

MINUTES

LOWER SWATARA TOWNSHIP PLANNING COMMISSION

**REGULAR MEETING
FEBRUARY 23, 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:

Adam Davis, Hyland Engineering	Chris DeHart, resident, BOC
Brandon Conrad, Vistablock	Ron Burkholder, Colony at Old Reliance
Ed Knisely, resident	Shirley Knisely, resident
David Koratich, Warehaus	Zach Michali, Warehaus
Matt Kinney, Warehaus	Laurie Castagna, resident
Ryan Woerner, Stewart Properties	Lee Martz, resident
Gwen Martz, resident	Dean Cotton, resident
Deb Cotton, resident	R. Willis, resident
Larry Wilson, resident	Robert Torres, resident
Michele Torres, resident	Mike Huxta, ELA
Ed Halpern, resident	Ben Heisey, R.J. Fisher
Todd Truntz, resident, BOC	Loretta Miller, resident
David Miller, resident	Cody Jones, Burget & Associates
Mike Sunajko, resident	Barbara Florence, resident
Ron Suski, resident	Ruth Shiffler, resident
Glenn Cameron, resident	Nicole Derk, resident
Gary Derk, resident	Tom Schaaf, resident
Ron Paul, resident, BOC	

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Mr. Knopp asked if there was a motion to approve the January 26, 2023, meeting minutes. The motion was made by Mr. Messick and seconded by Mr. Crawford. All were in favor. Minutes were approved.

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 116 apartment units in two buildings. A separate building will have combined uses, those of a community center, café, and 15 apartment units; and another separate building will have two stories of commercial space.

Brandon Conrad, an owner of the Pond project, explained that he has been working on this for two years. He addressed a couple comments made in the meeting in December 2022. He explained that they were on the agenda but he was not aware that they were and since they were not here, there was an implication raised during that meeting that said he “did not care about this project”. He apologized that he wasn’t there, again he did not know about it. He said he has been here 12 times over the last two years, so he assured the crowd that he does care about this project, probably more than anyone in the room. He said he read the Minutes from that meeting and he would also like to address a couple more comments made. One of these comments was that there was an implication or suggestion that they (Vistablock) flip properties. He exclaimed that was something that Vistablock has never done nor is it in their business model. He explained that if you understood how difficult it is to get a project through the approval process, the last thing he would want to do is sell it. Vistablock’s plan is to develop it, build it, own it, operate it, and manage it as a very high-end 55 and over community.

Mr. Conrad went on to explain that when they bought the property a few years ago, they did come in and ask for adjustments to get higher density and to reduce the parking spaces from 2.2 spaces per unit to 2 spaces and also increase the height limit from 40 to 45. He said they got some mixed feedback from all of those, so they decided to eliminate all of those requests and just build it exactly how the Ordinance is written. It was very challenging to do that but that is what they did. So they are not asking for any relief that is not in the Ordinance, they will be building it “By Right”. By Right, 80% of the units do have to be occupied by at least one person who is the age of 55 or older or who is disabled. Although the Ordinance does not require it, they have agreed to provide regular updates of their spreadsheet that shows that 80%. They never know how a market

will react to a given project; but his instinct and the market-studies they have suggest it will be more than 80%. Because they will be marketing it as a “Retirement Community”, he feels younger families with children will not want to buy a home in a Retirement Community. He brings this up because some comments at the December meeting were that they feared that it would be less than the 80% being 55+ residents.

Mr. Conrad also brought up the residents’ concern of increased traffic because this was previously approved as 86 townhouse units and now there will be roughly 200 units. Previously, because there was a bank and other commercial uses in the front, the total trips-per-day were actually more than the total trips-per-day that they will have now with this project. They have increased the residential density but they reduced the commercial density, which would result in far less traffic.

Mr. Diamond brought up the willingness to agree to report information with their spreadsheet; he said it was discussed also to include that in the Developer’s Agreement.

Mr. Conrad agreed.

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

Mr. Messick stated that he felt that quite a few of the concerns/comments at the last meeting were addressed and highlighted on the plans; he felt they did a nice job on that. It shows dumpster pads for the apartment buildings, will the townhomes be on can service?

Mr. Conrad responded that all the townhome units would bring their trash out to the sidewalk on trash day just like all other single family homes in the township.

Mr. Messick asked about the larger apartment buildings. He asked if there was a second entrance to each.

Mike Huxta confirmed that there are two entrances but one-way traffic.

Mr. Messick said he sees where it specifically addresses the way in but he didn’t see where it addressed the outbound traffic.

Mr. Huxta pointed out on the plan map where the enter/exits would be.

Mr. Crawford asked if the apartment buildings had multiple elevators or just one.

Mr. Conrad said there is just one elevator but three stairwells.

Mr. Crawford asked if there was a plan for the event that the elevator would be out-of-service and if it was, could handicapped individuals reach all the floors.

Mr. Conrad claimed they would have to have a very reliable elevator serviceperson on-call and ready to go. He added that people who are in a wheelchair that cannot go up steps presumably would be on the first floor.

Mr. Crawford said they may want to consider having a contingency plan for that and the people there know how to implement that contingency plan.

Mr. Conrad agreed.

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

Mr. Fabian said they were able to combine the traffic comments in their overall letter. He feels they are working through some of the concerns in that area. There is a significantly smaller commercial component to this than the previous plan. He said he does have some outstanding technical comments, largely on Zoning and Subdivision/Land Development; we've resolved the bulk of them. There still are some outstanding comments that are on the Stormwater Management side of things, and that's just because they haven't had the opportunity to dig into the calculations yet to resolve a number of those.

Mr. Conrad said the stormwater issue, just to clarify, was done for the initial plan, but to do all those calculations is a very burdensome and expensive process. So what they hope to do is get the Planning Commission's approval of everything else. Then they can develop the Stormwater and finalize the calculations.

Mr. Fabian added that there were HRG comments he was responding to as well as that Stormwater design.

Mr. Huxta said that in the initial review, the Stormwater Engineer said they are not bad comments. He feels most of the comments were about the pipe profiles, so it is fairly easy items that they can address. There are not items that will change the overall concept of the Stormwater plan.

Mr. Fabian said he did have a conversation with his engineer internally on some of the specifics like labeling issues, which looks way worse on paper, but the biggest challenge with stormwater on the site is just the infrastructure that was built by the previous developer and trying to tie that all in to their concept and making sure that everything works with what they are instructing, which is not an easy process.

Mr. Huxta added that since the last plan that was partially built, DEP requirements have changed so they have to go back and meet all the new requirements. With this stormwater plan, they are doing that and there is nothing that will change that. It's mostly just plan information and pipe profiles. It's not that is going to majorly change the stormwater design, the basins, or the pond.

