

LOWER PAXTON TOWNSHIP
PLANNING COMMISSION

January 10, 2007

COMMISSIONERS PRESENT

Dennis Guise
William Neff
Fredrick Lighty
Roy Newsome
Ernest Gingrich
Richard Beverly
Betsy Sibert

ALSO PRESENT

Jim Snyder & Mike Hess, HRG
Chip Millard, Dauphin County
Dianne Moran, Planning & Zoning Officer
Lori Wissler, Planning & Zoning Officer

Call to Order

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:02 pm, on January 10, 2007 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Pledge of Allegiance to the Flag

Mr. Newsome led the recitation of the Pledge.

Approval of Minutes

There were no minutes to act on at this time.

OLD BUSINESS

Preliminary/Final Land Development Plan #06-21
Shuler All Pro Car Wash, Linglestown Road

Ms. Moran stated there is an extension good until August, 2007.

Mr. Beverly made a motion to table the Preliminary/Final Land Development Plan #06-21 for Shuler All Pro Car Wash, Linglestown Road. Mr. Newsome seconded the motion. The motion passed unanimously.

Preliminary/Final Land Development Plan #06-37
St. Thomas Roasters

Ms. Wissler stated there is a time extension until May, 2007.

Mr. Beverly made a motion to table the Preliminary/Final Land Development Plan #06-37 for St. Thomas Roasters. Mr. Newsome seconded the motion and the motion passed unanimously.

Preliminary/Final Land Development Plan #06-40
Dauphin County Technical School
Additions and Renovations

Ms. Moran stated that this plan proposes additions and alterations to the existing Dauphin County Technical School (DCTS) located at 6001 Locust Lane and west of Fairmont Drive. This property consists of 47.0418 acres and is located south of Locust Lane and west of Fairmont Drive. This property is zoned, IN, Institutional District, and is served by public water and public sewer. Five building additions and two parking areas are proposed.

The applicant has requested the following waivers:

1. Preliminary plan submission.
2. Road right-of-way dedication.
3. Plan sheet size.
4. Curb and sidewalk installation.

Mr. Guise asked staff's position on the waiver requests. Ms. Moran stated that the engineer has asked that the waiver of right-of-way dedication not be granted as additional right-of-way will likely be necessary to accommodate roadway improvements. The engineer has also asked that the waiver for sidewalks not be granted as the installation of sidewalk along Fairmont Drive would accommodate future pedestrian traffic.

Mr. Brian Bingeman, Kurowski & Wilson Engineers, 470 Friendship Road, Harrisburg, was present on behalf of the plan.

Mr. Lighty asked if the applicant has received the comments regarding the plan. Mr. Bingeman answered yes.

Mr. Lighty asked for justification for the waiver requests. Mr. Bingeman stated the limited amount of improvements makes it possible to address the plan in the preliminary/final format. Regarding waiver #2, Mr. Bingeman did not have any formal response, and will dedicate right-of-way and will rescind that request. The applicant is requesting to use larger plan sheet sizes to show the entire project in a more appropriate scale.

Mr. Bingeman stated there currently are sidewalks along Locust Lane from the western property line to the western driveway, and from the eastern driveway to the intersection with Fairmont

Drive. There is internal sidewalk circulation as well. The applicant is requesting a waiver of sidewalk along the middle section of Locust Lane. There are athletic fields along Fairmont Drive with bollards and fencing, and the applicant did not see a need for sidewalks in that area, in order to save money. Mr. Bingeman felt the money was better spent internally.

Mr. Lighty explained that the parcel to the south of DCTS will be developed as a Traditional Neighborhood Development, a high density type of use with a commercial main street with 80,000 square feet of commercial. The parcel across Locust Lane, next to the church, will be a residential retirement development with three, three-story buildings. With the density and uses, there is no reason why it would not be a good reason to put sidewalks along at least Fairmont Drive, and possibly Locust Lane. Mr. Lighty felt that the sidewalks should be put in to accommodate all the people around the school.

Ms. Sibert agreed. Mr. Newsome also agreed, adding that this is a significant area for development.

Mr. Gingrich asked if there is sidewalk along the church. Mr. Gingrich stated that if the Commission is concerned with sidewalks on one side, then it may not be needed on the school side. Mr. .Gingrich was not sure if it shouldn't be on the school side too.

Mr. Guise felt that unless there was some engineering or other constraint, there should be sidewalks along both sides of Locust Lane given the school use, and the developments. Mr. Guise thought this was an area where people will be using the sidewalks and the Commission shouldn't give up the opportunity to get sidewalks installed.

Mr. Neff agreed, noting that it looks like a waiver may have been granted in the past, given what is there now. It seems like it is time to complete the sidewalks.

Mr. Bingeman stated that the request is purely financially based, since they are dealing with public funds. Mr. Lighty understood, but felt that with the area developing, this is the time to get the improvements. Mr. Bingeman understood.

Mr. Lighty asked about Staff's Site Specific comment #7, noting that the intersection of Fairmont Drive at Locust Lane is a failing intersection now, and has witnessed many accidents there. Mr. Lighty would like to see a traffic study done to see the impact of the school on that intersection.

