

LOWER PAXTON TOWNSHIP
PLANNING COMMISSION

November 8, 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 Planning Commission
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 November 8, 2006 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Pledge of Allegiance to the Flag

Ms. Sibert led the recitation of the Pledge.

Approval of Minutes

Mr. Beverly made a motion to approve the minutes of the September 13, 2006 and October 11, 2006 meetings. Ms. Sibert 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.

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.

On September 13, 2006 the Planning Commission tabled the plan in order to allow the applicant the opportunity to address the comments and appear before the Zoning Hearing Board for their variance requests.

This plan was tabled at the October 11, 2006 meeting as well.

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 variances were heard on October 26, 2006 and were granted.

Mr. Jeffrey Staub, Dauphin Engineering Company, and Ms. Barbara Greenberg were present on behalf of the plan.

Ms. Moran presented a copy of latest comments from HRG dated November 3, 2006.

Mr. Staub stated they have made the revisions to the plan based on the comments generated. Mr. Lighty asked if the applicant had any problems with the comments. Mr. Staub had a concern about #18 regarding the street trees. For maintenance and replacement of street trees, the ordinance only refers to the individual lot owners. Mr. Grubic noted that note is a recommendation, not a requirement. Mr. Staub did not desire the homeowners association to be responsible for those trees.

Mr. Staub noted with regard to comment #27, that the post construction peak flows to those two culverts are at a minimum 50% less than pre construction. Mr. Staub was also unsure if the developer was responsible for replacing the pipes if they were found to be inadequately sized. Mr. Grubic suggested looking at each culvert and do a hydraulic analysis to determine the actual capacity. If the flow is reduced, it should be identified. Mr. Staub asked if they were found to be inadequate, would the developer be required to correct them. Mr. Grubic stated that if they were inadequately sized because of the additional runoff from the development, then the developer would be responsible for that, but if they are currently inadequately sized, then it should be worked out between the Township and the developer.

Mr. Staub asked about comment #9. The original rezoning application for this project showed nature trails in and around the large open space area. The adequacy of the trail system was questioned because of ADA standards, stream crossing permits and wetland impacts. To be practical, the trails were removed from the plan because they cannot make it handicapped accessible. Mr. Staub noted the ordinance does not require walking trails in the open space lot. According to the ordinance, the developer has to provide access to the public to the open space area. Access is defined as from a public right-of-way, and this does front on Caden Way. Because of that, Mr. Staub felt they are meeting the requirement of the ordinance.

Ms. Moran read the definition of access in the zoning ordinance: a means of vehicular approach or entry to or exit from property.

Mr. Staub noted that the developer really intended to do the nature trail, but the ordinance may need to be amended. Mr. Newsome asked if there is any relief on these types of issues, noting that he has seen walking paths that are not ADA accessible. Mr. Newsome agreed that this needs to be addressed in the ordinance so that walking paths can be developed. Mr. Newsome felt that the ADA issue is a serious one.

Ms. Sibert noted that the Greenway Committee, Simon & Collins, is looking at areas that are available to connect a greenway throughout the Township, and this might be that sort of area. Mr. Newsome asked Ms. Sibert to raise this issue with the Greenway Committee. Ms. Sibert stated the Committee did discuss that issue briefly and felt that certain parts of the path must be accessible, but not the whole path, and will check on that with the Committee. Mr. Lighty thought that the name of the path was also a factor, for instance, if it was a walking path it has to meet the requirements, but a nature trail does not. Mr. Lighty was unsure of the difference, but felt it should be addressed in the zoning ordinance.

Mr. Lighty asked if the trails did not have to be ADA compliant, would the developer put them back on the plan. Mr. Staub answered yes, that was the original intent.

Mr. Grubic asked if Mr. Staub was in agreement with HRG comment #19 and the desire to construct Caden Way as a collector street because it may connect to the stub streets in Devon Manor and an undeveloped lot to the south. Mr. Staub noted that it is unknown how Ms. Prahls property will be developed, but there are a number of existing and possible connections to her property, with or without Rosewood. Mr. Staub did not do a traffic impact study for Rosewood including Ms. Prahls lot, there is no way to know what the street system will be like, but they did guess the maximum density would be 2 units per acre for 70 acres. Mr. Staub estimated that a high estimate of the trips generated by Ms. Prahls property would be 40%, about 10 trips per day per unit. Adding those trips going to Earl Drive, it is significantly less than 1,000 trips per day average daily traffic. One thousand trips is the threshold between minor streets and collector streets. Mr. Staub added that they are asking for waivers from the minor street right-of-way widths, cartway widths and centerline radius requirements. If the Township felt that Caden Way would be designated as a collector street, the developer would still ask that these waivers be granted.