Mr. Fabian said we anticipate locations of the basins and functions of the basins to remain relatively unchanged.

Mr. Huxta informed them that in the last couple days, they received the new HRG review letter, and he started going through those revisions and there is nothing in there that is of concern. He said no additional modifications will be needed. He also said he started going through the letter from LST Codes and there are no major changes there either. So he says there are still only looking for that one modification for it to go straight to final plan. They are intent on meeting every ordinance requirement. He also said they had a good discussion about putting in fence around the basin and they have included that. He then said they had been looking for modification of rolled curb, but they weighed the benefits and there are really no additional benefits; so, they got rid of that and will meet the curb requirements of the Township as well.

Mr. Knopp asked Mr. Fure and Mr. Snyder for any comments from the township.

They did not at this time.

Mr. Knopp asked Ms. Korber for any comments from Dauphin County Planning.

Ms. Korber asked for clarification if Vistablock would be the ones responsible for the stormwater, the pond, and all the swales, etc.

Mr. Huxta confirmed that.

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

Mr. Diamond asked if they were looking for conditional approval for recommendation tonight or if they were planning to table until the stormwater was fixed up.

Mr. Huxta said that all the SALDO requirements have been met or they intend to meet, so they would like to get conditional approval for recommendation to the Board of Commissioners tonight.

Mr. Diamond felt this was an engineering question, so if they think it is that close and that there is just minor clean-up, but he feels the Commissioners like it to be ready to go.

Mr. Fabian added that with the amount of comments we still have to resolve, we would like the responses to the previous comment letter to be resolved before we recommend approval.

Mr. Diamond asked if that would be a crisis as far as timeline for them. It would be much cleaner to have it in front of the Commissioners.

Mr. Conrad said crisis isn't the word he would use, it would be another month of interest payments, but that is manageable. He asked if they are not getting conditional approval, can they get informal feedback from the Planning Commission.

Mr. Diamond said that we should have public comment before we give any feedback.

Mr. Huxta asked before we start with that process, he wanted to bring up two comments. First, they went back and looked at why the numbers were so large with the traffic study. They feel this was because of the coffee shop. It was never their intent to have a coffee shop, it is more like a small restaurant. So as they revise the letter, the

traffic now shows something more realistic of what they're going to put in there. All the traffic will be reduced from what was approved in the previous study that is tied to the PennDOT HOP. The other comment was about parking in the 15' perimeter buffer area. There is a requirement that parking cannot be in the front yard, so they moved the parking out of that area. But it is not defined very clearly in the Ordinance, what that buffer is and what can/cannot be put in there. So, they are the two things that they need to figure out.

(The plan was brought up on the screen and discussion ensued.)

Mr. Fure explained that the 20' front yard setback is measured from the curb, then they have an additional 15' buffer. That buffer is to be landscaped if it borders a residential development or district. So to the west of the Pond, across the street from Nissley, is the R-A District and above it is Twelve Oaks. It doesn't really define whether it has to be grass or if it can be pavement. So, we will have to get back to them on this.

Mr. Huxta asked if a driveway or parking is not allowed, that is something they would need to know.

Mr. Fure clarified that the driveway is allowed.

Mr. Huxta said the only other plan they may want to see is the Landscape Plan so you can see how it is buffered.

Mr. Fure said we did look at that.

(Timeline was discussed. They did do an extension, so timeline is good at this time.)

Mr. Knopp asked if they would be putting up trees between Twelve Oaks and The Pond property.

Mr. Huxta said there are gas and sewer easements that run through there, so they had to work around them since nothing could be planted in the easements. In their original plan, they were trying to work with the gas company and the sewer authority to remove those easements but those requests were denied. So now they have to work with the buffer being interspersed. So, they will still provide a buffer, but it will not be up

against the residents' properties, it will now be more of an open space between the residents and the buffer.

Mr. Knopp asked Mr. Fure for his opinion on the open space between the buffer and Twelve Oaks.

Mr. Fure reiterated that with the gas line easement, it's not possible to plant bushes and trees in there, only on the northern end is all that will be able to get in there.

Mr. Fabian added that they generally are not allowed to plant woody-growing structures there.

Mr. Knopp asked if there were any other options.

Mr. Snyder said there are a few other options that they will be discussing with Mr. Conrad and Mr. Huxta.

Mr. Conrad said that from their perspective, by bringing the buffer closer in on their property, it makes the Twelve Oaks residents' properties look larger. He also stated that townhome units #36 to #51 were deeper townhomes, but they reduced them to accommodate the buffer requirements.

Mr. Knopp asked the public for any questions or comments.

Edward Halpern, resident of Twelve Oaks, asked to discuss traffic. He asked if they were just discussing the traffic from their development or were they also including the traffic from Tyco.

Mr. Conrad and Mr. Huxta said they are only discussing the additional traffic that would be coming from their development.

Mr. Halpern stated that he is opposed to the project. He said the roads cannot handle it. The traffic is going to be horrendous. He said there are a lot of 18-wheelers from UPS or FedEx. He feels the pollution, the noise, the quality of life will be changing. He prefers open spaces, he said we do not need so much development in our township.

Ed Knisely, resident of Old Reliance, asked to discuss the barriers (buffers). He asked who would be responsible for maintaining that over the life of the property.

The answer was the Property Owner.

Mr. Knisely then asked who enforces that from the Township.

Mr. Fure responded that it depends on what we are talking about.

Mr. Knisely asked if inspections are made and how it all gets maintained.

Mr. Fure advised that to an extent there are no laws on trees or bushes. The only time the Codes Department can enforce it is if it grows over a sidewalk or over a street. The tree limbs must be 14 feet or higher over the roadways.

Mr. Diamond added that we can enforce what is on the plan. Then there is a separate layer of the IPMC (International Property Maintenance Code) in the event that anybody's tree creates a hazard for the public.

Mr. Knisely asked what happens when a large percentage of the trees die, or they get torn out.

Mr. Fure asked Mr. Fabian to explain the Maintenance Bond for the first 18 months.

Mr. Fabian explained that as they are building everything, there is financial security that is held to ensure that everything gets installed and it meets all of the specifications. As they go through construction, the Developer can periodically ask for a return of that money as it gets signed-off on. There is an 18-month Maintenance Bond, so generally the process of finalizing and closing out that financial security and any maintenance bond is a pretty large window to observe any issues. He said that if every tree in that area dies, and it is on the recorded plan as a landscape buffer, that would have to be addressed.

Mr. Knisely said the reason he was asking is because the development behind him has about 2/3 of the trees which have died. He moved here in 2000 and the trees were

never maintained or replanted, so he feels they cannot trust that these trees will be maintained either.

Laurie Castagna, resident of Twelve Oaks, had two comments/questions. First, she asked about the one elevator in each apartment building. She asked how many units were on each floor.

