**M I N U T E S**

**LOWER SWATARA TOWNSHIP REGULAR MEETING**

**PLANNING COMMISSION OCT. 28, 2021 7:00 P.M.**

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

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

Dennis Fausey James Diamond, LST Solicitor

James Young Tonya Condran, Recording Secretary

Others present via Zoom:

Kimber Latsha Alexa Korber, DCPC

Shawn Fabian, HRG

Others present in person:

Greg Holtzman, BL Companies Elias Cekovic, UGI

Jeramy Bittinger, Snyder, Secary & Assoc. Brian Morris, UGI

Ron Paul, LST Commissioner Jeff Ott, Ott Consulting Inc.

Jordan Pulgar Jason Buchta, Ott Consulting Inc.

Carolyn Pulgar Mark Romeo

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES:**

Mr. Knopp asked if there was a motion to approve the September 23, 2021, meeting minutes. Motion was made by Mr. Fausey to approve the minutes and seconded by Mr. Young. All were in favor. Minutes were approved.

**OLD BUSINESS:**

**DHK Lot 2 LLC,** located south of Rosedale Avenue, west of the Airport Connector, Middletown, PA. Subdivision to correspond with zoning boundaries and construction of 419,000 +/- sq. ft. warehouse. No action required.

Mr. Knopp asked Mr. Fabian to confirm that the reason we were looking at this again is because they put curbing along the road and there is a culvert down there so we are not sure where the water will go.

Mr. Fabian replied that we were going over some of the outstanding technical comments that we had regarding the storm sewer design and the Board of Commissioner’s request for expansion of Rosedale Avenue from Whitehouse Lane to the property boundary, and the addition of the sidewalk there. So, we will discuss this and reconfirm the recommendation to the Board of Commissioners.

Jeramy Bittinger, from Snyder, Secary, & Associates, came to the microphone to explain the plan further. He informed that they did extend the road widening along Rosedale the whole way to Whitehouse Lane. This includes curbing, sidewalk, an 11’ travel lane the whole way and a 6’ shoulder. He said the will neck-down near the culvert to provide a 4’ shoulder that will lessen the impact to the stream. But they will maintain the 11’ travel lane the whole way.

Mr. Fausey replied that this is kind of what he was looking for and he was happy with that.

Mr. Knopp asked Mr. Fabian for any further comments.

Mr. Fabian said he had the chance to review through some of this, but he did not have the chance to issue an additional letter. With a lot of their (HRG’s) outstanding comments, they are comfortable with recommending conditional approval without them being addressed yet. The biggest change is just making sure that the Planning Commission has had the opportunity to take a look at this additional expansion along Rosedale Avenue and the addition of the sidewalk down to Whitehouse Lane. The Board of Commissioners did not think there would be any concern with that from the Planning Commission but thought that it was prudent since the meeting was upcoming so quickly and the fact that we have a BOC meeting again on November 3rd. This is to go through the proper process since there was a revision that added a substantial chunk of improvements onto the Plan and to provide the Planning Commission to add any comments onto it. Mr. Fabian went on to say that he was in favor of the additional revisions. The widening of Rosedale Avenue matches the width of Rosedale Avenue west of Whitehouse Lane and provides a more consistent streetscape as well as pedestrian access. So, these are very positive additions to the plan set.

Mr. Knopp asked Mr. Fabian if he feels comfortable with the water run-off going down the hill.

Mr. Fabian said yes, the way the D&H and UPS sites were structured, we actually have a separate plan set that goes into more detail for the road widening and the stormwater along that road widening. So at this point, the additional plan set would need to be submitted so he could review through the stormwater impact along this section of road. Right now, it is a conceptual layout with the curvature and the width that we can take a look at the area they are attacking, but the actual stormwater of that additional width will have to be reviewed.

Mr. Knopp then asked if we approve what we see in front of us, that will be coming later.

Mr. Bittinger said yes, that is correct. They plan to submit a roadway widening plan with all-due accounts for stormwater; this is more schematic than anything.

Mr. Fabian added that this is consistent with how they handled the road widening project with the D&H Warehouse plan.

Mr. Knopp asked if the Planning Commission had any questions or comments.

Mr. Fausey said it was beautiful.

Mr. Young said it goes way beyond the concerns that they did defer on. So he has no issue with it.

Mr. Knopp asked Mr. Diamond if he had any concerns or comments.

Mr. Diamond did not at this time.

Mr. Knopp asked if there was a motion to approve the plan in front of them.

Mr. Young made the motion to recommend approval subject to a submission of an approved stormwater runoff plan and roadway improvements plan.

Mr. Fausey seconded that motion.

All were in favor; plan was approved by the Planning Commission.

**NEW BUSINESS:**

**a. Preliminary/Final Minor Subdivision for Jordan Pulgar Property –** Planning Commission File #PC2021-05, 3.0995 acres in zoning district R-A (Residential Agriculture) at 610 Spring Garden Drive, Middletown, PA, consisting of 3 separate tax parcels. Applicant I proposing a minor subdivision resulting in three (3) reconfigured total lots. Applicant is requesting a waiver for relief of the preliminary plan requirement (Section 404).