Mr. Bingeman stated that the ITE trip generation is just under 100 trips, the edge of requiring a traffic study. Mr. Lighty asked if the addition will generate that many new trips. Mr. Bingeman answered yes.

Mr. Snyder has not seen the report, but would like to verify if that threshold has been met. Mr. Bingeman stated he will submit them. Mr. Snyder stated the ordinance requirement is 100 trips per peak hour.

Mr. Guise asked about HRG comment #5. Mr. Snyder stated that is in reference to the improvement guarantee to secure the improvements.

Mr. Guise asked about HRG comment #13, and if Mr. Snyder had any doubts that a fire truck could get around the building. Mr. Snyder stated that he is asking that the applicant provide evidence through a turning template that there are no places that constrain access. Mr. Bingeman does have that and will submit it with his response to the comments.

Mr. Lighty expressed his concern for the intersection of Locust Lane at Fairmont Drive. Mr. Newsome noted that that intersection will need some very special attention, and suggested the school and the Township and the other organizations participate to take an entirely different look at that intersection. Mr. Lighty stated that the majority of the busses leaving DCTS, they use Fairmont Drive to get to Union Deposit Road. They create a very dangerous situation, to the extent that the Township can, it needs to get some improvement for that intersection.

Mr. Neff noted that with the developments around the area, it would be worthwhile if the Township's Engineer, or a traffic consultant would look at the intersection, to get the Township's perspective on a reconfiguration that should be achieved. There should be a mini-master plan that talks to on-tract and off-tract improvements. This might avoid piece-mealing the intersection. Mr. Lighty felt that intersection is on-site to the school. Mr. Neff felt the whole area should be looked at.

Mr. Lighty stated that the Township has asked the TND developer to study the intersection as well as others. The preliminary findings indicate turning lanes are needed. Mr. Neff suggested a "jug handle" to provide stacking for turning.

Mr. Bingeman will relay the feedback to his client.

Mr. Lighty asked if Mr. Bingeman is able to address the rest of the comments. Mr. Bingeman felt they could comply with the rest of the comments to a positive resolution.

Mr. Chip Millard noted that comment #4 asks for the handicapped parking to be clearly identified, and noted there needs to be at least 11 handicapped spaces. Mr. Bingeman agreed.

Mr. Millard noted that comments #5 and #6 need to be worked out between Staff and the applicant to see if what is there is adequate. There is only grass between the soccer fields and the Kocevar tract. Mr. Lighty stated the backs of houses in the TND have porches looking over the field, and that may be okay. Mr. Millard agreed it may or may not be appropriate, and should be looked at.

Mr. Snyder stated the comments not already spoken about are technical in nature. The applicant will need a Highway Occupancy Permit, if they are required to install sidewalks along Locust Lane, since it is a State road.

Mr. Gingrich asked about curbing. Mr. Bingeman stated the entire site is curbed.

Mr. Bingeman asked the right-of-way of Fairmont Drive. Mr. Snyder stated 30 feet from the centerline. Fairmont Drive is a collector road. The cartway width depends on if there is parking along the road. Mr. Bingeman stated there is 40 feet of existing pavement. Mr. Bingeman stated that the posts in the ground along Fairmont Drive would be inside the right-of-way. Mr. Snyder asked if they would be relocated or removed. Mr. Bingeman asked if they would be required to do that. Mr. Snyder felt that if they are in the right-of-way, then they would have to come out since they are where the sidewalks will be required to be. Mr. Snyder explained that the edge of the right-of-way is coincidental with the back edge of the sidewalk, then four feet of sidewalk, then a grass strip, then the curb then the street. Mr. Snyder stated the street must be 19 feet with parking. Mr. Bingeman stated what is existing is adequate. Mr. Snyder advised Mr. Bingeman to make sure the paving is in good condition.

Mr. Neff asked where utilities would come from to service the TND. Mr. Lighty stated they would come from Union Deposit Road, and Verizon has already installed the fiber optics, so that should not be a concern.

There was no comment from the audience.

Mr. Gingrich made a motion to table the plan to allow the applicant to provide answers to the questions and provide more information. Mr. Newsome seconded the motion and the motion carried unanimously.

NEW BUSINESS

Rezoning Request **Rosewood, Lot 35**

Ms. Wissler stated that an application for a Zoning Map amendment has been submitted by Molinari and Greenberg for a 0.08668-acre parcel. The property is located east of Colonial Road and south of Earl Drive. The applicant proposes to rezone this tract from R-1, Low Density Residential District, to ON, Office Neighborhood District.

The purpose of the ON District is to provide for offices and low intensity business uses in locations that are adjacent to residential neighborhoods. The application proposes to develop a one-story office building with associated improvements.

Ms. Wissler noted that the property is bounded to the north, south and west by the R-1 District and to the east by the R-C District. The 2004 Comprehensive Plan has recommended low/medium residential as the future land use for this area of the Township.

Ms. Wissler stated that in consideration of this application, the Commission should also discuss the property to the north, which is currently zoned R-1 and is developed with a medical office facility.

A letter from that lot owner has been provided asking that that lot be included in the request for rezoning.

