

## AGENDA

### **LOWER SWATARA TOWNSHIP PLANNING COMMISSION**

**REGULAR MEETING  
AUGUST 28, 2008, 7:30 P.M.**

1. Call to order
2. Roll call.
3. Approval of Minutes of the June 26, 2008 Meeting.
4. Discuss the request of Delta Development Group for a zoning map amendment for property located adjacent to Route 283. The properties in question are currently zoned Residential-Agriculture (Shope property) and Residential-Suburban (Ball property). The request is to rezone these properties (approximately 112 acres) to Commercial-Highway.
5. Review the Preliminary/Final Land Development Plan for 131 Fulling Mill Road, prepared by H. Edward Black and Associates and submitted by Platinum Plus Partners, L.P.
6. Review the Preliminary Subdivision Plan Tim Clouser, Morgan Drive, (12 lots) prepared by Act One Consulting, Inc. and submitted by Timothy B. Clouser.
7. Discuss revised Zoning Amendment (proposed Ordinance #504) requesting to allow for a Traditional Neighborhood Development (TND) use as a Special Exception within the Residential-Suburban (R-S) District.
8. Other pertinent business.
9. Adjourn.

## MINUTES

**LOWER SWATARA TOWNSHIP  
PLANNING COMMISSION**

**REGULAR MEETING  
AUGUST 28, 2008, 7:30 P.M.**

Meeting was called to order by Chauncey Knopp at 7:30 P.M. with the following present:

Chauncey D. Knopp, Chairman  
Eric A. Breon, Vice Chairman  
Paul Wagner  
Kimber Latsha  
Christopher DeHart  
Diane Myers-Krug, Dauphin County Planning Commission  
Brenda Wick, Engineer  
Darlene E. Stoudt, Recording Secretary  
Ronald J. Paul, Secretary

Others in Attendance:

Tom Scott, Delta Development Group  
Frank Bingman, Delta Development Group  
Eric Clancy, Delta Development Group  
Kenny Helstrom, Delta Development Group  
Scott Fegan, Delta Development Group  
Leroy Kline, Delta Development Group  
Stephen Quigley, H. E. Black (131 Fulling Mill Rd.)  
Matt Witters, H. E. Black (131 Fulling Mill Rd.)  
Tim Clouser, Morgan's Run  
Tim Wakefield, Act One Consulting (Clouser, Morgan Dr.)  
Ronald Burkholder, Zoning Amendment  
Richard Willis, Zoning Amendment  
Ashley Carelock, Press & Journal  
Amy Bomberger, Linda & William Snyder, Debra and Don Williams,  
Teresa Neubaum, C. Siegfried, Clyde Rabuck, Tom Ritchey, Vicki  
Garver, Keith & Betty Condran, David Zavoda, Roger Erickson, Richard  
Hornberger, Christine & Bruce Young, Cathy & Harry Curley, Lorie  
Dickson, Jerrol Hughes, Laddie Springer, Nancy Light, Brad Erickson,  
Robert Wealand, Jessica Stegall, Nancy Avolese, Joseph Notarfrancesco,  
Dennis & Barbara Felty and other concerned citizens.

## **MINUTES**

Motion was made by DeHart and seconded by Breon to approve the Minutes of the April 24, 2008 meeting.

Motion unanimously approved.

## **DELTA DEVELOPMENT GROUP ZONING MAP AMENDMENT**

The Planning Commission discussed the request of Delta Development Group for a zoning map amendment for property located adjacent to Route 283. The properties in question are currently zoned Residential-Agriculture (Shope property) and Residential-Suburban (Ball property). The request is to rezone these properties (approximately 112 acres) to Commercial-Highway.

Leroy Kline introduced himself and business partners, and stated that he will be explaining the plan along Route 283. Information has been submitted, of which several items will be highlighted. Mr. Kline will then take some time to answer questions. Mr. Kline stated that he is the president of Delta Development, and he and his partners are all from this area, so they will be present everyday if this project is approved.

Mr. Kline gave some background information of other projects that may be familiar, and explained that Delta Development is not just a development firm, but also a community planning firm. They have a number of community planners on staff, and are very sensitive to issues of the community. Mr. Kline indicated that there are three goals for this first session: one is to share information, two is to answer questions based on the review of the information, and thirdly is to develop dialogue about how the project may be improved.

