

## MINUTES

**LOWER SWATARA TOWNSHIP  
PLANNING COMMISSION**

**REGULAR MEETING  
JUNE 23, 2011**

Meeting was called to order by Chauncey Knopp at 7:00 P.M. with the following present:

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

Others in Attendance:

Tom Farr, Five Oaks Mobile Home Park  
Timothy Przybylowski (Century engineering) FedEx Dock & Yard Extension  
Pat Brown, FedEx Freight  
Matt Genesio, Campus Heights Village, KGH Properties  
Tim Sipe, Campus Heights Village, KGH Properties  
Bryan Gaughan, Campus Heights Village, Forino Co.  
Bobbie VanBuskirk, GreenWorks Development  
Matt Tunnell, GreenWorks Development  
Nick & Joyce Farr, Residents  
Ron and Ruth Helwig, Residents  
Kenneth Stover, Resident  
Peggy Ginnovan, Resident

The meeting opened with the Pledge of Allegiance.

## MINUTES

Motion was made by Latsha and seconded by Dehart to approve the Minutes of the May 26, 2011 meeting.

Motion unanimously approved.

## **FIVE OAKS MOBILE HOME PARK REVISED PLAN**

The Planning Commission reviewed the Revised Five Oaks (Mobile Home Park) Plan located on Swatara Park Road prepared by Dauphin Engineering Co. and submitted by Thomas A. Farr.

Mr. Paul explained that Sheet 1 shows the existing mobile home park and Sheet 2 shows how Mr. Farr would like to redevelop the site into a more residential area with a certain type of unit. Additionally,

the plan will be reviewed to be in conformance with the Mobile Home Ordinance of the Township rather than the Subdivision and Land Development Ordinance.

Mr. Farr addressed the Planning Commission and explained that there are currently 15 mobile homes that are very old. The plan is to update these homes with new double wide mobile homes, taking the number of units to 9. He stated that the style of mobile home will give the atmosphere of a housing development more than a mobile home park. The homes will be 24' x 32' and will be lined along the road. All the homes will be purchased by Mr. Farr, the developer for this project.

Nicholas Farr was present at the meeting to discuss the signage for his tire business. He indicated that he would like some guidance as to where the sign might be able to be relocated, since it is currently on the site of the mobile home park. While it is grandfathered from the State, it is not conducive to the residential area. Mr. Paul stated that the sign issue can be discussed further at a meeting with the developer, but it should be changed within six months and it should be a conforming sign when it is changed.

The Planning Commission made the following comments:

1. The owner is shown as Shirley Farr; Thomas Farr is shown as the developer. One or the other or both should be shown in each block so that they coincide.
2. The mobile home on Lot #3 is removed and should be shown as such.
3. SITE DATA should indicate the Type of Development as Single Family Residential (Mobile Home Park)
4. A note should be added to the plan stating the actual size of each unit (24 x 32?) Each unit must be set by PLS in accordance with the approved plan.
5. Scale should be reflected on the plan. (SCALE: 1" = 30'-0')
6. Storage trailers that have been removed should not be shown on the plan.
7. Estimated construction costs for sanitary sewer work and the replacement of the 24" cwp should be submitted for review and concurrence by the Township Engineer. Improvement guarantees will be required for these items prior to plan approval.
8. Plan review fee will be forthcoming.

A motion was made by DeHart and seconded by Latsha to recommend approval of the Revised Plan of Five Oaks Mobile Home Park with the previously mentioned stipulations.

Motion unanimously approved.

## **FEDEX FREIGHT, INC.**

### **REVISED PRELIM/FINAL LAND DEVELOP. PLAN**

The Planning Commission reviewed the Revised Preliminary/Final Land Development Plan for FedEx Freight, Inc., located at 2030 N. Union Street, prepared by Century Engineering and submitted by FedEx Freight, Inc.

Mr. Paul explained to the Planning Commission that in 2000, an expansion to the Watkins Terminal was approved. They acquired 31.6 acres and attached it to the 30 acres they had in the front. Plans were to extend the dock area out into the additional acreage. At that time there was also a zoning variance request for the parking area, which was in accordance with the ordinance at the time the original site was approved. Their request was for a continuance the non-conformance, which was granted. There were also some additional considerations on the south side parking of the property that were requested, but were denied. Therefore, the parking on the south side of the property needs to remain in conformance. Since there have been no subsequent changes to the ordinance, the Solicitor has deemed that the zoning variance is still valid. What changed are the requirements for the stormwater management, which will have to be revised.

Mr. Paul introduced Tim Przybylowski from Century Engineering to discuss the Plan further. Also introduced was Pat Brown from FedEx, who was there to answer any additional questions that may be directed to the owners. He explained that FedEx purchased this property from Watkins Motor Lines in 2006. The plan being reviewed now is substantially the same as what was submitted in 2000. The primary reason for the plan is for a dock and yard expansion. The yard expansion will add about 16 acres of paved area to the 61-acre site. The paving will all take place during the first phase of the project. The dock addition will be in two phases – the first consisting of 89 additional doors and the second phase will be for 60 doors. The plan has been revised to have all the stormwater upgraded to the standards now required, including Phase 2 of the project. Phase 1 is scheduled to begin later this year, with Phase 2 scheduled within the next 10 years, which will basically take the site to its build-out capacity.

