

MINUTES

LOWER SWATARA TOWNSHIP PLANNING COMMISSION

**REGULAR MEETING
JANUARY 26, 2023, 7:00 P.M.**

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

Chauncey Knopp, Chairman	Don Fure, LST Director of Codes/Planning/Zoning
James Young, Vice Chairman	Rich Snyder, LST Planning/Zoning Coordinator
Dale Messick	Tonya Condran, Recording Secy.
Howard Crawford	Shawn Fabian, HRG
Jim Diamond, LST Solicitor	Alexa Korber, DCPC

Excused: Kimber Latsha

Others present:

Joseph Mizrahi, Paramount	Joe A. Burget, Burget & Associates
Chris DeHart, LST BOC	Peter Wertz, Paramount
Laurie Castagna, resident	Brandon Conrad, Vistablock
Mark Horst, Vanguard	Mike Huxta, ELA Group
Justin Geonnotti, Dynamic Eng.	Ron Paul, LST BOC
Bill Pompeii, K&W Engineers	Loretta Miller, resident
David Miller, resident	Frank Nardo, Linden Centre

PLEDGE OF ALLEGIANCE

ROLL CALL

REORGANIZATION

Mr. Messick nominated Mr. Knopp to continue as the Chairman of the Planning Commission. Mr. Crawford seconded. All were in favor.

Mr. Messick nominated Mr. Young to continue as the Vice Chairman of the Planning Commission. Mr. Crawford seconded. All were in favor.

Mr. Young nominated Mrs. Condran to continue as the Secretary of the Planning Commission. Mr. Messick seconded. All were in favor.

APPROVAL OF MINUTES

Mr. Knopp asked if there was a motion to approve the December 15, 2022, meeting minutes. The motion was made by Mr. Messick and seconded by Mr. Crawford. All were in favor. Minutes were approved.

REQUEST FOR SPECIAL EXCEPTION:

2750 Commerce Drive (Miller Pipeline) – Zoning Hearing Board File SE#2023-01. The Applicant, Miller Pipeline, requests a Special Exception to §27-1004.3 of Lower Swatara Township’s Zoning Ordinance to allow for the outdoor storage of material or equipment. **The application was withdrawn by the Applicant, Miller Pipeline.**

OLD BUSINESS:

a. The Pond on Fulling Mill – Planning Commission File #PC2021-06. There are currently five lots that will be combined to form one lot of 25.143 acres. There will be 67 townhouse units, 4 semi-detached units, and 131 apartment units in three buildings. A separate building will have two stories of commercial space.

Mike Huxta of ELA Group came to the microphone and introduced Brandon Conrad, CEO of Vistablock, and Mark Horst of Vanguard Construction.

Mr. Huxta went on to explain that the project site is located on the northeast corner of Fulling Mill Road and Nissley Drive. It is 25 acres in the Commercial Neighborhood District. A previously approved development is partially constructed on the site and has been vacant for many years. The proposed plan would consolidate the five lots to construct a retirement community with 71 townhouse units and 131 apartments, for a total of 201 units. That would be 8 units per acre density. There will be 2 apartment buildings with basement level parking and 3 levels of apartments above them. The building on the corner of Fulling Mill and Nissley Drive will have a café and a community center on the bottom and then 3 floors of apartments above it. Another building that faces Fulling Mill Road will be 2 stories of commercial uses. They will meet the parking requirements with parking garages underneath the 2 apartment buildings, on-street parking, surface parking lot and the townhouse driveways and garages.

Mr. Huxta explained the traffic study was revised based on some of the comments from the Township Traffic Engineer. This study indicates that there will still be a reduction of trips from the previously approved plans. Those plans had a lot more commercial use. The retirement community use that they are proposing has less traffic. Road improvements on Nissley Drive are required by the Township, so they will be adding curbs, sidewalks, and road-widening along Nissley. Those improvements have already been made along Fulling Mill Road.

Mr. Huxta said they are providing buffer plantings along the north side of the property as well as the west side. Utilities will be served with public sewer and water connections. They have been working with the Sewer Authority to get that approval. Stormwater controls will be above-ground facilities.

Mr. Huxta went on to say that this plan does not require zoning relief. The reviews from the Codes Staff, Township Engineer, and County Staff were done and they revised the plans accordingly within the last few weeks. So, the plan they have now is just slightly different. They've adjusted some of the units to come up with a different housing type so it would fit on the site better.

Mr. Knopp asked if what they were looking at was the new plan.

Mr. Huxta said the plan they are looking at does not have the most current revisions to it.

Mr. Knopp asked if we shouldn't be looking at the new plan so we knew what they were talking about.

(The newest version of the plan was pulled up on the screen at this time.)

Mr. Young asked for Mr. Huxta to show on this new plan which building he was talking about in terms of the mixed use of commercial on the first floor and then three stories of apartments.

