

MINUTES

LOWER SWATARA TOWNSHIP PLANNING COMMISSION

**REGULAR MEETING
JANUARY 25, 2024, 7:00 P.M.**

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

Chauncey Knopp, Chairman	Jim Diamond, LST Solicitor
James Young, Vice Chairman	Don Fure, Director of Codes, Planning & Zoning
Dale Messick	Richard Snyder, Planning & Zoning Coordinator
Howard Crawford	Shawn Fabian, HRG
Joseph Formica	Alexa Korber, DCPC
Tonya Condran, Recording Secretary	

Others present:

Scott Akens, LHT Subdivision	Adam Davis, Hyland Engineering
Ron Paul, LST BOC	Marc Kurowski, K& W Engineering
Grace Heiland, MASD	Scott Cousin, CRA
Chelton Hunter, MASD	

ROLL CALL & PLEDGE OF ALLEGIANCE

REORGANIZATION

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

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

Mr. Messick nominated Tonya Condran to continue as the Recording Secretary of the Planning Commission. All were in favor.

APPROVAL OF MINUTES:

Mr. Knopp asked if there was a motion to approve the December 21, 2023, meeting minutes. The motion was made by Mr. Crawford and seconded by Mr. Messick. All were in favor. Minutes were approved.

OLD BUSINESS:

a. Cramer Auto LDP – Planning Commission File PC#2023-06. The Preliminary/Final Subdivision & Land Development Plan proposes to consolidate four

(4) existing parcels into one (1) new parcel, measuring 19.74 acres; and demolish seven (7) existing structures. Also, said Plan proposes to construct an expansion of the existing parking lot, a 9,000 square foot building, associated utilities, and associated stormwater / PCSM facilities.

Adam Davis, of Hyland Engineering, explained that he was in front of the Planning Commission in November regarding this plan, so he would give everyone an overview. They have since resubmitted and sent comments back to the Township. The comments they have received are minor in nature, nothing that would significantly alter the plan.

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

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

Mr. Fabian stated that the comment letter they issued only had minor comments that could be worked through without significantly impacting the layout of what is proposed on the plan.

Mr. Knopp asked for any questions/comments from Township Staff.

Mr. Snyder said there was nothing significantly outstanding at this point. The majority of the comments were just administrative or minor traffic issues.

Mr. Knopp asked for questions/comments from DCPC. There were none.

Mr. Diamond asked to make one clarification that is on the comment on Page 3 at the top that is in reference to the Municipal Authority (LSTMA) existing easement area. The LSTMA does not have any issues with the existing easement.

Mr. Fabian added that Devon Cook (HRG) has included that in his letter. It is a remaining comment to address.

Mr. Knopp asked for the waivers to be addressed at this time.

Waiver #1 – Preliminary Plan – the applicant is requesting a waiver from the requirements of a submission of a separate Preliminary and Final Plan to proceed with a combined Preliminary and Final Plan.

- Mr. Messick made a motion to approve the waiver.
- Mr. Crawford seconded.
- All were in favor.

Waiver #2 – Curbing – the applicant requests a waiver from the requirement to provide curbing along White House Lane. The applicant states that the existing gas pipeline restricts the ability to provide sidewalks and curbing within and along White House Lane and that it would impede sheet flow.

- Mr. Crawford made a motion to approve the waiver.
- Mr. Messick seconded.
- All were in favor.

Waiver #3 – Sidewalks – the applicant requests a waiver from the requirements to provide sidewalk along White House Lane. Again, the applicant states that the existing gas pipeline restricts the ability to provide sidewalk and curbing within and along White House Lane and that it would impede sheet flow. Additionally, they state that there is no sidewalk located along SR230 in the vicinity of the proposed project.

- Mr. Diamond stated that there was a note that HRG said we prefer deferrals rather than waivers of sidewalks. Right now, there is a gas line there but if the gas line went away, we may want to require a deferral for that time.
- Mr. Young made the motion to defer rather than waive the sidewalk requirement.
- Mr. Crawford seconded the motion of deferral.
- All were in favor.