Mark Romeo came to the microphone representing Jordan Pulgar. He informed that they are in receipt of the comments from Dauphin County but did not get the comments from the Township as of yet. He stated that what he sees in the County comments is easily addressable except the one that requests a submission of an Erosion and Sedimentation Control Plan. He says they kept the earth disturbance very minimal on this. There is a lot of existing driveway through this so there is no additional pavement, and there is one building with minor grading around it.

Mr. Young informed that he has the HRG comments in his packet. Mr. Romeo was handed a copy of the comments at this time.

Mr. Knopp stated that he drove by there back in January and saw there was some grading going on. Is this slope a 3:1 slope?

Mr. Romeo said he met with Don Fure, and it met the maximum slope. The first submission they put in did not have a good detail in that area, but with this plan set, he said they checked the slopes, and they were at 3:1.

Mr. Knopp asked for conformation that Don Fure agrees with that because he talked to Don Fure this past Monday and he was not sure it was 3:1.

Mr. Romeo said the area that was not 3:1 is where they put the swale to protect the neighboring property. And where it was 3:1, they did not need the swale.

Mr. Knopp asked if water leaves the property as it is now.

Mr. Romeo says no, it does not. Then he corrected himself and said eventually it does down along the highway, but not onto Wagner’s property. That is what necessitated the swale.

Mr. Fabian asked if that swale has been completed then, because it was a big concern during a couple of the runoffs over the past couple of months.

Mr. Romeo said yes, it was completed about a month ago on an emergency basis.

Mr. Knopp then asked about the proposed building with an apex of 16’. He informed that does not meet the township’s zoning ordinance (maximum height of 14’).

Mr. Pulgar informed that he did resubmit plans for a building that does meet the township’s maximum height allowance.

Mr. Knopp asked when he submitted that.

Mr. Pulgar said about 2 – 3 weeks ago.

Mr. Fabian said the only additional thing besides the original submission package that he saw was the perc test results.

Mr. Romeo stated that the percs were done about 6 weeks ago.

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

Mr. Fausey asked Mr. Fabian where we stood with this.

Mr. Fabian replied that he felt bad that a copy of HRG’s plan review did not make it into his hands because they had quite a few comments on it. He said they do have some repeats from what the County Planning Commission had mentioned in theirs. Mr. Fabian continued that with the waiver for the Preliminary Plan requirement, HRG does recommend approval of that waiver. He said they have enough comments that may have substantial impact to the site design that HRG would like another opportunity to review it after they respond to those comments.

Mr. Romeo said he would have a comment letter presented with the revised plans.

Mr. Knopp asked the Planning Commission to address the waiver.

Mr. Young said that generally we approve waivers for plans that are in substantial compliance, so at this point in time, pending the resubmission, he made the motion to deny the waiver for now.

Mr. Fausey seconded that motion.

All were in favor.

Mr. Knopp asked if anyone would like to make the motion to table this plan.

Mr. Young made the motion and Mr. Fausey seconded the motion.

All were in favor; the plan was tabled at this time.

**b. Preliminary/Final Land Development Plan for Stoneridge Lot 5 –** Planning Commission File #PC2021-09, 3.86 acres in zoning district IP-L (Industrial Park – Limited) located at 1441 Stoneridge Drive, Middletown, PA. Applicant is proposing 32,000 sq. ft. warehouse and associated site improvements. Applicant is requesting waivers for relief of the preliminary plan requirement (Section 404) and for sidewalks along Stoneridge Drive (Section 22-607).

Greg Holtzman of BL Companies came to the microphone to give a brief overview of their plan on Lot 5 on Stoneridge Drive. This is an existing pad site that they are proposing an approximately 32,000 sf industrial use warehouse plus truck parking and vehicular parking. Overall, the existing site does slope uphill and the existing pad that they are looking to utilize, their FFE (finished floor elevation) is close to what is out there now. He said they worked with the contractor and the client to get what they feel is a great design. He informed that he is looking to have this tabled tonight. They did receive comments from HRG, so next time they come back they should have responses to the comments. He said he just wanted to give a little idea of what their progress is there and to see if there are any questions or comments on the plan.

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

Mr. Fausey asked Ms. Korber if she had seen this plan.

Ms. Korber stated that yes, she did, and she does have a comment letter for it.

Mr. Fabian said he has not seen a copy of DCPC’s comment letter yet and asked if the project engineer has received a copy of the comment letter.

Mr. Holtzman said yes, they have seen a copy of all the comment letters.

Mr. Fabian went on to say that, overall, a lot of his comments will not structurally change how the actual building or site improvements are laid out. He said it did look like a couple items did not plot in the set that he received, so he does have some comments in there that look like they are trying to comply and plot through with the actual detail. It may appear like he has an overly lengthy letter but nothing in that letter is really substantially going to change the layout of the site or the layout of the building.