Mr. Conrad explained that the prior plan had that as a drive-thru bank.

Mr. Huxta added that with this mixed use, in terms of the traffic, it has a café in there which is actually the biggest driver for the traffic on this site. He went on to say that with this plan, they are requesting two modifications of the Land Development Ordinance. The first is the Preliminary Plan to be reviewed as a Final Plan. It was a previously approved site, so a lot of the entrances to Nissley and Fulling Mill are the same. He feels they can meet the Final Plan design requirements with this plan. Secondly, they are requesting a modification to allow them to use rolled curbs. It would be a concrete rolled curb in the area where the townhouses are; this would help with the transition into the street from the driveways. What they have constructed out there

already is straight curb with curb cuts at the driveways. So, it kind of creates a washboard effect. They feel changing to rolled curb would actually work a lot better. (He then passed around pictures of what it would look like).

Mr. Messick stated that he thought the Township is not in favor of rolled curb.

Mr. Fure pointed out that the Ordinance does not permit rolled curb on a township street; however, this development would have private roads. So, if they are only talking about the areas at the townhomes, the staff feel that would be an acceptable waiver request.

Mr. Messick said that he felt that even if they are considered private, the Township Engineer looks at it as though the streets should be kept up to township standards.

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

Mr. Diamond asked if the rentals would be on the deed-restricted 55+.

Mr. Huxta said yes, that is correct.

Mr. Diamond then asked if the public sewer line would be “to-be-dedicated” but not public streets.

Mr. Huxta answered that the sewer line within the development would be private until it gets out to the street. At the top of the site, there is an existing sewer easement with an existing sewer line, which will remain in place. They were looking to remove that and come into their site. The Sewer Authority was against that. They would not allow them to remove that. So this is one of the factors driving the whole northern area’s construction on this site. Between the buildings and the property line, there is a large buffer area. There is also a gas easement that goes around the top.

Mr. Messick asked the chairman that since we didn’t really received the newer plans to review, what should we do this evening?

Mr. Crawford asked who the entity will be responsible for the roads and sewer on the property.

Mr. Conrad said it would be the owner, which is his partnership called Vistablock.

Mr. Young asked if the property was sold, would it be the responsibility of the purchaser.

Mr. Conrad said yes, it would run with the land.

Mr. Young said that in December (2022) a number of neighbors (Twelve Oaks) came to voice a number of concerns based upon the plan that was before us at that time. He asked if he had an opportunity to review the minutes of that meeting. [*Note: The minutes of that meeting would not have been available since they were not approved by the Planning Commission yet. Minutes are approved at each following meeting.]

Mr. Conrad said he had not. [*See note above.] He said if there were specific questions, he would be happy to address them.

David Miller, resident of Twelve Oaks, came to the microphone. He said it was his understanding that the Final Plan was submitted today. So as the group that has been asking questions, they have not had the opportunity to review it. Mr. Miller asked the Planning Commission if they would consider tabling this until the February meeting so they would have time to review and come back with any questions.

Mr. Knopp advised that the Planning Commission members have not reviewed the current plan either.

Mr. Knopp then asked if there were any comments from the Township Staff.

Mr. Fure said that one of the biggest concerns from the neighbors of Twelve Oaks, was how are you going to regulate that 80% of the populace in the neighborhood is going to be 55 and older. He asked Mr. Huxta to discuss that a bit.

Mr. Huxta responded that 20% of the units are allowed to be rented at market rate to people under 55 years of age. He then asked Mr. Conrad to elaborate on that.

Mr. Conrad explained that when they make the lease agreement, they will have a spreadsheet which will identify which ones have at least one person in the household who is 55 or older and that has to be at least 80%. He said he feels it will be closer to 100%

although he cannot guarantee that. Most people who are attracted to a retirement community will be that age. So, they are not envisioning many young families. There will be a spreadsheet that they can share.

Mr. Diamond asked if that was something that could be put into a Developer's Agreement. He feels this will most likely be a HUD issue, but because of the neighbors' concerns, we would like to have some ability to have some kind of accounting of the 55+ community.

Mr. Conrad said that would not be a problem.

Mr. Young asked if a "family unit" could be a grandparent, the grandparent's child, and the grandchildren and would that count towards the 80% or would that count towards the 20%.

Mr. Diamond replied that it would count towards the 80%. There are very specific rules, but there can be children. So, it is a misnomer to think that there couldn't be any kids in a 55+ community.

Mr. Miller asked for clarification on the process of how to regulate that 80% being over 55. He said if his understanding is correct, HUD has three requirements. One of those requirements is that the facility or community must publish and adhere to policies and procedures that demonstrate the intent to operate as 55 or older housing. So, if we are going to incorporate into the plan how we calculate the 55+, he feels we should incorporate into the plan the second requirement that HUD has. He feels this should be published as we go through this process and not left for later on because one of the comments was that only one person needs to be 55 or older. These policies and procedures under HUD allow you to define what that household is going to look like. So, it could have "no children under the age of 18" or it could have "no children under the age of 40" or it could have a whole list of things that benefit the people who are 55 and older. He feels if we are going to start defining things, we ought to have the opportunity to understand how this is going to be operated, especially since it is going to be operated as a rental community.

