**M I N U T E S**

**LOWER SWATARA TOWNSHIP REGULAR MEETING**

**PLANNING COMMISSION JULY 28, 2022 7:00 P.M.**

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

Chauncey Knopp, Chairman Kaylee Justice, LST Planning/Zoning Coordinator

James Young, Vice Chairman Jim Diamond, LST Solicitor

Dennis Fausey Tonya Condran, Recording Secy.

Dale Messick

Excused:

Kimber Latsha

Others present:

Matt Fisher, RJ Fisher & Associates Laurie Castagna, resident

Thomas Clark, resident Dip Smith, TOC Oberlin LLC

Shree Smith, TOC Oberlin LLC Divya Smith, TOC Oberlin LLC

Ron Paul, LST Commissioner Chris DiSanto, Triple Crown Corp.

Nic DiSanto, Triple Crown Corp.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES:**

Mr. Knopp asked if there was a motion to approve the June 23, 2022, meeting minutes. Motion was made by Mr. Fausey to approve the minutes and seconded by Mr. Messick. All were in favor. Minutes were approved.

**NEW BUSINESS:**

**a. Union Knoll –** Planning Commission File #PC2022-04, 22.78 acres, zoning district Commercial Neighborhood (C-N). Applicant is proposing 111 townhomes on an unimproved lot. Applicant is requesting waiver from Preliminary Plan requirements.

Matt Fisher, of RJ Fisher & Associates, came to the microphone to explain the project. He said that they have received the HRG comments, and they do not see anything of major concern. There are a couple of items they wanted to discuss.

Mr. Fisher discussed the comment about having curbing on Oberlin Road. PennDOT does not want curbing in that area. One of the issues on having curbing in that area is that there is a roadside swale that carries a lot of the stormwater. They are considering adding an additional waiver on tonight for that curbing requirement along Oberlin Road.

Mr. Fisher said the other item they wanted to discuss is regarding adding stormwater easements around the roof drains. He said they were hoping to handle that with a note saying the drainage must be maintained instead of having easements that close to the buildings. He asked Shawn Fabian of HRG for any comments on that.

Mr. Fabian said he will talk to Brian Davis to see how he would like to handle that.

Mr. Diamond said it is getting to be more of a concern with easements.

Mr. Fisher said basically they would just be capturing the downspouts.

Mr. Diamond asked if they would be underground BMPs.

Mr. Fisher confirmed that they would be underground with somewhere around a 4” to 8” line.

Mr. Diamond said that we may want to have a policy discussion with the Board of Commissioners because of it being a gray area.

Mr. Fisher said he wasn’t sure if this would require a waiver or adding a note on the plan.

Mr. Diamond said that there has been concern whether we are going to have BMPs wrapped up in an easement so that people can understand clearly that the township can have inspection access; on the other hand, it is getting to the point where MS4 is getting so demanding that every little BMP out there should really be an easement.

Mr. Fisher agreed that this is a point that needs to be discussed a little further.

Mr. Fisher went on to discuss the second access. If there is less than 600 feet of frontage for this type of classification, PennDOT classifies them as driveways. They have the option to allow a second access. PennDOT is pushing them to not do a second access; but he feels with 111 units, a second access is warranted. PennDOT wants them to provide additional justification, so they are hoping to get a letter of support from the Township.

Mr. Fisher then asked the Planning Commission if they had any questions or comments on anything he presented.

Mr. Messick asked if there would be widening of the road and if any curbing would be placed on that side of the street. He also felt that for that size of project, a turning lane would also be needed.

Mr. Fisher responded that the traffic aspect of this is still in the early stages. They just had the scoping meeting with PennDOT yesterday. So, the traffic engineer will be running through the calculations to see if it does warrant the turning lanes.

Mr. Messick also asked about the leasing office and the pool on the plan. He asked if there would also be a small recreation lot for children to play on.

Mr. Fisher answered that it would be designed in full a little later on with this plan. They just had discussions today about possibly tweaking that area and they are considering shrinking down the pool slightly and adding a playground and splashpad for the kids, all in that same general area.

Mr. Young asked what PennDOT’s rationale for limiting it to one access.

Mr. Fabian explained that PennDOT was concerned that having two HOP permits to access the one single site. So they were trying to heavily push having the second access as an emergency-only access with a gate or some other kind of restriction, but there are a lot of concerns as to who will be able to open that gate up.