Ms. Wissler noted that she confirmed with the solicitor that the Commission can act on the application with the additional property. However, the County will have to do a second review with the amendment.

Micki Molinari and Barbara Greenberg, the developers, and Jeffrey Staub, of Dauphin Engineering, were present on behalf of the plan.

Mr. Staub stated that the request is for lot 35, to be re-zoned to Office Neighborhood. The applicants had attended a Supervisors Workshop meeting in February, and proposed several sketch plans of the Rosewood Development, showing two residential homes in the area that is now lot 35. The Supervisors were not in favor of those homes. Mr. Lighty asked why. Mr. Staub explained that they front on Colonial Road and have access to Colonial Road. Mr. Seeds did not feel that was appropriate. The Supervisors wanted that lot to be left R-O, and rezoned the rest of the tract to R-1. However, in going through the process, the lot was also rezoned to R-1.

The Rosewood plan is almost ready for recording. The application shows a single story office building with required parking. The scenario shown shows the site maxed out.

One of the Township's concerns was spot zoning, and this lot could not stand on its own to be rezoned. Because of that, they talked to the existing medical facility to see if they would want to have their now non-conforming use rezoned to ON, and they have agreed to do that.

Mr. Neff asked Mr. Staub to consider a shared driveway through the existing medical building's lot to Earl Drive, instead of another curb cut onto Colonial Road. Mr. Staub stated they have thought about it, but have not discussed it with the neighbor yet. Mr. Neff noted that if they did do an entrance onto Colonial it would probably have the same restriction as the Shoppes at Colonial with a right-in, right-out situation. It would benefit both parties to not have that access onto Colonial Road.

Mr. Lighty agreed, noting that the Commission could not require it, but does strongly recommend it.

Mr. Lighty asked if the building is proposed to be started soon. Ms. Molinari stated that she will talk to the neighbor about the shared driveway, noting that there may be liability issues.

Mr. Chip Millard noted that his review is a draft review, even though the recommendations remain the same. The County recommends the Township either rezone both properties, or leave them both residential as the Township's Comprehensive Plan and the County's Comprehensive Plan indicate. Rezoning the properties is preferred.

The County also supports the idea of a shared access from this lot north through the existing medical office lot. This is to avoid as much as possible the left-turn scenario onto Colonial Road.

Mr. Staub agreed to pursue that, since it is in both lots best interests. Mr. Lighty suggested pointing out to the neighbor that if people are forced to turn right out of Lot 35, and they want to go left, they will simply make the right turn, use the medical office parking lot to turn around and go back out onto Earl Drive to Colonial Road and go left.

There was no comment from the audience.

Mr. Guise made a motion to recommend approval of the rezoning request for Lot 35 of Rosewood and the rezoning request for the lot immediately to the north, known as 1199 Colonial Road, from R-1, Low Density Residential, to ON, Office Neighborhood District. The motion was seconded by Ms. Sibert, and passed unanimously.

Preliminary Subdivision & Land Development Plan #06-42
Stray Winds Farm

Ms. Moran stated that the Township has received a preliminary plan for the Stray Winds Farm. The property is north of Paxton Church Road at its intersection with Crums Mill Road. Crums Mill Road bisects the western portion of the tract north to south. McIntosh Road bisects the central portion of the site from east to west. The site encompasses 303.31 acres. Lower Paxton Township contains 243.63 acres of the development and will be served by public sewer and public water. The portion of property in Lower Paxton Township was rezoned from R-1 to RC, Residential Cluster, on July 18, 2006 per Township Ordinance 2006-06.

On July 27, 2006, the Zoning Hearing Board granted a variance to allow 449 units in Stray Winds Farm via Docket #1214.

The applicant has requested the following waivers:

1. Waiver of the requirement to provide sidewalk and curbing along existing streets.
2. Waiver of the requirement to provide road widening along existing streets.
3. Waiver of the requirement to provide vertical curb. Slant curb is proposed.
4. Waiver of the requirement with regard to the method of calculating stormwater management runoff in watershed analysis.
5. Waiver of the requirement to provide low flow channels and underdrain.
6. Waiver of the requirement to provide a Type C inlet hood of 10" height.
7. Waiver of the prohibition to plant islands within a cul-de-sac turnaround.
8. Waiver of the requirement to provide typical street cross-section design.
9. Waiver of the street grade requirement.
10. Waiver of the minimum distance between street intersections.

Ms. Moran stated that staff comment #9 and #14 can be stricken.

Mr. Neff asked if the 449 homes granted is within only Lower Paxton Township, or total. Ms. Moran stated the 449 homes are only within Lower Paxton Township.

Mr. Neff asked if the portion in Susquehanna Township has been subject to a hearing. Mr. Pete Leone answered yes, it has been before the Planning Commission and the Commissioners in Susquehanna Township, and there are 72 units in Susquehanna Township.

Mr. Lighty asked staff's position on the waiver requests.

Ms. Moran stated that staff has no position on #1 and #3. Waiver #2 is not supported by Staff. Staff does support #4. Waiver #5 is supported if the applicant provides what is needed to the engineer. Waiver #6 is supported. Waivers #7 and #8 are supported if the applicant provides the homeowners association documentation needed. Waivers #9 and #10 are supported by staff.

