

LOWER PAXTON TOWNSHIP  
PLANNING COMMISSION

December 12, 2007

**COMMISSIONERS PRESENT**

Fred Lighty  
Richard Beverly  
Dennis Guise  
Ernest Gingrich  
Roy Newsome

**ALSO PRESENT**

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

**CALL TO ORDER**

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00 pm, on December 12, 2007 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mr. Lighty led the recitation of the Pledge.

**APPROVAL OF MINUTES**

Mr. Newsome made a motion to approve the minutes of the November 14, 2007 regular meeting. Mr. Beverly seconded the motion. Mr. Lighty abstained from voting, and the minutes were approved as submitted.

**OLD BUSINESS**

**Preliminary/Final Subdivision Plan #07-01  
Martin L. Schoffstall Children's Trust, et al**

Ms. Wissler stated that the purpose of this plan is to subdivide the existing parcel into 10 single family building lots and to construct the related improvements. The tract consists of 7.0337 acres and is zoned R-1, Low Density Residential District. The property is located south of Devonshire Road and east of Hampton Court Road and will be served by public water and public sewer.

The plan was revised with regard to steep slopes, to be in compliance with Ordinance 07-01, which was adopted on November 11, 2007.

The applicant has requested the following waivers: 1) Waiver of the preliminary plan requirement; and 2) Waiver of the requirement to provide sidewalk along the frontage of Devonshire Road (about eight feet).

Mr. Jeffrey Staub, Dauphin Engineering Company, was present on behalf of the plan. Mr. Staub stated the plan had been tabled since January of 2007 because of issues with steep slopes. Now that the steep slope ordinance has been amended, the applicant does not need to request a variance.

Mr. Staub stated he has received comments from County, Staff, and HRG. With regard to HRG comment #8, Mr. Staub stated he has been in contact with PPL about the placement of poles. They will not provide that information until the plan is approved. Mr. Snyder asked him to show proposed locations of poles, and final drawings can be determined by the utility. Mr. Staub will place that caveat on the plan and Mr. Snyder agreed that would suffice.

With regard to HRG comment #9, Mr. Staub explained that there is an issue with an exposed foundation on the dwelling located on Lot #5. He asked if a note on the plan submitting the structural calculations to the building department would satisfy the comment. Mr. Snyder stated that the grade is seven feet below the basement grade, and felt it should be looked at closely when the building permit is being reviewed. Mr. Snyder agreed that a general note on the plan is acceptable.

Mr. Staub pointed out that there is an issue with the alignment of the proposed curb on the south side of Devonshire Road. The curb line shown is in accordance with the ordinance, 15 feet off the centerline, but to the west there is existing curb that is closer than that to the centerline, so they will not line up. He asked if the Planning Commission preferred the curbs be aligned because that would require a waiver. Mr. Staub stated that there is about 20 feet from the end of the proposed curb to the existing curb.

Mr. Newsome asked if tapering the curb so that they would ultimately align would be better engineering. Mr. Staub agreed that it would be better than a jog in the curb line. Mr. Newsome would prefer a taper to a jog. Mr. Lighty noted that there is 20 feet in which to make the two-foot taper. Mr. Staub noted that the missing length of curb is along another property. The Commissioners agreed that a taper is preferred to a jog in the curb.

Mr. Lighty asked about County comment #6. Mr. Staub noted that the comments about slopes went away with the passing of Ordinance 07-01.

Mr. Lighty noted that the Wilshire plan had considered connection through this parcel, and asked the status of that. Mr. Staub stated that was the original intent, but the revised Wilshire plans deleted that connection. Ms. Wissler noted that the Supervisors preferred the self-contained neighborhoods. Mr. Staub agreed that it might have been a good thing to have another way in and out of Wilshire, but a cul-de-sac is now proposed on the Schoffstall plan.

Mr. Gingrich asked the location of the eight feet of sidewalk being waived. Mr. Staub demonstrated the location on the overhead projection, noting that they can construct the sidewalk to within eight feet of the property line on the west end of the site, because of a cut-slope. Mr. Staub suggested putting a note on the plan that they would complete it if and when the adjoining property is developed, but at this time it is not physically possible to do it because of the grade.

Mr. Beverly asked about HRG comment #13, regarding the detention basin, and if it will be fenced in. Mr. Staub stated he did not propose a fence, but asked for the Commission's recommendation. He noted that 3.5 foot elevation is the depth of the basin, and there is an infiltration facility just prior to the basin and in a matter of 48 hours the water will dissipate.