Mr. Fisher said there was interpretation that if this was a public street and there were about 30 lots subdivided off of there, they would allow two entrances. So he feels that it is almost like their logic doesn’t follow the unit count. And that is why they are hoping that the Township would write a letter of support of the two accesses.

Mr. Young asked if the Fire Chief and first responders weighed in on that issue yet.

Ms. Justice said they have seen the plan and they did provide some comments on location of hydrants, but we have not received the full comments on the access yet. They are still reviewing.

Mr. Fisher added that typically with a development this size, they are going to want two accesses or at least an emergency secondary one.

Mr. Fabian added that their traffic engineer made it sound like there was plenty of sight-distance there.

Mr. Knopp asked if there were any other questions from the Planning Commission. There were none at this time.

Mr. Knopp asked Mr. Fabian for any other questions or comments.

Mr. Fabian said that the couple big comments that he had were already discussed. He said that he did have some flow-of-traffic concerns with the second entrance dumps out where there is a guiderail and curve on the other side; so, he is not a fan of bringing sidewalk the whole way down there. In the engineers’ review, they suggested sidewalk along the road, but Mr. Fabian suggested maybe a walking path to try to bring pedestrian traffic to the pool area and follow the pipeline down to Blue Raider Drive. Another concern of his was to have striped crosswalks placed there too, as there will be a lot of pedestrian traffic in that area.

Ms. Korber stated that they (DCPC) also mentioned that the striped crosswalks would be justified there because of the foot traffic to the school complex. She also discussed the stormwater issue on the site. She said it seems like there is a lot going into that one inlet.

Mr. Fisher explained how they analyzed the rates and why it will be acceptable.

Mr. Knopp asked Mr. Diamond for any comments.

Mr. Diamond stated that another waiver was mentioned tonight. This must be put in writing before it goes before the Commissioners.

Mr. Fisher said he will do that.

Mr. Messick asked about the underground utility that is on the property to the left of this site that is being relocated. Is that the AT&T line?

Mr. Fisher confirmed that it was the AT&T line. They have already been in discussion with AT&T and the relocation design is already in progress.

Mr. Knopp asked for any other questions. There were none at this time.

Mr. Knopp asked for the waivers to be addressed:

1. Preliminary Plan Waiver:

* + - Mr. Young made the motion to recommend approval of this waiver.
    - Mr. Fausey seconded the motion.
    - All were in favor.

2. Elimination of curbing:

* + - Mr. Young asked Mr. Fabian for his input.
    - Mr. Fabian said they had it addressed as a comment with discussions with the Township Staff, but they don’t have it in writing at this time, so he asked Mr. Diamond if we act on that right now.
    - Mr. Diamond said that since the Planning Commission is recommending, it could be acted upon right now, but it will have to be officially done in writing. There is also the issue of deferral vs. waiver. We are much more comfortable in the legal end if it is a deferral.
    - Mr. Young made the motion to recommend deferral at this time.
    - Mr. Fausey seconded that motion.
    - All were in favor.

Mr. Knopp asked for a motion on the Plan itself:

* + - Mr. Young made the motion to table until some of the issues are resolved, particularly the second access and the other PennDOT issues. He said he was not comfortable with voting on it at this time until we receive further clarification.
    - Mr. Messick seconded the motion to table.
    - All were in favor.

Mr. Fisher asked if the Planning Commission would be in support of having the second access and if they would be able to write a letter stating their support of it.

Mr. Young said that the Board of Commissioners (BOC) would have to write that letter.

Mr. Diamond reiterated that the Planning Commission could make a recommendation on it, but it would need to go before the BOC.

Nick DiSanto of Triple Crown Corporation clarified that they would just like the Planning Commission’s opinion or recommendation on whether or not they should have the second access before they go in front of the BOC and ask for their letter of support. So, he said if the Planning Commission agrees with the second access, Triple Crown will continue to fight with PennDOT to get it, but they need some support to move them along and get some rationale or reasoning with the design.

The Planning Commission unanimously supported the second access design.

* + - Mr. Knopp stated that he supports the second access.
    - Mr. Messick made the motion to recommend support to the BOC.
    - Mr. Fausey seconded that motion.
    - All were in favor.

**b. Thomas R. Clark Subdivision –** Planning Commission File #PC2022-05, 28.19 acres in zoning district Residential Agriculture (R-A), submitted as minor subdivision. Applicant is requesting waiver from Preliminary Plan requirements.

