**M I N U T E S**

**LOWER SWATARA TOWNSHIP REGULAR MEETING**

**PLANNING COMMISSION JULY 22, 2021 7:00 P.M.**

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

Chauncey Knopp, Chairman Shawn Fabian, HRG

Eric Breon, Vice Chairman Don Fure, LST Director of Codes & Planning

Kimber Latsha Alexa Korber, DCPC

Dennis Fausey Peter Henninger, LST Solicitor

James Young Kaylee Justice, LST Planning/Zoning Coordinator

Tonya Condran, Recording Secretary

Others present:

Dale Messick, resident Judd Dayton, Snyder Secary & Associates

David Goode, Kinsley Properties Ron Secary, Snyder Secary & Associates

 **PLEDGE OF ALLEGIANCE**

 **ROLL CALL**

After conducting Roll Call, Mr. Fure introduced the township’s new Planning & Zoning Coordinator, Kaylee Justice. Ms. Justice will be taking over for former LST P&Z Coordinator Ann Hursh.

 **APPROVAL OF MINUTES:**

Mr. Knopp asked if there was a motion to approve the June 24, 2021 meeting minutes. Motion was made by Mr. Young to approve the minutes and seconded by Mr. Fausey. All were in favor. Minutes were approved.

 **OLD BUSINESS:** None.

**NEW BUSINESS:**

 **DHK Lot 2 LLC** (Jednota South), located south of Rosedale Avenue, west of the Airport Connector, Middletown, PA. Subdivision to correspond with zoning boundaries and construction of 419,000 +/- sq. ft. warehouse. Discuss for recommendation three waiver requests: (1) §22-404, Preliminary Plats, Procedure; (2) §22-405.1.A, Sheet Size Requirements; (3) §22-607, Sidewalks.

 Judd Dayton from Snyder, Secary & Associates recapped that they were before the Planning Commission at the May 27, 2021, meeting with the request for recommendation of the Special Exception to allow increase of the building height of 40 feet to 50 feet. Tonight, they were here for the overall plan and three waiver requests.

 Mr. Dayton went on to explain that the parcel itself is Rosedale Ave. across the top, Airport Connector to the east side, Whitehouse Lane to the west side, and Lisa Lake to the south side. With the property there is a Flood Zone, wetlands, woodlands, and they have put the warehouse in basically what is farm-field with a little bit of impact into the woodlands.

 Mr. Dayton went on to discuss the review comments. They found nothing problematic. They are working on the comments and getting ready to make a resubmission in the very near future to address those comments.

 Mr. Young had a question regarding the sidewalk. He said when they were here for the first phase, the Township and HRG has raised an issue in terms of extending the sidewalk. The response at that time was that it would be addressed in Phase 2 when they put the second warehouse in. He asked why they are now asking for a deferral on the sidewalk, and if they are now asking to waive the sidewalk requirement. He asked if they felt there was a time where a sidewalk is going to be feasible.

 Mr. Dayton responded that when the Commercial parcel along Rosedale gets developed, there would be a much better opportunity to have a sidewalk installed along the entire frontage at that time.

 Mr. Young then stated if the lot was left vacant in perpetuity, then basically there is never going to be a sidewalk there.

 Mr. Dayton said that he didn’t know that the intent is to leave the lot vacant in perpetuity.

 Mr. Young asked if with it being deferred, are they planning on never having to deal with a sidewalk because the issue with the culvert and the issue with the wetlands are still going to be there. So, if the vote tonight will be to grant a deferral, are we in essence waiving the sidewalk requirement?

 Mr. Fausey added that HRG and Dauphin County are saying no to the deferral, and he agrees with them. He went on to say that he would like to see the sidewalk go the whole way down to White House Lane so that people did not have to walk in the road.

 Mr. Dayton said that these points have been taken, but right now there is a whole lot of frontage there that they are not planning on doing anything with, with this particular proposal.

 Mr. Fabian said that there is a Residential house on the other side of the road (from this project) that he would like to see the sidewalk extended to. He understands that the lot frontage and the other proposed lot going from the culvert to White House Lane has some future development, so the deferral is part of that. But he strongly feels like that Residential home, at least, needs to have sidewalk access.