Mr. Diamond said that what he is suggesting is something a little different. He said we would not be pushing the federal (HUD) parameters, what he is saying is to give us

some monitoring reporting, but we are not suggesting that we would be dictating what the rules are within the community.

Mr. Miller retorted that is not at all what he is suggesting either. He said he is asking the developer to meet the HUD requirements and let the people who live around there know what that community is going to look like. He feels there is the ability under the HUD regulations to regulate what your community looks like without being in violation of the Fair Housing Act. So, he said all he is asking is that we know what that is ahead of time, and we are not dealing with it after the community is all in there. He said he is in no way asking this Planning Commission to modify any of the HUD regulations. HUD directs that those things be laid out; he is just asking for them to be laid out ahead of time so that not only the neighbors know what to expect, but also the Township.

Mr. Young asked if he was suggesting that it be part of the Developer Agreement between the developer and the township, so it is committed in writing before the plan is approved.

Mr. Miller said that is exactly what he is asking.

Mr. Young stated that in the event there are children under the age of 18, there are no recreational opportunities anywhere near this site. Has there been any consideration, and is there room near the Community Center to put some sort of recreation opportunities in there?

Mr. Conrad responded that Lower Swatara Township has an Ordinance and they intend to follow that Ordinance and anything in it. He says if there is a limit of how many people can be in a unit, they will enforce that. As for the recreational opportunities, he asked if the Planning Commission was thinking of a playground?

Mr. Young replied something like that or even a basketball court.

Mr. Conrad said he is not opposed to that but if the idea from Mr. Miller is to have fewer children there, and we have a community with a recreational center, that may attract people who have children. So, if we want to discourage children from living here, then maybe we do not want to do that. However, he said he would be happy either way; he wants to defer this to the neighbors and Planning Commission.

Mr. Young said that when they were originally here in August of 2021, they were proposing 4 stories which the Planning Commission and the neighbors expressed their concerns. He went on to say that the density now conforms with the existing density requirement when the approval was first done back in 2008. He asked if that was correct.

Mr. Conrad said that is correct. He said when they came in the first time, they wanted to increase the density from 8 to 12 [units per acre], and they wanted to reduce the parking space requirements from 2.2 to 1.5 spaces, and they wanted to increase the height requirement from 40 to 50 to permit the extra story. But they heard loud and clear that wasn't able to happen, and it is perfectly acceptable to them that there would be no increase in density, no reduction of parking spaces, and no increase in the height requirement. So, he said they spent the last year and a half with their engineers and team members creating a plan that met the Ordinance to the letter.

Mr. Crawford asked to revisit the HUD question. He asked if it was the Developer/Owner responsibility to set the age limit and then notify the Township what the age limit is going to be. He asked if that is what the HUD requirement says.

Mr. Diamond said that generally we (the Township and Planning Commission) are not in the loop. We are asking for something special because it sounds like they are willing to agree to give us extra information and let us put it in the Developer's Agreement. Normally, it's the Federal Government who deals with that. The theory is that it is illegal to have a community that discourages children. You are allowed to discourage if it's a retirement community, otherwise it is illegal. So, they have to stay within the parameters, or they are violating a law. But again, we are not normally the governmental agency that would deal with that.

Mr. Crawford said if they require ages 21 and over, then we probably do not need a recreational area. But if they are going to require ages 2 and over, then we would want to have them do something with a recreational area. So, it goes back to the Developer to decide whether you want to put the requirement in and whether the Township is going to ask you to do something recreationally or not.

Mr. Young stated that the Township does have a "Fee In Lieu Of" also in the Ordinance which some developers choose to utilize.

Mr. Fure added that the Fee In Lieu Of was \$2500 per unit.

Mr. Huxta said it was their understanding that part of that fee was paid for by the previous developer and they (Vistablock) would pay the rest. He said that as they were discussing that requirement, they are looking at this as a retirement community so they would pay the fee so that it could be used by the Township in another park for better recreation. If they put in a recreational area on this site, it may be something small, but it probably wouldn't be the best use of the facility. They see a lot of developments that have a small park or playground, so they could look at that as an option. He explained that there is a lot of topography across the site, so there are not a lot of areas, but the best option would be right along the front.

Mr. Conrad asked for clarification on Fee In Lieu Of. He asked if they did put a recreational facility in there, would they then not be required to pay the Fee In Lieu Of.

Mr. Fure explained that there would be a reduction of 26 units because that was paid back in April of 2017. If a recreational facility is put in place, it would have to be a required size. He stated that the facility would have to be a certain square footage per unit, but he would have to look that up. If they pay the Fee In Lieu Of, they would subtract the \$2500 per 26 units that were already paid, leaving 176 units x \$2500.

