

MINUTES

PUBLIC HEARING – APRIL 21, 20201

A Public Hearing of the Lower Swatara Township Board of Commissioners, held at the Lower Swatara Township Municipal Building, was called to order at 6:30 P.M. by President Jon G. Wilt.

Roll call was taken with the following officials in attendance:

- Jon G. Wilt, President
- Michael J. Davies, Commissioner
- Ronald J. Paul, Assistant Secretary
- Christopher DeHart, Commissioner
- Elizabeth McBride, Manager
- Jean R. Arroyo, Secretary (Zoom)
- Peter R. Henninger, Solicitor (Zoom)
- Ann Hursh, Planning & Zoning Coordinator (Zoom)
- Dominic Visconti, Chief of Police
- Shawn Fabian, HRG (Zoom)

Absent: Todd F. Truntz, Vice President

Residents and visitors in attendance: (see attached sign-in sheet)

Residents and visitors in attendance through ZOOM: Chris DiSanto, Triple Crown

President Wilt turned the floor over to Solicitor Henninger, who explained the purpose of this evening's Public Hearing is to take public comment on proposed Ordinance No. 595. This ordinance would amend the Code of Ordinances of the Township of Lower Swatara by amending certain sections of the zoning ordinance, specifically Section 27-1403 (entitled "Special Exceptions") by adding a Subsection (3) to allow for Townhouse Development as a special exception in the Commercial-Neighborhood District. Section 1 of the proposed ordinance would permit townhouses by special exception in the Commercial Neighborhood (C-N) District on tracts of fifteen acres or larger, served by public water and sewer, limiting density to twelve dwelling units per acre, providing there be no more than four bedrooms per dwelling unit, providing that all parking shall be located within two hundred feet of the dwelling unit it is intended to serve, providing that if the townhouse community is privately owned and maintained as a rental

community a full-time manager shall be available by telephone at all times, and providing that a minimum twenty percent of the lot area shall be set aside as permanent open space.

Solicitor Henninger stated that this proposed ordinance has been reviewed by the Township Planning Commission, and is recommended for approval. It was also reviewed and recommended by the Dauphin County Planning Commission by its letter of recommendation of April 5, 2021 with comments, basically regarding the restrictive nature of the proposed ordinance. Solicitor Henninger explained the intent of the proposal was to make it somewhat restrictive. This Public Hearing has been properly advertised, with notice appearing in the April 1 and April 8 editions of the Hummelstown Sun. The ordinance was also advertised for consideration for adoption at the regular legislative meeting which begins at 7:00 P.M. this evening. Solicitor Henninger turned the floor back over to President Wilt.

President Wilt opened the floor for public comments.

Dale Messick, Greenfield Drive, asked if these townhouses would ever be able to be subdivided and sold individually, by units, or by the entire development. He asked how this would work out under the zoning, and if the Township would take over the roads in this case. Solicitor Henninger explained that they could be subdivided and sold as individual units, but they would have to meet all the requirements of the zoning ordinance and subdivision ordinance. They would have to meet setbacks, lot sizes, stormwater requirements, etc. As far as taking over the roads as public roads, the roads would have to be built to Township standards before the Township would ever consider taking over any private roads or driveways. Again, it is possible but they would have to meet all the ordinances that are in effect at the time of any proposed subdivision. This permits not only townhouses that would be individual lots, but also allows townhouse developments that would be rentals. Mr. Messick asked then, if under the ordinances and zoning now, if the development did not have the proper setbacks they would have to come in for a zoning change or special exception. Solicitor Henninger explained that any developer that would come in with a proposed townhouse development where they desire to maintain ownership or rent those units and have them on a single lot would need to take that into consideration at the time of their plan submission. He added that in the case of the one project that the Township is aware of, the developers are savvy and know what they are doing. Ms. Hursh noted this will also come through for a land development approval. Solicitor Henninger agreed they would have to go through the special exception process first to put in the townhouse. This means they would have to present the plans and show they meet the criteria

in this ordinance before they would be permitted to move forward. They would have to go before the Zoning Hearing Board for that special exception.

Commissioner Paul stated that in reading through the references to the townhouse section, it does indicate that the proper roads, proper setbacks, etc. should be in the original design of the project. It does not make these negotiable. Solicitor Henninger confirmed this is correct.

CLOSE:

Hearing no other comments, a motion was made by Commissioner DeHart, seconded by Commissioner Davies, to close the Public Hearing. The motion was unanimously approved, and the Public Hearing was closed at 6:42 P.M.

ATTEST:

Jean R. Arroyo, Secretary

PLEASE PRINT NAME CLEARLY
APRIL 21, 2021 PUBLIC HEARING (6:30 PM) and
LEGISLATIVE MEETING (7:00 PM)

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