Exhibit C

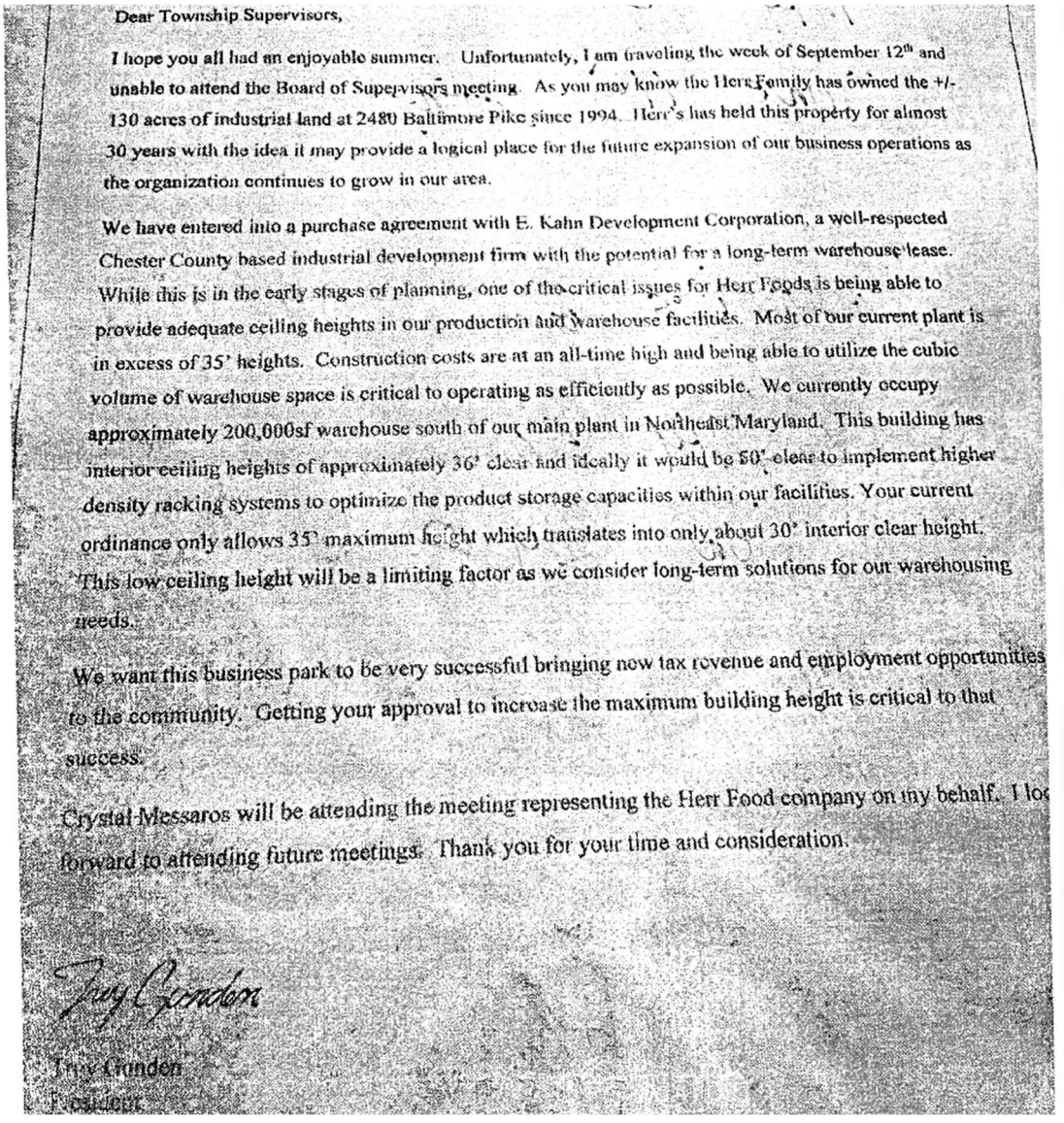
Timeline of Herr Foods, Inc. Land Development Plan and Ordinance Change Request

July 12, 2022: BOS Regular Meeting

1) Sketch plan presentation for Herr's Subdivision on Baltimore Pike

Eli Kahn and Matt Adams from EKahn Development Corp. were in attendance and explained an agreement of sale has been made with the Herr family for the property located on Baltimore Pike which is approximately 123 acres. A conceptual plan was presented to the Board and attendees which showed a four-building industrial park. Mr. Kahn estimated he will likely submit plans to the Township in 60+ days.

September 9, 2022: Herr Foods Inc. submits letter to BOS



Dear Township Supervisors,

I hope you all had an enjoyable summer. Unfortunately, I am traveling the week of September 12th and unable to attend the Board of Supervisors meeting. As you may know the Herr Family has owned the +/- 130 acres of industrial land at 2480 Baltimore Pike since 1994. Herr's has held this property for almost 30 years with the idea it may provide a logical place for the future expansion of our business operations as the organization continues to grow in our area.

We have entered into a purchase agreement with E. Kahn Development Corporation, a well-respected Chester County based industrial development firm with the potential for a long-term warehouse lease. While this is in the early stages of planning, one of the critical issues for Herr Foods is being able to provide adequate ceiling heights in our production and warehouse facilities. Most of our current plant is in excess of 35' heights. Construction costs are at an all-time high and being able to utilize the cubic volume of warehouse space is critical to operating as efficiently as possible. We currently occupy approximately 200,000sf warehouse south of our main plant in Northeast Maryland. This building has interior ceiling heights of approximately 36' clear and ideally it would be 50' clear to implement higher density racking systems to optimize the product storage capacities within our facilities. Your current ordinance only allows 35' maximum height which translates into only about 30' interior clear height. This low ceiling height will be a limiting factor as we consider long-term solutions for our warehousing needs.