This project will consist of approximately 112 acres. Mr. Kline stated that the track in question has two different zoning classifications. One part is zoned Residential-Agriculture, and the other section is zoned Residential-Suburban. It is the group's desire to change those zonings to allow commercial highway development. He provided an illustration of the type of development they propose, such as a hotel, several restaurants, and professional office space. He indicated that this area provides a great infrastructure in terms of existing conditions with two interchanges.

Mr. Kline explained that the Township's Comprehensive Plan which shows future land use, includes an illustration of a connector road, a change in the current zoning, and a transportation map. Another illustration included in the submitted information is a map of all the adjacent property owners, and property owners along both corridors on the right and left hand sides of the road. He indicated that all property owners adjacent to the site and along the corridor have been contacted. Also, traffic has been studied at numerous intersections in the site, and have assessed what types of improvements would be required. The impact to the local roadways would most likely be minimal. The impact to

the school district would be minimal, except that the impact in tax revenue would be significant. At full development this project could create approximately 1,800 jobs. It would create about \$400,000 in tax revenue for Dauphin County, about \$280,000 for Lower Swatara Township and about \$1.3 million for Middletown School District.

Mr. Kline went on to say that several studies are included in the packet, such as erosion and stormwater management methods, and sanitary sewer facilities and water facilities to the site. He stated that the Township Comprehensive Plan was also addressed, and the compliance issues in terms of providing a future connector road which is part of the Plan.

Mr. Kline stated the reasons to justify this project; particularly that there is interest and a market in this area for the types of uses that are being proposed. It is believed that the best place to put a project of this type is in an area that is served by interchanges and adjacent to Route 283.

Mr. Paul stated that traffic is one issue that is a concern with any new project, and asked Mr. Kline to address how this is being handled. Mr. Kline said they would like to work with PennDOT and the FHWA to provide a direct access to the site from Route 283, as that is in the best interest to the community. However, the problem with such a design is the impact it may have on the ramp that comes off Route 283, which is generally prohibited. If this could be accomplished, it would alleviate traffic on the roads within the community. Having the connector road system linking the two local roads along with the interstate, allows movement in a square. If accomplished the system would allow a nice distribution of traffic without a large impact on the local roadways. The traffic flows would be something that would be discussed with the Township to provide a comfort level for all involved.

A diagram of proposed traffic and roadway patterns along with a layout of the project was displayed for the attending residents to see. Mr. Kline explained the drawing. The Planning Commission reminded the residents that what they are seeing and hearing this evening is only conceptual. Mr. Kline said his group strives to offer several alternatives to the Township and the local residents.

Mr. Erickson, a resident of the Township stated that the proposed new road (Spring Garden Drive extended) would mean that the old fire hall would no longer exist, and stated he understood the new fire hall was constructed so the old one would be a meeting hall or banquet hall. Mr. Paul informed him that it was never the intention of the Township to keep the old fire hall, but that it would eventually be demolished. It was included in the Comprehensive Plan that a connector road between North Union Street and Oberlin Road would be part of the future of the Township. Spring Garden Drive being extended to North Union Street provided the perfect location, particularly since the Fire House has been relocated. Mr. Kline stated that they also considered putting the connector road in front of the site, so that the impact of the road would not impact the neighborhood, but would be in front of the commercial development. What you would then have would be Interstate 283, then the connector road, which would eliminate the

traffic, the traffic lights, the noise or any of the impacts to the neighborhood because it would be buffered by the commercial development. Once again Mr. Erickson questioned what would become of the intersection of Spring Garden Drive and the short jog to get back onto Route 441, and likened it to the scenario at High Point Commons in Swatara Township where there are several lights within a very short distance. Mr. Kline addressed the differences between the two sites in question to answer the concern.