Mr. Lighty asked about waiver #7. Ms. Moran stated that it is recommended that the waiver be granted if the applicant can provide a homeowners agreement which adequately addresses maintenance of the island areas, and can demonstrate that the islands do not adversely affect emergency vehicle access.

Mr. Lighty asked if the applicant wants to put islands in and if they need to have a waiver to do so. Ms. Moran stated that is correct.

Mr. Robert Fisher from RJ Fisher & Associates, 1546 Bridge Street, New Cumberland, was present on behalf of the plan. Mr. Fisher stated that the ordinance does not specifically address that, and they do want to put landscaping in the islands and they do want entrance islands.

Mr. Fisher stated he did receive the comments generated, and would like some consultation at a staff meeting with regard to how to address the comments and clarification on the interpretations.

Mr. Fisher noted that with regard to waiver #2, there were substantial commitments made to improvements to existing intersections such as over verticals on Crums Mill Road, and the awkward intersection of McIntosh Road and Crums Mill Road, and McIntosh and Colonial Roads, that will be corrected. The idea was to keep the rural character of the balance of the existing roads. The applicant is doing some major improvements to the areas with major problems.

Instead of curbing and sidewalks along those roads, Mr. Fisher stated they will install a walking path through the development so pedestrians are not along the roads. That can be further discussed with staff and brought back to the Planning Commission next month.

Mr. Guise asked if every comment will be addressed. Mr. Fisher answered that he will work with Mr. Snyder and Staff to address the comments. Mr. Fisher would like to come to the next meeting with a more manageable list of comments.

Mr. Guise asked about the portion in Susquehanna Township. Mr. Fisher stated that area has been rezoned. The only other thing done in Susquehanna Township is a simple subdivision to create the lot for the church. A preliminary plan will be submitted to Susquehanna Township showing the lot and street layout.

Mr. Fisher stated all streets within the development will have curb and sidewalk, so the waiver is only for the existing streets. Improvements are being made where they are needed as opposed to making the entire length of McIntosh and Crums Mill Roads major highways.

Mr. Neff asked about the phasing plan, and why all the high density homes are first and the single family homes are done later. Mr. Fisher stated on the phasing plan there is a combination of each housing type in the first phase. Mr. Neff did not see that on the plan.

Mr. Fisher showed the Commission the first phase and where the single family detached condominium units, single family traditional detached and attached townhomes are located.

Mr. Leone added that each type is included in the first phase to hit all markets.

Mr. Neff asked about driveways that face Crums Mill Road and the distance from the entrance roads. Mr. Fisher stated it is about 300 feet, just under the ordinance minimum, and there is a waiver requested for that. Mr. Fisher stated that this is the area where the developer is correcting an over vertical problem on Crums Mill Road. There is a 13% grade creating a blind spot. The new road is being brought to that bump in the road and about 3-4 feet will be removed from that bump in the road.

Mr. Neff stated that the traffic study mentioned some major intersections, Linglestown Road, Crums Mill Road, Colonial Road, and Paxton Church Road. Mr. Neff asked if there will be improvements done to those intersections. Mr. Fisher stated that the traffic improvements are spread out over the phases, they will not all be done in the first phase. Mr. Neff agreed, but wanted to know which improvements will be done in which phase, noting that is the point of a phasing plan to make sure that the off-site improvements will support what is being generated, and ensures they are not done at the very end. Mr. Fisher will discuss that with Mark DiSanto because the Township and Triple Crown have a developer's agreement saying what improvements will be done and when.

Mr. Newsome asked about the waiver for sidewalk construction. Mr. Fisher stated that the traditional sidewalks will be installed at the traditional single family houses. Throughout the development walking trails are being provided instead of sidewalks everywhere. Mr. Newsome asked if that meant the people walk in the streets to get to the walking paths. Mr. Fisher answered yes, but they are relatively low traffic streets.

Mr. Neff asked if build out will be in 5 or 10 years. Mr. Fisher stated that would probably be 5-10, possibly, but hopefully not 15 years.

Mr. Neff stated none of the units are age restricted. Mr. Fisher stated that the majority of the single family detached condominium units and the attached housing are all age restricted. Mr. Neff's concern was adequate provisions for school busses to get children. There are a lot of stub streets between phases where you cannot get through. Mr. Fisher tried to anticipate that, along with storm and sanitary sewers and other infrastructure. There will be some temporary cul-de-sacs, that should not be there too long before next phase completes them.

Mr. Chip Millard, Dauphin County, noted that most, if not all of his comments, are probably in the Township or HRG comments as well. With regard to County comment #5, contiguous townhouses should be set two together then two set back a little, then two more. That may be an issue. Comment #8 deals with the length of townhouses. Comment #10 speaks about parking requirements especially with the attached condominium units.

Mr. Millard noted he was trying to see some interconnectivity even though there is some concern from neighbors. The intersections of Colonial and McIntosh Roads, and Colonial and Valleyview Roads, have major sight distance issues.

