

**LOWER PAXTON TOWNSHIP
PLANNING COMMISSION**

June 9, 2010

COMMISSIONERS PRESENT

Fredrick Lighty
Ernest Gingrich
Dennis Guise
Roy Newsome
Richard Beverly
Robin Lindsey

ALSO PRESENT

George Wolfe, Township Manager
Steve Fleming, HRG, Township Engineer
Drew Ames, Dauphin County Planning Commission

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:01 pm, on June 9, 2010 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Lighty led the recitation of the Pledge.

APPROVAL OF MINUTES

Mr. Lighty noted that a page was missing from the March 10, 2010 regular meeting. No action was taken on that set of minutes.

Ms. Lindsey made a motion to approve the minutes of the March 10, 2010 reorganization meeting and the May 12, 2010 regular meeting. Mr. Beverly seconded the motion, and a unanimous vote followed.

OLD BUSINESS

**Preliminary/Final Land Development Plan #10-03
Pleasant Meadows**

Mr. Wolfe stated that the purpose of this plan is to provide an independent living development containing approximately ninety (90) single family residential units and sixty (60) apartment-style units. This property contains 36.09 acres and is zoned Residential-Cluster. The property is located north of Locust Lane and west of the intersection of Locust Lane and Fairmont Drive. The property will be served by public sewer and public water.

The Zoning Hearing Board granted a variance via docket #1254 allowing the development of the parcel with a total of 150 units, of which no less than 90 be single family detached dwellings with the condition that the development proceed as an age-restricted community.

The applicant has requested the following waivers:

1. Waiver of the requirement to provide curb and sidewalk on Locust Lane west of proposed Primrose Place and sidewalk along a small portion along Fairmont Drive. [905] Also a waiver is requested of the requirement to provide sidewalks along the private streets within the development.
2. Waiver of the requirement to provide curbing and widening of adjacent streets (451 feet along Fairmont Drive). [1117.03(m)]
3. Waiver of the cul-de-sac diameter and construction. [1117.04(b)]
4. Waiver of the 30' width street requirement for private streets within the development. [1117.05(a)]
5. Waiver of the 275' minimum street centerline radii requirement. The applicant is proposing a street centerline radius of 150 feet. [1117.06(a)]
6. Waiver of the 400' minimum separation distance requirement between minor or private street intersections. [1117.08(c)]
7. Waiver of the requirement to provide vertical curbing. [1117.14]
8. Waiver of the requirement to provide a preliminary plan. [1119.01(b)]
9. Waiver of the plan sheet size requirement. [1121.02]

Mr. Wolfe noted that the Planning Commission tabled action on the plan at its May 12, 2010 meeting, in order to allow the developer to address comments.

Mr. James Snyder of Snyder Secary & Associates, was present on behalf of the plan. Most of the comments were minor and have been addressed. Street widths and sidewalks were two of the issues that need more discussion. The developer feels adamant about these issues, and would like to leave the issues open for discussion with the Board of Supervisors.

Mr. Guise asked about the comments regarding the cul-de-sacs. Mr. Snyder stated he provided some turning templates for the cul-de-sac, to demonstrate how a trash truck, a relatively large vehicle, would get through. The same would apply for an emergency services type of vehicle, as well as the smaller fire trucks. He noted that one of the fire department comments was to run the largest fire truck through, and it does not work, and barely works for a regularly-sized cul-de-sac. In the event of an emergency, the fire trucks would be able to mount the slant curbs and drive over the yards. The truck can drive into the cul-de-sac, but would be difficult to circulate through it without touching anything.

Ms. Lindsey explained that she spoke to Tom Swank from the Fire Department, and was told that they cannot drive the cul-de-sac, and they are concerned if there is snow. There will be parking on both sides of the street. She questioned how the fire truck will get around the cul-de-sac. Mr. Snyder stated the fire truck can drive in to a point where they can fight a fire, and they can drive over the island as well as the curbs on the side. He noted that limiting parking on both sides may be something that should be reconsidered. He noted the ease of completing a circle to get out of the cul-de-sac seems to be the issue. There are design issues and typical use issues. It is common that an emergency vehicle drives on

something other than macadam. They can get there to fight a fire, but it is not convenient to drive in a circle to get back out.

Ms. Lindsey stated the amount of snow this area got this past winter should be considered, especially with parking on both sides of the street. She noted the Fire Company is not in favor of this, and they are the ones who have to fight the fire.

