

LOWER PAXTON TOWNSHIP
PLANNING COMMISSION

October 11, 2006

COMMISSIONERS PRESENT

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

ALSO PRESENT

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

Call to Order

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00 pm, on October 11, 2006 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Pledge of Allegiance to the Flag

Mr. Beverly led the recitation of the Pledge.

Approval of Minutes

Mr. Neff made a motion to approve the minutes of the August 9, 2006 meeting. Mr. Beverly seconded the motion and the minutes were unanimously approved.

OLD BUSINESS

Preliminary/Final Land Development Plan #06-26

Rosewood

Ms. Moran stated the Township has received a plan for the subdivision of thirty-three building lots and the development of a residential cluster located at the intersection of Colonial Road and Earl Drive. The property consists of 19.8349 acres and will be served by public sewer and public water. The plan proposes 33 units; 17 single family dwellings, 5 doubles (10 units) and 2 three-packs (6 units).

This property was rezoned (Ordinance 06-04) by the Board of Supervisors at its August 1, 2006 meeting from R-O Research Office District, to R-1 Low Density Residential District with an R-C Residential Cluster Overlay.

On September 13, 2006 the Planning Commission tabled the plan in order to allow the applicant the opportunity to address the comments.

The applicant has applied to the Lower Paxton Township Zoning Hearing Board for variances from minimum land area requirements with regard to the steep slope district and minimum lot area requirements for some of the twin-dwellings and three-pack dwelling units. The Zoning Hearing Board will hear the variance requests at its October 26, 2006 meeting.

The applicant has requested the following waivers: waiver of the preliminary plan requirement; waiver of the minor street right-of-way width requirement from 60 to 50 feet and minor street width requirement from 36 feet to 30 feet; waiver of the horizontal curve radius requirement for minor streets from 275 feet to 150 feet for two curves on Caden Way and from 275 feet to 150 feet for one curve on Peyton Cove; waiver of the requirement that driveways shall not be located within 10 feet from a catch basin, drain inlet or fire hydrant; waiver of the sidewalk and curb requirements along the frontage of Colonial Road; and waiver of the cul-de-sac requirement of a paved turnaround with a minimum radius of fifty feet for Caden Way.

Mr. Neff questioned if it was appropriate to continue if they are awaiting decisions of the Zoning Hearing Board. Mr. Lighty answered no, and the Commission can condition their decision on the outcome of the Zoning Hearing Board, or it can wait.

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

Mr. Staub stated that they have reduced the number of variances from five down to two, for minimum lot size for some multi-family units and relief from the steep slope requirements for six of the 33 units. The applicant did receive the comments from staff, HRG and County last month, and did address the comments and submitted revised plans. HRG has not completed a review of the resubmission, but should shortly. Mr. Lighty asked Mr. Snyder if there were any significant findings. Mr. Snyder stated there were still some things to be addressed, but could not answer until his review was fully completed. Mr. Staub offered to speak about any specific concerns.

Mr. Staub stated they have asked for an additional waiver for the turn-around at the end of the cul-de-sac street. They met with Staff and they were not opposed to that because the cul-de-sac will eventually connect through the Sheesley tract. The turn-around is 30x30. Mr. Gingrich asked how long the stub street will be there before it is connected. Ms. Micki Molinari stated she has been working with Ms. Sandi Prah for several months and they are intending to do something there. Mr. Staub added that this is a connection that the Township desires, as well as Ms. Prah.

Mr. Newsome questioned the status of the lot on which the turn-around is located. Mr. Staub stated the home-owners association would take care if it, and there would be a temporary easement on that property.

There were no new comments from Mr. Millard.

Mr. Eric Epstein, coordinator for SWAN, offered some general observations after working with the developers and felt that they are going in the same direction as the Township. They are preserving 40% contiguous open space, and it is not scattered on the property. Mr. Epstein suggested rewarding developers when they exceed the requirements for open space, adding that they have also worked to “build down” to minimize traffic impact. He also noted that they are building the tax base without burdening the schools. SWAN supports this plan.

Mr. Newsome questioned the location of existing curb on Colonial Road. Mr. Staub showed on the map that the curb is only around the existing medical building.

Mr. Guise asked if parking is on one side of the street. Mr. Staub presented the drawing that shows the ability to park the third space on the street, and noted there will only be parking on one side.

Mr. Guise asked if the streets will be public. Mr. Staub answered yes.