Mr. Millard noted that Paxton Church Road is a narrow road, but the County would still prefer to see some connectivity there. The County would also like to see Paxton Church Road and the church property (in Susquehanna Township) connected. Some of the roads could not connect easily, but some certainly could be connected.

Mr. Millard commented that, with regard to this and other developments in general, 55+ housing is a big need in the Township, and even though older people are still pretty active, they may still want amenities close enough to get there without driving.

Mr. Fisher agreed with Mr. Millard's comment about amenities, like in the PRD developments, mixing some retail into developments, but in this case it is not possible. A clubhouse, swimming pool, and bocce court are included on this plan. Walking trails are added to connect the housing to these facilities without driving.

With regard to the interconnectivity of streets, Mr. Fisher stated the developer met in depth with SWAN and the plan will not be getting any more connected than what is shown, unless directed by the Township.

Mr. Lighty called for comments from the audience.

Mr. Rick Pleasants, owner of the Baltimore Tar Company, stated that he did get copies of the plan and the developer and engineer were very helpful so far, noting that he has just gotten copies today. Mr. Pleasants wanted to make sure he could work with the DiSanto's to a positive end. There are some detention basins, and there are some sight distance issues and drainage issues at their entrances, that he would like addressed, noting the tar facility is completely surrounded by this development. Mr. Lighty suggested Mr. Pleasants review the plan he has and work with Triple Crown. Mr. Lighty felt that Triple Crown probably wants buffered from the tar plant as much as the tar plant wants buffered from the development. Mr. Pleasants noted that the road has historically been a heavy construction road in a residential area. The long term future of the tar plant is that it will probably be phased out eventually, because of the implications of being surrounded by Stray Winds Farm. Because of that, they are looking creatively to help this development.

Mr. Neff asked Mr. Millard if he felt that there should be a connection through the church property to Paxton Church Road. Mr. Millard stated the County feels that is preferable, but reminded Mr. Neff that this is in Susquehanna Township. Mr. Neff understood that the next step in

Susquehanna Township will be a request for a subdivision which could include that recommendation. Once the church has ownership of the property, there is a third party involved. Mr. Millard agreed.

Mr. Fisher stated that there is a path and right-of-way easement provided for emergency access over the church property. There is also a stub street to the north, knowing that the property to the north is going to be developed, that can eventually send traffic to a traffic signal on Linglestown Road.

Mr. Neff felt that the mechanics could be put in at the time of subdivision. If it is the board's intention to recommend that, it should be included in the recommendation at this time.

Mr. Millard noted that because this issue is located in Susquehanna Township, that recommendation should come from Susquehanna Township. Mr. Lighty agreed, noting that Lower Paxton Township has historically deferred to the neighboring township when the majority of the land is in their jurisdiction. Mr. Neff thought it would be helpful to give them the "heads up". Mr. Fisher noted this has been discussed at length with Susquehanna Township already.

Mr. Guise made a motion to table Preliminary Subdivision and Land Development Plan #06-42. The motion was seconded by Mr. Beverly, and passed unanimously.

Final Subdivision Plan #06-43
Stray Winds Farm, Lots 1 & 2

Ms. Wissler stated this is the plan that creates the lot for the church. The lots are primarily located in Susquehanna Township; however a small portion is located in Lower Paxton Township. For that reason, the plan must be reviewed by the Planning Commission and Board of Supervisors. Staff has one comment on the plan, and the comments generated by Bob Grubic and County for Susquehanna Township are included in the packet.

Mr. Robert Fisher, RJ Fisher and Associates, was present on behalf of the plan.

Mr. Neff asked what recommendations Mr. Snyder had for right-of-way dedications on the existing streets along the property being subdivided. Mr. Fisher stated that the applicant is dedicating additional right-of-way to bring it up to a 60-foot right-of-way. Mr. Snyder stated there is additional right-of-way dedication proposed for Crums Mill Road and Paxton Church Road. Both are shown correctly. Mr. Fisher noted they do not own the other side, but will dedicate right-of-way on the side they own.

Mr. Guise asked about the curb and sidewalk waiver being deferred until the land development plan. Mr. Guise asked if that was agreeable to the applicant. Mr. Fisher answered yes, noting this plan is only to create the lot and sell it to the church. Those issues can be addressed when the church brings the land development plan in.

Mr. Gingrich asked if a waiver of the preliminary plan requirement has been requested. Mr. Fisher answered yes, by letter from Mr. DiSanto dated December 19, 2006. Ms. Wissler will verify the letter was received.

There was no comment from the audience.

Mr. Gingrich made a motion to recommend approval of Final Subdivision Plan #06-43 for Stray Winds Farm, Lots 1 and 2, subject to the comments provided. Mr. Newsome seconded the motion. Mr. Guise asked if the recommendation includes approval of the waiver for preliminary plan and deferral of the waiver of the requirement to install curb and sidewalks until the land development plan. Mr. .Gingrich included that in his motion. The motion passed unanimously.

Final Subdivision Plan #06-44
Montrail, Phase 1

Ms. Wissler stated that the purpose of this plan is to subdivide Phase I into 26 lots along with related public improvements. The tract consists of 13.3332 acres, is located north of Union Deposit Road and east of the Central Dauphin School District, and will be served by public water and public sewer.