Waiver #4 – Curbing along Nonresidential Access Drives – the applicant requests a waiver from the requirement to provide curbing to define the proposed nonresidential access drive. The applicant states the proposed use will be primarily for employees and is not needed for drainage purposes.

- Mr. Knopp reminded that we usually request deferral instead of a waiver.
- Mr. Young made the motion to defer this waiver.
- Mr. Crawford seconded the motion of deferral.
- All were in favor.

Waiver #5 – Full Flow of Pipes – the applicant requests a waiver from the requirements of full flow of pipes to not be less than 2.5 FPS and to have a minimum slope of 0.5%. The applicant states that while a majority of the pipes convey the required velocity, few pipes provide a full flow velocity in the 10-year storm of less than 2.5 FPS. All pipes adequately convey the required storm event per the Township ordinance.

Additionally, the proposed pipe that discharges to Basin 2 from the existing parking lot will need to slope at less than 0.5% to adequately convey stormwater to Basin 2. This is to convey runoff from the existing parking area to Basin 2, which improves the existing condition. The applicant requests a waiver to allow for a reduced minimum slope for this discharge pipe, and for the few pipes that do not satisfy the 2.5 FPS minimum velocity requirement as all other conveyance facilities are greater than 2.5 FPS.

- Mr. Crawford asked Mr. Fabian for HRG's thoughts on this.
- Mr. Fabian explained a little further and said that he (HRG) is comfortable with recommending this waiver.
- Mr. Young made a motion to recommend approval of this waiver.
- Mr. Messick seconded.
- All were in favor.

Waiver #6 – Provide an Emergency Spillway – the applicant requests a waiver from the requirement to have an emergency spillway. The Applicant states that Basin 2 is designed in a manner such that the top of the outlet structure acts as the emergency spillway rather than an earthen berm. Due to site constraints, the basin is proposed between the existing and proposed parking areas. In order to convey stormwater from the existing parking lot, the basin must be constructed in this manner due to existing grades.

- Mr. Fabian explained a little further and said that he (HRG) is comfortable with recommending this waiver.
- Mr. Crawford made the motion to recommend approval of this waiver.
- Mr. Messick seconded.
- All were in favor.

Mr. Knopp stated that there is a seventh waiver being requested tonight. He asked Mr. Fabian to explain.

Mr. Fabian stated that in reviewing the sight distance and the clear sight triangle, they were looking at the geometry around the access drive coming off of White House Lane. In comparing that to an exhibit we have in the ordinance, it looks like it's impossible to place a driveway access that would conform to restrictions and footages there. So, they should be requesting a waiver for that. So, their design engineer sent the waiver request to Township Staff and HRG to review.

Waiver #7 – Sight Distance and Clear Sight Triangle – the access drive as it is proposed is the only feasible location due to minimum frontage along White House Lane and the obstacles with the gas meter and valve station. An extension of White House

Lane would not be feasible with the existing railroad tracks. Additionally, with the access sight drive to see the minimum traffic volume and no residential traffic, HRG recommends waiving the sight distance requirements.

- Mr. Young asked if this waiver was in writing.
- Mr. Fabian stated yes. It has been submitted in writing on Hyland Engineering letterhead.
- [More discussion ensued using the overhead projector.]
- Mr. Crawford asked if this should be a deferral in case they ever extend that road.
- Mr. Fabian advised that they are really pinched in between Rte. 230 and the railroad tracks, so that road will not be lengthened. Therefore, HRG and Township Staff would recommend it as a waiver.
- Mr. Knopp asked for a motion on this waiver.
- Mr. Crawford motioned to approve the waiver.
- Mr. Messick seconded.
- All were in favor.

Mr. Knopp asked the Planning Commission for their thoughts on the overall plan of the Cramer Auto LDP.

- Mr. Messick asked if, after combining all the lots, does it all meet with Township Codes and Zoning requirements.
- Mr. Fure answered yes.
- Mr. Messick then made a motion to recommend approval of the waiver.
- Mr. Crawford seconded.
- All were in favor.

Plan was approved.

b. TOC Oberlin Subdivision – Planning Commission File PC#2023-09. The Final Minor Subdivision & Land Development Plan proposes to subdivide one (1) residential lot from an existing 11.41-acre tract of land. Also, said Plan proposes to construct a new single-family dwelling, a driveway, associated utilities, and associated stormwater management / PCSM facilities.