Mr. Staub felt confident that the Zoning Hearing Board would look favorably on the applications. Mr. Staub agreed that if they do not get approved, they may lose two or three lots. The street alignment would not change, only the lot lines.

Mr. Snyder asked if the duplexes have 2-car garages. Mr. Staub answered yes, and the driveway is double wide, 18 feet. Mr. Newsome stated the plan shows 16 feet. Mr. Staub will correct the drawing.

Mr. Neff questioned the parking configurations with regard to the sight triangles. Mr. Staub answered that it will be more difficult to see around parked cars, but the Subdivision & Land Development Ordinance does not prohibit street parking within the sight triangle. That may be a loophole in the ordinance.

Mr. Guise made a motion to table the plan to allow the zoning issues to be addressed, and receive further engineering comments. Mr. Beverly seconded the motion and the motion carried unanimously.

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

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

New Business

Preliminary/Final Subdivision Plan #06-28
4800 Linglestown Road

Ms. Wissler stated that the Kusic Capitol Group has asked to be tabled. Mr. Gingrich made a motion to table the plan. Mr. Newsome seconded the motion and the motion carried unanimously.

Preliminary/Final Subdivision Plan #06-29
Townes at Autumn View

Ms. Wissler stated that the purpose of this plan is to obtain Preliminary/Final Land Development approval for a proposed 18-unit town home community. The property is a 3.61 acre tract of R-2 zoned land located on the east side of Griffin Street between Warren Avenue and Jerome Boulevard. The community will be a condominium development composed of one single lot held in common ownership. The proposed street and stormwater facilities will be privately owned and maintained by the Autumn View Condominium Association. All units shall be served by public sewer and public water. The applicant is proposing to pay a fee-in-lieu of land dedication.

The applicant has requested the following waivers: low flow channel and basin under drain required in basins; 18" minimum storm pipe size for public sewer-a 15" HDPE storm pipe along/under Griffin Street to an existing inlet at the intersection of Griffin Street & Jerome Boulevard is proposed; type C inlet grates required for streets-slant curb inlet tops are proposed in the private street, this waiver is only requested if slant curb waiver is approved; vertical curb required for streets-slant curb is proposed for the private street; dedication of right-of-way for existing abutting streets; curbing and widening of existing abutting streets-they are proposing to widen Griffin Street at the private street entrance; 400' minimum street intersection separation-the proposed private street intersection is 202' away from the Warren Avenue intersection; minimum 40' driveway separation from a street intersection; and requirement to submit a preliminary plan; and sidewalks are required on both sides of the street and they are proposing on one side of the street.

Mr. Tim Mellott and Mr. Steve Wiengardner were present on behalf of the McNaughton Company for this plan. Mr. Mellott stated the plan is proposing townhomes, three 6-plexes and all will have public sewer and water. The street will be private; it will be built to Township specifications but will be privately owned and maintained.

Mr. Mellott speculated that the new ordinance will do away with the requirement making waiver #1 necessary, it is in compliance with DEP regulations. They are proposing 15 inches as opposed to 18 inches to be able to tie into an existing storm inlet that only has a limited depth to it to provide as much cover as possible. They are also proposing to convert that pipe to concrete to minimize concern. Mr. Snyder felt that was fine. Mr. Mellott stated

that they are proposing slant curbing, and that would require the different inlet top. Mr. Newsome noted this request has not come up previously when talking about slant curbing, and asked if this is an oversight. Mr. Snyder agreed it is a separate section so it should technically be requested separately. Staff will note that for future plans. The existing right-of-way is already in excess of the 25 feet required. Mr. Mellott showed on the map where the easement is for the Liddick property. The applicant will improve the agreement because they are taking utilities across it, to make sure everything is covered. Being that the small piece of property on the corner is not theirs to dedicate, they are not proposing it.

Mr. Snyder asked if Liddick will be a party to the plan. Mr. Mellott stated they are working on that issue, hoping that with the agreement in place, they do not have to be a party to the plan. Mr. Mellott was willing to provide whatever documentation necessary to satisfy the solicitor.

The curbing waiver only applies to about 5 feet, and Mr. Mellott did not feel it was a hardship either way, but it did not make much sense to install it. There is no curbing on Griffin Street or Jerome Boulevard.

Mr. Newsome questioned if two homes are served by that driveway. Mr. Mellott confirmed that. Mr. Newsome asked about the placement of the relocation. Mr. Mellott agreed it was very close to the street. Mr. Mellott stated that is the reason for another waiver being requested because there is typically a 40-foot separation, but they have moved it as far as possible. If it were a through street, or serving more than 18 units, it may be a concern, but shouldn't make too much difference in this case.