The property was rezoned from R-1, Low Density Residential District to the TRND, Traditional Residential Neighborhood District.

On March 23, 2006, the Zoning Hearing Board granted a variance from the minimum lot width requirement conditioned upon the applicant offering for dedication to the Township for use by the Parks and Recreation Department that portion of the tract lying north and west of the wetlands. If the property is not accepted for dedication, then the variance was conditioned upon the applicant designating that area proposed for dedication as perpetual open space/recreational area.

The developer's engineer met with the Board of Supervisors at the May Workshop Meeting to discuss whether the Township was interested in using the land for the Parks and Recreation Department. The consensus of the Board was that the Township was not interested in owning the land.

The following waivers apply to Phase I and were granted as part of the preliminary plan approval:

1. Waiver of the minor street right-of-way width requirement from 60 feet to 50 feet and the minor street width requirement from 36 feet to 30 feet for minor streets for Skylon Drive and Redhawk Circle.
2. Waiver of the horizontal curve radius requirement for minor streets from 275 feet to 125 feet for two curves for Skylon Drive, from 275 feet to 150 feet for Skylon Drive and from 275 feet to 160 feet for one curve on Redhawk Circle.
3. Waiver of the requirement to provide vertical concrete curb.

Mr. Jeffrey Staub, Dauphin Engineering Company, was present on behalf of the plan.

Mr. Staub stated the applicant has obtained almost all of the outside permits, and is waiting on the PennDOT approval for the right-of-way dedication plans for the small sliver of land along Union Deposit Road, and a general permit for sanitary sewer crossing at the north end of the property.

Mr. Staub stated that he has received all the comments from County, HRG and Staff, and has no issues with those comments and will address them all.

Mr. Staub stated that once the general permit is issued, they expect to begin construction of the first phase in the spring.

Mr. Gingrich asked about the water line, and if there is still a right-of-way for the water line. Mr. Staub stated it is an existing right-of-way and the water line is presently there. United Water has redesigned it to remove the existing water line that traverses the site and locate it in the street.

There was no additional comment from Dauphin County.

There was no comment from the audience.

Mr. Newsome made a motion to recommend approval of Final Subdivision Plan #06-44, subject to resolution of the comments, noting that the waivers are already in place. Mr. Neff seconded the motion, and the motion carried unanimously.

Final Subdivision Plan #06-45
Wilshire Estates, Phase I

Ms. Wissler stated that Phase I of Wilshire Estates involves about 42.59 acres of land located south of Windsor Road and east of Hampton Court Road. The tract is zoned R-1, Low Density Residential District, R-2, Medium Density Residential District, FP, Flood Plain Conservation District, and SS, Steep Slope Conservation District. Forty-one single family lots and 22 townhouse lots are proposed and they will be served by public sewer and public water.

Steve Quigley, H. Edward Black and Associates, was present on behalf of the plan.

Mr. Quigley stated he has received the comments from County, Staff, and HRG. There are some that need clarification, but otherwise he will be able to address all of the comments.

Mr. Lighty asked about the alternative exit. Mr. Quigley stated that is in Phase 2, and they have given them access to that lot. Mr. Lighty asked if there was an agreement in place. Mr. Quigley stated he has not seen anything on that property yet. A concept plan was done a long time ago.

Mr. Lighty noted that the neighbors are very appreciative that there will be some other ingress and egress, and the timing is very important to them. Mr. Quigley stated both of the westerly exits that affect the neighbors are being put in, as well as the connection to Royal Avenue. Three of the four accesses are being installed with phase 1.

Mr. Neff asked about the access to the east to Devonshire Road, and if anything was decided about widening or improving that road. Mr. Quigley stated no, because the neighbors did not want the encroachments into their properties. Traffic Safety looked at the intersections, and there is enough room for turning emergency equipment, so that is being left alone.

Mr. Neff asked about the sight distances and turning radiuses. Mr. Quigley stated they are sufficient to take care of those intersections.

Mr. Chip Millard, Dauphin County, referenced comment #2 about steep slopes. It appears some of the three lots shown (5, 15, and 53) are partially located in the steep slope area. Those uses are not allowed in that area. Mr. Quigley stated that two lots need worked on, but the third one should be fine, maybe the house needs relocated on the lot.

Comment #3 states there are limitations on impervious coverage in the precautionary slope areas within the R-1 and R-2. Lots 15-18, 96, 99, and 228 have a higher amount of impervious coverage than allowed. Mr. Quigley stated he can look at that, but the lots were approved under the preliminary plan. The only lots that did change since the preliminary plan, due to the steep slopes, were in the R-2 District. They put in six single family homes in phase 1 and phase 3, in lieu of townhomes, losing a couple lots. Mr. Millard stated they may be resolved by moving the building to a somewhat different location on the lot.

Mr. Snyder stated he looked at the area today, and the connection with Royal Avenue may not happen the way it is depicted on the plan because of the garage. Mr. Snyder recommended a more detailed depiction of how the connection will be made. Mr. Quigley will do that.