Mr. Conrad answered 22.

Ms. Castagna said that there are 22 units and they are being marketed as an over 55 community, so to assume that all the people with disabilities are going to remain on the first floor is kind of unrealistic. She said she would be very concerned from a liability standpoint about only having one bank of elevators.

Ms. Castagna's other comment was on traffic. She said that they say the traffic is being reduced because of getting rid of all the commercial properties in the front; but, you are going to have such an increase of traffic from those two large apartment buildings whose exits will be onto Nissley Drive. So she feels that maybe some of the traffic will be taken away from Fulling Mill Road but traffic is increasing significantly on Nissley Drive. She also asked if PennDOT has been out to look at the intersection at Fulling Mill and Nissley. She feels this intersection is extremely dangerous at this time, so it will only get worse with the addition of more traffic.

Richard Willis, resident of Old Reliance, said when the business park (Capital Valley) was put in 10 years ago or so, there was a buffer put in. There was a new building just put in behind him and the first thing that was done was a dozer taking down 10-12 feet of trees. There are stakes in the ground for seedlings, but that is down over a bank. Mr. Willis feels they need to put some of those trees back. So his point was that you can talk about buffers all you want, but they don't hold up, so what good are they?

Larry Wilson, resident of Old Reliance, stated that when the [Stoneridge Lot 5] was first started, the contractor was from California, so it was hard getting in contact with them. When they first started the building directly behind his property, every morning at 5am he could hear the bulldozers and nothing was said about that. Mr. Wilson and Mr. Willis had pine trees for the buffer behind him, but the Contractor came up and took 7 of his pine trees out. He stated that he did not own them because they were on the buffer, but they were 16 feet high. Then they came in and put that big building up. Now, as they

are finishing up, there is a 35' cliff at the back of his property. So they took Mr. Willis's trees out and took out all but 3 of Mr. Wilson's trees. He claims they will be planting trees next week, but they are down over the hill, so all the lights are shining in his bedrooms, and he is experiencing a lot of noise. And since they will not be putting in mature trees where they tore them down, it won't be doing the residents any good now.

Mr. Knopp asked where they were talking about.

Mr. Fure informed that they are all talking about Stoneridge. Mr. Fure told Mr. Wilson that more trees were going to be planted in that buffer, it is still in development, so it will still need to be inspected. They are aware that they have to plant the hillside. They have evergreens being planted there.

David Miller, resident of Twelve Oaks, said that it looks like this project [The Pond] is going to be moving forward, but there still are a couple of concerns. This is the first time they have seen the buffer and they feel it looks terrible. He said if his house was over at that part of the Twelve Oaks community, he would not be satisfied. He feels they need to explore more options because it is way too haphazard. He understands that there are easements in there, but a better job needs to be done on the buffer design.

Mr. Miller then discussed the issue of Nissley and Fulling Mill Road. He agrees that it is a hazardous intersection. He is hoping the Township can bring some pressure down on PennDOT to take a look at that again. He says he also has as much concern going the other way out Nissley Drive, pulling onto Oberlin Road (Route 441). They are seeing more traffic with the addition of FedEx and UPS. He knows it was the Township's desire to have those trucks use the on ramps at Route 283 at the Frank Linn Interchange, but they don't do that. So there is that increased traffic. Now we have the two exits from this plan (The Pond) onto Nissley Drive and if you are going to Harrisburg, you most likely won't be going down to Fulling Mill, you are going to come up to Oberlin Road. And literally, you can be sitting at that intersection for up to 20+ cars before you can pull out to make a lefthand turn. Mr. Miller brought up a report that Mr. Snyder presented at the last meeting showing the tremendous amount of development going in along that area of Route 441 and surrounding areas. He feels for the people of Twelve Oaks who are sort of getting "trapped" between all this development. He also feels that maybe a little bit of relief will be provided if Bonnie Blue Lane is extended down into the newly proposed development (Aberdeen).

Mr. Miller continued that he was uncertain as to when that traffic study was done and if it is appropriate to grandfather that in with now what is a new use of that land. But he asked for it to be considered as to whether that prior traffic study is sufficient with the changes that have been made not only to this project but the area as a whole.

Mr. Miller said that he appreciates the comments of maintaining ownership of this and that this will be maintained as a high quality over-55 project, and they are going to stay active in making sure that happens.

[Unidentified person] asked if a red light would be put up at Nissley and 441.

The answer was there is no plan for that as of this time that anyone is aware of.

Mr. Knopp asked for any other questions or comments.

[Unidentified person] asked Mr. Conrad if he was worried about financing.

Mr. Conrad said his list of worries is endless, so yes.

[Unidentified person] asked if the percentage rates keep going up, what is the possibility they won't build.

Mr. Conrad said if the "Great Depression" occurs, they probably won't build. We live in a society that has lots of risks and not all of them we can manage.

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

Mr. Diamond said we are recommending tabling this so we can get some informal feedback other than the existing comments and traffic study. He feels conceptually everything else doesn't seem to be of any concern.

Mr. Young asked about the waiver they were seeking to accept this as a Final Plan. Generally, what we have asked is that the people work with the Township to address the concerns and comments and then make a good-faith effort at submitting a revised plan that conforms with the Ordinance. So he doesn't think that waiver would be a problem. The reason we are tabling it tonight is because we need to resolve all of those

stormwater issues and we also want to make sure that if we would do a conditional approval that there be an acceptable Developer's Agreement at the time it goes to the Board of Commissioners to memorialize all those representations.

Mr. Knopp asked for a motion.

Mr. Messick made a motion to table the plan.

Mr. Crawford seconded the motion.

All were in favor. Plan was tabled.

b. 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). Currently, there are two (2) lots and the purpose of the plan is to relocate a property line between lot 3 and lot 4. Additionally, the purpose is to construct a 64,400-sf building on lot 3 and a 44,161-sf building on lot 4 with corresponding stormwater management facilities, utilities and site improvements.

Matt Kinney of Warehaus introduced himself, Dave Koratich from Warehaus, and Ryan Woerner representing Capital Valley LP.

Mr. Kinney then showed a short video presentation explaining the project, the Subdivision and Land Development for Capital Valley Lots 3 & 4. At the moment the site is vacant, their proposed use would be industrial warehousing. The project is on the northside of Kreider Drive with the closest intersection being Oberlin Road (Route 441). Their plan is to develop Lot 3 to the east, and Lot 4 to the west. There are two elements to the project. The Subdivision element would be an adjustment of the property line between the two lots, giving Lot 3 more buildable area. The Land Development element includes the construction of a 64,400-sf warehouse on Lot 3 and a 44,161-sf warehouse on Lot 4. Both have a corresponding truck court, delivery spaces, parking, access drives, and stormwater facilities.