Mr. Fure then asked how many of the rental units will be accessible.

Mr. Conrad showed on the plan map where the elevators are in both apartment buildings and stated that all of those units will be completely handicapped accessible. You could pull into the underground parking and get to the elevator which will service every floor. The majority of the townhomes will have first floor masters.

He also wanted to show the new design of the apartment buildings because one of the neighbors called it a "glorified chicken house". He feels the new design is much more attractive. (Mark Horst then showed a picture of the new design.)

Laurie Castagna, a resident of Twelve Oaks, asked that if this will be tabled tonight, would they be able to make the new plans available to the residents of Twelve Oaks to view here in the township building before the next meeting.

Mr. Fure said yes, we will have them here for anyone to view after they are submitted.

Mr. Conrad added that, just for the record, they do not object to anybody seeing the plans.

Mr. Miller stated that once submitted, they become a matter of public record and the people of the Township are entitled to see those. He also stated that the Township has been very cooperative in that regard so we can just work on a time when we could meet so we are not interfering with anyone's work schedule.

Mr. Miller feels the main thrust is that this started out as a 55 and older community so [the neighbors at Twelve Oaks] would discourage the building of a recreation area. He said his understanding was that there are proposed walking paths and things like that, so if someone would come to visit their grandparents, they could walk around the neighborhood and that should be more than sufficient. He added that when we come back in February, he'd like to understand if these rental units are going to be subject to Section 202 individuals.

Mr. Conrad said he could address that right now. There will be no subsidized housing in this development, but he will read Section 202 more carefully until the next meeting.

Mr. Miller asked him to do that, because it could be at market rate and still be Section 202.

Mr. Diamond added that we (from the municipal side) generally don't distinguish based on whether it is subsidized or not.

Mr. Miller said he understood but we don't want to be the whole way down the road and not have asked that question and then the answer is yes it is going to be. What the individuals who live in that area want to do with that information once they receive it is up to them.

Mr. Knopp asked for any other questions or comments.

Mr. Fabian had a question about fencing. He asked if there was any kind of fencing proposed around the pond. He said fencing was discussed but it does not appear on the plan.

Mr. Huxta said they will look into it.

Mr. Fure brought up the waiver request for the rolled curb. He asked them to add the statement in there that it will not include any curbing in the Township right-of-way along Fulling Mill and Nissley.

Mr. Young asked if we also wanted to include in there that it is also a State Road.

Mr. Snyder added that with the original phase that was done, they had a PennDOT HOP for out there and those come with an expiration date. He said he believes all the improvements within the Fulling Mill Road right-of-way under PennDOT have been successfully completed in order to meet the deadline of the PennDOT HOP.

Mr. Huxta said that is correct and he will make sure that is on there. He also mentioned that last month they were not aware that they were on the agenda for the Planning Commission meeting. He said he would've asked for it to be postponed anyway so they could get another review of the plan revisions. Even though they made the plan revisions, they hadn't made the submission but thought it was important to get it in front of the Planning Commission since they were not here last month. So he said tabling it tonight is perfectly fine, so the plan can be reviewed again before the next meeting.

Mr. Knopp asked what the Planning Commission would like to do with this plan.

Mr. Messick made the motion to table it until the next meeting. Mr. Young seconded the motion. All were in favor.

Plan was tabled.

b. Illuminated Integration Office and Trade Shop – Planning Commission File #PC2022-08. The project is to construct a +/- 9,360 sf office/showroom and a +/- 15,430 sf trade shop with associated site improvements, grading, utility connections, stormwater management facilities and other site improvements. Special Exception was granted for the applicant to use the proposed building as a show room, storage space, and an office/design area for its audio, video, lighting, and rigging design and installation business.

William Pompeii from K&W Engineers came to the microphone and explained the plan was tabled at last month's meeting due to the sewer issue. It has since been addressed. They received a capacity letter from the Township. They submitted a mailer to DEP for an exemption for that. He said tonight they are seeking Conditional Approval for the plans. He then gave an overview saying the project is to build a 15,000+ sf trade shop with a 3600 sf office space with a 4000+ sf future space for office as well. With that, they are required to have 68 parking spaces, which they do. This site is located on Fulling Mill Road just adjacent to the Lower Swatara Fire Hall. They have a shared access with the Fire Hall. They are providing a stormwater facility out front. There will be landscaping along Fulling Mill Road as best as they can without encroaching on any stormwater measures on site. They already have their NPDES permit and they have comments and will address those comments from PennDOT. A lot of the comments seem to be administrative type items. They have an availability letter from Suez (Veolia).

Mr. Pompeii went on to say along with all that they are looking for a waiver request for Preliminary/Final Plan submission to be done at the same time.

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

There were none at this time.

Mr. Knopp asked for any comments from the Township staff.