Mr. Mellott stated the plan centers the street, noting that 400 feet it extremely wide for minor street separation, that would require a minimum of 175-foot deep lots, forcing the creation of larger lots. It is more typical to have a requirement of 150-200 feet.

Mr. Mellott stated that no public roads are proposed, and there is no subdivision proposed, so there is no need for the preliminary plan.

Mr. Newsome asked about the location of the existing driveway. Mr. Mellott stated that the current owners want the driveway brought out to Griffin Street and not to the internal street. Mr. Mellott felt that was better anyway because the amount of construction that will take place will require the driveway to at least be temporarily located there. It is more practical and there is very limited traffic for this size development.

Mr. Mellott stated that sidewalk is only proposed on one side of the street because the units are only on one side. It would not be practical to construct sidewalks on the other side due to the layout.

Mr. Newsome asked about the location of the mailbox. Mr. Mellott stated that there will be a common mailbox, which is typical. Mr. Newsome asked if there is enough space to stop to pick up the mail. Mr. Mellott speculated that they would probably just walk to it, but

there are parking stalls there. This is one of the comments they are working to address. The requirement is to provide a grass strip between that parking, so they have to pull all that off street parking off the plan.

Mr. Neff asked about the garbage collection. Mr. Mellott replied that Waste Management will collect curbside, there will be no dumpsters.

Mr. Neff asked what the infiltration is for because he does not see any pipes. Mr. Mellott stated it is for the roof leaders. With the installation of what is proposed, it will eliminate potential problems, and will eliminate the existing drainage that flows on top of Griffin Street.

Mr. Neff asked about the compatibility of the soils. Mr. Mellott felt that is only really applicable when the facilities are above ground. They will have to provide testing when going through the NPDES phase 2 process.

Mr. Mellott noted that there are a lot of waiver requests (ten), but felt that this tract is unique.

Mr. Lighty asked Mr. Snyder if there were any notable concerns with the plan. Mr. Snyder stated that most were technical in nature, and Mr. Mellott has already addressed them.

Mr. Gingrich asked about the façade of the townhouses. Mr. Mellott stated that McNaughton typically does a stone façade 2-story building. These are not high-end townhomes.

Mr. Millard noted comment #1 with regard to open space. The required open space should be clearly identified. Mr. Millard questioned if the plan meets the intent of the ordinance. Open space is anything that is not impervious.

Mr. Gingrich made a motion to recommend approval of the plan subject to the comments provided and motion to approve the ten waivers requested. Mr. Beverly seconded the motion, and the motion passed unanimously. The motion was amended to include resolution of the right-of-way dedication.

Preliminary/Final Re-Subdivision Plan #06-30
Harrisburg Church of Christ

Ms. Moran stated that the Township has received a plan to resubdivide the church property at 205 Miller Road and combine the two existing parcels into one. The property is zoned R-1, Low Density Residential District and is located south of Jonestown Road. The property consists of 1.3244 acres and is served by public sewer and public water.

The applicant has requested the following waivers: waiver of the requirement to provide a preliminary plan; waiver of the requirement to provide sidewalk and curb along the frontages of Miller Road and Holbrook Street; waiver of the requirement to provide road widening along the frontages of Miller Road and Holbrook Street; waiver of the requirement to provide a stormwater management plan; waiver of the requirement to provide elevation contours for the project; and waiver of the requirement to provide an erosion and sedimentation control plan.

Mr. Jeffrey Staub was present on behalf of the plan. Mr. Staub stated that the plan was a simple lot combination.

Mr. Newsome asked if there is curbing presently on Miller Road. Mr. Staub stated that there is curbing on Miller Road. Mr. Staub corrected the waiver request to only be for sidewalks on Miller Road since the curbing is already there. The waiver request for Holbrook is for curbs and sidewalks. No construction is proposed.

Mr. Lighty pointed out that the neighboring properties have sidewalks. Mr. Staub showed on the map where the sidewalks exist, and noted they are only on the side of the property away from the mall. Mr. Lighty felt this would be a great opportunity to get sidewalks where there should be sidewalks. Mr. Staub stated that there are some topographical issues with that portion of the property and, like all churches, they are on very limited budgets. Mr. Lighty noted that churches are around for a very long time and if they do not do the improvements now, they may never get that chance. Mr. Staub respectfully requested the waiver be granted.