(Mr. Kinney pointed out different features and locations on the plans viewed on the overhead projection screen at this time.)

Mr. Kinney brought up the Zoning Variances: first, to allow less than 30' yard buffer in the front of the property; second, to allow less than 30' buffer along shared property line between Lots 3 & 4; third, to allow parking within portions of the required front and side landscape buffer and to allow portions of each access drive to encroach into the landscape buffer at angles less than 75 degrees. They had the same waivers for both buildings. These were all approved at their Zoning Hearing.

Mr. Kinney next brought up the two requested waivers. First is the request for Preliminary Plan to skip to the Final Land Development Plan. The second waiver request is for sidewalks.

Mr. Knopp asked if the sidewalks were on Kreider Drive. He said he remembers a number of years ago when the business park began, that sidewalks were to be looked at. Whoever built would possibly be putting sidewalks in.

Mr. Kinney advised that they were asking for a waiver for that.

Mr. Koratich added that there is no connectivity whatsoever to this existing industrial park. Back in 2001, as part of the development sidewalks were installed along Oberlin Road, so that area already is installed. He feels it is an unnecessary cost and makes no sense to put sidewalk in front of Lots 3 & 4 because there is nothing to connect it to, and nobody really walks through there.

Mr. Kinney said they are requesting a recommendation for conditional approval from the Planning Commission.

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

There were none.

Mr. Knopp asked Mr. Fabian for any questions/comments.

Mr. Fabian stated that since the second plan review letter, they did sit down and review together the outstanding comments. We've cleared just about all of the subdivision/land development comments, we just have a couple stormwater management comments but several of those were largely clerical. So he feels comfortable with where the plan is at this point.

Mr. Fabian supports the deferral of sidewalks. He agrees that there is no real potential to connect into Kreider Drive. It does not warrant foot traffic in there at this time.

Mr. Knopp asked Mr. Fure for his thoughts.

Mr. Fure said he agrees with Mr. Fabian's statement. He feels putting in sidewalks on Kreider Drive in front of these proposed warehouses may create more of a hazard due to the 4 ft. drop off of the stormwater basin, so he is ok with the deferral.

Mr. Snyder said that the developer and plan designers have been very responsive and open to discussing any potential deficiencies in their plan. They have requested to table this plan on two separate occasions previous to tonight because they wanted to appear before the Planning Commission with the cleanest plan possible and he applauds those efforts. They have addressed the majority of the comments, so he sees no reason why they couldn't recommend conditional approval tonight.

Mr. Koratich added that assuming the Planning Commission recommends conditional approval tonight, they would be looking to clean everything up in March with the intent to go to the April Board of Commissioners Meeting. He said they will be attending the Municipal Authority Meeting this coming Monday to work out any issues they have with them.

Mr. Knopp asked for any questions/comments from Dauphin County Planning.

Ms. Korber asked about the closeness of the drives for the two buildings. She felt it looked a little tight in there.

Mr. Koratich said there is about 100' separation from centerline to centerline, which is the typical standard to maintain. He says it makes sense to have this drive line up with the drive into the smaller building. It allows for the emergency access with a full 360° circulation around both buildings and lots.

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

Mr. Diamond said that he did not have any big legal concerns.

Mr. Knopp asked if there were any questions or comments from the public.

Michele Torres, a resident of Old Reliance, asked what the hours of operation were for the truckers going in and out of the warehouses.

Ryan Woerner of Capital Valley LP, the developer, answered that right now they do not have any tenants for either of the buildings but they do have a couple letters of intent. But [the hours of operation] can vary from tenant to tenant.

Mrs. Torres asked if they would abide by the noise ordinance of not before 7:00am or after 10:00pm.

Mr. Woerner said he is not aware of the ordinance that lies in the IP-L District.

Mrs. Torres asked if the trucks would be permitted to stay overnight after they dropped off their loads. Will they be able to idle there during the wintertime.

Mr. Woerner said the tenants will not be owner/operators, their trucks aren't owned by the tenant. So the trucks will not be staying there, they will be backing in, unloading and then they will be done for the day.

Mrs. Torres asked what kind of cargo the trucks would be delivering.

Mr. Woerner answered that we do not know yet. He said they have had anything from a delivery hub all the way to warehouse reflections. We consider these as "flex" which could be more office than warehouse or a mixed use of office and warehouse.

Mrs. Torres asked if the Township has regulations on anything toxic (because of what happened in Ohio).

Mr. Fure said they would have to follow the building code when they would apply for the permits.

Mrs. Torres asked about sound barriers. She asked if it is just going to be landscaping trees and no wall or structure?

Mr. Woerner said that is correct, there will be a landscape buffer.

Mr. Koratich added that there is a significant vertical difference between the rear of the property and the residences. The lowest vertical point in the truck court is about 36-37 feet.

Mrs. Torres asked if it will be high enough to cover the sound.

Mr. Koratich said yes.

Mrs. Torres asked about the lights. She asked if they were going to be pointed downwards. She asked if the lights are on timers or if they are motion-sensored.

Mr. Kinney said they are LED lights with auto-dim.

Mr. Woerner added that typically their lights are on a timer. So they will come on at the start of the evening work hours, then they will shut off in the middle of the night, and come back on in the early morning hours.

Mrs. Torres said that she is a realtor and last summer she was showing houses in Carlisle, Boiling Springs, and Lancaster. The communities were beautiful, quiet, and serene, but she didn't realize they had gone on Google Earth and looked around and saw huge warehouses that she never even knew were there. But they rejected the properties because of that. So she feels there could be an impact for people who find that the industrial is too close to the residential neighborhood. So that is a concern.

David Miller, a Twelve Oaks resident, brought sidewalks up along Oberlin Road (Route 441). He asked if there is a proposed sidewalk to hook up with Old Reliance. He understands not putting sidewalk in on Kreider, but he is not sure about not putting it all the way up on Route 441 to meet Old Reliance's sidewalk.

Mr. Fabian answered that right now on Route 441 the sidewalk goes from Kreider Drive up to just before that private driveway, so that is the edge of where their property ends.

Mr. Miller asked if somebody could explain what the daily volume of traffic would be in and out of there. Also he feels the natural direction out of there would be to

turn right. He asked if that was the anticipated traffic flow out of those two warehouse lots.

Mr. Woerner said he didn't believe nor anticipate the flow of truck traffic from those two warehouses to head out of there and turn right. However, regular vehicular traffic probably would.

Mr. Miller asked if there was an anticipated daily count.

Mr. Koratich said the original traffic study was for four buildings. All the improvements along Oberlin Road were installed per that traffic study per those requirements. We are in conformance with that; it is actually with a little less square footage than what the traffic study was approved for. He said he doesn't have an actual count with him right now though.