Mr. Paul stated that Tim had all the comments from the Staff, County and Engineer in advance of the meeting.

The Planning Commission made the following comments:

1. Plan review fees must be submitted.
2. Comments from Township Engineer, Herbert, Rowland and Grubic must be incorporated into the Plan.
3. Comments from Lower Swatara Municipal Authority must be incorporated into the Plan.
4. Lower Swatara Volunteer Fire Department Development Committee comments must be incorporated into the Plan. Will fire hydrants as shown on Sh. C-113 and C-114 be installed with Phase 1?
5. Dauphin County Planning Commission comments must be incorporated into the Plan.

6. DEP Planning Module concurrence is required.
7. Concurrence from Dauphin County Conservation District for E & S Plan is required.
8. Review and concurrence is required for Stormwater Management Plan.
9. A contribution to the upgrading of the traffic signal at Fulling Mill Road and North Union St. would be a significant help, however, it would not be mandatory.

Charles Smith, Township Engineer, discussed some stormwater issues that had been previously addressed by himself, Mr. Paul and the applicant. He stated that the updated Stormwater Ordinance which was approved in December of 2010, has infiltration requirements to get rid of a certain amount of water, either through evaporation or some other means. This plan does not propose any plans for infiltration. The reason is that they are located over a limestone geologic formation which is famous for sinkholes. In fact, there is currently a sinkhole on the property. The applicant will most likely need to approach the Planning Commission requesting a waiver.

There are several options that the Township can take on this request. This is a policy decision for the Township whether to grant a full waiver where no infiltration will be required which is the path which the Dauphin County Conservation District is taking; or infiltration of the entire volume could be required in accordance with the Ordinance, which would be denial of the waiver; or a middle of the road path can be taken where something has to be done, but not to the full extent of the Ordinance. Mr. Przybylowski stated that they would like to follow the requirements of the DCCD. All other requirements will be met on the site, there are no exceptions to those. He explained his case with regards to the limestone situation versus the paved area for a truck terminal. He stated they did infiltration testing in several areas, but were not able to even meet the acceptable limits of infiltration. The only place that did test for being an acceptable volume, was in a very unacceptable area near the sinkhole. He did reiterate that approximately six acres of the site are located within the Conservation District and will remain untouched. Within the six acres, there are wetlands that naturally reside in the floodplain, so all of the runoff from the peak rate management facility will naturally filter into the lowland areas where natural detention and retention will occur before the water gets to the Swatara Creek. However, FedEx also plans to recapture some of the water and reuse it for toilets, etc. Therefore, a request for a waiver will be submitted asking for relief in part or in full of the infiltration requirements. After some further explanation of this issue, Mr. Paul stated that he did not feel that granting a waiver would be precedent-setting because of the uniqueness of the situation. For one thing the buffer area of six acres does not exist everywhere in the Township; additionally, the comments regarding re-using what water they recapture from roof drainage is definitely more than just ignoring the situation; and finally the possibility of removing some of the macadam and putting it back into green space are all small things but definitely help to some degree. Granting a waiver with these commitments would be acceptable. This would be granting a waiver based on some middle ground.

There was some discussion of a spill prevention plan which when implemented should be shared with the local fire department; and also a lighting plan and fencing issues that were discussed. With regards to the bright lighting, Mr. Paul stated that it would be a good idea to review the existing lighting

and examine that as well if a new type of style of light will be used for this expansion. Perhaps additional plantings will help with the lighting.

A motion was made by Breon and seconded by Latsha to recommend granting a request for a waiver of the Stormwater Ordinance regarding infiltration mitigation for the 24-hour storm event with stipulations as shall be set forth by the Township Engineer.

Motion unanimously approved.

A motion was made by DeHart and seconded by Breon to recommend granting at request for waiver to submit a Preliminary Plan.

Motion unanimously approved.

A motion was made by DeHart and seconded by Latsha to recommend approval of the Final Land Development Plan of FedEx Freight, Inc. for a dock addition and yard extension with the previously recommended stipulations.

Motion unanimously approved.

### **CAMPUS HEIGHTS VILLAGE PRELIMINARY/FINAL LAND DEVELOPMENT PLAN**

The Planning Commission reviewed the Preliminary/Final Land Development Plan for Campus Heights Village, located north of S.R. 230 between Lawrence and Wood Streets, prepared by Forino Company, L.P. and submitted by KGH Properties, L.P.

Bryan Gaughan from the Forino Company introduced himself and others associated with this plan. He indicated that he will not be going into detail explaining this project this evening since it has been before the Planning Commission several times in the last few months. He stated that he is in receipt of the comments from the Staff and HRG. Seeing no major issues with the comments that he has received, he asked whether there are additional comments or questions that may need answered this evening.