Several residents noted that if the proposed project would be accessed from Route 441, keep in mind, that Route 441 is already dangerous as it has a lot of truck traffic on it with several bad intersections to pull out. The residents were reminded that Route 441 is a State roadway, and as such is controlled by PennDOT. The Township is aware of the dangers along that area, and traffic flow improvements are being considered as part of another project in conjunction with Route 230 and the Airport Connector to allow direct access into the Industrial complex behind Penn State. This would hopefully alleviate some of the truck traffic on Route 441, and coupled with the proposed project this evening may also discourage truck traffic on North Union Street if it is done correctly.

Linda Snyder who stated that she has the largest property of land adjacent to the proposed site, questioned what type of barrier could she expect. Mr. Kline stated that trees would be part of the landscaping along with several other things and other designs that would create a natural buffer.

Nancy Light from North Union Street questioned why there is a need for this project when not far away there is one. Mr. Kline stated that he doesn't create tenant interest, but those who do the studies have indicated that the Middletown area is underserved. His job is when there is a request for a place to develop that the best site be located, and this was it because of the proximity to Route 283 and is served by two interchanges. Mr. Williams questioned whether there is someone who is interested in coming into the Township immediately. Mr. Kline indicated that there was, but he was not going to disclose that information at this early stage of the project.

Mr. Erickson stated that there are other sites in the area that are already zoned properly for this type of development. Laddie Springer from North Union Street stated that since Delta Development failed to come out and meet all the neighbors, he took it upon himself to meet them. He indicated that the neighbors voiced a resounding no to any commercial rezoning or development, and he has a petition to submit signed by those residents. Linda Snyder again stated that with the largest piece of property in the area, no one came to speak with them. Their property abuts the Shope parcel.

Nancy Avolese of 1451 North Union Street questioned whether the Township will listen to the residents who are overwhelmingly not in favor of this project. What is the Township's responsibility if the residents do not want it? Mr. Breon explained that the residents can come and speak at the Planning Commission. He informed the residents that they are a recommending body to the Board of Commissioners. They do not approve projects. The residents were also encouraged to attend workshops and regular meetings of the Board. In the meantime they were also informed to talk among themselves and

compose a list of reasons why they do not favor the project. Mr. Paul stated that by listening to the conversation, and by some of the questions that are being posed, it was evident that there are several misconceptions. He also stated that the Township is charged with doing what is best for the community, not just a small group, and that not everyone will always be happy with the decisions that are made.

In response to a comment from Robert Wealand that this was a done deal. Mr. Williams of Stoner Drive asked the same question, are these developers going to get a yes or a no. Mr. Breon explained that the meeting this evening was only one of information, that nothing has been formally submitted, even though there may be some comment in the local newspaper that may have alluded to that. Another question was posed regarding access roads into the proposed site, particularly if the ramps are not approved by the FHWA for access. It was explained that that would be part of the land development, and would need to be worked out before any construction could begin.

Dennis Felty of Davis Drive stated that he chose the location where he lives because it was Residential Agriculture and it is where he wanted to live. He believes bringing this sort of project into this area will fundamentally change the nature of the community. He stated that sometimes economic growth can come at a horrible cost. He feels that changing the zoning from residential agriculture to a commercial use is a very significant change. He indicated that the only compelling argument is for tax cuts for the community, which is important, but it is not the only issue which should be considered.

Mr. Kline responded to Mr. Felty by stating that if a community does not plan and provide for economic growth in one area, the commercial development will be in a lot of areas. The demand for these uses will not go away, and the facilities will find sites where their particular footprint will work. What will then happen is that these will formulate one site at a time in different parts of the community, so that instead of having the development along the interstate, served by the interstate, it will have boxes throughout the area, the impact will be much greater on the local road system and degrade the community.

Mr. Erickson stated that his observation is that once the land is rezoned, the developers can do whatever they want with the land. This may be correct to a degree, however, industrial uses would not be able to go in the area. Another questioned how soon all this may take place. She was informed of the timeline involved after all information is received. A public meeting would also be required, prior to a decision. Mr. Paul also informed the residents how the public would be informed of the meeting.

Mrs. Snyder again stated that they had never been contacted and they are adjoining owners of the property in question. She inquired whether a letter from the Township had been sent out. Mr. Kline apologized as he thought all adjoining owners had been identified and notified.