We want this business park to be very successful bringing new tax revenue and employment opportunities to the community. Getting your approval to increase the maximum building height is critical to that success.

Crystal Messaros will be attending the meeting representing the Herr Food company on my behalf. I loo forward to attending future meetings. Thank you for your time and consideration.

Troy Grunden

September 13, 2022: BOS Regular Meeting

1) Industrial development proposal for Herr Tract on Baltimore Pike – E. Kahn Development

Eli Kahn and Matt Adams from E. Kahn Development were in attendance with John Jaros, their legal representation. A conceptual plan was again presented that showed four large industrial building located within the 130+ acres of Herr's property known as 2480 Baltimore Pike. The request was made to the Board to consider making a text amendment to the Township's I-1 Zoning Ordinance that would increase the maximum building height requirement of 35 feet. Crystal Messaros from Herr Foods Inc. was in attendance and provided a letter in support of this request. There was some discussion on this request and the proposed development plan.

April 24, 2023: PC Monthly Meeting

- Industrial-1 height proposed ordinance change

Member Joe Marra discussed the proposed height ordinance amendment being worked on by the Township Solicitor at the request of the East Nottingham Board of Supervisors. Member Marra stated that he feels the ENT BOS is excluding the ENT PC from the process and that the height change could adversely affect East Nottingham Twp. Member Marra believes that any decision when it comes to planning whether it is a new ordinance, or an amended ordinance should go through the ENT PC first. BOS Chairman Sam Goodley who was a member of the audience spoke and gave his opinion on the matter. Chairman Marc Arot and Vice-Chairman Rick Orner gave their opinion on the matter. It was concluded that the ENT PC formalize a request to the ENT BOS that the ENT PC be included in all ordinance amendment changes.

A motion was made by Rick Orner, seconded by Marc Arot, to formalize a request that the East Nottingham Planning Commission be included in all ordinance amendment changes.

Aye: 5 Nay: 0 Abstain: 0

May 9, 2023: BOS Regular Meeting

4) Zoning Ordinance Amendment

Solicitor Sebastian explained a request was made to the Board, by residents who use horses for transportation, for an amendment to the zoning ordinance that would allow a horse, used for transportation, to be housed on one acre of land. At another time, a developer representing a landowner in the Township raised an issue about the universal height requirement in the Township which is currently 35 feet.

The Board has worked with Solicitor Sebastian on this amendment which addresses both of the above requests. The proposed provision in the amendment which addresses the height of buildings, in the I-1 industrial district only, would increase to 45 feet and require an additional 2 feet setback with a maximum of 55 feet with conditional approval. There is also a proposed size limitation for industrial/warehouse buildings.

Solicitor Sebastian requested permission to present this draft zoning ordinance amendment to the Planning Commission.

A motion was made by Chairman Goodley, seconded by Supervisor Faux, to authorize the solicitor to present the draft zoning ordinance amendment to the planning commission for its consideration and input. The motion carried:

May 22, 2023: PC Monthly Meeting

- Eli Kahn – Herr Foods, Inc Subdivision

Debbie Shulski, attorney with Riley Riper Hollin & Colagreco, was present. Ms. Shulski stressed the importance of the building height issue particularly to the Industrial zoned district within the Township. Currently, the Township has a 35-foot maximum requirement which the developer considers unconducive to the types of uses permitted by right in the industrial district. Ms. Shulski also mentioned limiting the size of the buildings would likely result in the same issues as the current height requirements. Ms. Shulski recommended establishing increased setbacks in correlation with height to help mitigate the appearance of the buildings from a distance. The developer is requesting a maximum height of 50 feet. Ms. Shulski reported the approximate size of the buildings in the conceptual design are 140,000 square feet; 200,000 square feet; 330,000 square feet; and 450,000 square feet. The intended use of these buildings is warehouse distribution.

The Planning Commission requested a presentation of the conceptual plan from the developer/engineer as this will directly impact the Planning Commission's recommendations for amending the zoning ordinance. Ms. Shulski requested a copy of the proposed zoning ordinance amendment when available to the public.

Jun 26, 2023: PC Monthly Meeting

- Eli Kahn – Herr Foods, Inc Subdivision

Matt Adams with Econ Development gave a presentation for the proposed use of a 123-acre property currently owned by Herr's on Baltimore Pike and Graves Road zoned Industrial. The presentation was given previously to the Board of Supervisors in September 2022. The property is under contract to be sold to E. Kahn Development Corporation. They are proposing a by right use of four (4) warehouses with a minimum height of 43-45 feet. They have done 65 test pits on the site from a Stormwater standpoint, Bog Turtle assessments and traffic studies. They are proposing a flex Industrial Park which they have done in Exton, Downingtown, and West Chester for larger Corporations such as QVC and Victory Brewing. The smallest building would be 140,000 Square feet and the largest would be 450,000 square feet. The entrance would be on Baltimore Pike. Residents in the audience raised concerns about traffic, screening, air pollution and property value of their homes. The concerns could not be addressed accurately since this is not in Land Development and just a presentation on a proposed project. If the project moves forward with Land Development, these concerns will be addressed. Troy Gunden representing Herr's spoke and indicated Herr's would be leasing the 450,000 square foot warehouse for their company. Specifics could not be given as this is just a proposed project. Joe Marra raised concerns over the change in traffic and neighboring properties being affected by the change in maximum height. Jake Yohe spoke and explained there are other by right uses for this property including a junk yard. A resident asked if the railway would be used. Mr. Adams said the railway could be used but would need improvements and grading changes to be operable for a business. For them to move forward with the project, they are proposing East Nottingham do a Zoning Ordinance amendment to increase the maximum building height.