Mr. Hornung noted that the Township's general position on fencing in detention basins is that they prefer to let them unfenced because they will not be owned or taken care of by anyone, unless there is a significant reason to fence it in. The fence could become an eyesore or a hazard in the future.

Mr. Millard asked if there was any consideration given to moving Road A further to the east. He felt that the eastern most access point into Paxton Towne Centre is right-in/right-out because of sight distance issues, so it may be beneficial to have the Sunrise Circle intersection located more to the east. Mr. Staub noted that they may not be able to get far enough to the east to get the proper separation.

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

**Preliminary Subdivision Plan #07-21**  
**Autumn Oaks**

Ms. Moran stated that McNaughton Company owns 313.47 acres of land off of Patton Road, 133.387 acres are located in the R-C, Residential Cluster Zoning District, 177.49 acres are zoned R-1, Low Density Residential District, and a 2.55 acre portion of the tract is zoned CO, Conservation District. The property is proposed to be developed into a new home community consisting of 300 dwelling units.

The intent of this plan is to obtain preliminary subdivision approval for the R-C, Residential Cluster development of "Autumn Oaks". The plan consists of a 203-unit residential cluster development, six fee-simple, open space lots and the residual lot. The Cluster Development will consist of: 92 single family lots, 40 duplex units, 47 villa units and 24 townhouse units. The 203 dwelling units were determined through the submission and approval of a Yield Plan dated February 6, 2007.

The property will be serviced by public sewer and public water and will include active/passive recreation areas including nature trails. The common open space encompasses 69.352 acres or 52% of the total area within the Residential Cluster.

The applicant has requested the following waivers:

1. Waiver of the minimum street intersection separation requirement.
2. Waiver of the requirement to provide curbing and widening on Parkway West.
3. Waiver of the requirement to provide vertical curb. Slant curb is proposed.
4. Waiver of the requirement to provide Type "C" inlet grates in streets.
5. Waiver of the requirement to provide low flow channel and basin underdrain in basins.

6. Waiver of the requirement that driveways shall be located not less than ten feet from a catch basin, drain inlet, or fire hydrant.
7. Waiver of the requirement that there be a maximum of twenty dwelling units on a cul-de-sac.
8. Waiver to allow the placement of islands within a cul-de-sac turnaround.
9. Waiver of the street cartway widths.
10. Waiver of the street horizontal curve requirement.
11. Waiver of the requirement regarding the sidewalk location.
12. Waiver of the paved turnaround requirement.

This plan was tabled at the October 10<sup>th</sup> Planning Commission meeting. Ms. Moran stated that there were two issues to be dealt with: the realignment of Patton Road, and the Parks and Recreation Board's comments. Ms. Moran noted that last night the developer met with the Supervisors at the Workshop session and Staff is in agreement with the realignment proposed and recommended that Mr. Stine prepare a developer's agreement for the proposed changes.

Ms. Moran stated that Mr. Luetchford is present on behalf of the Parks and Recreation Board. Tim Mellott, Mellott Engineering, 7500 Devonshire Heights Road, Hummelstown, and Joel McNaughton, McNaughton Company, were present on behalf of the developer.

Mr. Guise asked if the recommended realignment is what is shown on the sketch. Ms. Moran confirmed that it is. She also noted that the developer's agreement will state that these improvements will be made by the third phase of the plan.

Mr. Lighty asked for a summary of the recreation issues. Ms. Moran stated that the McNaughton's have proposed about 21 acres for recreation, and Mr. Luetchford, as well as Mr. Stine, feels that 26 acres should be dedicated. Mr. Luetchford and the Parks and Recreation Board do not feel that the lands that are offered for dedication are the best suited for parks in that area.

Mr. Luetchford stated that, although the Parks and Recreation Board appreciates the offering of the acreage, it clearly does not comply with the ordinance, because of the wetlands, steep slopes and flood plains. The Parks and Recreation Board would like to work with the developer to come up with an area that is a little bit more accessible and complies closer with the ordinance, noting that full compliance is not likely. In the last two Comprehensive Plans, spanning 20 years, the Township has consistently identified a need for park property in the northwest portion of the Township. There is very little chance for such property, so the Parks and Recreation Board feels very strongly that land is necessary in this case in addition to or instead of payment. The Parks and Recreation Board felt that a six-acre piece of land would be appropriate near the neighborhood park, rather than a regional park.