Mr. Fure stated that the shared driveway is the Fire Department's main access for the firefighters coming to the Hall. So he just wanted to make the statement that there is going to have to be some coordination during construction making sure that driveway is not affected by where the equipment is being loaded.

Mr. Pompeii responded that the owners are aware, and the contractors are also definitely aware of that. They will bring it up again to make sure they remain aware of that.

Mr. Fure said they can have a pre-construction meeting on site as they are getting closer to the kick-off.

Mr. Knopp asked HRG for any questions or comments.

Mr. Fabian said that all his technical comments were addressed. He said he was very appreciative of the way they handled the western part of the access that they are talking about. There was a little issue with a triple inlet, but a lot of their curb expansions with the HOP fixes all of that issue and it is a lot better set-up for drainage.

Mr. Knopp asked Dauphin County Planning for any comments.

Ms. Korber asked about the “future 4000sf addition”. Is that going to change the parking requirements?

Mr. Pompeii said no, the parking is all included in the full build-out. So that is just for the future if they ever get to that point.

Mr. Knopp asked Mr. Diamond for any comments or questions.

Mr. Diamond was fine with everything.

Mr. Knopp asked the Planning Commission to address the waiver request of moving it from a Preliminary Plan to a Final Plan. He reminded that last time we didn’t approve this because we needed the sewage information.

Mr. Messick made the motion to accept it as a Final Plan submission. Mr. Crawford seconded the motion. All were in favor.

Waiver granted.

Mr. Knopp asked to have the Plan addressed itself.

Mr. Messick made the motion to recommend approval to the Board of Commissioners. Mr. Crawford seconded the motion. All were in favor.

Plan was approved for recommendation to the Board of Commissioners.

c. Capital Valley Business Park Lots 3&4 – Planning Commission File #PC2022-06. This project is 15.59 acres in the zoning district Industrial Park Limited (IP-L). The purpose of the plan is to relocate a property line within lot 3 and lot 4.

Additionally, the purpose is to construct a 72,800 sf warehouse on lot 3 and a 44,161 sf warehouse on lot 4 with corresponding stormwater management facilities.

Chairman Knopp explained that this project/plan had been pulled from the agenda tonight and will be addressed at the Feb. 23, 2023, meeting.

d. Colony at Old Reliance – Planning Commission File #PC2022-01. The project is a residential development consisting of 77 single family lots, 42 duplex lots, 5 commercial single-family lots, and 5 open space lots. The development will include 6 local streets, public water and sewer connections and various stormwater BMPs.

Chairman Knopp explained that this project/plan had been pulled from the agenda tonight and will also be addressed at the Feb. 23, 2023, meeting.

NEW BUSINESS

a. Aberdeen Development – Planning Commission File PC#2022-02. The proposed project intends to subdivide a 19.1-acre lot into 25 single-family lots. Furthermore, the proposed project will include 2 local streets, improvements to/along Oberlin Road (SR 441), public water/sewer connections, utilities, and stormwater management BMPs.

Chairman Knopp explained that this project/plan had also been pulled from the agenda tonight and will be addressed at the Feb. 23, 2023, meeting.

b. Wawa – Planning Commission File PC#2022-10. The proposed project intends to combine three (3) tax parcels and create two (2) condo units. Proposed condo unit 3A will be improved with a 6,049sf Wawa, a canopy covering 6 fuel islands, two 22,000 gallon storage tanks, a 20,000 gallon storage tank, and associated site/utility improvements. Proposed condo unit 5 will be improved with a 2,454sf quick-serve restaurant, a two-lane drive-thru, associated site/utility improvements, and a stormwater management facility.

Peter Wertz of McNees Wallace & Nurick came to the microphone. He introduced his team of Joe Mizrahi on behalf of Lower Swatara Developers LLC, Eric Nause (sp?) with TBD, and Justin Geonnotti with Dynamic Engineering.

Mr. Wertz explained that the proposal tonight relates to the development of two condominium units that are part of the Linden Centre located north of Route 230. Unit 3A, which is 1.248 acres, is intended to be the site of a Wawa convenience store with gasoline pumps. Unit 5 is a proposed quick-serve restaurant on .7 acre. These two condominium units were created with new boundaries from a separate parcel that was added to the Linden Centre. The Linden Centre was approved in 2007; what they are proposing tonight was presented to the Zoning Hearing Board for a dimensional variance relating to this project. Mr. Wertz explained that Mr. Geonnotti would be walking us through the plan with what waivers may be needed and responding to comments or questions.