New Business

1) Fact Finding meeting was held on June 19, 2023 to go over Zoning Amendments with the Solicitor.
2) Zoning Ordinance Amendment – draft. Many issues were brought up by residents regarding the Industrial District during the Eli Kahn presentation. The planning Commission has concerns as well. Rick Orner proposed the Industrial Zoning Ordinance go back to the Board for review and form a committee or sub-committee to review the ordinance.

A motion was made by Joe Bauer, seconded by Joe Marra, to send the Industrial Zoning Ordinance back to the Board for review. The motion carried:

July 11, 2023: BOS Regular Meeting

5) Planning Commission's recommendation for the Zoning Ordinance Amendment draft

Zoning Officer Greer explained the Planning Commission is requesting the Board form a committee or subcommittee to review and update Chapter 27, Part 11 I-1 Industrial District of the East Nottingham Code of Ordinances.

The Board will further consider this request during August's Regular Board of Supervisors meeting.

July 24, 2023: PC Monthly Meeting

Old Business

- Industrial District Ordinance Review

A discussion was had regarding the need for a detailed review of the Industrial District ordinance. While the property is zoned industrial and development is likely inevitable, the Planning Commission desires to take this opportunity to review the requirements associated with the Industrial District as it relates to noise, light, pollution, etc. The recommendation is to create a committee or subcommittee to review the ordinance and update as necessary. This will be on the Board of Supervisors agenda for their August meeting.

August 8, 2023: BOS Regular Meeting

3) Committee to review Chapter 27, Part 11 I-1 Industrial District

Chairman Goodley explained that the Planning Commission is permitted, without special permission from the Board, to form a committee to review the I-1 Industrial District Ordinance. Chairman Goodley requested any recommended changes be put in writing and submitted to the Board for consideration.

14) Zoning Ordinance Amendment: Horse for Transportation

Solicitor Sebastian explained the zoning ordinance amendment that was presented included two parts: 1) Horse for Transportation and 2) Industrial District. Due to continued discussions around the changes to the Industrial District Ordinance, Solicitor Sebastian asked if the Board would like her to proceed with finalizing the amendment to only include the horse for transportation sections.

A motion was made by Chairman Goodley, seconded by Supervisor Wallace, to authorize the Solicitor to finalize the zoning ordinance amendment to include only the horse for transportation sections and send it to the Chester County Planning Commission and the East Nottingham Township Planning Commission for review. The motion carried:

August 28, 2023: PC Monthly Meeting

Public comment on the agenda – Matt Adams with Econ Development spoke in regard to the Industrial District Ordinance Review Committee. Mr. Adams wanted to inform the Planning Commission that Econ Development is looking for a height of 45 feet for the Industrial District to meet the demand of modern industrial warehouses.

October 23, 2023: PC Monthly Meeting

2) Update on Industrial Ordinance Review Committee

Joe Marra and Eileen Butler stated the Committee has been reviewing municipalities similar to East Nottingham and will meet a couple more times before it goes to the Planning Commission to review.

December 18, 2023: PC Monthly Meeting

Recognition of Visitors: Matt Adams from Econ Development spoke in regard to the update on the Industrial Ordinance. Rick Orner stated that the Industrial Committee is working on a draft ordinance and meetings have been happening monthly. It will be presented to the Planning Commission when the draft is ready for review.

January 22, 2024: PC Monthly Meeting

Planning Commission Members – Mr. Wallace asked why the Industrial Ordinance was not on the agenda. It was said at a previous meeting it may be ready for the January meeting. Mr. Marra updated the Planning Commission that Solicitor Sebastian informed the committee that there are items that they must include in the ordinance. They are in the process of reviewing those items and continue to work on the update. Mr. Marra also asked Mr. Wallace if there is another venue that the Planning Commission meeting can be held when they do submit the Industrial ordinance update. A lot of residents are interested in this topic and we may get a large crowd. Mr. Wallace said to wait and see as this is just for Planning Commission review and not the hearing for the ordinance change or Board of Supervisor review. Mr. Yohe asked if the items were new issues. Mr. Marra stated the items were believed to be handled by the State of Pennsylvania but Solicitor Sebastian informed them it needs to be included in our ordinance.