Mr. Guise asked what the requirements are for the collector streets. Mr. Staub answered that the collector street radius is 500 feet, and the minor street radius is 275 feet, and they are asking for a curve radius of 150 feet which was the old standard. The right-of-way is 60 feet, and the cartway is based on the average lot width.

Mr. Staub noted that if they design Caden Way as a collector street, they will lose four or five lots.

Mr. Lighty noted that the Township used to favor a lot of curves for traffic calming, but when Ms. Prahls lot is developed, there may be a lot of traffic coming through this development. Mr. Lighty wanted to have this adequately accounted for. Mr. Staub felt they have accounted for this, but HRG does not agree. Mr. Staub stated the next step would be to hire a traffic engineer to have them determine how Ms. Prahls land will develop and what the trip distribution will be based on an assumed street design.

Mr. Lighty noted that Ms. Prahls is very interested in TND developments, which changes the density dramatically.

Mr. Grubic noted he added this comment more for the future than for this specific development. The point was to identify that there are undeveloped lots around this parcel and there are stub streets adjacent to it. Mr. Grubic noted it is not identified as a collector on the Township Comprehensive Plan; it would still seem that with the pending development it should be considered. Mr. Grubic noted that there are benefits to having the curvy roads for traffic calming. Mr. Grubic suggested having something done to the plan that would identify the benefits of having a collector street even if the criteria are downsized and not resulting in a loss of lots. Mr. Staub stated the only practical way to do that is to increase the cartway from 30 feet to 32 or 34 feet. The developer needs relief from the horizontal curve radius requirement to make this development work. Mr. Grubic noted that higher curve radii encourage higher speeds, so there could be a compromise that way.

Mr. Staub noted the other option is to install a cul-de-sac and not connect to Ms. Prahls property. If that were done, they would have one less single family lot and one more duplex, and the number of units will stay the same, but the configuration would be different. Mr. Lighty did not like that idea. Mr. Staub agreed that is not what the developer wants either. Ms. Greenberg stated they designed the plan how the Township wanted them to, and then changed it so many times to accommodate everybody's requests, and felt that this was the best possible solution. Ms. Greenberg noted that Ms. Prahls wants to do something with her lot, but there is no time frame set for her lot, and she has multiple accesses to her property. Ms. Greenberg did not want the traffic of a collector street rushing through her development. The Township has always requested the streets be smaller for traffic calming, this was developed in that fashion.

Mr. Newsome was not concerned with the collector street issue, but was concerned with the curves. Mr. Newsome speculated that Lots #9 and #8 could be moved back to make the curve less abrupt and move the other two lots over, and make the transition a little nicer.

Mr. Staub noted it was a compromise, and the steep slope is the reason for the design. Mr. Newsome noted that what is done in this development may dictate what is done in Ms. Prahl's development.

Mr. Staub noted that Caden Way was designed the way the Board of Supervisors wanted it to be, with the stub street to be a connection.

Mr. Neff noted that lot 35 is marked for future use. The topos suggest that Lot 35 currently drains into Rosewood. Mr. Staub agreed that it does, and they have allowed for that drainage coming off that cut slope into the rest of the development, and have accounted for it. Mr. Neff asked how the stormwater will flow when the lot is developed, because there are no easements and no connection to the drainage basin. Mr. Staub anticipated that the lot will be rezoned to BC or another non-residential district, and then it will be sold to be developed as a small office building. The lot will be graded to have good frontage on Colonial Road and it will have its own stormwater detention facility constructed. The drainage pattern will then be altered. The lot will stand on its own.

Mr. Neff asked if the lot were developed where the stormwater would go. Mr. Staub answered that if it weren't controlled some of it would flow down to the medical office building and some is graded to flow into the detention basin "A" in Rosewood and some will flow to Colonial Road, none will flow to the south. Mr. Neff stated those homes will have very wet backyards. Mr. Staub disagreed, stating that the amount of drainage area that is tributary to the swales behind those multi-family units is fairly small, maybe a quarter of an acre. Mr. Neff agreed, until it is developed. Mr. Staub stated that when it is developed it will control its own stormwater, probably underground.