Mr. Miller asked if the traffic study he is talking about was from 22 years ago.

The answer was yes.

Mr. Miller stated that everyone should agree that the area does not look anything like it did 22 years ago. So he feels we must continue to have concern about all of the traffic that is heading out Route 441 toward Swatara Twp. and Route 283. He asked if there is any chance to put directional signs at the industrial park exits. Mr. Miller hoped that they could appreciate the residents' concerns because of traffic coming from 3 or 4 new directions. Just with the plans being presented here tonight that are all dumping onto Oberlin/Nissley. He has lived in the Twelve Oaks development for about 40 years, and they are starting to feel "penned in", so that is why they have concern.

[An unidentified man] complained that around 8:30am, there are about 13 - 17 FedEx trucks coming up Route 441.

Barbara Florence, a resident of Twelve Oaks, expressed her concern about traffic. She feels that a new traffic study needs to be done.

Mr. Fabian assured her that we are doing our best to take a look at all of these plans including ones that are in other parts of the township that may have potential traffic flow down through this area. So we are taking a comprehensive look at all of the

potential routes they may take and the impact to that area. The restrictions we have are that Oberlin and Fulling Mill Roads are PennDOT roads, so our traffic engineers are trying to work with PennDOT with some of those concerns from our initial Traffic Impact Study.

Ms. Florence added that she feels signs don't work. So, to put up a sign saying "no truck traffic" will not do any good.

Gary Derk, a resident of Old Reliance, said he went down earlier this week to the bottom of his property (at the wood line) and there were two young men chain-sawing down in that area. He said they were cutting back through the wetlands. When he asked them what their goal was, they told Mr. Derk that the person who told them to come out there didn't really give them good directions, they were told to just cut in this circle (drawn on a map). Mr. Derk doesn't understand why they are cutting now anyway, they haven't started building yet.

Mr. Derk asked about the access from his property to the field. He said it is township owned and maintained. He asked if there was going to be a fence put in there because he is concerned about the workers walking onto his property when they are on break and also the trash that may blow onto his property.

Ed Knisely, resident of Old Reliance, expressed his concern about the buffer. He said they were supposed to use the existing trees as buffers but they are cutting them down. He looked at the plan but didn't see where any trees were being planted to benefit the residents. He asked if they could point them out on the plan. He said he saw some 7' bushes around the sides, but no trees that could be buffers for the residents.

Mr. Woerner gave clarification on what they were cutting. There are existing stormwater swales and ponds behind there, so per Dauphin County Conservation District, you are not allowed to have woody vegetation in the stormwater features. So they were clearing out the woody vegetation in the stormwater features, not up on the slope and not on the actual buffers.

Mr. Knisely argued that those trees were tall enough that they were a buffer. So now he wants to know what buffers are being put there.

Mr. Woerner tried to explain again that those trees were being cut because of DCCD guidelines they need to follow.

Mr. Knisely said that they should've consulted these gentlemen [the developers?] to discuss that first, instead of just going out there and chain-sawing them.

Mr. Fure reiterated that this was done per Dauphin County Conservation District and if that was what he was ordered to do, then it had to be done.

Mr. Knisely asked Mr. Woerner if he had an order for that.

Mr. Woerner explained that you work with DCCD, which ends up writing a report on.....

Mr. Knisely interrupted Mr. Woerner. He asked where the replacements are for all those trees and where the new ones are going to be placed. He said he did not see one new tree back in that area on the plan. He stressed that most of the trees back there are dead because they are not being maintained.

Mr. Knisely went on to say that he can send pictures of "trash after trash" in his yard from the dumpsters on the other side of the property line. He has talked to the township about this already, it is an ongoing problem. So when this new tenant went in behind him, they put in three new trash bins, and then the trash all blew out onto his property. The original building was all fenced in nice back in 2000, but now it is all gone. He asked how we maintain these things.

Mr. Knisely brought up the traffic issue. Back in 2000, the plans showed that all the traffic was going to go down to the Frank Linn Interchange. There was signage that was supposed to go down there. He sees trucks come out everyday that do not follow the signage to go out to the Frank Linn Interchange. Now we are going to add all these, more and more. When are we going to look at this? He feels the buildings should be flipped around, putting the nuisance to the road. Originally, back in 2000, when we first agreed to it, this building in here did not have all the truck terminals in it. It was supposed to be exactly like the other side. There were about 7 truck terminals for loading. He doesn't feel you need that many terminals for a flex building. He reiterated that he feels the building should be flipped around with the truck terminals facing the road so that the residents only had to deal with the parking. He said these trucks are going to be driving

along the entire length of these residential properties, and when they back into the terminals they will be facing the development with their lights and then slam it into reverse and then all the truck's back-up beeping starts going whether that be 5am, 6am, or whatever time. What is the ordinance for noise? He feels they are practically in their backyards. How are we going to control all of these things? He does not believe the trucks are going to come out and go the way they are supposed to. He sees it every day.

Mr. Derk advised the Planning Commission that he has pictures of the trees being cleared, if anyone would like to look at them.

Nicole Derk, a resident of Old Reliance and wife of Gary Derk, wanted to add to what her husband was saying about the wetlands. She was told those wetlands were recorded 20-some years ago and they have grown since then. She said she was not sure if anyone had gone down there and recorded what those wetlands are today, so that we are not destroying the wetlands and building into them. She feels this would be very important because again that is 20 years' worth of growth. She says it is her understanding that they have been cutting into those wetlands for the past couple years now, shaving them back little by little. She said she didn't know if anyone was paying attention to that. She went on to say that she is not opposed to new building, she just feels this is way too big for where it is, and it is very disruptive to their residential area. She said they all moved in there because it was out near farmlands and they had a lot of space around them so there would be no noise. That was a big draw to living in Lower Swatara, but that draw is quickly going away. She also feels that we should think about the future when it comes to sidewalks, and walkability. She is in favor of putting sidewalks inside of the development, not just along Oberlin Road. She said there are many children in the Old Reliance development that the only place they can go to is the gas station and Dairy Queen (which isn't there anymore) and they have no safe place to cross. She doesn't feel it is responsible to not have new developers put in sidewalks.

With no other comments from the residents, Mr. Knopp asked for the two waivers to be addressed.

- Elimination of Preliminary Plan to go straight to Final Plan process:
 - Mr. Young made the motion to recommend approval of the waiver.
 - Mr. Messick seconded the motion.
 - All were in favor. Waiver granted.
- Elimination of Sidewalks along Kreider Drive:

- Mr. Young made the motion not to approve elimination but modify the waiver for it to be a deferral.
- Mr. Messick seconded the motion.
- All were in favor. Deferral has been granted.

