMS.(Stormwater control measures.) A new manual and guidelines are still in progress and will not be adopted until the next administration. New regulations will come from DEP (act 537)

Sean Fedder stated that the PA State Game Commission is the main culprit to removing Timber and not replacing reforestation. The Game Commission could have the biggest impact on Rye Twp. Dan Vodzak; the Game Commission is exempt from Rye Twp. Ordinances. Tom Graupensperger suggested talking to the PA State Game Land Director, who is also a Rye Twp. Resident, about possible limitations and regulations regarding the timbering on the State Game Land properties. Explaining this could help prevent potential impacts of stormwater run-offs and flash floods.

- E. Sean Fedder/ Supervisor meeting concerns** of the phrase; “Hold Rye Harmless.” Sean Fedder asked if there could be a paragraph written to verify what “Hold Rye Harmless” means concerning land studies that property owners do not want to do. The solicitor at the Rye Twp Supervisor meeting stated; if property owners are not willing to proceed with Rye Twp requirements/regulations, then they should not be granted approval. The concern is a “Hold Rye Harmless” would give property owners the opportunity to pick and choose what portions of the ordinances to follow.

F. Data Center Discussion: Discussion of the data center occurred relative to concerns that the existing industrial zoned area within the Township was too small. Alternative sites where a large hyperscale data center could be placed require 500+ acres or more. The Cumberland County site includes 1000 facilities, and multilane highways, much different than that of Rye Township and Perry County. Water availability in the limestone of Cumberland County is more readily available from larger wells. Obtaining water in Perry would require multiple wells and grading large sites for development of hyperscale data centers would require deep bedrock removal and significant blasting at a cost and potential adverse impacts related to groundwater flow including wells. Discussion of the Millers Gap area and its unique ironstone bedrock were discussed; however, many portions of this area east of the Millers Gap Road are subject to sliding, slumping and general slope instability. Portions of areas do exist, however, east of the area along Fishing Creek, where farm fields were regraded under the Food Security Act to create more level areas. Weather patterns in valley areas can be a challenge relative to air quality concerns. Temperature inversions can result in pollutant discharges being held close to the ground surface during the inversion process resulting in health-related issues and concerns. Rye has experienced many complaints under the existing nuisance ordinance related to the burning of trash in outdoor wood burners impacting their neighbors. Multiply that times the number of backup diesel generators used for emergency power and the

impact grows. Hyperscale data centers can typically use several hundred generators. Natural gas generators are also being used but have lesser impact at a higher cost. Current studies have also found where heat island effects occur and result in as much as 3.6-degree farenheight increase in soil temperatures (air-water: brook trout catchment streams?) in downslope areas and in an area of 6-mile radius. Other potential considerations include the placement of transmission lines and new distribution lines to service the data centers and Secondary and cumulative impacts to forests, native waters and floodwater considerations that can occur from placement of utility. Alternative solutions involve replacement of the transmission-distribution cables with combination metals-materials that provide 2-3 times added capacity to address the interim needs for a ten-year period, providing necessary time to address long term availability concerns.

IX: Adjournment:

With no further discussion or business before the Commission, Dan motioned meeting to adjourn at 9:00 pm and Gordon second the motion, and the motion carried unanimously.

The next PC meeting will be held on Tuesday, August 4, 2026 at 7:30 PM

Respectfully submitted: Brenda Little (recording secretary)