Mr. Lighty asked if the applicant had any issues with any other comments. Mr. Staub did not see any problems.

Mr. Chip Millard, Dauphin County, did not offer any formal comments, but asked about the possibility of church goers using the Holbrook entrance as an exit only, and using Miller Road as the entrance. The parking seems to lend itself to that type of circulation. Mr. Staub asked if signs should be placed there. Mr. Millard did not feel it should be required necessarily, but wanted to suggest it. Mr. Millard agreed it may not be an issue at all given that the church does not appear to be very large, and it is only used twice a week.

Mr. Newsome made a motion to recommend approval of the Preliminary Final Re-Subdivision Plan #06-30 for Harrisburg Church of Christ, subject to addressing the comments and approval of waivers #1, #3, #4, #5, and #6. With regard to waiver request #2, Mr. Newsome recommended approval of the waiver for curb and sidewalk along Holbrook Street, however recommended not granting the waiver for sidewalks along Miller Road. Mr. Guise seconded the motion and the motion passed unanimously.

Final Subdivision Plan #06-31
Kendale Oaks, Phase V

Ms. Wissler stated the plan for Phase V proposes to develop approximately 19.5088 acres of land into 34 single family lots. The tract is zoned R-1, Low Density Residential District and will be served by public sewer and public water. Phase V is located east of Conway Road. This phase requires no additional waivers besides what was approved with the preliminary subdivision plan.

Mr. George Zimmerman and Mr. Jeffrey Staub were present on behalf of the plan. Mr. Lighty asked if Mr. Staub received the comments and if he had any issues with them. Mr. Staub answered that he did receive them and has no problem complying with them.

Mr. Newsome asked about the waivers granted under the preliminary plan. Mr. Staub noted they are not asking for any new waivers, but only listed the approved waivers for informational purposes.

Mr. Staub noted that the Township is working with the Hodges Heights community to possibly relocate Conway Road. The Township is recommending and has prepared a concept plan for the relocation of Conway Road around the south side of the neighborhood across the Township Landfill property. If the Hodges Heights residents feel favorably about this project, a new Conway Road will keep traffic off the existing Conway Road. The entrance to the compost facility will be moved as well. Conway Associates will lose a lot in this process, for which the Township will compensate them. If the residents do not like the idea, Phase V as submitted will be built as shown. The only difference is that portion of Conway Road. Two alternates were suggested to the community, a cul-de-sac and the end of the existing Conway Road, and a one-way-out at the end of the existing Conway Road onto the new Conway Road. Phase 4 is when the work to Conway Road will be done. Mr. Snyder asked why the short stub street of Kendale Drive and the two adjacent lots were taken out of Phase 5. Mr. Staub answered that the sanitary sewer serving those lots runs through phase 4 so they dropped those lots down to Phase 4. Mr. Snyder wondered about having Kendale Drive connect. Mr. Staub stated there will be a temporary road there to assist with the Conway Road construction. Mr. Snyder asked what happens to the abandoned right-of-way behind lot 159 if Conway Road is relocated. Mr. Staub was unable to answer for sure, but speculated that the area would be absorbed into lots 4 and 5.

Mr. Millard noted comment #1, stating that the total width of the two side yards need to total 30 feet. Mr. Staub stated he will make that correction.

There was no comment from the audience.

Mr. Guise made a motion to recommend approval of Final Subdivision Plan #06-31 for Kendale Oaks Phase 5, noting that the waivers have been previously approved and approval shall be subject to addressing the comments. Mr. Newsome seconded the motion and the motion passed unanimously.

Preliminary/Final Land Development Plan #06-32
Candlewood Suites

Ms. Moran stated the purpose of this plan is to construct a three-story 93 room (49,908 square feet) hotel. The property is located on the northwest corner of the intersection of North Mountain Road and Lockwillow Avenue. There are no plans to access the hotel from Mountain Road. However, the proposed Lockwillow Avenue driveway will align with the Country Oven driveway on the opposite side of Lockwillow Avenue. The property is zoned CN, Commercial Neighborhood, consists of 4.331 acres and will provide public sewer and public water.

The applicant has requested a waiver of the preliminary plan requirement.

Mr. Jeffrey Staub was present on behalf of the plan. Mr. Staub noted that this parcel was at one time part of the land that included where the Colonial Lounge, Karns, and Hornung's. This lot was vacant for about 16 years and there was a single family home at one time, but was demolished about 10 years ago.