February 26, 2024: PC Monthly Meeting

1) Industrial Ordinance Update

Joe Marra gave a timeline of what led to the review of the Industrial Ordinance. In July 2022, it was brought to the Board of Supervisors attention that the Herr's property located on Baltimore Pike in the Industrial District was in an arrangement of sale with E. Kahn Development Corporation. In September 2022, the Board of Supervisors received a letter from the president of Herr's requesting the importance of increasing the maximum height in the industrial district to 50 feet. At the September Supervisors meeting, a conceptual plan was presented with four (4) industrial buildings. In April 2023, an update was asked for by Joe Marra regarding the Herr's property. The Board responded that "We are still considering the height". Mr. Marra asked "who is we and when are you discussing it." The final response from the Boad was" We want what you want". Mr. Marra was then asked to conclude and eventually gaveled. At the May 2023 Board of Supervisors meeting, a draft industrial ordinance prepared by Solicitor Sebastian was reviewed by the Supervisors and a motion was made for Solicitor Sebastian to present the draft ordinance to the Planning Commission. At the June 2023 Planning Commission meeting, Matt Adams from E. Kahn Development Corporation presented the Commission with the conceptual plan and presentation, and it was said by Joel Brown, the realtor representing Herr's, that if this deal does not go through, you will not like who else is interested in the property. At that point, it was suggested that the industrial ordinance, in whole, be reviewed. In August 2023, a sub committee was formed to review the industrial ordinance in detail. The Committee began meeting in September 2023 and has been meeting often. They have reviewed a wide variety of ordinances, spoke to residents on their concerns, and visited already existing industrial areas in Chester County. The Committee is currently reviewing lighting as there have been many advances with LED technology and fixtures. Mr. Marra recommended hiring a lighting engineer. He is also recommending expanding the Committee to all the Planning Commission members and possibly a supervisor to help ensure a smooth and timely completion of the progress already made.

Rick Orner stated, in January 2024 he spoke to Solicitor Sebastian with regards to having a separate lighting and noise ordinance in our ordinance and how to proceed with the ordinance. He was advised that they must include the industrial lighting and noise in the industrial ordinance update. They included the noise but came to a standstill with lighting and realized they needed some professional help with the lighting section of the ordinance since it borders a residential district. The Planning Commission represents the taxpayers and residents and must look at everything in the ordinance, not just the height. Mr. Orner stated that until Member Jake Yohe asked to see a copy of the draft ordinance on February 23rd, 2024, he has not once been asked one question on the timing, where they are, what they have done, or to look at the draft by anybody. He reached out to the Board two (2) weeks ago by letter in writing and asked if they wanted the committee to finish it. He got no response. An update will be given to the Board at their next meeting in March regarding where the committee is with the ordinance review.

Matt Adams from E. Kahn Development Corporation spoke stating they have been in this agreement for 18 months and are waiting for our ordinance update to see if what they are proposing will even be possible for users in the market right now. They need to know sooner than later. If the overall development is going to change, they would like to know. Mr. Marra stated he completely understands their view, but the Planning Commission is sworn to have the best interests of the residents and needs to do their due diligence. Mr. Adams stated that if the sale does not go through, you will not see warehouse buildings here due to the height limitation. Mr. Orner stated that the industrial ordinance had not been updated since 2005 and when asked to review the height, it became clear the whole ordinance needed updated. Eileen Butler reminded everyone that the decision will be up to the Board of Supervisors, the Planning Commission can just recommend what they would like to see.

Mark Arot complimented the Industrial Ordinance Committee on their hard work and dedication.

Joel Brown asked if there was a reason why they wouldn't send the Supervisors a draft of the ordinance with a note saying this is not complete. Mr. Wallace stated it would be nice to see what they have now, they would not take action, but it would be good to see. Ms. Butler and Mr. Marra would like to see it reviewed by the Planning Commission before sending it to the Supervisors to see unless asked by the Supervisors to see.

March 12, 2024: BOS Regular Meeting

1) Update from Industrial Ordinance Committee

Eileen Butler reported the subcommittee of the Planning Commission has been meeting for several months. The committee has reviewed at least nine different industrial ordinances and developed a comprehensive industrial ordinance draft for consideration. The committee plans to share the draft ordinance with the entire planning commission at their March 25, 2024 meeting, discuss its contents, and then hold a vote. The draft ordinance and the results of that vote will then be shared with the Board of Supervisors.

March 25, 2024: PC Monthly Meeting

2.) Draft Industrial Ordinance Review

The Planning Commission members discussed with the Industrial Ordinance Committee concerns they had with the draft ordinance. Mr. Arot had several questions that were answered by the Committee. Building height was discussed and Mr. Orner and Mr. Marra explained that the residents in the area prefer it to stay at 35 feet, as do they, so it was not changed for the draft, but will be a decision for the Board of Supervisors. Mr. Yohe believed it was discussed before and a possibility was allowing a higher height but with additional setbacks. Mr. Yohe also had concerns with some of the language under Design Standards and it sounding opinion based. Mr. Marra explained the main idea was for continuous architectural design throughout the campus and these standards were from other municipalities in Northern Chester County. Solicitor Winnie Sebastian will review the lighting section and let the Committee know of any changes or concerns. The Committee will revise the draft ordinance with the changes that were discussed and will present it to the Planning Commission after those changes have been made and the lighting has been reviewed.

1.) Troy Gunden spoke as a representative of Herr's. They are interested in putting a warehouse in the Industrial District. They have a lease that is up July 2027. Some of the issues that were brought up regarding the draft industrial ordinance they may be able to help with through deed restrictions. They are interested in being good neighbors. If there is anything they can do to help, let them know.