Mr. Neff asked if there is a provision for that lot to eventually tie into the Rosewood basin. Mr. Staub answered no. Mr. Neff asked if there is a problem making that provision. Mr. Staub stated he would have to resize the basin. The basin could be redesigned to accommodate a future development on lot 35, and create the appropriate easements. This may make the property more marketable and there could be some benefit. Mr. Grubic stated that if he owned lot 35, he would make the small additional investment to make the basin a little bigger to accommodate the flow from lot 35 when it is developed and also provide a drainage easement along the rear of lots 16 and 17 and 36 to make sure it is accommodated in the future. Ms. Greenberg and Ms. Molinari will look into that and consider it.

Mr. Newsome agreed that having the drainage taken care of really enhances that lot. Mr. Grubic agreed, adding it also protects lots 16 and 17. Mr. Newsome noted that lot 35 is currently part of this plan, and does impact the other lots in the plan. Mr. Staub agreed they can put a drainage easement behind lots 16 and 17. Mr. Newsome added they could possibly increase the size of the detention basin. Ms. Greenberg stated she would be happy to investigate that and do that. Mr. Gingrich wanted to see the nature trails put back on the plan as well.

Mr. Guise made a motion to recommend approval of Preliminary/Final Subdivision Plan #06-26 for Rosewood, and recommend approval of the six requested waivers with the following adjustment: with respect to the waiver of the minor street width requirement on Caden Way that the waiver be to the minimum of 32 feet instead of 30 feet to address the points discussed, and recommend that the developer work with the Township to address the runoff issues from lot 35 to lot 36, as discussed by providing a drainage easement across the back of lots 16 and 17 and, as appropriate, resizing the detention basin on lot 36, this recommendation shall be subject to compliance with the other comments that state requirements and not recommendations. Mr. Beverly seconded the motion. Mr. Gingrich asked about the nature trail. Mr. Guise amended his motion to also recommend that to the extent feasible in compliance with the ADA Act and other requirements, that the developer consider restoring the nature trail in the open space area if it can be done without causing any violations of legal requirements. Mr. Beverly seconded the amended 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 Land Development Plan #06-21 for Shuler All Pro Car Wash, Linglestown Road. Mr. Newsome seconded the motion. The motion passed unanimously.

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

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

NEW BUSINESS

Preliminary/Final Subdivision Plan #06-35
1525 Blue Mountain Parkway

Ms. Moran stated that this plan proposes the subdivision of four lots at 1525 Blue Mountain Parkway. This property is located at the northeast intersection of Blue Mountain Parkway and St. Thomas Boulevard. The property is zoned AR Agricultural Residential District, consists of 10.292 acres and will be served by public sewer and water, however, Lot 1 will utilize the existing well. The applicant has requested a waiver of the requirement to provide a preliminary plan.

Tim Mellott, Mellott Engineering Inc., and Pete Leone, Triple Crown Corporation, were present on behalf of the plan.

Mr. Mellott stated he is able to address all the comments.

Mr. Mellott asked about HRG comment #11. The Ordinance calls for sewer easements to be a 30 foot width, but the Authority is asking for 20 foot easements because they are only for lateral connections, and the 30 foot width is for public mains. Mr. Grubic agreed that would be acceptable. Mr. Grubic stated that the intent of the ordinance is that the easements for main extensions should be 30 feet, but since this is not a main extension, and merely a lateral extension, a 20 foot easement would be acceptable and a waiver would not be necessary.

Mr. Mellott stated that Lots 1, 2 and 3 are proposing to utilize a shared existing driveway. There will be easement agreements established to define responsibilities for maintenance and for access. Lot 4 will access St. Thomas Boulevard directly.

Mr. Neff asked if the applicant considered creating a street instead of the shared driveway. Mr. Mellott stated that it is not economically feasible; it would create additional expense for no benefit.

Mr. Neff asked the depth of the pond. Mr. Mellott did not know. Mr. Neff asked about all the lots being able to access the pond. Mr. Mellott stated he will add that to the plan so that there is a buffer so that all four lots will be able to fully enjoy the entire lake.