Mr. Lighty asked the date that the Parks and Recreation Board made their recommendations. Mr. Luetchford answered November 7, 2007. Mr. Lighty asked if there has been a meeting between them and the developer since that time. Mr. Luetchford answered no.

Mr. Guise asked about the 6-acre parcel mentioned. Mr. Luetchford stated that it would be accessible to the public and the right size, and noted that it seemed to be a logical location. Mr. Luetchford further noted that the Parks and Recreation Board recognized the Greenway Plan is in the

process of being approved, which also indicates a need for a bikeway along Patton Road, and a connection from the corner of Patton and Continental Drive toward the power line. That important connection is necessary and highly recommended.

Mr. Gingrich asked if Mr. Luetchford has looked at the plan close enough that the recreation area could be acquired or would be suitable for recreation purposes. Mr. Luetchford stated it would depend on several factors, and the Board would not define exactly what facilities would go on the property, but they would like to work with the developer on that. Mr. Gingrich suggested that the Parks and Recreation Board and the developer need to get together to work something out. He felt that no progress has been made on this item since the last Planning Commission meeting. Mr. Luetchford agreed that they would like to work with the developer.

Mr. Guise asked if the remainder of the recreation obligation would be met with fee-in-lieu of, if the developer would be willing to provide a bigger contiguous park. Mr. Luetchford answered yes.

Mr. McNaughton agreed that they want to work with the Parks and Recreation Board and find a way to accommodate the recreational needs within the plan. He noted that they met with the Board of Supervisors to get some direction on the recreation requirements. 2.3 acres of the 21 acres were proposed to be active play areas, as well as little league fields, soccer fields and a tot lot and a picnic pavilion with a 12-space parking lot. The 21 acres is proposed in the southern portion of the site.

Mr. McNaughton noted that even though Mr. Stine agrees with the Parks and Recreation Board that 26 acres is required, the developer still feels that their interpretation of the ordinance is reasonable. He further noted that regardless whether the park land is 6 acres or 26 acres, there is no contiguous piece of property to meet the criteria. What they propose with their 21-acre offer, is to get as much of the recreation facilities as they could located in a central portion of the site, as well as nature trails that connect to the sidewalks to provide access to the greater than 40% open space proposed. The outcome of the workshop meeting was that the applicant would have to meet with the Parks and Recreation Board to accommodate both parties' needs. Mr. McNaughton stated that they can accommodate both of the Parks and Recreation Board's requests for the bikeway along Patton Road as well as the nature trail connection from Autumn Oaks Drive up to the power line and ultimately towards the top of Blue Mountain.

Mr. Gingrich asked if Mr. McNaughton felt that he could satisfy the recreation requirement without a change in the plan. Mr. McNaughton stated that the area that is available is the area that is available, and at this point he would like to make accommodations within the various open space areas without change to the lot layout. He noted that his engineer did investigate the 6.75 acre open space with the storm pond, but the storm pond is required of both the Township and County E&S requirements, so that cannot be altered.

Mr. Mellott noted that the dark green areas on the plan are open space areas, and although they do not meet the requirements, could be graded to meet the slope requirements.

Mr. Guise asked about the location of the parking lot. Mr. Mellott stated it is to go with the tot lot and the pavilion. Mr. Mellott showed the Commission the location of the nature trail that leads to the trails on top of Blue Mountain.

Mr. Lighty questioned if the developer and the Parks and Recreation Board can work toward some kind of agreement, noting it still sounds like they are no closer to agreeing. Mr. McNaughton felt that they can definitely accommodate some of the things the Parks and Recreation Board are asking for, and they agree to do that. They will try to do the additional things as much as possible. Mr. Lighty suggested the developer and the Parks and Recreation Board discuss and work out their differences and come up with a recreational scheme that satisfies the Parks and Recreation Board and doesn't necessitate the redesign of the entire plan. Mr. McNaughton stated they would be willing to do that, and asked that be a condition of their recommendation for approval. He stated that the areas that are available for park land are not going to result in a change to the plan, and felt that they could work something out with Parks.

Mr. Newsome questioned the developer's interpretation of the ordinance that they are not required to provide what the Parks and Recreation Board and the Solicitor have interpreted that should be provided. Mr. McNaughton stated that the ordinance makes a distinction between multi-family units and single family units. This community will be a mixed use community, 55% multi-family and 45% single family detached. There are different requirements for multi and single family units. Their calculations indicate that 6.32 acres are required. Mr. Newsome asked if that was calculated before designing the plan. Mr. McNaughton stated that the original submission offered every piece of open space on the plan, including the nature trails to connect the open space areas. Experience has shown that multi family uses generate very little school aged children, so the smaller recreation areas would be better utilized by the residents of the community.