 Mr. Breon said that he doesn’t have a problem with putting the sidewalk off until such time as that property is developed, we have done this dozens of times. But with the conditions there (the grade, the culvert, the stream), he doesn’t know if that could ever happen. The topography would have to be changed.

 Mr. Dayton replied that the deferral would be for the portion of the Commercial parcel until such time that it comes in for development, in which case a sidewalk would be installed. But there would be some hurdles to overcome. So he wanted to make clarification that the deferral would makes sense if it is specific to the Commercial portion of the property and it will be deferred until such time that that parcel is developed and in that case the sidewalk goes in.

 Mr. Breon stated that we used to have some kind of percentage (of developed land) that was used, and then a waiver would be granted until this is done.

 Mr. Dayton said he would revamp the language of the waiver request.

 Mr. Henninger stated that there was obviously an issue with this topic with the last phase (Building One) and was discussed at length with the Board of Commissioners and his recollection was that the sidewalk would be deferred until they developed this plot (Lot 2). Mr. Henninger feels the Board’s reaction is going to be that they are subdividing off that Commercial area in an effort not to have to do the sidewalks with Lot 2.

 Mr. Latsha asked why we would even defer it.

 Mr. Henninger said he could see it being deferred running all the way to White House Lane, but not the entire length of this proposed lot.

 Mr. Fabian added that it was identified in the Park, Rec, and Open Space Plan as a potential connectivity area that will connect all of Rosedale Manor, Georgetown area to the shopping district at the Sharp Shopper plaza.

 Mr. Henninger added that’s the reason there are sidewalks across the bridge over the Airport Connector.

 Mr. Fabian said that during the public meetings he got challenged if bikers and walkers actually use it; so in Google Earth he found both bikers and pedestrians in the photos. But he said he does understand the topographical challenges as you get to the stream crossing (on Rosedale near Stoner Dr.). His biggest concern is with the stormwater facility where some of the discharges are, we are cutting ourselves off a little from running that extension out the whole way. And since we have what is under development right now clearly defined, he would like to see a plan to offer that one residential home access to the sidewalk to travel through if they choose. That would set us up then for that last lot to figure out whatever challenges we are going to have with that culvert crossing. We need to make it a safer road for pedestrians and bicyclists.

 Mr. Breon agree that Rosedale is not a safe road for anyone to walk on.

 Mr. Latsha added that it will be worse with the added truck and passenger car vehicles.

 Mr. Dayton reminded that the trucks cannot go any further west than the turn-around, that was part of the design element.

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

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

 Mr. Fabian said he had some questions with the stormwater design, the Geotech analysis and elevation levels. He said he is waiting on response from him on that, but he doesn’t feel that any of his comments are going to cause any shifts in anything. He did have some concern with the truck turn radius coming off the turn-around, just to make sure we can get firetrucks back through there or secondary emergency vehicles. But mostly everything else will stay mostly in the footprints they are.

 Mr. Knopp asked Ms. Korber for any questions or comments.

 Ms. Korber stated that the County does back up the need for sidewalks. Connectivity in this area is important to the County through their Regional Growth Management Plan and Transportation Plan. But they (DCPC) also back up the applicant for the waiver for the parking reduction. In general, with a facility of this size, because there is a lot of impervious coverage, DCPC does like to see those reductions wherever they can be made. The last note she wanted to make is that because this is such a big facility in an environmentally sensitive area, the Township does have an MS4 Coordinator, so DCPC suggests that maybe he (MS4 Coordinator) could take a look and provide some input. County is going big on a bunch of stormwater programs currently, so they are always looking for people to think of where we could do future water quality projects. The only other concern Ms. Korber had was if the trucks would be able to turn left coming out of the facility.

 Mr. Henninger replied that the signage that was proposed with Lot 1 would be to the west, so if the trucks coming out of the proposed warehouse would happen to turn left, they would see those signs and have the opportunity to use the turn-around and head back in the correct direction.

 Mr. Fabian also added that the trucks would have to ramp the curb to go the wrong way the way the entrances to the north and south are structured.