Mr. Knopp asked for the Plan as presented be addressed:

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

Plan recommended for approval to the Board of Commissioners.

c. Colony at Old Reliance – Planning Commission File #PC2022-01. The project is a Traditional Neighborhood Development (TND), consisting of 77 single family lots, 42 duplex lots, 5 commercial/single-family lots, and 5 open space lots. Furthermore, the TND will include 6 local streets, improvements to/along Longview Drive, public water and sewer connections and various stormwater BMPs.

Ben Heisey from R.J. Fisher & Associates, explained that they were here in front of the Planning Commission about 2 months ago, and last month they requested it to be tabled mainly to go through the comments involving the Live-Work Units that were originally proposed with those five commercial/single-family lots. It was determined that the Live-Work Units did not meet the commercial requirements for the plan, so they modified the plan to propose a true commercial lot that will have some sort of commercial use (like a food store, a bakery, a flower shop or photographer, or something like that). The parking will be associated with it. That is probably the biggest change to the plan since it was before the Planning Commission last.

Mr. Heisey said they also took into consideration some of the Planning Commission's comments. A Tot-Lot was added to the central commons; and they modified one of the lots to provide a gap and open space that would allow access to the cemetery. This grass strip would be mowed and maintained by the HOA then.

Mr. Heisey continued that another part of the conversation was revolving around the waivers they had for the curb and sidewalk along Longview Drive. After a discussion with Shawn Fabian of HRG, they decided rather than a waiver or a deferral, they would

like to request a Fee-In-Lieu-Of. He explained that this is a scenario where a deferral would be kind of pushing the problem down the road. Curb and sidewalk would create drainage issues, and there are pretty significant stormwater networks to manage, so they thought a fee-in-lieu-of would serve both parties to avoid dragging this out and maybe give the Township funds to put in sidewalks elsewhere, where there may be a better use.

Mr. Heisey said that they do not have any major concerns with the comment letters; most of the comments are administrative. The only comment they would like to discuss is Comment #1 under Zoning. He thinks this was just a little miscommunication. It says they will provide just 1 commercial lot but 3 are required. The way the Ordinance reads is if the commercial unit is of a certain square footage, it can be counted as multiple commercial units. So they sized that commercial unit to count as three, to meet that requirement.

Mr. Fabian confirmed that we did get the chance to re-review and agree with the square footage.

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

Mr. Messick asked about details on emergency access between the existing development, maybe at Butter Churn Road or the next one down, to tie the two projects together.

Mr. Heisey explained that this has not been prepared yet. It will be in the Master Plan, so it will be cleaned up at the same time as the Preliminary Plan, and that will be one of the things they will be providing more details on then.

Mr. Fabian added that we did have a couple of comments with consistency between both of those.

Mr. Messick asked about the curb being realigned and the issue with the guardrail, if that would be extended and joined against Powderhorn to help control any traffic that may go into any of those property owners. He says he knows that has been an issue, so he feels it might help to continue the curb down through there.

Mr. Fabian explained that right now, the only real curb on Longview is for the radius coming out from the subdivision there. He said they did look at the curb on

Longview that has created some traffic concerns in the past year or so, it has been reviewed, and this plan is proposing a realignment of that. They feel the guiderail will address the concerns there sufficiently. He added that this was the first time he was seeing the request for the fee-in-lieu-of instead of a waiver or deferral for the curb and the sidewalk. He said they did a fragmentation evaluation of all the sidewalks in the entire township and it would give an opportunity to tackle some of the fragmentation gaps that they evaluated as part of that study and potentially resolve connectivity issues with sidewalks. He added that he would be in favor of the fee-in-lieu-of instead of trying to take the curb the whole way through there.

Mr. Messick asked if there would be any connection between HOA and the stormwater infrastructure.

Mr. Diamond said that this development would have all the major BMPs on open space, which is owned by the Association.

Mr. Heisey said that is correct.

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

There were none.

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

Mr. Fabian stated that one of his biggest comments was the commercial buildings which was discussed earlier. We do still have some miscellaneous stormwater management concerns. We are waiting for some final review from PP&L for all the infrastructure within their right-of-way, so that is still an outstanding item. There are a number of easement adjustments. A large portion of the rest of HRG's review then is administrative.

Mr. Diamond discussed how we would determine a fee-in-lieu-of. He said perhaps it would break down the cost of putting in the sidewalks.

Mr. Heisey agreed with doing a cost determination for what it would take to install that and then coming to an agreement with the Township.

Mr. Fabian stated that his recommendation for that is we have standardized costing that is built into the Financial Security recommendation. Every year they process multiple public bids with geography that are similar in nature, compile what average costs are, and put that info into spreadsheets. So, all of their pricing that they have within the current year's spreadsheet takes into account everything from the previous year. For the curbing, it is on a square yard basis.

Mr. Diamond added that the Fee-In-Lieu-Of should be paid up front before recording as a condition.

Mr. Heisey said yes.

Mr. Knopp asked Mr. Fure for any comments.

Mr. Fure said the Sewer Authority is working with the designers to determine if a pump station is going to be needed or gravity flow. He's not sure of the timeframe with that issue.

Mr. Diamond added that we are looking at acquiring a gravity line because the Authority has a very big concern about the proliferation of pump stations.

Mr. Heisey said that as part of the walk-through, they are going to be looking at some of the wetland items. They have contacted environmental consultants and scheduled a wetlands study. The environmental consultant will flag it and they will add it to the plan to see how everything falls into place.

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

Ms. Korber asked about Palace Way and the water feature.

Mr. Heisey answered that it was a small stream.

Ms. Korber asked what the goal was for this.

Mr. Heisey answered that it will be a culvert.

Mr. Fabian added that HRG did review the flood analysis through there and that was a comment that they also had that had been resolved. They did have a number of comments from the previous plan review about that crossing in particular and all the various basins that interface with that stream and they are satisfied with the resolution of all that.

Mr. Knopp asked based on what we have heard tonight, what the Planning Commission would like to do with this plan.

Mr. Diamond asked Mr. Snyder what the timeline was on this plan.

Mr. Snyder said it is good through June 2023.

Mr. Messick made the motion to table this plan.

Mr. Young seconded the motion to table.

All were in favor. Plan was tabled.

d. 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.

Adam Davis, of Hyland Engineering, explained that the plan was tabled last month to address the first round of comments received so they could provide a cleaner version of the plan tonight. He then went on to explain the project, which is a 25 lot subdivision located along Oberlin Road. As part of the subdivision, Bonnie Blue Lane will be continued through the site to come out onto Oberlin Road directly across from Powderhorn Road. In addition to that, there will be an additional internal loop road within subdivision.

Mr. Davis said they did have a call last week with the Township and PennDOT regarding traffic. A 25-lot subdivision won't really generate much traffic on its own. Their traffic engineer is going to be looking at not just their own development but also some of the other projects that have come before them.