Mr. Chip Millard, Dauphin County, mentioned comment #2 with regard to three parking spaces without movement. Lots 2, 3, and 4 appear to have single car width driveways. Mr. Mellott stated he will indicate on the plan that all lots have to provide three spaces of which a car does not have to move to provide them. Mr. Lighty stated it has to be shown on the plan. Mr. Mellott stated the data says it now. Mr. Newsome stated that if the ordinance calls for it, it must be shown. Mr. Mellott will show cars on the plan.

There was no comment from the audience.

Mr. Guise made a motion to recommend approval of Preliminary/Final Subdivision Plan #06-35 for 1525 Blue Mountain Parkway, and recommend waiver of the requirement to submit a preliminary plan, and the recommendation for approval is subject to compliance with the comments as discussed. Mr. Gingrich seconded the motion and the motion passed unanimously.

Preliminary/Final Land Development Plan #06-36
Schiavoni, LTD

Ms. Wissler stated that the purpose of this plan is to obtain Preliminary/Final Land Development approval for a proposed 36 unit town home community. The property is a 5.12 acre tract of R-3 zoned land located on Crums Mill Road west of Beacon Drive. 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 Schiavoni Ltd. Condominium Association. All units shall be served by public water and public sewer.

The applicant has requested the following waivers:

1. Waiver of the requirement to submit a preliminary plan.
2. Waiver of the requirement that cul-de-sac streets shall furnish access to no more than 20 dwelling units.
3. Waiver of the minimum cartway width requirement of thirty-six feet.
4. Waiver of the minimum street centerline radius of 250 feet.
5. Waiver of the requirement to construct sidewalks from site entrance to the western property line on Crums Mill Road.

Mr. Todd Wilson, Alpha Consulting Engineers Inc., was present on behalf of the plan.

Mr. Wilson stated he takes no exception with the comments provided, and can address everything adequately.

Mr. Wilson stated that this plan is next to Williamsburg Estates and adjacent to I-81 and is a very steep site. It is an irregularly shaped lot, long and narrow. These are the justifications for waivers 2, 3, and 4. The waivers are necessary to build townhomes and they are not big townhomes. As far as waiver #1, Mr. Wilson stated he can meet the requirements of the preliminary plan with the final. Regarding waiver #5, they do not have a problem installing the sidewalk but there is a guide rail along the shoulder and large columns holding up the overpass for I-81, so the sidewalk would go nowhere and there is no way to extend it beyond the property line because of those structures.

Mr. Lighty noted that the waiver request should be for the entrance to the west. Mr. Wilson agreed.

Mr. Wilson noted that each unit is required two parking spaces. The driveways are 18 feet wide and can adequately demonstrate that they provide the required parking.

With regard to HRG comment #20, Mr. Wilson noted that was overlooked, and they do plan to widen to provide the 14 foot cartway in the existing public street of Crums Mill Road and providing the curbing as well.

Mr. Newsome noted that the grading plan shows a pathway between units 16 and 17 to the open space, and asked if the association will maintain it. Mr. Wilson answered yes, and the path will be added to the plan.

Mr. Newsome asked about the parking. Mr. Wilson stated there is a one-car garage and a two-car-wide driveway. Mr. Newsome asked if there are any islands between the driveways. Mr. Wilson stated there will be 4-foot grass strips between every other driveway. Mr. Wilson stated he could decrease the 4 feet to provide strips between each unit to further delineate the parking for each unit.

Ms. Sibert asked about comment #3. Mr. Wilson stated the problem is the topography and he cannot provide the parking anywhere else, even though they wanted to. Mr. Lighty stated the difficulty of the lot should not be an excuse for an ugly development. The ordinance states that the garage shouldn't be the prominent part. Mr. Lighty asked for an artist conception of what the buildings would look like. Mr. Wilson stated they would recess the garage and let the front porch stand out beyond it; the garage will still be visible.

Mr. Lighty asked what the sizes of the units will be. Mr. Wilson stated the end units are 24 feet wide and the interior units are 20 feet wide. Mr. Lighty asked what the minimum width requirement is. Ms. Wissler stated 20 feet is the minimum. Mr. Lighty asked what the maximum width requirement is. Ms. Wissler stated that the maximum is 160 feet.