There was no comment from the audience.

Mr. Guise made a motion to recommend approval of Final Subdivision Plan #06-45 for Wilshire Estates Phase I, subject to the comments, and subject to the corrections and verifications as discussed tonight. The waivers have already been approved. Mr. Newsome seconded the motion, and the motion passed unanimously.

Preliminary/Final Subdivision Plan #06-46
Lawrence W. Conjar

Mr. Lighty stated the applicant sent correspondence asking to be tabled. Mr. Newsome made a motion to table the plan. The motion was seconded by Mr. Gingrich, and passed unanimously.

Preliminary Subdivision Plan #06-47
Charleston Riding

Mr. Lighty stated the applicant sent correspondence asking to be tabled. Mr. Newsome made a motion to table the plan. The motion was seconded by Mr. Gingrich, and passed unanimously.

Townhouse Requirements Discussion

Ms. Moran stated that in reviewing a townhouse plan, staff noticed a couple discrepancies. However, with further review, staff has found that Section 402 is basically a recommendation of the ordinance.

Staff thought that Section 603 applied to townhouses, however, it says “except for a single family or a two family dwelling” and a townhouse is a single family house. Therefore, there is no problem with that section.

Section 307.A lists dimensional requirements in each district, and it appears that if there is a small townhouse and you want a two car garage with a double driveway, it would probably take up more than 50% of the land area in front of the house. Staff has struggled with the wording, the ordinance says: “A maximum of 50% of the land area between the front of each townhouse and the right-of-way line shall be used for vehicle parking *and* driveways.” Elsewhere the ordinance says you cannot count a parking space in the driveway if there is a vehicle parked in the garage.

Ms. Wissler gave an example as follows: a townhouse of 24 feet in width with a 2-car garage needs a driveway of about 18 feet wide. The townhouse would have to be at least 36 feet wide to allow the 18 foot driveway and garage. Mr. Lighty stated you could build a 1-car garage. Ms. Wissler agreed. Ms. Moran stated if you build a one-car garage, you do not meet the parking ordinance, requiring 3 parking spaces.

Mr. Newsome stated if there is a one car garage, you can count either the garage or the driveway as a parking space. Mr. Newsome felt that was wrong.

Mr. Lighty stated that if there is a two-car garage, you can count two spaces in the garage, and at least one on the street. That is the intent of the ordinance.

Mr. Lighty suggested changing the maximum percent allowed, instead of changing the parking.

Mr. Jim Snyder, HRG, commented that the issue with impervious coverage is basically semantics. If the ordinance requires two parking spaces for a townhouse, and they are in the garage, then you can't count the area behind it as parking. Mr. Lighty stated that if there is a two-car garage, and you are required to have two parking spaces, then you meet the ordinance. Mr. Snyder agreed, but you then go over the 50% criteria. The ordinance says the area between the front of the townhouse and the right-of-way line shall be used for vehicle parking *and* driveways, it does not say *or*. Mr. Snyder's argument is that it is not being used as parking; it is only being used as a driveway because the spaces are in the garage. That is one way around the wording. Mr. Lighty agreed. Mr. Snyder stated the problem is that is not the intent.

Mr. Lighty stated the intent from working on the ordinance, is that there are too many townhouses where they have to move the car in the driveway just to get the car out of the garage. That made too much backing into streets and it was not a good way to allow the units to be built. Reality is that most people have two cars, and there should be provisions for that.

Mr. Newsome stated if there is a one car garage, that is one parking space and there is one space in the driveway. Mr. Lighty corrected him saying that the ordinance doesn't allow both to be counted. Mr. Newsome felt that was wrong. Mr. Newsome felt you should be allowed to count the one in the driveway.

Mr. Newsome stated that a two-car garage is using a lot of land area in the front yard, and he has always had a problem with running 18 feet of paving out to the street. If the garage is that close to the street that you cannot maneuver around, and have to back straight out, maybe it is too close to the street.

Mr. Newsome felt it should be permissible to count the parking in the driveway as a second parking space. Many people around this area and around the United States sometimes have to go out and move a car in the morning so the other person can get out. Mr. Newsome would prefer that to having on-street parking. Mr. Snyder agreed, however, then the impervious coverage regulation needs to be changed.

Mr. Lighty stated that a person is not prohibited from parking in the driveway; it just does not count towards the minimum amount of spaces required. Mr. Newsome stated that when designing, it impacts the impervious coverage, parking bays on the streets, and how wide the street needs to be to accommodate on-street parking because parking is being pushed on to the street. Mr. Newsome does not want to do that. Mr. Newsome does not want parking on the street if they can keep it off the street.

Mr. Lighty stated that the intent is to make sure that there is adequate parking so the streets do not clog up.

Mr. Snyder stated that if you let them count the driveway, the problem goes away. Mr. Lighty stated that leaves you without adequate parking again. Mr. Snyder stated it does not physically change anything. It will leave you with not complying with the impervious coverage criteria because it is now parking *and* a driveway. That affects the marketability because they are then built and sold that way as well.