Mr. Lighty asked Ms. Moran for Mr. Stine's interpretation. Ms. Moran stated that Mr. Stine calculated a need for 26 acres.

Mr. McNaughton noted that regardless if 6 acres or 26 acres are required, given the slopes, wetlands, and streams, it is not available contiguously on this site.

Mr. Newsome's concern is that the Township has an ordinance they apply equally to developers, and it is not typical that a developer says the plan doesn't allow for compliance with the ordinance. Mr. Newsome realized that the developer wants a certain number of units on the site, but it is not the developer's prerogative to not meet the ordinance. Mr. Newsome stated that even though the developer doesn't want to give up building lots; some lots could be eliminated to increase park acreage. Mr. McNaughton disagreed, noting that the ordinance has a specific provision stating that if dedication is not practical due to size shape or location of the available land, or if it would have a negative impact on the development, then the other option is to pay the fee-in-lieu.

Mr. Newsome stated that decisions were made during the design process to come up with a number of units needed. He noted that if that number of units can't be laid out on the property, then the developer comes to the Township and asks for an adjustment, rather than presenting a plan as the only option. Mr. McNaughton stated they are required to develop the land at R-1 density, and if the

recreation were calculated based on single family detached lots, the result would be about seven acres. He noted that the Township calculates the recreation based on the R-C zoning, even though the density is based on the R-1 zoning. Mr. McNaughton stated that an existing townhouse community, Northwoods Crossing, has over 300 units and fewer than 5% of those are occupied by school-aged children. Using that formula in Autumn Oaks, yields very few children. Mr. Newsome stated that does not meet Lower Paxton Township's ordinance. Mr. Mellott stated that the recreation ordinance is from 1988 at which time the R-C district did not have a density limitation meaning that 400-500 units could have been placed on this property condensed into a small area, however the R-C ordinance was updated and the recreation ordinance was not. He suggested that judgment be used to see that a town home generates less impact on recreational needs than a single family house, noting that decreasing the impact should not require four times the amount of recreation.

Mr. Newsome noted that when developers work with the Township, the Township is willing to work with them. However, this has not been the case. Mr. McNaughton noted that another issue the developer is addressing is the realignment of Patton Road, noting that they are taking all of that work on themselves, addressing the Township's concern with that roadway.

Mr. McNaughton stated they would like to address recreation, be it active and or passive, to the extent they are able. If it does not meet all of the requirements, they would be willing to supplement that with a fee.

Mr. Mellott stated that based on the feedback at the last Planning Commission meeting, they have no issue coming back with a revised plan if the layout should be changed due to recreational issues. He felt that they now need to go to the next level and work with the Parks & Recreation Board and the Board of Supervisors since it will be a combination of fee and land.

Mr. Lighty asked when the Parks and Recreation Board could meet with the developer. Mr. Luetchford stated that the next meeting is scheduled for January 2<sup>nd</sup>, and he would have to discuss adding it to the agenda with the Chairman, otherwise it could go to the February meeting.

Mr. Lighty asked if the Parks and Recreation Board would have flexibility and understand that the developer can't redesign the entire plan. Mr. Luetchford noted that the Parks and Recreation Board has asked for 6 acres, and not the 26 acres, so flexibility has been demonstrated.

Francis McNaughton felt they were very close to compliance with the ordinance, and noted that he does not concur with the Solicitor, and that is why they think it is best to move the plan forward.

Mr. Lighty asked if HRG has reviewed the traffic study. Mr. Snyder stated they have reviewed the traffic study. He has also received some additional correspondence in response to some of the review comments. He noted that the plan has not been refiled to address the outstanding comments.

Mr. Guise asked if the plan will materially change based on the traffic study comments. Mr. Snyder answered no, and felt that the comments are mainly administrative, and are not specific to layout or lot design. The latest review comments are dated November 8, 2007, and contain 31 outstanding comments. He felt that the appearance of the plan will not change because of his comments. Mr.

Mellott stated that the biggest issue from his perspective was the Patton Road realignment, and added that all of the comments will be addressed with the resubmission of the preliminary plan.

Mr. Millard did not have any additional comments.

Mr. Lighty called for comments from the audience.