Mr. Paul informed the Planning Commission as to where the plan currently stands. He stated that before us is the Land Development Plan and also should have the design of the road to be constructed. While they are two separate plans, Mr. Paul stated that they will be tied together by whatever motion is made by the Planning Commission, as the approval of the Land Development Plan will be conditioned on approval of the road construction and the posting of all agreements and easements associated with it.

Charles Smith, Township Engineer, stated that they had worked with the developer to make these plans separate, so that the Land Development Plan is its own entity separate from the Lawrence Street relocation. Therefore, they are being reviewed individually, even though they are linked. He stated that while there are a number of comments to be addressed, the resolution of them will not change this plan drastically. He inquired of the engineer for the plan regarding a comment that could increase the size of the detention facilities or the stormwater basin. The comment from Forino Company on these two opposing techniques does not appear accurate. Mr. Gaughan did apologize for any misleading comments, but indicated that it has been resolved per Mr. Smith's recommendation.

Diane Myers-Krug from Dauphin County Planning Commission stated that her only comment was in reference to the development across the street from this project which is located in the Borough of Middletown. She inquired if there is any opportunity to coordinate the access and alignment of Lawrence Street with their project. Mr. Genesio responded that Mr. Nardo has submitted his plans to PennDOT, and this project has been submitted to them as well. Therefore, PennDOT will have the final say as to where that intersection will be located. He stated that KGH and GreenWorks have built in enough right-of-way on both sides of their properties to allow the centerpoint of the road to vary. He indicated that they are willing to work with Mr. Nardo to the best of their ability; however, he felt that KGH and GreenWorks are on a more aggressive schedule than Mr. Nardo since his development is based on a tenant.

Mr. Paul stated that a meeting was held with each of these three developers with PennDOT. He said that more right-of-way than is required is available from KGH and GreenWorks. Even if the road shifts one way or the other, the extra right-of-way is available. He felt that as much as possible has been done to make this work; therefore, the Township is moving along with their plans at this point. He stated that we cannot control the pace that Mr. Nardo is keeping, however, he stated that another meeting on this issue is planned with PennDOT which he has been asked to attend. Hopefully, PennDOT will require Mr. Nardo's plan to coordinate with what occurs in the Township with the relocation of Lawrence Street.

Mr. Paul addressed the residents who were in attendance at the meeting informing them that an access to High Street is being pursued. The Township is not taking the street over, but will work to get a better access than the U-turn that was commented on previously. Unfortunately, anything that can be done will still be substandard and may create another waiver, but things are moving.

The Planning Commission made the following comments:

1. Comments from Township Engineer, Herbert, Rowland and Grubic must be incorporated into the Plan.
2. Comments from Lower Swatara Municipal Authority must be incorporated into the Plan.
3. Lower Swatara Volunteer Fire Department Development Committee comments must be incorporated into the Plan.
4. Dauphin County Planning Commission comments must be incorporated into the Plan.
5. Concurrence from Middletown Borough regarding public water is required.
6. Concurrence from Dauphin County Conservation District for E & S Plan is required.
7. Review and concurrence is required for Stormwater Management Plan.
8. Concurrence for the Highway Occupancy Permit from PA Department of Transportation for both traffic and stormwater is required.
9. Review fees must be submitted.

10. Estimated construction costs must be submitted for review and concurrence:

- Wood Street widening, including the retaining wall
- Stormwater management improvements
- Sanitary sewer improvements, including metering manhole with meter
- Lawrence Street improvements

11. Recommended approval of the Final Subdivision and Land Development Plan of Campus Heights Village will be subject to approval of the Construction Plans of Lawrence Street.

With the Staff and Engineer comments mostly addressed, Mr. Paul stated that anything else requiring action would not be changing the plan drastically. With that being said, the Planning Commission pursued action on the several waiver requests.

A motion was made by Latsha and seconded by DeHart to recommend granting a request for a waiver to eliminate the submission of a Preliminary Plan.

Motion unanimously approved.

A motion was made by DeHart and seconded by Latsha to recommend granting a request to eliminate curbing and sidewalk along the west side of Wood Street.

Motion unanimously approved.

A motion was made by Latsha and seconded by Wagner to recommend granting a request to allow the grade to be raised from 5% to 6%.

Motion unanimously approved.

Prior to a motion to recommend approval of the Land Development Plan, Mr. Genesio inquired about Mr. Paul's comment referring to the approval of the plan being subjected to approval of the Construction Plans of Lawrence Street. Mr. Genesio stated that he recalled discussing something different with Mr. Paul at a prior meeting with him.

A lengthy discussion regarding what will be required to allow for approval of the Land Development Plan for Campus Heights Village, the following items must be considered as conditions for approval: approval of the Lawrence Street Construction Plan, posting of improvement guarantees and obtaining the appropriate right-of-ways. Any waterline utility issues, will need to be discussed and agreed upon between the developers and the Borough of Middletown.

A motion was made by Latsha and seconded by DeHart to recommend approval of the Final Land Development of Campus Heights Village with the previously mentioned stipulations.

Motion unanimously approved.

**ADJOURN**

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

Motion unanimously approved.

Meeting adjourned at 8:28 P.M.

Respectfully Submitted:

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Ronald J. Paul, Secretary