Mr. Knopp asked Ms. Justice if she reviewed this.

Ms. Justice replied that yes, she did. She said there were some comments on the final page about Fire Safety.

Mr. Knopp asked if there were any other questions or comments on this plan.

There were no further questions or comments.

Mr. Knopp asked what the motion was for this plan.

Mr. Young made the motion to table this plan until the applicant can address the comments.

Mr. Fausey seconded the motion.

All were in favor; plan was tabled.

**c. Zoning Docket #SE/V2021-08 Special Exception for Harrisburg CNG Facility (Private CNG station, warehouse, and outdoor storage) –** Planning Commission File #PC2021-10, 3.22 acres in zoning district IP-L (Industrial Park – Limited) located at Harrisport Court off of Fulling Mill Road. Applicant is requesting review and recommendation for a Special Exception to §27-1004 #3 for the purposes of outdoor storage of pipe and aggregate.

Jeffrey Ott of Ott Consulting Inc. came to the microphone and introduced himself and his assistant Jason Buchta.

Elias Cekovic of UGI introduced himself. He is one of the Senior Managers in charge of warehousing.

Brian Morris of UGI introduced himself. He is Senior Manager of the building on AIP Drive.

Jason Buchta gave a brief overview of what UGI’s plans were for this currently vacant parcel. He explained that this parcel was located in Harrisport Court and is the only vacant parcel in there. UGI is proposing to install a private CNG station (Compressed Natural Gas), a warehouse facility, and outdoor pipe and aggregate storage on the property. They are requesting a Special Exception for the outdoor storage of equipment and materials.

Mr. Buchta then went over the layout of the project. There will be a parking area to the east of the proposed warehouse that will be accessible via Harrisport Court. Also, an enclosed fenced-in area with access for UGI only is where the CNG station will be located. Access to the proposed warehouse and access to all of the outdoor storage will all be enclosed in this area with a secured gate. Mr. Buchta said that the CNG station will be for the vehicles in their fleet.

Mr. Ott said the purpose for them being in front of the Planning Commission is that in this particular Zoning District, outdoor storage requires a Special Exception. He said he went through the Zoning Ordinance, but he couldn’t find anything specific for exterior storage requirements, but they will certainly take a look at those necessary requirements and comply. Generally speaking, UGI puts a chain-link fence around their facility which is typically 8’ high with barbwire and then they put the plastic slats in the fence so you can’t see in; this is your typical UGI yard. They will be going to the Zoning Hearing Board a week from Monday, so this is part of the Township’s process to bring it in front of the Planning Commission first.

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

Mr. Fabian stated that a lot of his comments were about setbacks. They do have proposed driveway access and parking within the 50-yard setback; that was his biggest concern. A lot of the other items were building height, because it wasn’t listed, landscaping requirements, and other fairly minor comments.

Ms. Justice added that once this is reviewed by the Zoning Hearing Board, it will come back to the Planning Commission for the full Land Development review.

Mr. Knopp asked if the Fire Department has seen this yet.

Ms. Justice responded that she doesn’t believe so, but they will during the Land Development review.

Mr. Ott stated that they have no problem addressing the Township Engineer’s comments. This will be fully vetted during the Land Development Plan phase. He assured that this is only the “first bite of the apple”.

Mr. Knopp asked Ms. Korber if there were any comments from the County PC.

Ms. Korber informed that DCPC actually does not comment on Special Exceptions, but they will review it when it gets to the Land Development phase.

Mr. Knopp asked for any questions or comments from the Planning Commission.

Mr. Young asked Mr. Fabian if he had any input on the specific request in terms of the Special Exception.

Mr. Fabian replied that this would be for the Zoning Hearing Board to weigh in on.

Mr. Young asked Mr. Diamond if the Planning Commission has to make a recommendation to the Zoning Hearing Board on this.

Mr. Diamond said he feels the PC should make a recommendation to the ZHB.

Mr. Latsha asked what exactly is going to be stored outside.

Mr. Cekovic informed that it will basically be aggregate; there will be some stone dust and modified stone and cold patch, no more than 20 ton of any of the three. And then potentially up to a full tractor load of plastic and steel pipe that UGI uses for gas distribution.

Mr. Fabian added that they have also provided a rendering of some similar locations that the same kind of outdoor storage.

Mr. Cekovic stated that they have also lined up a representative for the Zoning Hearing Board to talk more about the Compressed Natural Gas station. One of the things that they offer is training to the Fire Department free of charge and address any safety concerns with CNG station itself at that time.

Mr. Knopp asked if there was a recommendation from the Planning Commission based on what was presented tonight.

Mr. Young made the motion to recommend to the ZHB the granting of the Special Exception.

Mr. Fausey seconded that motion.

All were in favor.

**OTHER BUSINESS:**

The next Planning Commission Meeting will be scheduled for Thursday, November 18, 2021, at 7:00 P.M.

**ADJOURN:**

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

Meeting adjourned at 7:29 P.M.

Respectfully Submitted,

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Kaylee Justice, Planning & Zoning Coordinator