David Zavoda asked whether only the parcel in question would be changed or would the change occur Township wide for the agriculture and suburban area. Bruce Young and his wife were concerned over improvements that may occur along North Union Street where he is a resident, particularly road widening. He stated that for him it may mean that he will lose trees that he has planted. He also feels that there is no necessity for more development in Lower Swatara Township. Route 230 has more open areas with no traffic problems, and he feels another strip mall is not needed. He stated that while the developers may be nice guys, they do not have the best interest of the residents in mind, they simply desire to get rich, and are trying to present it to the residents as a wonderful thing. He also stated that there was no attempt to give him prior notification of this change, except that a neighbor mentioned it to him.

Cathy Curley indicated that there is a lot of wildlife in this area. Where are they going to go? Mr. Paul stated that with proper planning, they will be able to stay. Several items of concern where there was a misconception were voiced as Mr. Shope not being able to sell his property as residential without water and sewer, and tax dollars would be allocated to Lower Dauphin. Mr. Paul advised residents not to believe everything they hear or read in the paper, but urged the residents to come to the meetings.

A question was raised regarding the lighting for parking lots when the area was developed. The Planning Commission stated that it would be taking a close look at lighting during the planning stages. In answer to the question of whether the Township would not allow the project if the residents were opposed, Mr. Paul and the Planning Commission again reiterated, it will be a Board decision, after the facts are presented. The recommendation will be based on the facts and what is best and appropriate for the Township as a whole, not just a small minority.

Some residents were under the impression that a vote had already occurred through the Board of Commissioners. Mr. Paul informed them that no vote had been taken place on this issue, that the Board referred the developers to the Planning Commission. A question arose as to what would occur if 51% of the community did not want the project, would the suggestion be made based on that. Mr. Paul stated that a decision would be made based on the facts. The Planning Commission expressed that landowners have rights too. If they wish to sell their properties they can do so, but if this large tract was sold strictly for residential use, it could have some adverse effects too, in terms of the impact on the school district, additional roads, and traffic would still increase, and result in road improvements. It was noted that businesses within the Township do not receive tax breaks, they are taxed the same as residents, without an impact on the schools.

Mr. Knopp, Chairman, advised the residents to prepare a list of comments and concerns and to attend the meetings of the Board of Commissioners and the Planning Commission.

**131 FULLING MILL ROAD**  
**PRELIMINARY/FINAL LAND DEVELOPMENT PLAN**

The Planning Commission reviewed the Preliminary/Final Land Development Plan for 131 Fulling Mill Road, prepared by Act One Consulting, Inc. and submitted by Platinum Partners Plus, L.P.

Matt Witters, of H. Edward Black and Associates, presented the Planning Commission with the most recent details of this plan which had been discussed at a previous meeting. He stated that a dialysis company is planning on occupying the site which will consist of 125,000 sq. ft. of warehouse and 5,000 sq. ft. of office. He explained the type of system they plan to install for the drainage in this area which was discussed at some length. He also addressed the ingress and egress of the tractor trailers, and additional screening from Fulling Mill Road.

Mr. Paul inquired as to what the parking plan will entail. He stated that a waiver may be in order to reduce the number of parking spaces at this time, but space will be allotted for future parking. This should also be clarified in the zoning data.

The Planning Commission made the following comments:

1. Submit a request for a waiver of the number of parking spaces.
2. Clarify the number of employees who will occupy the building. This will affect the sewer flow calculations and hence the number of EDU's required for the site.
3. Label the right-of-ways along Fulling Mill Road on all sheets.
4. Any traffic light issues must be resolved.
5. Any comments from the Township Engineer must be included on the plan.
6. Any comments from the Lower Swatara Municipal Authority must be included on the plan.
7. Any comments from the Lower Swatara Volunteer Fire Department Development Committee must be included on the plan.
8. Property owners should be contacted and sign off on the plan, particularly with the drainage design.

A motion was made by Latsha and seconded by Wagner to table the Preliminary/Final Land Development Plan for 131 Fulling Mill Road.

Motion was unanimously approved.