April 22, 2024: PC Monthly Meeting

1.) Draft Industrial Ordinance Review

Ms. Butler updated the Planning Commission on the changes that were made since the last meeting. Specifically, Ms. Butler indicated that she moved the prohibited uses to conditional uses per Solicitor Sebastians advice. She would like to research that more because other municipalities have prohibited uses and she would like to better understand how some municipalities can maintain a "prohibited uses" section. Additionally, some words need definition. Mr. Yohe still had concerns about the interpretation of the architectural consistency requirements in the draft ordinance for example what solar access is. Ms. Butler will research a definition for that. The height was not changed and remained at 35 feet. Surrounding municipalities mostly have their height at 35 feet and the Industrial Committee listened to the residents in that area and they believe it is in the best interest of the residents to have the height remain at 35 feet. Mr. Yohe explained that something Agricultural could be built with an allowance of up to 90 feet. He believes the height should be raised higher than 35 feet with additional setbacks or requirements. Mr. Yohe stated the buffers and topography around that property, which is the only property zoned industrial, would not be detrimental for 35 feet vs. 45 feet and it would save on impervious surface. He believes the people looking to build Industrial are looking for higher height due to the stormwater requirements in Pennsylvania. Mr. Wallace stated the 35 feet is out of date and neighboring municipalities are looking to raise it as well. The Industrial Committee does not feel it should be raised. The committee is looking at it as a whole district and not for one specific use that could be there but rather for all permitted uses. The owner of the property could ask for a variance for the height instead of the whole

ordinance being changed. There was a brief discussion regarding the adjacent property owners losing property value, which was considered when revising the ordinance.

Matt Adams with E. Kahn Development spoke regarding the ordinance update. They took the property under contract about 2 years ago at which time they came to the Board of Supervisors and later the Planning Commission with a sketch plan of buildings that met the current ordinance but asked that the height be raised for current needs of Industrial uses. The draft ordinance reduces the impervious coverage area to 40% and has additional setback requirements. He brought to their attention that warehouses are not a permitted use in the draft ordinance. Ms. Butler will add the language to allow for warehouses as they did not realize it was not in there. Mr. Adams also stated the height had not changed and all that changed was additional requirements to coverage and setbacks. He stated the warehouse business has changed and businesses are looking for more vertical space. Mr. Marra stated that the ordinance was not being revised for one use such as warehouses. They are looking at the land itself. The Planning Commission is here to represent the residents. They spoke to several residents surrounding the Industrial District and tried to address the concerns they had. Mr. Adams asserted that the draft ordinance now devalues the property because it has cut the building area into a third of what it was and the height remained the same. Mr. Marra stated that they have to write the ordinance as if it was just a piece of land and ethically cannot consider what Mr. Adams is proposing while writing the draft. Mr. Arot stated that the sub-committee was tasked to look at the ordinance and has done so and the height is recommended to stay at 35 feet. He was not sure where the assumption came that the height would be changed. Ms. Butler will make the final corrections to the draft ordinance and the Planning Commission will take a vote on it for recommendation to the Board of Supervisors at their May 20, 2024 meeting

May 20,2024: PC Monthly Meeting

1.) Draft Industrial Ordinance Review

Ms. Butler made the final corrected changes to the draft ordinance. Ms. Butler stated there is a total of 57 townships in Chester County. 55 have Industrial Districts. 41 maintain a height of 35 feet. Of those 41, 7 allow for higher limits with conditions. 14 of the 55 maintain higher limits. Essentially 75 percent of the townships maintain a 35-foot limit. Mr. Yohe stated the zoning surrounding the Industrial District is not only residential but is Commercial as well. He would like to see it the height raised with additional setbacks. The lighting section was briefly discussed and suggested that we update our ordinance for lighting to include the language in the draft Industrial ordinance. This would include the Commercial Districts as well.

A motion was made by Jake Yohe, seconded by Joe Bauer, to recommend the Draft Industrial Ordinance to the Board of Supervisors. The motion carried.

Aye: 5 Nay: 0 Abstain: 1 (John Wallace since he is a Board Supervisor)

May 22, 2024: ORPC Meeting

☐ **Herr's Farm Land Development** *Planning Committee* 9:25

A preliminary Plan has been submitted to East Nottingham Township for a land development on parcels 69-6-177 and 69-6-179. They are both located in East Nottingham's Industrial District. The submission involves four distribution warehouses that total 1,125,000 square feet and 1,132 new parking spaces. The proposed use is located in the Commerce land use category of the Region's Future Land Use Plan. David heard from Sam Goodley that the applicant requested relief from the Township's 35-foot height limit suggesting that "modern" warehouses require at least 50 feet.

June 11, 2024: BOS Regular Meeting

5) I-1 Industrial District Amendment – recommendations from Planning Commission

Zoning Officer Greer explained in front of the Board is the draft of the I-1 Industrial District Ordinance Amendment that was drafted by the subcommittee of the Planning Commission and then reviewed and recommended by the Planning Commission for adoption.

Joe Marra explained he, Eileen Butler, and Rick Orner worked very hard to research and put together this amendment to achieve what residents desire in the Township's industrial district. The maximum building height was not changed and remains at 35 feet. Mr. Marra encouraged the Board to call him at any time during their review process for an explanation of what is included in this amendment.