Mr. Geonnotti explained that he was the project engineer. He gave a little background on this project/plan which is part of the previously approved Linden Centre. He then showed a copy of the plan and explained where everything would fit in on the site. He explained that it was previously approved as a convenience store with gas pumps. Where the quick-serve restaurant is going, was a bank with a drive-thru which has since been demolished. They are not proposing any new access points off Harrisburg Pike. Everything will be internal to the Linden Centre Complex. All driveways will be coming off of the internal road. The Wawa will be 6049 sf with 42 parking spaces and will have 6 pumps with 12 positions. The other side will be a quick-serve restaurant but there is no tenant in mind yet. There are only a few tenants that could go into a building this size (2454 sf. with 21 parking spaces). The quick-serve restaurant will also have a drive-thru component.

Mr. Knopp asked if he could give an example of who might go into the quick-serve restaurant.

Mr. Geonnotti said maybe something like Popeyes or Chipotles or Starbucks, etc. You will not see a Chic-fil-a going in there because it will not be big enough. But this is all just speculation, when the real tenant comes in, we may have to modify that.

Mr. Geonnotti discussed Stormwater Management. The facility was designed to accommodate the amount of impervious in the build-out of this project. He said they were tying into the existing infrastructure of the shopping center. For water quality and due to the additional impervious of the added lot which originally wasn't part of Linden Centre, they are constructing a rain garden in the front which will take care of some of that.

Mr. Geonnotti said that they have been in front of the Zoning Hearing Board for a number of dimensional variances which were granted. The plan is now dimensionally compliant.

Mr. Geonnotti said that Wawa does have a loading zone on the right-side of the building that will allow trucks to circulate the parking lot and unload outside of the travel lane. Quick-serve restaurants do not require to have a loading zone because they are not open 24 hours and most of those only use a small loading truck which can just park in a parking stall or drive-thru to unload and it is always when they are not open for business.

Mr. Geonnotti went on to say that they are in receipt of a number of letters from the township engineer, Codes Department, and Dauphin County Planning Commission. They are very happy to discuss any issues that anyone has or questions.

Mr. Knopp asked Mr. Fure for any questions or comments.

Mr. Fure did not have anything at this time. He feels the plan is pretty straight forward. He asked Mr. Geonnotti if he had any questions for the Township.

Mr. Geonnotti said he did not at this time, but Mr. Wertz did.

Mr. Wertz said the comment he had relates to the Zoning comments. Some of this was actually resolved at the Zoning Hearing Board hearing, but there was initially a question on whether the Wawa unit specifically tied into the existing impervious calculations in the overall site condominium. That site was initially contemplated to be developed as a convenience store with fueling dispensers. What they concluded on at the Zoning Hearing Board was that these two units would be dealt with individually as lots for dimensional requirements such as setbacks. But as for the Stormwater Management and impervious requirements for the Wawa lot specifically, that was dealt with sort of comprehensively with the impervious tie-in to the site condominium as a whole.

Mr. Wertz also commented on signage. The comments he received from HRG said there was more free-standing signage than is allowed. Since the two units are being considered as separate lots for everything except for the impervious calculations, there are two free-standing signs proposed, one on the quick-service unit and one on the Wawa unit. So since they are on separate units, they would actually be in compliance.

Mr. Fure added that the best way to handle the signage is that we will handle that under the permit when we get to that stage. Also, as Mr. Wertz stated, previously at the Jamesway station prior to development, they had 80.6% coverage on site and they did get a variance in 2009 to allow for 74%, so in comparison to the Wawa site, they do show a little more green space now along the access drive when before it was just along Route 230, and the Township is comfortable with that.

Mr. Crawford asked if there is an area planned for electric vehicle chargers.

Mr. Geonnotti responded that yes, Wawa always provides the ability for third party electric charging stations. Wawa installs everything underground that will be needed for these electric stations, these will be installed at construction. So, Wawa provides all the infrastructure and then Tesla or someone like that would come in and install the actual stations. During the land development process is when they would work through the electric suppliers to make sure there is enough power for those.

Mr. Knopp asked for any questions or comments from HRG.

Mr. Fabian stated that there is a lot going on within this fairly small lot, so he feels some clarity issues as far as the layout is concerned, makes it difficult to follow certain things. In the stormwater design, it was a little difficult to rectify what was originally proposed and designed to how it is now and how that all needs to function and route through there. A lot of the comments are centered around that. He went on to say that he did have some general clerical things that are not difficult to work through. Mr. Fabian stated that there were a lot of comments for them to get through but not a lot of time for them to do that, so if they have any additional questions, he would be happy to sit down with them and go through them.

Mr. Geonnotti said for the most part they will be able to comply with the comments and any ones they have concerns about, he will reach out to Mr. Fabian.

Mr. Fure referred to sidewalks. Through research and study, apparently at one point there was going to be a walkover from the Airport and Train Station coming over to this side of the road. At that time, they believed there was going to be a federal grant for sidewalks and public transportation. The plan does not show that now. He asked if they were looking for a deferral to sidewalks or what their thoughts were on that.

Mr. Geonnotti replied that yes, they were going to request a deferral on sidewalks. The sidewalks would essentially be to nowhere at this point until there is that connectivity from future buildout. They will be putting sidewalk along their frontage but there is no connectivity past that section of the plaza entrance drive.