With regard to snow, Mr. Snyder stated it is no different than any other cul-de-sac, snow is piled in the front yards. He added that these streets are private and will be privately maintained.

Regarding street width, Ms. Lindsey stated she visited another 55+ community (Amesbury). Their streets measure 30 feet wide, with curbing and sidewalks.

Mr. Lighty stated the plan does not show how the fire fighters will access the rear of the apartment building. Mr. Snyder stated it is not depicted on this drawing. He provided exhibits showing that the fire equipment can get to the building. Mr. Snyder stated a suggestion was made to provide access for the fire trucks to drive to the rear of the building. That is very difficult to do because of the slopes. The western side grading is proposed at a 10% slope, which would allow an emergency vehicle to drive down the western side of the building to access the rear of the building. The east side has steep slopes and detention ponds, so full circulation is not possible. There is a straight shot into the front of the building via the 32-foot wide driveway.

Mr. Beverly asked about snow removal and where the snow will be dumped or if it will be removed. Mr. Snyder stated that, depending on the amount of snow, the private contractor may plow conventionally, or may remove it to another location if the storm is like the two we experienced recently. He added that it will be dealt with as needed. He reminded them that the development is private, so snow will be cleared privately, it will not be a function of the Township. The streets will be kept clean.

Mr. Guise asked if the applicant has considered alternatives to the cul-de-sac design. As presented, it is generally unsatisfactory. Mr. Snyder stated that if they installed a big 100-foot diameter cul-de-sac as though it were a Township street, it could be done, but the intent is to keep it as shown as a design feature and a nicer setting. It could be accommodated, but it is not the desire of the developer.

Mr. Guise asked if the streets are private. Mr. Snyder answered yes. Mr. Guise asked if parking will be restricted in cul-de-sac. Mr. Snyder stated they did not propose to restrict parking, but on-street parking will only be used intermittently. Each unit has two spaces of off-street parking. Street parking will not be a dominant trend.

Ms. Lindsey stated that at the last meeting it was said that when a resident has a party or gathering, all of the guests will park at the high-rise because the party will be held there. She noted that the guests will end up parking on both sides of the street, even if the developer doesn't think it will. Mr. Snyder stated they want to allow on-street parking for that reason. He reminded the Commissioners of the demographics of the residents in this development. It is likely there will be visitors, but it is unlikely that there will be a large gathering in a small 1,000-square-foot cottage.

Mr. Newsome asked if it was considered to limit parking to only one side of Primrose Place in front of the three units. If it were prohibited on one side, it would keep it open through there and push extra parking to the other side of the street. Mr. Wolfe noted on the west side from the last house south, to Azalea Drive, there is an area that could be used for off-street parking. Mr. Snyder asked if he meant on-street parking. Mr. Wolfe suggested it could be an area for 6-10 parking stalls. Mr. Snyder agreed that is a possibility, and noted that the grade is 6-8%.

Mr. Guise stated the pending issues are the cul-de-sac design and diameter, cartway width, and waiver of internal sidewalks.

Mr. Lighty stated he liked the idea of a walking path, but it still needs to connect to something, and asked if anything additional is planned to connect it internally. Mr. Snyder stated they still plan for the residents to use the internal streets. Mr. Lighty stated the Commission asked them to consider it, and they did and chose not to. Mr. Snyder stated it is an issue the developer does not want to put into this plan, and wants to take the discussion to the Board of Supervisors. He noted they are not ignoring the suggestion, but they desire to advance it to the next level.

Mr. Lighty asked for the Township Staff's opinion. Mr. Wolfe stated the waivers that are outstanding are: 1, 2, 3, 4 and 7. For numbers 1, 2, 3 and 4, staff would like to see a recommendation on the requested waivers, to take it forward to the Board of Supervisors. With regard to waiver #4, Mr. Wolfe stated it is Staff's opinion that the waiver request of 30 feet to 28 feet is not accurate, it must be requested from 36 feet to 28 feet because of the high density development requirements. With regard to waiver #7 (slant curb) he wanted the Commission to be aware that the new SALDO will not permit slant curbing, in part because the Public Works Department has great difficulty maintaining roads with slant curb over the long term. A road with slant curb must be milled before it is paved, it cannot be simply overlaid, and this creates extra work and expense. He noted this is a private development, so that is not an issue for the Township, but he felt the Commission should know slant curb will not be an option.