Mr. Davis said, in addition, curb and sidewalk are planned to be installed on the east side of Oberlin Road versus the west side and also connect with the existing “curb-to-nowhere” along Powderhorn Road.

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

Mr. Messick asked if they were planning on taking the curb and the sidewalk from their proposed entrance down to the end of their property line on Oberlin Road.

Mr. Davis said they are not proposing that because there is an existing stream and a pocket of wetlands there. They have not yet but will be discussing this with the Township.

Mr. Fabian added that it would be un-detained new impervious there.

Mr. Messick said there are curbing and sidewalk up Oberlin as far as $\frac{3}{4}$ of the way to your new development, so he wonders why we would let a 200 foot section of curb and sidewalk out.

Mr. Davis reiterated that they are installing sidewalk on the east side. The reason for this is because there is existing sidewalk there today and there is also an existing stream on the west side of Oberlin so it would get pretty tight to be able to install both the curb and sidewalk without impacting that stream.

Mr. Messick asked if they were considering widening the road down Route 441 to the intersection. He asked if there would be a deceleration lane to turn into their development. He feels it is a pretty nasty curve there, so he feels the road should be widened since they will be tying into the existing development, and there will be a little more traffic there.

Mr. Davis said that would be part of the traffic impact study. So if a deceleration lane is warranted, obviously that would have to be installed.

Mr. Messick asked about recreation.

Mr. Davis said they would be doing a Fee-In-Lieu-Of.

Mr. Messick asked about Stormwater Management.

Mr. Diamond said this is a very small development, and they have a lot of big BMPs on private lots. Then there is the issue of draining the [dedicated] streets into things where maybe we will be dependent upon one homeowner and if the HOA failed, we need to be papered-up very clearly that we have obligations on the individual homeowner, and they understand they can be liened or that they are liable/responsible with the HOA in case it fails. He feels we will need actual dedicated easements for any of the outflows coming off to the roads.

Mr. Fabian said the easements need to be shown on the plan.

Mr. Davis said it was understood, easements will be shown on the plan.

Mr. Diamond asked Mr. Snyder where we were on the deadline with this plan.

Mr. Snyder said he would look into it, but as of right now, we are ok because when they tabled the first time, we did an extension.

Mr. Knopp asked for any further questions from the Planning Commission.

There were none at this time.

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

Mr. Fabian wanted to comment a little more on some of the connections with the sidewalk. As we discussed with the Capital Valley Business Park, there is existing sidewalk on the east side of Oberlin Road, there is also existing sidewalk on the west side. So we tried to take a look and determine if it makes sense to extend both of those sidewalks up or if it makes more sense to just focus on one side with some kind of safe crossing for pedestrian traffic over Oberlin Road. On the western portion of this site, with how wooded it is and the stream that is in there, we agreed that it doesn't make sense to try to fit a sidewalk in there, but we do recommend installing curbing there. So, it makes sense to connect the sidewalk from Capital Valley Business Park up to the sidewalk at Powderhorn. Mr. Fabian also noted that when you would be coming out of Aberdeen onto Oberlin Road, traffic coming from the left really travels fast through there, so the

sight distance is really bad. So their big concern is if you have ADA ramps put in there, what would have to happen for pedestrian safety. Also what we would have to do on the southern side to make sure where the connection point is, how we can safely get traffic from the east side of the road to the west side of the road.

Mr. Messick asked if the sidewalk on the west side be pushed further into the property.

Mr. Fabian stated that it would interfere with the stormwater basins if any further in. It would be cutting into the total slope and would cause some concerns there, so he wasn't in favor of that.

Mr. Messick felt strongly about keeping the foot traffic for this development on this side of the road and it could then also continue up into Twelve Oaks.

Mr. Snyder pointed out on the overhead projection of the plan where the sidewalk could not go and why it couldn't (wetland, stream, basins, slopes, tree line, etc.).

Mr. Crawford asked if the sidewalk could be internal and then connect it to the external sidewalk where the tree line ends.

Mr. Fabian stated that they would continue to look at it to see if there is anything that can be done.

Mr. Davis said they would look at doing a sidewalk on the west side but that would eliminate doing the sidewalk on the east side of Oberlin then.

Mr. Snyder said our biggest variable right now is getting the revised traffic study. The revised traffic study is going to be the key as to what improvements are going to be required along 441. Once we have that, then we can start filling in the pieces of the puzzle.

Mr. Fabian also continued that another issue they were working on was how to extinguish the right-of-way with the cul-de-sac connections. They are strongly in favor of tying in Bonnie Blue with this new development and then bringing it out to that intersection with Powderhorn. The inlets are lined up very well for that connection, but that just has to be represented in the plan.

Mr. Knopp asked Mr. Fure & Mr. Snyder for any comments.

Mr. Fure asked Mr. Davis about the cul-de-sac. Where it will be straightened out between the two properties, will they be reaching out to them soon about that?

Mr. Davis replied that yes, he will be passing that along to his client. Right now, there is a temporary right-of-way there that was meant to be vacated at some point.

Mr. Snyder added that there is a permanent 50' road right-of-way in there and a temporary cul-de-sac right-of-way in there.

[Discussion ensued regarding the opening up of the cul-de-sac between Applicant, Mr. Snyder, and Twelve Oak resident. Plan was brought up on projection screen.]

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

Ms. Korber said everything she had was addressed already. She just wanted to back up Mr. Fabian by saying that the County also has sidewalk safety concerns about pedestrians crossing over Oberlin Road.

Mr. Knopp asked the public for any comments or questions.

Laurie Castagna, resident of Twelve Oaks, wanted to say that she appreciates that it is 19 acres and only 25 lots. She said her only concern was the impact of the traffic that will happen with the cul-de-sac being opened up. She asked if there was a way to make that a permanent cul-de-sac and then make another cul-de-sac in Aberdeen.

No other comments or questions from the public at this time.

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

Mr. Young said before we make a motion on this plan, does the Applicant consent to an extension if it would have to be tabled this evening?

Mr. Davis said yes.

Mr. Snyder will email a form to Mr. Davis in the morning.

Mr. Young stated that with this in mind and the substantive issues that are outstanding, he made the motion to table this tonight.

Mr. Messick seconded the motion to table.

All were in favor. Plan was tabled.

e. 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.

Cody Jones, of Burget & Associates, explained the plan again. He said he will address any comments the best that he could. He feels there were minor things that needed to be addressed.

The plan was projected on the screen.

Mr. Fabian discussed the driveway location of proposed Lot 2. This driveway is proposed on Lot 1’s side so if that is truly where that is going to be placed, we need to show the easements for access there. But he is hoping it can be re-evaluated and shifted back onto the proposed lot to avoid that kind of scenario.