Plan was tabled at the request of the Applicant.

NEW BUSINESS:

a. LHT Highspire Terminals - Planning Commission File PC#2023-10. The Preliminary/Final Subdivision Plan proposes to change a common property line between two (2) existing tax parcels. Thus, Lot #1's area will decrease to 3.786 acres, and Lot #2's area will increase to 2.203 acres.

Scott Akens from Akens Engineering came to the microphone to introduce the plan. LHT, the parent company of property, is in the process of consolidating a bunch of their properties across the state and subdividing off unused land for sale to future developers. This property is one of the first on their list to be subdivided. The approximately 3.75 acres that will be created to be sold, is the southern portion of the property. It is basically delineated now by the fencing that encompasses that acreage. So, it is a very simple subdivision plan to get rid of the unused portion of the property.

Mr. Akens went on to say that they do have comments on the plan as it is configured; most of those comments are fairly minor; however, it was brought to their attention that there may be a question in regard to where the existing property line is located between the two lots. So, they are going to meet with Rich Snyder and go over that to make sure we are all on the same page.

[Discussion continued using the overhead projector.]

Mr. Akens offered to answer any questions on this plan.

Mr. Knopp asked the Planning Commission for any questions/comments.

Mr. Messick asked about the sewer service. He asked about the note on the plan in regard to the meter pit in the lower left corner. Is that the meter pit for the lot that will be subdivided off or is for the terminals?

Mr. Akens said that was the meter pit to the old hotel that used to be on the property. It is not currently being used for any of the other buildings on the property.

Mr. Messick asked if the meter pit itself is actually on, what will be, the new lot.

Mr. Snyder said he knows there are a few sanitary sewer manholes, but he thinks that one is a water meter.

Mr. Young stated that two of the waiver requests have to deal with curbing and sidewalks, and we generally deal with those as a deferral. He asked if they would have a problem with it being deferred rather than waived.

Mr. Akens said no, not at all.

Mr. Knopp asked for any questions/comments from Mr. Snyder.

Mr. Snyder said that we have several documents in our office on recorded subdivision plans that show where the property line is. Our problem is the recorded line looks like it would be splitting through some of the PVC buildings. [He used the overhead projector to show where he was talking about.] One of the problems is that there is not a whole lot of monumentation along 283; and from the deeds, they have been trying to parcel everything together, so this is the line that they came up with, but there are still a lot of questions about where this line actually is. So even though this plan is minor in nature, it has a big bearing on the overall plan itself; so, our recommendation to the Planning Commission would be to table this until we can get to an agreement of where the line actually is located, as well as having the appropriate Zoning District and setbacks shown on the plans.

Mr. Diamond added that from a legal perspective, that is a big deal. If we found that is where the line is, he feels it still shouldn't be approved until that is all consolidated.

Mr. Knopp asked Ms. Korber for any questions from DCPC.

Ms. Korber just wanted to reiterate what was already said.

Mr. Knopp if there were any more questions/comments from the PC.

Mr. Messick asked if we wanted to deal with the waivers tonight or put them off.

Mr. Diamond suggested that we wait until we get together next time.

Mr. Knopp asked for any questions/comments from the Public. There were none at this time.

Mr. Knopp asked the PC what they would like to do about this plan this evening.

- Mr. Messick made the motion to table this until we get a revised plan.
- Mr. Crawford seconded the motion.
- All were in favor.

Plan was tabled.

OTHER BUSINESS:

Mr. Snyder informed the PC that we have received notification from Hershey Medical Center to renew their underground storage permit, seeing that we are a downstream user. No action is necessary from the Planning Commission, other than just for notification purposes.

February 22nd Meeting - The next Planning Commission Meeting will be scheduled for Thursday, February 22, 2024, at 7:00 P.M.

PUBLIC COMMENT:

Mr. Knopp opened the floor to anyone who wanted to provide public comment relative to any items that appeared on tonight's agenda or any other plan-related topic. The Planning Commission may ask questions; however, the Planning Commission will not give opinions, suggestions, or recommendations or any final depositions.