Mr. Guise asked if the condominium documents have been provided. Mr. Snyder stated they are being professionally prepared and will be given to the Township when they are completed. He noted that he hoped the plan could go forward with that as a condition of approval.

Ms. Lindsey asked Mr. Wolfe if the waiver of street width is really a waiver of eight feet. Mr. Wolfe stated that is Staff and Engineer's opinion based on the high density of the development. Mr. Wolfe noted that there are examples of developments with 30-foot cartways that work very well: Amesbury, and Estates of Forest Hills. However, in both of those locations there is either sufficient on-lot parking or satellite parking provided. He thought that a 28-foot cartway without additional parking in a high density development could be problematic. Mr. Gingrich stated that the street width should be at least 30 feet especially since the developer expects his elderly residents to walk on the street to get to the walking path. He felt something was missing: either sidewalks or a wider street. He added that if sidewalks were not an option, even an area designated for walking would be better than nothing. Mr. Lighty agreed that his main concern is encouraging seniors to walk on narrow streets with cars parked on both sides. Mr. Gingrich added that if parking were prohibited on the street, it would not be a problem.

Mr. Lighty asked for additional comments from the Engineer. Mr. Fleming stated an additional turning lane should be considered in front of the school property, and the curbing and widening should be extended to the western property line, and curbing and sidewalk should be installed to be consistent with the school property and the Township property. He also felt that some improvement needs to be considered for Fairmont Drive, and the need for a signal at Fairmont Drive and Locust Lane remains. Mr. Snyder stated he responded to those comments last time. Regarding widening, there are physical hardships on Locust Lane which make it impractical to improve, and the sidewalk would go nowhere. Regarding a turning lane for the school, Mr. Snyder stated that is their issue, and not something that needs addressed as a result of this proposed project. There is a high volume of east-bound right-turns, and west-bound left-turns going into the driveway in the AM peak hour. The amount of traffic Pleasant Meadows is putting onto the street at that time is very small. As such, the developer does not feel that is something that they need to do. With regard to Locust Lane and Fairmont Drive's traffic signal, Mr. Snyder stated that another developer has made a commitment to that signal. It is an off-site improvement as far as this development is concerned.

Regarding widening on Fairmont Drive, Mr. Snyder stated they would like to have that requirement waived because to widen a portion of the road would be more of a disruption than an improvement, because of the nature of that road. Mr. Gingrich stated that section of Fairmont Drive has been an on-going discussion for years, and he would like to see the whole area corrected: the bridge, the slopes that meet the cartway and the narrowness. Mr. Snyder stated they will not be accessing that road from the development, so they would like to advance that waiver request to the Board of Supervisors. He noted that the property across Fairmont Drive was subdivided in the past and additional right-of-way was dedicated, in the event a capital improvement was made to correct the roadway. That would be a very big project, and does not involve Pleasant Meadows.

Mr. Lighty asked what needs to happen to get that part of the road fixed. Mr. Wolfe stated it is not really a bridge, it is a culvert. The problem is the hairpin turn. He noted the Township has taken some remedial efforts, a significant chevron has been added, and an abrasive surface has been maintained. The accidents that do occur usually involve low speeds and low damages. Mr. Wolfe noted that Pleasant Meadows does not actually front that turn. Mr. Snyder agreed the bridge itself is beyond the property line. The frontage is shown on Sheet 2 with the existing conditions. Mr. Wolfe noted that Staff would recommend dedication of right-of-way, and agreed that this developer is not impacting this location. He further stated that the intersection of Fairmont Drive at Locust Lane and the entrance to DCTS is more important. Mr. Snyder and Mr. Fleming noted that the right-of-way for that section is already 60 feet. Mr. Fleming noted that he is concerned about any area outside the right-of-way where there are steep slopes that would require significant grading and work if the road is improved. He suggested an easement be put in place now so that if the project moves forward the Township does not have to worry about that at that time. Mr. Snyder noted this project is not even proposed, and may or may not even happen, but if it does, the situation should be addressed at that time. Mr. Fleming suggested to do it now while this property is on the table, rather than put off the expense and effort to a future owner or the Township. This is in lieu of doing nothing with that frontage, as requested. He added that there is a need for an improvement, regardless if it is budgeted for the near future or not, the need is clearly there, now is the time to take any necessary preliminary steps possible. Mr. Snyder conceded that if the Township feels strongly about it, he will ask the developer what his inclination is towards granting a 20-foot easement or whatever is needed for future construction, or make a commitment on the plan. He noted there is no