[Sidewalk discussion ensued using the projected map as a visual.]

Mr. Geonnotti said that they are going to ask for a deferral on sidewalks but they are open for discussion on it. He said if there is a need, obviously they will add it into the plan.

[More discussion on sidewalks using projected map.]

Mr. Knopp asked if there was anything else anyone would like to add.

Mr. Diamond stated that we have discovered that there is a sewer capacity issue with that pump station. There physically is capacity, but that capacity was allocated to that shopping center and the seller has essentially taken the position that the buyer of the condominium units cannot have any of this capacity. Right now, we can physically hook on to Wawa and get it through that pump station, but the Township's view is that it should be coming out of the reserved EDUs of the shopping center. We are going to try to set up a meeting with everybody because we are not in a position where we can add more EDUs.

Mr. Geonnotti asked what the basis for this position was. He said this was an approved convenience store under the Linden Centre.

Mr. Diamond answered that he doesn't understand the position either. We do want to get a table together and work through this quickly; but we want to make sure we are not stepping into a war between buyer and seller.

Mr. Knopp asked for any other questions or comments.

Mr. David Miller, resident of Lower Swatara Township, came to the microphone for public comment. He stated that the owners and developers of this land need to revisit the bus stop. He feels you would be inviting people to come there to get off the bus and if

we do not make that safer, there would be a significant liability risk for the property owners and the Township. He doesn't feel it can be left the way it is now.

Mr. Messick said he also feels it would be wise to revisit the bus stop/sidewalk issue. Looking where the bus stop is, it would seem to be unsafe to have pedestrians right up against the highway.

Mr. Knopp asked for any further questions or comments.

Mr. Geonnotti said they have two waivers that they will be requesting. First, is the waiver to request Preliminary as Final, due to all the details they have already put on the plan. Second, Ordinance requires the storm-sewer pipes to be galvanized metal, they are proposing to do HDPE which is really the current standard.

Mr. Fabian said he was strongly in favor of that.

Mr. Geonnotti said the other thing was the deferral for the sidewalks but it would only be a partial deferral since they did not want to do along the entire frontage, only part of the frontage.

Mr. Wertz asked the Planning Commission if before they make that submission as a modification as a deferral or waiver, are they saying they would prefer some sort of internal access to that bus-stop or is the preference leaning more towards sidewalk. He was just asking for direction before they make that submission.

Mr. Knopp asked DCPC for any comments.

Ms. Korber asked for verification that people access this entire site from the north and then filter down through.

Mr. Geonnotti said that was correct. There is no point of access other than the existing right in/right out driveway off of Jamesway Plaza and the main access through the CVS site. All access to the Wawa and the quick-serve restaurant is internal. There will be no access off Harrisburg Pike.

Ms. Korber added that the County will back up the safety issue with the bus stop. So she feels it is a good idea to have another conversation on this issue. Lastly there is an

administrative issue on the plan that when it comes to Dauphin County Planning Commission, their approval block has to say review, not approve.

Mr. Geonnotti said they would make that change.

Mr. Knopp asked for any further questions or comments from anyone.

Mr. Messick asked about a traffic study.

Eric Mountz, traffic engineer from Traffic Planning Design, explained that the Linden Centre as a whole was designed a number of years ago, pretty much the same time as the Meade Street relocation project. Basically, all of the planning was done at the same time. So when you look at the plan for the overall development of Linden Centre, it had multiple uses which were assumed at that time. As it relates to the plan that is proposed, there was a convenience store planned on the Wawa is considered. There were also multiple other various commercial uses planned for the site (for example: two restaurants and a drive-thru bank) which were spread out over the various lots on the development. So, from a traffic perspective, the original approval had much more intensity than what is currently being proposed. The roadway improvements were all coordinated at that time. He says he understands there are notes on the plans that all the HOP permitting was in place for that project, so he feels we are in pretty good shape for this overall because of the prior planning.

Mr. Knopp asked the Planning Commission what they'd like to do on plan.

Mr. Young said that he would make the motion, given the uncertainty of the sidewalk and the EDU issue, to table this until the February 23, 2023, meeting. Mr. Messick seconded that motion. All were in favor.

Plan was tabled.

c. Fox Subdivision – Planning Commission File #PC2022-11. The proposed project intends to subdivide an existing 3,206-acre lot into both a 1.186-acre “residual” lot and a 2.02-acre “building lot”. Both lots have and/or will have a well and on-lot septic.

Joe Burget of Burget & Associates explained the plan. He said the plan is very simple. What they want to do is subdivide the existing lot into two lots with the lot with the existing house being a 1.186-acre lot and provide a new building lot with the remaining 2.02-acres.

Mr. Knopp asked where this was located.

Mr. Burget said it is on Longview Drive, just east of Cockley Road.