A motion was made by Chairman Goodley, seconded by Supervisor Herlihy, to accept the I-1 Industrial District Ordinance amendment draft from the Planning Commission. The motion carried:

June 24, 2024: PC Monthly Meeting

2.) Herr's Farm Preliminary Land Development Plan- Stantec review letter dated 6/17/2024

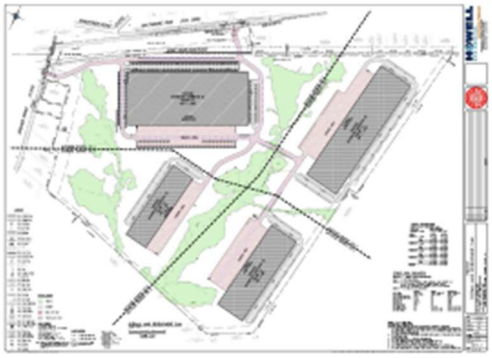
Ms. Iacono stated buffers are a huge concern on this plan as it will impact their design. They are crossing several streams and wetlands, and the building and roads are in close proximity to them. They have not shown any buffers on their plan. They still need to submit their E&S plan, NPDES permit, PennDOT permit, an updated wetland delineation report and a wetland JD from the Army Corp. They are taking down some wooded areas and there is no information on inventory or replacement of those trees. The building height does meet our ordinance. They will need approval from the railroad to cross the tracks. The fire department still needs to look at the plans. A truck turning plan was not provided. Ms. Iacono stated there is a lot of permitting that needs done and will take some time. Mr. Arot stated that the multi-municipal comp plan recommends that property specifically should capitalize on the use of the railroad and in their current plan it is not. Ms. Iacono believes we will see some changes to the current design of the plan to meet all the requirements needed.

June 26, 2024: ORPC Meeting

☐ **Preliminary Land Development of the Herrs Property** *Mark, Joe, Marc, and Membership*

Project Summary and Proposal

Site Acreage:	123.2 (approximately)
Lots/Units:	One/Four
Parcels/UPI#s	69-6-177, 69-6-179
Address:	2470 Baltimore Pike
Existing Land Use:	Agriculture
Proposed Land Use:	Industrial
Total square footage:	1,120,000
Sewer /Water Service:	Public/Public



Please note: Before we began the discussion, Joe Mara shared that the developer is planning to submit another preliminary plan for the Herr's property. Why? Because the letter from the township engineer identified several issues that need to be addressed. In the interim, East Nottingham received the County Act 247 Review for the preliminary plan. Joe also noted that the Township Planning Commission (PC) has been working on an update to their Industrial District (I-1), a fact that the developer was aware of, that is with the Township Board of Supervisors (BOS) for their review. The developer submitted the first preliminary plan before the BOS completed their review or had a chance to consider adoption.

Joe continued and identified concerns that have been shared by residents that live near the proposed warehouse development regarding the developer's request to raise the

building height maximum above the current 35' (to 50'). In turn, the developer has expressed concerns regarding the viability of such a use with the 35' height limit. It is turning out to be a hot button issue. Mark asked Joe if the Zoning Ordinance (ZO) amendment would be adopted before the preliminary plan is re-submitted. Joe could not be sure but doubted it given the timing.

The Township has a long list of concerns that range from the ability of the local fire company to provide fire coverage, security given the Township's reliance on State Police coverage, and impacts to natural resources such as the Serpentine outcroppings located on the subject property. The Township's concerns seem to be shared by their engineer and the County Planning Commission given the number of issues that were identifed in their letters.

Charlie shared a cautionary tale that focused on broken promises from Walmart as they agreed to provide funding for training and necessary apparatus when they opened their store on Route 10 in Lower Oxford Township.

Marc Arot added that the PC had just received a copy of the County letter that afternoon. This proposed development identified vulnerabilities in the Township's I-1 district and that is why the PC moved forward to update it. The County Act 247 review letter also identified concerns about trucks entering from Graves Road. Joe added that the County letter strongly recommended that the developer should work with East Penn Railroad whose rail line bisects the property. The developer claims that it would cost prohibitive to grade the property to provide access to East Penn's services. I believe Joe said their wording was "ridiculously expensive." The developer claims that East Penn is not being cooperative. East Penn has shared their concerns which focus on possible truck-stacking on the rail bed when exiting the site onto Old Baltimore Pike.

While the ORPC will not submit a review letter until the preliminary plan is revised and resubmitted, we went over the project summary and Mark's preliminary comments (including in a letter submitted to the ORPC membership on June 24th).

This discussion continued for more than an hour and covered multiple topics related to the proposed use and the preliminary plan submission including concerns and perspectives expressed by neighbors that live near the proposed use, potential strategies and funding to promote coordination with East Penn Railroad, and shortcomings of the Traffic Impact Study (TIS). I recommend listening to the full discussion that begins around **27:10.**

An interesting idea was brought up by David Ross. Working with East Nottingham, can the ORPC identify an appropriate use or uses for those parcels that would benefit the tax base without the negative impacts associated with the distribution warehouses. **←Future Homework**

Marc Arot shared news about House Bill 1960 (sponsored by John Lawrence) which will essentially require a public referendum every time a warehouse is proposed in a given municipality. Marc will forward a link to House Bill 1960. **← Homework** Apparently, this bill was born from concerns regarding abandoned warehouse facilities and their impact on the surrounding community.

Joe said that he would share the draft Industrial District if he got the go ahead. **← Homework**

July 22, 2024: PC Monthly Meeting

Planning Commission Members

1.) Ms. Butler asked Mr. Wallace for clarification of how the Board is reviewing the Industrial Ordinance. Mr. Wallace explained that they split it in half and are all reviewing the same half and then will review the next half. They will then let Solicitor Sebastian know what they like and don't like after reviewing.