access or impact whatsoever, but if the Township decides to take on that project, he suggested the developer may not have a problem with it. Mr. Fleming stated this is the least of the concerns as far as traffic improvements, but it is preferred to deal with a property owner now than an association in the future. Mr. Guise noted granting an easement will have little impact on the development because it is outside its frontage, but it would save the Township time and money in the future, and will result in a much needed improvement. Mr. Gingrich stated he would like to see the whole section improved eventually.

Mr. Lighty asked for comments from Dauphin County. Mr. Ames asked what the justification was behind the internal sidewalk waiver. Mr. Snyder stated that the developer recognizes that in these types of developments, people do not walk on sidewalks, they walk on the streets. They are proposing to create a pedestrian pathway throughout the development, and they have shown it circling the development where walking can occur. Mr. Lighty stated the path is not through the development, it is around the outside of the development. He added that he likes it, but it only goes around the development, not throughout. Mr. Snyder stated it is a place to walk which is about $\frac{3}{4}$ mile long. In lieu of building sidewalks that will not get much usage, the developer prefers to build the pedestrian pathway around the development. Mr. Ames stated that is not a compelling reason the developer is unable to meet the requirements of the ordinance.

Mr. Lighty called for comments from the audience. There was none.

Mr. Guise made a motion to recommend approval of the plan, with conditions. The motion includes the following recommendations regarding the waiver requests:

1. Waiver of the requirement to provide curb and sidewalk on Locust Lane west of proposed Primrose Place and sidewalk along a small portion along Fairmont Drive. [905]. **Grant.** Also a waiver is requested of the requirement to provide sidewalks along the private streets within the development. **Grant, provided the developer make adjustments to the width of the streets as described below.**
2. Waiver of the requirement to provide curbing and widening of adjacent streets (451 feet along Fairmont Drive) [1117.03(m)]. **Grant, provided the developer provide a grading easement for future improvement along frontage of Fairmont Drive in the area adjacent to the culvert.**
3. Waiver of the cul-de-sac diameter and construction [1117.04(b)] **Deny as requested. The developer is encouraged to redesign the cul-de-sac to better accommodate emergency vehicles, as described by the Fire Company.**
4. Waiver of the 30' width street requirement for private streets within the development. [1117.05(a)] **Deny as requested. The Township interprets the requirement to be 36 feet, not 30 feet. The Planning Commission recommends the developer consider the street to be at least 32 feet in width, or 30 feet minimum, because pedestrians are being encouraged to walk in the street to get access to the very well designed outer pathway.**
5. Waiver of the 275' minimum street centerline radii requirement. The applicant is proposing a street centerline radius of 150 feet. [1117.06(a)] **Grant.**
6. Waiver of the 400' minimum separation distance requirement between minor or private street intersections. [1117.08(c)] **Grant.**
7. Waiver of the requirement to provide vertical curbing. [1117.14] **Deny. Reasons are as discussed in the meeting, and note that even though this is a private development, if the**

Board of Supervisors grant the waiver, the Planning Commission recommends the developer be required to put a note on the plan acknowledging the disadvantages of slant curb.

8. Waiver of the requirement to provide a preliminary plan. [1119.01(b)] **Grant.**
9. Waiver of the plan sheet size requirement. [1121.02] **Grant.**

The recommendation of approval is also subject to the conditions discussed, including the condition that the developer shall provide the condominium documents to the Township in advance of consideration of the plan by the Board of Supervisors. Ms. Lindsey seconded the motion, and a unanimous vote followed.

Ordinance 09-16
Subdivision & Land Development Ordinance
Updated April 27, 2010

Mr. Lighty stated the Commission has received the latest draft of the SALDO. It has been requested that the Commission vote again since the changes have been made, then send it to the Board of Supervisors.

Mr. Newsome made a motion to recommend approval of the Subdivision & Land Development Ordinance, in its final form. Mr. Gingrich seconded the motion, and a unanimous vote followed.