Mr. Knopp asked if there was a motion on the waiver for the Preliminary Plan requirement.

* + Mr. Messick made the motion to recommend approval for the waiver of the Preliminary Plan.
  + Mr. Fausey seconded the motion.
  + All were in favor.

Mr. Knopp asked what the Planning Commission would like to do with the Plan itself.

* + Mr. Young made the motion to recommend approval.
  + Mr. Messick seconded the motion.
  + All were in favor.

Plan was approved for recommendation to the BOC.

**c. 1801 Oberlin Road Subdivision -** Planning Commission File #PC2022-06, 1.53 acres in zoning district Residential Suburban (R-S), submitted for sketch plan review.

Dip Smith, on behalf of 1801 Oberlin Road, came to the microphone to explain the subdivision plans. They would like to propose a subdivision for three lots. He was here tonight to get comments from the Planning Commission and staff before they submit the actual plan.

Mr. Young asked if the water service there was a private well.

Mr. Smith answered yes. They are proposing getting public water service from Ebenezer Road across Oberlin Road to their parcel. Mr. Smith said the houses that are shown on the lots (on the plan) are just proposed right now; they’re not sure what kind of houses will be built yet. But this is just a start to get the public water over and they would like to get a sewer lateral brought over from Butler Drive.

Mr. Young asked if the water could also be run from Butler.

Mr. Smith said that they think the closest T would be at Ebenezer Road, but that is something that they will explore. He said they would like to get public water service to each lot, but the lot sizes will allow private wells, if need be.

Mr. Knopp asked what the size of the lots would be.

Mr. Smith answered approximately 20,000 sf each.

Mr. Knopp asked what style of houses they are proposing.

Mr. Smith replied that they are proposing ranch-style houses, but they are open to comments/suggestions. He added that on the other side of the main building there is a lot more space, but there are stormwater management issues that they would have to strategically deal with.

Mr. Messick asked if the existing building was not on sewer.

Mr. Smith said that yes, it is on sewer but it is a private sewer and they would like to dedicate part of their sewer line.

Mr. Knopp asked for clarification. He asked again if it was a private sewer.

Mr. Diamond said it is a private lateral.

Mr. Messick said he asks this because he knows that is where the initial septic bed was for that existing building. The septic bed was where at least two of these proposed lots are located.

Mr. Smith said that septic bed is no longer there then.

Ms. Justice added that they had Scott Washinger out.

Mr. Smith continued that they did have the LST Sewer Authority out to open the manholes to make sure it was what the Authority wanted to see. There are a few things Mr. Smith’s organization has to do to dedicate it to the Township. He said those improvements along with the subdivision is what they are looking for at this point.

Mr. Knopp asked Mr. Fabian if he had any questions or comments.

Mr. Fabian said that he has not reviewed this yet.

Mr. Knopp asked Ms. Justice what she felt about this sketch plan.

Ms. Justice said that there have been a few meetings with Public Works and Caleb Krauter from HRG about the problem with getting water to the site. She said that at this time we have not explored the actual placement of homes on the property. Right now, this is just being addressed as a subdivision.

Mr. Messick asked if there would be proper sight-distance since it is on a State road.

Ms. Justice said right now it is purely conceptual.

Mr. Smith said if it comes to development, they will be sure the accesses all have proper sight-distance when pulling out.

Mr. Young added that his only traffic comment is good luck getting out of those three lots between 8:00am and 8:45am when all the FedEx trucks are going north, and everyone is coming out of Twelve Oaks and Old Reliance. He said at certain times of the day, it is going to be a nightmare coming out of there.

Mr. Smith reiterated that this is all conceptual right now, so at this point it is more about getting water to the lots. This is just a starting point and they will work with the Township to make it all compliant.

Mr. Knopp asked if there were any other comments from the Planning Commission.

Mr. Fausey added that our only position tonight is to listen, review and discuss.

Mr. Knopp confirmed that.

**OTHER BUSINESS:**

The next Planning Commission Meeting will be scheduled for Thursday,

August 25, 2022, at 7:00 P.M. [\*Post note: August meeting was cancelled. Next meeting would be September 22, 2022.]

**ADJOURN:**

A motion was made by Mr. Messick and seconded by Mr. Fausey to adjourn the meeting. All were in favor.

Meeting adjourned at 7:31 P.M.

Respectfully Submitted,

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Kaylee Justice, Planning & Zoning Coordinator