Mr. Patel is interested in building an extended stay hotel facility with suites that include kitchenettes and some are handicapped accessible. There are no meeting rooms, and no conference rooms, and no restaurants included in this hotel. The only curb cut is across from the Country Oven driveway. The original subdivision called for a right-in/right-out driveway off Mountain Road, near Forte Music, but that is no longer proposed.

Mr. Newsome asked if Candlewood Suites is a franchise. Mr. Staub answered that he thought it was.

Mr. Lighty asked if the applicant has received the comments and if he has any issues with any of them. Mr. Staub stated he has no problems with any of the comments.

Mr. Staub noted that the requirements for the detention basin landscaping appear to limit to such an extreme that nothing can be planted around the basin. In lieu of that, they measured the lineal feet of the embankment and using the ratio of trees per lineal feet, calculated the number of trees and shrubs that would have been planted around the basin and placed them elsewhere on the site. Mr. Lighty felt this issue may need to be addressed in the zoning cleanup meetings. Mr. Snyder agreed the ordinance contradicts itself. The section is 804 G.

Mr. Newsome asked about the wetlands at the access, noting the significant amount of earth moving in that area. Mr. Newsome asked about the impact to the wetlands. Mr. Staub noted that there was a permit done for this driveway 10 years ago, and speculated that DEP will again approve that. They are affecting less than 1/10 of an acre; they meet the other criteria as well. The only issue may be where to mitigate those 4,000 square feet because there is no place on the site to mitigate it. The applicant is hoping to pay a fee in-lieu-of, but that is up to DEP. Mr. Newsome felt it would be helpful to see the outline of the wetlands on and

around this property. Mr. Staub stated it goes onto the residential properties on Scott Drive. Mr. Staub also questioned the quality of the wetlands because they were basically created by the drainage from the Best Western lot.

Mr. Neff asked about the condition that exists during heavy rains. The stormwater flows down across Lockwillow and enters the subject property. Mr. Staub stated there is an extensive stormwater collection system along Lockwillow Road and in the Best Western lot. Mr. Staub did not know if there actually was an inlet in the Wallabee's parking lot. There is a 36" pipe taking the water to the system on Scott Drive, and it crosses the subject parcel with an easement.

Mr. Neff asked if the post construction runoff will not exceed the pre construction runoff. Mr. Neff noted that there is standing water on Lockwillow Avenue. Mr. Staub stated they may mitigate that problem because they are proposing additional inlets along Lockwillow Avenue on the north side.

Mr. Gingrich asked about the fire lanes. Mr. Staub assumed they will follow the normal procedure and meet with Officer Needham, but noted that they are proposing a fire lane all the way around the property. Mr. Gingrich asked what would happen if Officer Needham did not approve the proposed plan. Mr. Staub stated that has happened in the past, and they will have to rearrange the parking.

Mr. Millard noted comment #6, asking if there are any issues with stacking at the intersection of Lockwillow Avenue and North Mountain Road. Mr. Staub stated that Grove Miller did a trip generation report did not indicate a need for an impact study. Ms. Wissler and Commissioners agreed there are no stacking issues at that intersection. Mr. Staub stated they will obtain a Highway Occupancy Permit for a 100' length of improvements with curb and sidewalks. The sidewalks being constructed along Lockwillow Avenue will tie into existing sidewalks. Mr. Staub noted that the right-of-way is set back an unusually large distance, about 15 feet from where the sidewalk would typically be situated. The ordinance calls for the sidewalk to be located at the right-of-way line, so they will need to ask for a waiver for the location of the sidewalks, they would like to put it four feet from the curb. Mr. Staub will put the waiver request in writing to Staff by noon the next day.

Mr. Guise made a motion to recommend approval of Preliminary Final Land Development Plan #06-32 for Candlewood Suites, including the approval of two waiver requests: preliminary plan requirement and location of sidewalk requirement, provided that the written request be submitted to Staff by noon tomorrow, and the location shall be as shown, and approved by the Township Engineer. The approval shall also be subject to compliance with the other comments. Mr. Newsome seconded the motion and the motion was unanimously approved.

Public Comment

There was no public comment at this time.

Commissioner Comment

Mr. Lighty asked for an update on the Greenway Committee at the next meeting.

Adjournment

The next regular Planning Commission meeting is scheduled for November 8, 2006 at 7:00pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 8:45pm.

Respectfully Submitted,

Michelle Hiner
Recording Secretary