NEW BUSINESS

Preliminary/Final Subdivision Plan #10-05
6690 Linglestown Road

Mr. Wolfe stated that the purpose of this plan is to subdivide an existing 7.52-acre parcel of land into three lots. Two lots will be residential lots for single family dwellings and the third lot will remain the existing tractor supply use. All lots will be served with public sewer and on-lot water supply. Lot 1 will consist of 2 acres, Lot 2 will consist of 2.08 acres, and Lot 3 will consist of 3.44 acres. The property is zoned AR, Agricultural Residential District and is located along Linglestown Road east of Parkway East and west of Greenwood Road.

Mr. Wolfe stated that the Zoning Hearing Board granted a variance on February 25, 2010 allowing the creation of lots that do not meet the minimum lot width requirement of 140 feet at the building setback line.

The applicant has requested the following waivers:

1. Waiver of the requirement to provide sidewalk along Linglestown Road. [905]
2. Waiver of the requirement to provide curbing along Linglestown Road. [905]
3. Waiver of the requirement to submit a preliminary plan. [1115.04]
4. Waiver of the maximum slope of a residential driveway. [1117.12(c)]
5. Waiver of the minimum width of a shared residential driveway. [1117.12(e)]

Mr. Matt Witters, of H. Edward Black & Associates, was present on behalf of the plan. He stated the existing lawn and garden sales and service use (Walter's Tractor) will remain on the front lot, and Mr. Schiavoni intends to build his own home on Lot 3, and to sell Lot 2 as a single family dwelling lot. The lots will be served by a new public sewer gravity system, which will access the intersection of Parkway East and Linglestown Road. Walter's is served by on-lot water supply, and proposed lots 2 and 3 will also be served by well. Stormwater will be handled through the use of a rain garden on lot 2, and a vegetative filter stream on lot 3. There is also a conservation easement that will be established near the north east corner of the property line that will extend the entire way around of the interior portion of the site which is a wetland.

Mr. Guise asked about the vegetative filter. Mr. Witters stated it is at the bottom of the steep slope area and has been designed to take the impervious areas off the building and the area to the back.

Mr. Gingrich asked about the area behind the building on lot 3. Mr. Witters stated they propose an exposed basement, and an area to be graded flat for some back-yard area, and possibly a pool. The impervious coverage had been designed at no more than 15% on lots 2 and 3. they are looking for a credit from the Township regarding stormwater management. There were comments about putting a note on the plan. Mr. Gingrich stated that will be a deep cut into solid rock.

Mr. Lighty asked if Mr. Witter had any question or issue with any of the comments. Mr. Witters stated he will work with HRG and Staff to work through some of them, but he does not have any problem with them.

Mr. Newsome asked about waiver #4 and if that driveway is on lot 3. Mr. Witters stated it is lot 3, and is located on the section that comes out of the wetlands, and they have to maintain a certain depth of fill in the wetland according to DEP regulations.

Mr. Lighty asked for comments from the Engineer. Mr. Fleming had nothing additional.

Mr. Lighty asked for additional comments from Dauphin County. Mr. Ames noted there are a lot of vehicles on Walter's portion of the lot. Mr. Witters stated that since Mr. Schiavoni is the owner of all three lots, he intends to clean up the front lot, and also lot 2 to create the second building lot.

Mr. Gingrich noted there are a lot of comments from the engineer, and asked if Mr. Fleming wanted to address any of them. Mr. Fleming stated that the majority of the comments are technical in nature. There are some that ask for a note on the plan, and the reason for that is to make sure future owners are aware of their responsibilities.

Mr. Lighty called for comments from the audience. There was none.

Mr. Gingrich made a motion to recommend approval of the plan, subject to compliance with the comments, and approval of the waivers as requested. Mr. Newsome seconded the motion, and a unanimous vote followed.

Business Improvement District

Mr. Lighty suggested postponing the June BID meeting since he has not received the information needed to continue, as well as the fact that several members will be unable to attend. Once it is rescheduled, the Commission will be notified. The next regularly scheduled BID workshop meeting is July 19, 2010.

Wind Energy Subcommittee

Mr. Lighty stated there is nothing to report, and that the subcommittee needs to set a date for a meeting.

PUBLIC COMMENT

There was no additional public comment offered.

COMMISSIONER COMMENT

There was no additional Commissioner comment offered.

ADJOURNMENT

The next regular Planning Commission meeting is scheduled for Wednesday, July 14, 2010, at 7:00 pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 8:05 pm.

Respectfully Submitted,

Michelle Hiner
Recording Secretary