Mr. Guise asked why they needed the waiver for the cul-de-sac serving more than 20 units. Mr. Wilson stated it is not economically feasible to only build 20 units. An option would be to do 24 luxury duplexes.

Mr. Newsome noted that the plan looks sterile and is uncreative. Mr. Newsome speculated that the building with lots 25-30 could be moved back about 10-15 feet to do away with the corridor look.

Mr. Newsome did appreciate the lower square footage and lower cost units being proposed and agreed that this is a very appropriate use of this particular lot.

Mr. Wilson agreed that lots 25-30 could be moved some, but they are restricted with the other lots.

Mr. Newsome noted that the large paved area in the front is unattractive.

Mr. Wilson stated he could try to put more curvature in the road and move the units back to allow the others to move up. The entrance can only go where it is shown.

Mr. Newsome asked for a depiction of the townhomes and an idea of the price range.

Mr. Lighty stated that the noise is terrible that close to the interstate. Mr. Beverly agreed, but noted that the trees help absorb that noise, and it blocks the sight of the highway or the highway seeing the homes. Mr. Wilson noted they are about 180 feet from the northbound lane and they will provide screening and do what they can do. They are required to put in a 10-foot evergreen buffer.

Mr. Newsome asked about the density. Ms. Wissler stated this project is fine, they are allowed 40 units.

Mr. Millard mentioned comment #1 with regard to the sound issues, and the elevations. Mr. Wilson noted that the Interstate is well below the elevation of this plan.

Mr. Millard mentioned comment #10, and asked about the flood plain as delineated on the Township Zoning Map. Mr. Millard thought the flood plain is on the western side of where the property abuts Crums Mill Road. Mr. Wilson agreed. Mr. Wilson noted they are not filling or putting structures in the flood plain. Mr. Millard's concern was whether the flood plain would interfere with street #1 to Crums Mill Road. Mr. Wilson stated he will work with Staff on this issue.

Mr. Wilson agreed to take into consideration the comments and suggestions brought up at this meeting and work on the layout of the street and the orientation of the units and make it more aesthetically pleasing.

Mr. Newsome noted the setbacks need to be shown on the plan.

Mr. Newsome made a motion to table Preliminary/Final Land Development Plan #06-36 for Schiavoni, LTD, at the request of the applicant. Mr. Guise seconded the motion and the motion carried unanimously.

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

Ms. Moran stated this plan requires variances and no action is needed at this time.

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

Greenway Committee Update

Ms. Sibert stated the Greenway Committee has met several times and has hired Simon & Collins Landscape Architects, from Berwyn Pennsylvania, as a consulting firm. They came with good credentials and the Committee unanimously voted for them. In November, they are working on aerial photography and may be contacting the Zoning Department with regards to some of the areas the Committee suggested may be usable open space. In December, they will continue collecting data, and the Committee will hold a public meeting on December 5, 2006. This meeting will identify areas to the public they are interested in using as a greenway. The Committee will meet in January to analyze the findings and look into the alternatives.

Another public meeting will be held in February to update the public and start a draft plan.

By April they hope to have everything together to present to the public at the April 3rd meeting. By June, the Committee can review the comments and the final plan will be delivered by the end of June 2007.

The Committee is looking for areas to best connect a greenway through Lower Paxton Township, using areas that are already available and will look for land that has free access and that can have trails through them. The trails will be varied, so to offer a variety such as hiking, biking, et cetera, to connect the open spaces.

Ms. Sibert reported that Simon & Collins is also good at finding the funds for these types of projects.

Mr. Gingrich asked about connecting to neighboring townships. Ms. Sibert stated they are looking at the adjoining townships to see what they are doing. This was suggested to the consultant by the Committee.

Mr. Neff mentioned the Freedom Trail, which reestablished the hiking trails of George Washington, and they found a large amount of loose connectable land available within a highly developed area. They completed a 50-mile trail under federal grants.

Public Comment

There was no public comment at this time.

Commissioner Comment

There were no additional comments from the Commissioners.

Adjournment

The Planning Commission will meet with the Board of Supervisors on Tuesday, November 14, 2006, at 5:30 pm.

The next regular Planning Commission meeting is scheduled for December 13, 2006 at 7:00pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 8:35 pm.

Respectfully Submitted,

Michelle Hiner
Recording Secretary