**TIM CLOUSER, MORGAN DR. (12 LOTS)**  
**PRELIMINARY SUBDIVISION PLAN**

The Planning Commission reviewed the Preliminary Subdivision Plan of Tim Clouser, Morgan Drive (12 lots) prepared by Act One Consulting, Inc. and submitted by Timothy B. Clouser.

Tim Wakefield recapped the project in question, as it has been before the Planning Commission in the past several months. With a minimal amount of disturbance they are subdividing approximately 10 acres from the Bosnjak property to construct twelve homes and a 600 foot cul-de-sac.

He explained the plan, stating that the biggest job at this point is to get all the drainage from the site to the proper location. An easement was required to get sewer to these homes.

The Planning Commission made the following comments:

1. More detail is required on the driveway off Stoner Drive
2. Surveyors name must be on the plat.
3. The request for a waiver to eliminate sidewalk and curbing along the cul-de-sac (Sabrina Court) should be removed from the plan.
4. A request for a waiver of stormwater requirements should be eliminated from the plan.
5. The final plan should have a block for each owner to sign the plan individually.

A motion was made by Latsha and seconded by Breon to recommend a waiver of requirements to install curbing and sidewalk along Stoner Drive.

Motion unanimously approved.

A motion was made by Latsha and seconded by DeHart to recommend approval of the Preliminary Subdivision Plan of Tim Clouser, Morgan Drive with the previously mentioned stipulations.

Motion unanimously approved.

## **TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING AMENDMENT**

The Planning Commission discussed the revised Zoning Amendment (proposed Ordinance #504) requesting to allow for a Traditional Neighborhood Development (TND) use as a Special Exception within the Residential-Suburban (R-S) District.

Mr. Paul summarized what the status of this zoning amendment request is at the present time. He explained that the first step of the request was to re-zone the land from Residential-Agriculture (R-A) to Residential-Suburban (R-S). On April 2, 2008, a public hearing was held with regard to changing the Comprehensive Plan to reflect the change in use to residential. This was accomplished by Board action on July 16, 2008. On August 6, 2008, the Board again took action to amend the zoning map to reflect the area in question to Residential-Suburban.

As a consequence of the public hearing on April 2, 2008, there were questions from the residents, the developer, the Board and the Staff. Therefore, the Board felt that it would be advisable to re-review the text of the ordinance. The ordinance has been revised, and Mr. Paul stated that he will highlight any of the changes that have been made since the last time the Planning Commission has seen it. He stated that the ordinance is basically the same, but several items have been clarified.

The major changes were as follows:

- The Township must be advised on the Master Plan whether or not this will be a retirement community, based on age.
- Originally no percentages were included as to what part will be mixed use, dwelling unit, commercial, etc. This has been addressed.
- A definition was added for an “assisted living facility” which would become a permitted use in this area.
- Percentages were added for single-family detached residences (minimum of 10%); semi-detached duplexes (minimum of 30%); townhouses were changed from 8 contiguous units to 6 (maximum number of units 30%); apartments (maximum of 2% structures, with a maximum of 20 units per structure)
- 2% or no more than 15% must be commercial (a unit would be 1000 sq. ft.) If a commercial use would need 3000 sq. ft., it would be considered as 3 units to meet the percentages.
- Impervious lot coverage was addressed, as well as open space requirements. Public recreation may be part of the plan, but if not the fee in lieu of will be required.
- The 20 % open space requirement does not include the required common space area.

- Language was added for the percentage of ADA accessible, independent living units.

It was also noted that most of the dwellings in this community will likely be two stories, which means elevators will have to be provided for 30% of the units. Elevator shafts may be provided for the remainder. Mr. Paul stated that the changes will require another public hearing, and therefore, a recommendation will be needed from the Planning Commission to forward this on to the Board of Commissioners who will in turn schedule another public hearing, prior to taking action on it.

A motion was made by DeHart and seconded by Latsha to recommend moving forward with the Traditional Neighborhood Development (TND) being added as a Special Exception within the Residential-Suburban (R-S) District.

Motion unanimously approved.

A motion was made by Breon and seconded by Wagner to adjourn the meeting.

Motion unanimously approved.

Meeting adjourned at 9:40 P.M.

Respectfully Submitted:

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Ronald J. Paul  
Secretary