Mr. Fure added that it was between Cockley and Ebenezer Roads.

Mr. Burget went on to explain that the plan is just to create the new lot. Stormwater and all that will be handled through permits when they develop.

Mr. Burget continued that one of the big questions he had was about sight distance. LST Ordinance for Sight Distance for driveways has a chart that references PennDOT, but it appears to be outdated. It has a distance of 450 feet for sight distances, but based on the new PennDOT requirements, it is much less now. He said they cannot achieve the distance listed on the chart but asked if they could request a waiver on that based on the justification that they could meet the current PennDOT requirements.

Mr. Young informed him that it would have to be in writing.

Mr. Burget said he would most definitely submit that waiver request in writing, he just wanted to run it past the Planning Commission first.

Mr. Fabian said if they request it, LST Staff and HRG will review it.

Mr. Fure asked Mr. Diamond if we needed to bring the Ordinance up to date with current PennDOT requirements.

Mr. Diamond said that is a legislative decision. It will have to be brought up in front of the Commissioners. They may have the larger number in there because of the speed of cars coming up through there. He believes the distances between what is in the Ordinance and current PennDOT requirements is a big difference.

Mr. Burget informed us that it was over 100 feet difference. He went on to explain that they would be putting the driveway in at the highest point of the new lot because it has the best visibility there. The only challenge they have there is that their sight-triangle goes across the neighboring property about 2 feet beyond the legal right-of-way, so he is not sure how to address that. [He showed on the map where he was talking about.] Mr. Burget said the waiver would be asking to provide whatever they could on their lot for the sight-triangle. So he said he would need that neighbor's permission to do that. [There is a tree right where Mr. Burget showed would be in the sight-triangle on the neighboring property.]

Mr. Diamond asked if they would still need that using the current PennDOT standards.

Mr. Burget said yes, this would be with the current PennDOT standards. So, they were going to reach out to the neighbor to discuss this situation.

Mr. Knopp asked the Planning Commission what they'd like to do tonight with this subdivision proposal.

Mr. Messick asked if we could ask for conditional approval.

Mr. Diamond suggested that it be tabled until HRG can look at the traffic issues.

Mr. Fabian added that there are four current proposed waivers.

Mr. Diamond asked where we were as far as the time limit.

Mr. Snyder said we are ok with the time limit because it was just submitted recently.

Mr. Knopp again asked for a motion on this plan.

Mr. Messick made the motion to table this plan until conflicts were resolved. Mr. Young seconded the motion. All were in favor.

Plan was tabled.

OTHER BUSINESS:

Mr. Snyder explained that in reference to one of the plans that was on the agenda but removed tonight, Aberdeen submitted a TIS (Traffic Impact Study). Because of the amount of plans that we currently have in front of us to review, instead of looking at the traffic impacts that may be associated with that development itself, we took this as an opportunity to create a planning tool to look at proposed improvements along Route 441 and Fulling Mill Road and Ebenezer Road. This isn't relative to any particular project, it was developed to submit on behalf of those folks to PennDOT. HRG had also submitted their comments. This was being presented to the Planning Commission tonight to hold on to as a planning tool to use for guidance on what you may want to see along Route 441 to reduce fragmentation of items like sidewalks, curbing, handicapped accessibility, as well as potential highway improvements along there associated with the plan as we move forward. He stressed again that this is just to be for the Planning Commission's use as a planning tool.

Mr. Knopp thanked Mr. Snyder for this.

Mr. Young asked Mr. Snyder about Aberdeen's ingress/egress points. (One point will be across from Powderhorn Road, the other will be at the now cul-de-sac of Bonnie Blue Lane.)

Mr. Snyder confirmed that.

Mr. Young then asked Mr. Snyder if there was anything else in the planning works at this time along that corridor.

Mr. Snyder advised that this document listed projects and the potential impacts. He listed some of those projects as:

- The Colony at Old Reliance. Will have access onto Longview Drive, and Powderhorn Road as a collector street for quick access out onto Route 441. With that project, they are anticipating some increase in traffic.
- Aberdeen. This project will bring an increase in traffic plus additional traffic being a direct connection towards Bonnie Blue and other Twelve Oaks roads.
- Catherine Hershey School. We have a meeting scheduled with them for next week for their pre-application meeting.
- Capital Valley Business Park. This is on Kreider Lane.

So, he continued, there are a large number of projects right in that general vicinity. So they felt instead of making comments relative to one project, it may be better to create this planning tool to guide the Planning Commission and the Board of Commissioners as we move forward through these plans.

Mr. Knopp was very appreciative of this tool and thanked Mr. Snyder again.

The next Planning Commission Meeting will be scheduled for Thursday, February 23, 2023, at 7:00 P.M.

ADJOURN:

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

Meeting adjourned at 8:40 P.M.

Respectfully Submitted,

Donald A. Fure, Director of Codes/Planning & Zoning