Mr. Neff asked if the other commissioners have gone out and looked at a townhouse community in a neighboring community or in Lower Paxton Township to see how they park. Mr. Snyder stated he has found it to be not much different than parking at a single family house, people parking in the driveway in front of the houses, because one of the garage bays is probably full of stuff. Mr. Neff asked if there is parking on the streets. Mr. Snyder answered yes, noting that two cars are less common than three cars. Mr. Neff stated that he and Mr. Beverly walked the hospital area and the apartments nearby, they found several cars parked on the street. Mr. Neff stated he has seen the same thing south of the new Kokomo's. There are more cars on the street than in the driveways and he did not know what would cause that.

Mr. Newsome stated that in Derry Township they have a number of developments with a one-car garage and they do not allow parking on the streets. The collector street has space for parking. Mr. Newsome did not feel Lower Paxton Township should do that.

Mr. Neff asked if there should be auxiliary parking. Mr. Newsome did not think so, and did not think there is a problem. Mr. Lighty disagreed. Mr. Lighty is familiar with three townhouse developments in Lower Paxton Township and there is not adequate parking in any of those.

Mr. Snyder asked what is wrong with cars in the street. Mr. Lighty said nothing is wrong with it if it is your car in front of your house, but if you park a block away and fighting that neighbor for the spot in front of his house, that is a problem. Mr. Snyder stated that if there is sufficient off street parking then any overflow will park on the street, but most townhouses have a two car garage with two spaces in the driveway. If you own more than two vehicles, or do not use the garage for parking, you spill out onto the street. Mr. Snyder felt that if the streets are wide enough to accommodate it, it does not need to be restricted.

Mr. Snyder suggested taking away the criteria that spaces in the driveway do not count. Also, change the impervious coverage criteria so that you do not create situations that are contrary to the market, and how people build and live in townhouses.

Mr. Guise stated you will get townhouses closer to the front and the driveways may not be long enough. If the driveways are long enough to have cars parked there and not block the sidewalk it might be okay.

Mr. Lighty felt musical cars is just not a good thing.

No formal motion or recommendation was made; however, staff will take the advice of the Planning Commission to the Board of Supervisors.

Greenway Committee Update

Ms. Sibert stated the Greenway Committee had a very good article in The Patriot-News last night. The next public meeting will be February 6th, and she invited the Commissioners to the meeting starting at 7:30pm. They will show their findings, and present some ideas on how to connect the greenways in the Township.

Mr. Lighty asked what will happen with this plan. Will it be superimposed over new developments? Ms. Sibert will get more information at the next meeting.

Mr. Lighty felt that condemning land is not the way to get a greenway. Ms. Sibert stated they do not have that in mind; they look for space that is already available and make connections.

Ms. Sibert stated that she invited the chairman of the Greenway Committee to a Planning Commission meeting to make a presentation. The Commission agreed that they would like that.

Public Comment

There was no public comment at this time.

Commissioner Comment

Mr. Neff noted that the Stray Winds plan is unusual and is interesting because most planning commissions do not get to tackle this type of project. Mr. Neff has worked on several of these projects, and was curious how long of a time frame they are working with, noting it will be influenced by real estate cycles. One critical item in this type of development is phasing, because it is when you ensure that, as each phase progresses, if there was to be a period of slow or no development, that that phase can stand alone and that the infrastructure can support the people. Mr. Neff questioned if one of the roles of the Planning Commission is to look closely at the phasing.

Mr. Newsome felt there are some times when the Commission should have some influence and input according to what is going on in the area. He was not sure if this was one of those times.

Mr. Gingrich was unsure if there was a need for over 20 phases in Stray Winds. Mr. Newsome agreed, speculating that several phases will come before the Township at a time. Mr. Gingrich agreed.

Mr. Snyder stated phasing is something that the Commission should look at. The ordinances in the Municipalities Planning Code require that a developer proposing more than 4 phases, that a phasing plan be filed detailing when they will submit various sections. That is something that has to be approved by the Board of Supervisors. It is appropriate for the Planning Commission to comment on that as well. If they deviate from that schedule, they have to get subsequent approvals annually from the Board.

Mr. Neff stated that phases do not have to be submitted in numerical order. Mr. Neff did not see a phasing schedule. Mr. Snyder stated a phasing schedule is on the plan saying when each phase will be filed. Mr. Snyder stated they are compelled to follow that, unless they come in and get additional approvals to deviate from that.

Mr. Neff asked if Mr. Snyder has looked at that for utilities, and the flow of sewer and water extensions. Mr. Snyder stated he will be talking to the applicant, although it has not been studied in great detail yet.

Mr. Gingrich noticed that one of the plans before the Commission had comments from the Authority saying they couldn't develop the way they proposed because a manhole for phase 1 was located in phase 2. Mr. Snyder commented that phasing is mostly dictated by the extension of utilities.

Mr. Snyder introduced Mike Hess, an engineer with HRG who supports and works with Mr. Snyder on many of Lower Paxton Township's projects.

Adjournment

The next regular Planning Commission meeting is scheduled for February 14, 2007 at 7:00pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 9:23 pm.

Respectfully Submitted,

Michelle Hiner
Recording Secretary