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

 Mr. Henninger said that he thinks the Board of Commissioners is going to take a very strong position on getting that culvert done at this stage and not in some future stage. He also added that LST’s parking regulations and Sign Ordinance are out of date, so our new Zoning Coordinator, Kaylee Justice, will have some work to do when she gets settled in.

 Mr. Knopp asked if there were any other questions or comments from anyone. No other questions or comments at this time.

 Mr. Knopp asked for the waivers to be addressed.

1. §22-404. Preliminary Plats, Procedure. Waiver to submit a Preliminary/Final plan.
* Mr. Young made the motion to approve recommendation
* Mr. Fausey seconded the motion
* All were in favor.
1. §22-405.1.A. Sheet size requirements. Waiver to submit 30”x 42” instead of 24”x 36” sheets.
* Mr. Young made motion to approved recommendation.
* Mr. Latsha seconded the motion.
* All were in favor.
1. §22-607. Sidewalks. Defer installation of sidewalk along the frontage of the Commercial parcel until the time that conditions could accommodate sidewalk.
* Mr. Breon asked Mr. Dayton if he could work with the township staff to come up with wording that is acceptable to the Planning Commission. Mr. Dayton said absolutely.
* Mr. Fausey reiterated that he is not looking for a deferral at all.
* Mr. Breon said that first we need to address the one that has been submitted.
* Mr. Young made the motion to recommend denial of the deferral.
* Mr. Breon seconded the motion.
* All were in favor.

Mr. Henninger then asked if the board had a recommendation they would like to make to the Board of Commissioners.

 Mr. Fausey stated that he thinks we should seriously consider taking the sidewalk the whole way to White House Lane.

 Mr. Latsha asked if that was the understanding from the last time, that the sidewalk would extend to White House Lane.

 Mr. Fabian said he didn’t think we talked about the other lot.

 Discussion ensued regarding the troublesome topography that would have to be handled with the installation of a sidewalk from the turn-around to White House.

 Mr. Young asked Mr. Henninger and Mr. Fabian if we made a motion to recommend completing the sidewalk to the residence on the north side of the street and in front of what they are developing now on the south side of the street, does that address their two sets of concerns.

 Mr. Fabian said he thinks it would be fair to have the sidewalk installed at least to the tree line of the culvert.

 Mr. Dale Messick, LST resident, stated that if a sidewalk is put in now, when development happens on that lot, the sidewalk will most likely have to be dug up. But he also feels that an elevated sidewalk could be built there to handle the culvert situation. He feels the sidewalk doesn’t need to be right down to the dirt. The elevated sidewalk would take care of the issue of the steepness of that culvert.

 Mr. Fure feels the road in that area will have to be raised regardless.

* Mr. Fausey made a motion to recommend to the Board that a sidewalk be installed from the existing sidewalk all the way to White House Lane.
* Mr. Knopp asked if there was a second to the motion.
* There were no seconds to that motion.
* Motion died.
* Mr. Young made a motion of recommendation to the Board of Commissioners that they require the sidewalk be completed to the zoning boundary which is the property line of these lots and that any further development of the sidewalk be deferred.
* Mr. Latsha seconded that motion.
* All were in favor apart from Mr. Fausey who was opposed.

 Recommendations for the three waivers were passed with exception of the part to be completed to the zoning boundary.

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

 Mr. Breon asked if there would be any kind of Open House or Ribbon Cutting before it is opened.

 Mr. Goode from Kinsley said he wasn’t sure about an Open House or Ribbon Cutting event yet. But he will certainly let the Planning Commission know if there is one.

 Mr. Fabian said after the review comments are answered, he would like another chance to review what their responses are.

 Mr. Knopp then asked, based on the plan itself, is there a motion on it.

* Mr. Latsha made the motion to table the plan.
* Mr. Young seconded the motion.
* All were in favor. Plan was tabled.

 **OTHER BUSINESS:**

 The next Planning Commission Meeting will be scheduled for Thursday, August 26, 2021, at 7:00 P.M.

 Peter Henninger, LST’s solicitor for the past 36 years, informed the Planning Commission that August would be his last meeting. He has decided to retire. Everyone wished him the best and thanked him for his great service to our township.

**ADJOURN:**

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

Meeting adjourned at 7:43 P.M.

Respectfully Submitted,

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 Don Fure, Director of Codes and Planning