Mr. Jones said unfortunately he thinks there were some sight-distance issues with it there. When they moved the driveway to the east side of the lot, they weren’t able to obtain sight-distance until they were on Lot 1. Unfortunately, they cannot push that property line any further east because of the setback requirements.

Mr. Fabian added that by looking at some of their measurements, they may have some “wiggle room”.

[The plan was brought up on the projection screen and discussed further.]

Mr. Fabian brought up some concerns with the difference between the PennDOT standard and the LST standard for sight distance.

Mr. Jones added that they are at the very minimum of PennDOT's sight-distance requirements. Another reason for the placement is the hill and the hazard it may cause if someone stops to turn into the driveway, it would possibly cause them to be rear-ended by another vehicle coming up and over that hill. So, where they have it placed right now is the safest location.

Mr. Fabian said he agrees with over the crest of the hill being a dangerous place to make a turn into a driveway.

Mr. Knopp asked what needs to be done.

Mr. Fabian said if it is proposed there, they will need some kind of access easement to be sure that they can utilize that to access their lot.

Mr. Snyder added that the area in the easement would be kept clear of any obstructions.

Mr. Diamond explained that the access easement would require a clear-sight-triangle as well. He asked if the deeds had been prepared for the two lots yet.

Mr. Jones said, no, not yet.

Mr. Diamond said they could be put right into the deed then.

Mr. Jones agreed.

Mr. Diamond said that would be our only legal concern.

Mr. Fabian stated that there were 5 requested waivers. He is in favor of granting all of them. The first three are all plan submission related (preliminary, plan size, plan scale). The fourth is a waiver of sidewalks (Mr. Fabian is in favor because there are no sidewalks in that area of LST and no plans for any kind of major development out that way). The fifth waiver is to use PennDOT's sight-distance requirements rather than LST's and he is also in favor of that.

Mr. Knopp asked the public for any comments. There were none.

Mr. Knopp asked for the Planning Commission to address the five waivers:

1. Preliminary plan – Mr. Young made the motion to approve the waiver, Mr. Messick seconded. All were in favor.
2. Plan size – Mr. Young made the motion to approve the waiver, Mr. Crawford seconded. All were in favor.
3. Plan scale – Mr. Young made the motion to approve the waiver, Mr. Crawford seconded. All were in favor.
4. Sidewalks – Mr. Crawford made the motion to approve the waiver, Mr. Young seconded. All were in favor.
5. Sight Distance – Mr. Crawford made the motion to approve using PennDOT's standard, Mr. Young seconded. All were in favor.

Mr. Diamond recommended that if this is voted through tonight with conditional approval, a condition will be presenting recordable documents with the appropriate easements to the driveway access.

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

- Mr. Young recommended conditional approval conditioned upon the requirement just stated by Mr. Diamond, our solicitor, of a recordable document.
- Mr. Messick seconded the motion.
- All were in favor.
- Plan was recommended for conditional approval to the Board of Commissioners.

NEW BUSINESS

No new business.

OTHER BUSINESS:

Buffer issue.

Mr. Messick asked to discuss the buffers. When the vegetation has died, can the Township get ahold of the Landowner and have them take care of it?

Mr. Diamond said we should look into those situations. We cannot tolerate a buffer going away, it is part of the plan.

Mr. Messick said if they died, they need to be replaced.

Mr. Fabian stated that there are a couple of different issues tonight that need to be brought up that absolutely need follow-up to be done. We haven't had a recommendation regarding the release of Financial Security on Stoneridge Lot 5 yet. There are still things that need to occur there. There are a number of trees that need to be planted. He said he was aware of some things that still need to take place, but there were certain things brought up tonight that we will definitely need to follow up on.

Mr. Diamond added that with all the warehouses going in Central PA now, those buffers are part of the approval process and they cannot be allowed to go away.

Mr. Fure said, in all fairness to the warehouse owners, a couple of the neighbors took it upon themselves to get rid of part of the buffers. So, we cannot hold the Commercial owners 100% responsible. Not saying all of the neighbors, but we know of two of them that did.

Wawa sidewalk discussed.

Mr. Fure said that Wawa contacted him and asked him to present to the Planning Commission their two sidewalk options and if we could recommend which option we'd like:

- a. Whole length of the property along Route 230 over to CVS's exiting sidewalk.
- b. Half of the property. Bus stop to CVS.

So Mr. Fure asked them to discuss it so we could let them know which is preferred. Their plan is to come back in April.

Mr. Diamond stated that if they do build that quick-serve restaurant and somebody gets off the bus and wants to go there, maybe we should take that into consideration.

Mr. Fure agreed there is a lot of foot traffic down in that area, he notices a lot of people walk from the bus stop down towards the Flats. Mr. Fure's opinion is to put the sidewalk in and have them curb-cut it right at the Connector.

Mr. Crawford asked if they are going to go up to the quick-serve area, do they need to have a sidewalk up to the parking lot?

Mr. Fabian said it is not set up for any kind of foot traffic in through there at the moment.

Mr. Messick asked if there is any possibility of connectivity with sidewalks inside the site.

Mr. Fabian added that he is in favor of the entire length of sidewalk being put in, because he sees many pedestrians walking along Route 230. He also agrees that we should look into some kind of connection just to give people the opportunity to get to wherever they want because people are going to cut through there somehow rather than walk the whole way down to CVS just to double back around. It looks like there could be opportunities to do that just past the rain garden. He doesn't feel it needs to be full concrete but if maybe they could come up with some kind of trail walkway, like asphalt or something.

Mr. Fabian added that we did ask for a copy of the HOP permit just so we can try to evaluate to ensure that it is still meeting the intent of the traffic going through. There has been a little bit of difficulty trying to lock that permit down specifically. So they asked HRG's traffic engineers to try to assist in tracking down that permit. So, if there are proposed modifications, Mr. Fabian would like to see some type of adjustment to have some sort of connection to that intersection.

Mr. Knopp asked the Planning Commission what their preference was on the sidewalks.

Mr. Messick said he feels we are leaning more towards the entire length of the frontage for sidewalk to be installed.

Mr. Knopp says that is correct.

Mr. Messick said that we would also like for them to look at tying the sidewalk into the quick-serve restaurant and blacktop area.

Mr. Knopp said yes, that is our recommendation.

PADEP Permits

Mr. Snyder stated that we received notifications yesterday. In accordance with PA DEP permitting programs, Fiddlers Elbow South Quarry made application for two general permits to the Bureau of Mining for a GP3 to put in a portable non-metallic mineral processing plant and a GP9 for a diesel fuel fired combustion engine at 2090 N. Union Street.

The next Planning Commission Meeting will be scheduled for Thursday, March 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 9:33 P.M.

Respectfully Submitted,

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