[Middletown Area School District]

At this time, Marc Kurowski from K&W Engineering came to the microphone. He was here on behalf of the School District, joined by Dr. Chelton Hunter (Superintendent of the School District), Scott Cousin and Grace Heiland (from Crabtree Rohrbaugh & Associates).

Mr. Kurowski stated they were just here tonight to update the PC; they are not looking for any action.

[The K-3 Elementary School plan was then brought up on the overhead projection screen and discussed.]

He informed that there are not substantive changes in the plan from the last time we saw it, they have been in the process of addressing the technical review comments. From a plan-standpoint and SALDO-related items, they are pretty much down to the end. He stated that their focus over the last couple of months has been really concentrating on sewer and traffic.

From a circulation standpoint, not much has changed.

[Mr. Kurowski used the overhead projection to discuss traffic flow throughout the campus.]

Mr. Kurowski said what they are contemplating now is a new entrance [that he pointed out on the projected plan] as a driveway to the school that would connect to Blue Raider Lane which would create a second point of ingress/egress. In conjunction, it comes through Mr. Messick's property, so if that property is ever developed, it could service that property as well. He said they were trying to keep traffic away from the intersection at Rte. 441 and Greenfield, as there are serious concerns about sight-distance. The way the concept plan is configured, the intent is that school traffic would be able to come in on this new drive, go south down the new road which comes into Blue Raider Lane; and from the Middle School, would come in and turn right. They still need to have a conversation with PennDOT as to what would be required there at the new intersection onto Rte. 441. Sight-distance is a concern in this new location, as well, but they feel they can achieve this far better than anything that can be done at Greenfield.

Mr. Kurowski stated that there are three goals to this new configuration: first, it will get the School District a second access point; second, it will provide the Greenfield residents access as well; and third, keep from promoting any additional traffic on Greenfield Drive.

Mr. Kurowski asked for any questions/comments on the traffic component.

Mr. Crawford asked if traffic coming in off Rte. 441 would be able to get to the soccer fields.

Mr. Kurowski said yes and showed him how using the overhead projection.

With no other questions on the traffic standpoint, Mr. Kurowski continued with discussion on the sewer standpoint. He said they have had extensive conversation with the LSTMA as well as the Township and HRG's representative for LSTMA, and they are working towards the common goal of connecting the sewer internally. But it was more conversation about the timing of the Authority's project downstream of the school's project and how that impacts their ability to permit the school project as well as get through construction and have that facility ready to receive discharge from their project when they are ready (which is intended for the Fall of 2026). So, this is a collaborative effort that is currently in DEP's hands. But this does not change anything with the plans, this is purely the semantics of it.

Mr. Young asked if any at-risk work done at Union Knoll would impact what the School District is doing.

Mr. Kurowski responded that the school district's sewer connection work happens of its own accord, it is not tied to anything at Triple Crown is doing. They (Triple Crown) may have some work that is running through the School's property, but it is separate from any work they are doing to make connection for the new school.

Mr. Crawford stated that the last time they were here, there was discussion on having enough units with the Sewer Authority that they did not have to have their project done before the School District populated the buildings. Is that still so or are you getting them to move their project back more to your dates needed?

Mr. Kurowski answered that it was his understanding that the sewer line could not support much more if any additional sewer, even if they went on before Union Knoll. They are still in those discussions.

Mr. Diamond added that it was his understanding that there is no more capacity right now.

Mr. Crawford asked if to get their timeframe, they are collaborating with the Authority to get their timeframe back.

Mr. Kurowski confirmed that.

Mr. Kurowski asked if there was anything else besides the sewer, he could answer any questions about.

Mr. Messick asked, as a resident and landowner, and not as a PC member, if the curvature of the proposed new road could be brought down a bit to more align with the access road into the soccer fields. He feels this would make the traffic flow much better. [He showed his suggestion using the overhead projection of the site plan.]

Mr. Knopp asked if there were any further questions/comments from anybody.

Mr. Kurowski thanked everyone for their time this evening and said they are hoping to come back next month.

GOOD & WELFARE

ADJOURN:

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

Meeting adjourned at 7:42 P.M.

Respectfully Submitted,

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