July 24, 2024: ORPC Meeting

June Meeting Report Comments/Herr's Farm Preliminary Plan. Joel Brown made clarifying comments regarding the June meeting report as the listing agent for the proposed development. (Previous comments made by ORPC membership regarding this subject can be found on the June meeting report on the ORPC website.) David Ross asked if the developer is not withdrawing the preliminary plan, does that determine the timing for the ORPC to submit a comment letter? Mark answered the clock is running for the letter submittal. 90-day period is up August 13, 2024. Eileen Butler asked if studies need to be done on the property regarding protected natural resources. Joel Brown answered, the developer filed a ~~pending~~ PNDI (Pennsylvania Natural Diversity Index) search and the only result from the study was the bog turtles which were not detected on the property. Mark stated the clock started on May 15, 2024, for review letter submittal. A draft letter has been composed for review with initial comments, however, it is not complete.

Herr's Farm Preliminary Plan (cont.) Mark discussed a potential timeline for getting the review letter to the ORPC before the 90-day deadline, possibly by August 5th. David Ross asked about the guidelines for the ORPC for producing the letter due to challenges regarding the project and navigating how to handle potential guidance the ORPC gives to East Nottingham. David posed the question of whether or not the developer will grant an extension to East Nottingham in terms of making a decision and if such an extension affects the deadline for the review letter. ~~If possible, for~~ Mark ~~to look at~~ will look into what the membership can or cannot do in that scenario. ←Homework Mark stated there may be a level of flexibility if the applicant were to request an extension, however, the 90-day turnaround remains as a basic rule. The main concerns have already been addressed in the existing draft review letter, including the land use component and whether the proposal is consistent with the ORPC's recommended strategies for the Commerce land use category. The current zoning allows for industrial use. There are recommendations included that address that type of use in the letter. Mark will look at the Intergovernmental Cooperative Implementation Agreement and the ORPC bylaws to answer David's question and forward those out to membership shortly. ←Homework Mark stated the best course of action would be to get something out within the 90 days. Charles Fleischmann asked if there was any reason to consider the impact of a potential Rutters on the proposed development? David stated there has been no communication from Rutters regarding any plan in the last few months, and there has only been a few informal meetings with the Planning Commission for East Nottingham with a few documents. No other movement towards a formal sketch plan from Rutters, however. David asked Pauline Garcia-Allen about the borough regarding truck traffic concerns and for her perspective on that front. Pauline commented on the traffic impact study which may be outdated, and the data included which may underestimate the true amount of truck traffic. Would the developer have to redo or resubmit a new traffic impact study if the original was outdated or some information was missed as a part of them going through the process? Charles suggested that an updated traffic impact study be put under recommendations in the

review letter. Mark stated there is a recommendation in the second copy of the draft letter addressing that concern. 15:00

East Nottingham Draft Industrial Zoning Ordinance Inquiry Eileen Butler asked about the industrial zoning ordinance and if Mark had the chance to review it. Mark stated he has not had the chance to review the ordinance and is unsure of where the Board of Supervisors are on the ordinance itself. If there are any updates or deadlines, pass them along to Mark. 44:25

August 21, 2024: BOS Regular Meeting

1) Accept 60-day letter of extension for Herr's Farm Land Development Plan until October 18, 2024.

A motion was made by Chairman Goodley, seconded by Supervisor Wallace, to accept the 60-day letter of extension for the Herr's Farm Land Development Plan until October 18, 2024. The motion carried:

August 26, 2024: PC Monthly Meeting

2.) Herr's Farm Preliminary Land Development Plan- Matt Adams from Nottingham Ventures LLC asked if there were any questions regarding Stantec's review letter dated August 6, 2024. Ms. Butler asked if the zoning compliance table for natural resources could be listed on the front page of the plans, especially since the smallest proposed warehouse is two thirds of the way in a forested area. Ms. Butler asked why riparian buffers were not shown on the plans. Mr. Adams stated the way buffer area reads, it is at the discretion of the township engineer. These areas are disturbed every year when they are farmed. Ms. Butler stated the use is changing and won't be farmed so a 50-foot buffer is being asked for by our engineer. Ms. Iacono asked Mr. Adams to send a plan that shows 50 feet and where the impacts are structurally. Ms. Butler stated the PNDI report is a draft and not final. Mr. Adams reported that they had to resubmit since a substantial time has passed. Ms. Butler indicated that wetland delineation reports were old, and asked for the updated report, showing all wetlands and impacts on the site, asked if the bog turtle survey was approved by the USF&WS, asked if the smallest warehouse could be moved out of the forested area as it is fracturing habitat, breaking connectivity of the wildlife corridor, and raised concerns about stormwater impacting headwater streams. Mr. Adams stated cars will be able to enter Graves Road, but no trucks will be allowed. Mr. Arot asked how they plan on addressing the concern from the County about certain areas being developed that are in conflict with the serpentine barrens. Mr. Adams stated they will follow up with the PNDI report to address that. There was also a brief discussion regarding the impacts of truck traffic to West Nottingham Township and Oxford Borough. Mr. Adams has been in contact with West Nottingham regarding traffic. Ms. Butler would like to see the mapping of where the muddling was done for the bog turtle study. Ms. Butler made the same request from this applicant as the Moran applicant, if a zoning compliance table could be inserted on the front page of the plans that identifies and tabulates all natural resources present on the site, with accompanying acreage, how much is proposed and how much is permitted to be destroyed or impacted. They will submit the NPDES permit when some of the stormwater concerns are addressed. It was suggested by Ms. Butler that all federal and state permits be acquired by the applicant prior to PC approval. Mr. Arot also stated for the record that the railroad is still not being utilized, which was recommended by the multimunicipal comp plan. Mr. Adams did state that if a tenant wants to use the rail, they will but the largest building would have to be raised about 4 feet. Mr. Arot referred Mr. Adams and his team that PennDOT has grant programs available for railroad access. The PC is awaiting ORPC review letter.
A motion was made by Eileen Butler, seconded by John Wallace, to table the discussion until the next meeting. The motion carried:

August 28, 2024: ORPC Meeting

☐ **Herr's Farm:** *Mark Gallant*

Mark shared the draft review letter for the committee to discuss. The members discussed the issue of Serpentine Barrens on the property and potential avenues to resolve the issue of mapping the Barrens. The Herr's Farm review letter occupied the majority of discussion this meeting. We encourage you to view the in-depth discussion of the proposal in full starting at: 6:35

September 23, 2024: PC Monthly Meeting

2.) Mr. Marra asked for an update on the Industrial draft ordinance. Ms. Greer will ask the Board of Supervisors and Solicitor Sebastian for an update.

Joe Russella with Howell Engineering gave members an update on the Herrs Farm's plan such as adding the natural resources impact chart and wetland buffers to the plan. They also minimized some of the buildings to stay out of the wetland and wetlands buffer. Building one (1) went from 450,000 sf to 445,500 sf. Building four (4) went from 140,000 sf to 100,000 sf. Building two (2) and three (3) remain the same size at 330,000 sf and 170,000 sf. Ms. Butler asked how many acres of forest will be impacted now with the revisions. Matt Adams had said five (5) acres previously. Mr. Russella will have that calculation to show in the future. They are working on the PNDI clearances with Liberty Engineer. They have been engaged with their wetland scientist to re-delineate some of the sensitive areas. The tree species and labeling will be on the landscape plan. They consulted with their traffic Engineer and there is no need for a left turning lane into the property as of now. The Engineer established this conclusion by taking different uses for warehouses and used a more heavily used warehouse. They are still working on the traffic details. The driveway will be wide enough to allow two trucks traveling in opposite directions to cross the railroad tracks. The railroad crossing will be a fully gated crossing. Mr. Farmer asked if it would be strictly warehouses or if the buildings will be used as flex space which would create a lot of car traffic along with truck traffic. Mr. Russella stated as for right now they have looked only at strictly warehouse space. Ms. Butler asked if they could put bridges over the crossings of the wetlands. Mr. Russella stated it is possible, but they haven't gotten into that level of detail on the plans yet. They are still working on revising the plans and getting them resubmitted. Mr. Russell a brought up the possibility of a conservation easement on the western portion of the property which will garner further discussion.

October 8, 2024: BOS Regular Meeting

1) Accept 30-day letter of extension from Nottingham Ventures, LLC (Herrs Farms) until November 18, 2024

A motion was made by Supervisor Herlihy, seconded by Supervisor Faux, to accept the 30-day letter of extension from Nottingham Ventures, LLC (Herrs Farms) until November 18, 2024. The motion carried:

October 28, 2024: PC Monthly Meeting

Planning Commission Members

1.) Mr. Bauer explained the Planning Commission reviews the SALDO, Zoning and the Comprehensive plan for the Township. He also stated that he reviewed the Oxford Region Planning Commissions review letter on Herr's property regarding the vision of that property in the Landscapes 3 plan and there are several items that are recommended for that property. Mr. Bauer asked if the creation of a

November 12, 2024: BOS Regular Meeting

3) Accept 30-day letter of extension from Nottingham Ventures, LLC (Herrs Farms) until December 10, 2024

A motion was made by Chairman Goodley, seconded by Vice-Chairman Wallace, to accept the 30-day letter of extension from Nottingham Ventures, LLC (Herrs Farms) until December 10, 2024. The motion carried:

5) Zoning ordinance amendment

Solicitor Sebastian reported she continues to work on the amendment to the zoning ordinance and expects to have something prepared that can be authorized for advertising at the December regular meeting. Chairman Goodley reported the amendment addresses the request to allow horses for transportation on less than 2 acres, the request for the Board to consider raising the height and size allowed in the industrial zone, and some regulations for solar farms.

December 16, 2024: PC Monthly Meeting

As read by the PC Chair:

East Nottingham Township and Area Residents,
We appreciate all concerns. They are legitimate and we too appreciate the rural, country environment where we live, work and play. When we bought the property, we thought we would use it to expand the spray irrigation system that we have for our potato chip manufacturing. (And our Dad and Mr. Shepherd were good friends.) Later we learned that the land was not good for spray irrigation.

Several years passed and we got to the point where we had no reason to hold on to the property. When we sell a property that is zoned industrial, we feel that it is our responsibility to try our best to sell it to a reputable buyer that is good for the community. By that we mean that we believe our business is a blessing to the community in that it helps relieve the burden for residents, helps the school system, provides jobs and gives back to the community non-profits. That we are good neighbors. We have said no to other potential buyers of this land because we thought that their ideas of how to use the land were not ideal. We feel that the current potential buyer cares about their reputation too and wants to bring the best possible use and management to this piece of property relative to how it's zoned.

Further, now the township will decide if this is a good use of the property considering all the above. We assume their decision will be a wise one, not based on consideration for Herr's but based on what the best use of this zoning for the township, knowing that at some point the property will be sold.

Thank you and God bless all of you in this great community.
Ed Herr & Troy Gunden