Mr. Dave Karprocki, 2760 Patton Road, asked for clarification on the acreage required for recreation. Mr. Lighty answered 26, but noted that the type of recreational acreage is what is at issue. He noted that the Parks and Recreation Board prefers a larger contiguous area rather than lots of acres spread out. Mr. Karprocki made an observation that developers come into Lower Paxton Township as well as Susquehanna Township and try to squeeze in as many homes as possible with disregard for open space, noting that a tennis court, basketball court and couple of swings do not cut it given what it could be and for the number of people that would use it. He agreed that a more contiguous open area makes more sense than small broken up areas. Mr. Lighty clarified that "open space" as being discussed is continuous, but what the Parks and Recreation Board wants is a bigger chunk that would be useable for recreational purposes. Mr. Karprocki asked if this development will connect with Parkway West. Mr. Francis McNaughton noted that on a longer term, yes, it will eventually connect, but this particular development will not. Mr. Karprocki was concerned about the traffic from Forest Hills and Centennial Acres going over the mountain.

Mr. Jamie Farver, 2726 Patton Road, was concerned about traffic because there are some families with children and speed is an issue. If the roadway becomes a shortcut, he wanted to see speed tables or speed bumps or something to slow traffic. Mr. Lighty asked if Mr. Farver felt that the traffic measures on Continental Drive in the new Forest Hills area were effective. Mr. Farver answered no, that they are only effective at that particular location but as soon as the vehicle gets past them they accelerate to the stop sign. Mr. Lighty noted that that is an example of what the Township has available to them for traffic calming. He also noted that the road will be a collector road, meaning it will be built with different design standards than neighborhood roads so as to handle a higher volume of traffic.

Mr. Farver also noted that he was concerned about the recreation area. He stated that the developer is basing the recreation need on the proposed development only, when there are developments all around it that could use those facilities. Mr. Lighty stated it is to be a neighborhood park. Mr. Luetchford stated there is a need for a regional park in this area. Mr. Luetchford noted that a neighborhood park can certainly be used by anyone, it is a public park.

Mr. Farver noted that some of the intersections "T" directly in front of a house. If that were his house he would be very unhappy. The roads accessing this development have to be lined up with existing roads in his opinion.

Mr. Ken Parmer, 4292 South Carolina Drive, stated that the Estates of Forest Hills and Carrollton Estates were both built and the township accepted the fee being paid in lieu of building parks. The parks in existence are 40 years old, and it seems that at that time they were looking forward much better than they have since then. Mr. Parmer asked if there is anything in Forest Hills besides tennis courts for its children. Mr. Guise stated that there is also playground equipment and open fields for

soccer or other sports. Mr. Parmer asked if that is ever utilized. Mr. Guise answered that it is used quite a bit for practice and play, but it is not suitable for a game.

Mr. Parmer felt that the McNaughton's want to talk with the Supervisors and not the Planning Commission and questioned why that is. He felt McNaughton should work with the Parks people and come back for Planning Commission approval before going to the Supervisors. Mr. Lighty explained that there are times when it is appropriate for a group to go to the Supervisors, especially when there are interdepartmental disagreements and different interpretations. The Planning Commission is a recommending body and the Supervisors still ultimately make the decisions.

Mr. Guise stated that the Planning Commission does make recommendations to the Supervisors, but so does the Parks and Recreation Board and it isn't right for a developer to try to bypass them either. He felt the developers need to work things out to the best possible outcome with the Parks and Recreation Board and staff, and whatever is remaining will have to be resolved by the Board of Supervisors. He noted that a motion to move the plan forward should not be interpreted as the Planning Commission not wanting to see a resolution on the recreation issue. He also noted that it is unlikely that the Commission needs to see it again, because there will be no material changes to the layout or number of units in the plan. If there are none of those types of changes, the preliminary plan does not have to come back before the Commission.

Mr. Guise made a motion to recommend approval of the plan subject to compliance with the comments, subject to resolution of the parks and recreation issues with the Parks and Recreation Board and Staff prior to the plan being considered by the Supervisors, subject to the Patton Road realignment as discussed, and with the proviso that, in the event that the recreation or traffic discussions result in any change in the road layout or number of units, that the plan be resubmitted to the Planning Commission before it goes forward. Mr. Beverly seconded the motion and a unanimous vote followed.

### **NEW BUSINESS**

#### **Preliminary/Final Land Development Plan #07-26** **Commerce Drive**

Ms. Moran stated that this plan proposes an addition to the west side of the existing building for additional research and office space. A new 64,152 square foot office building is proposed on the western side of the property in Susquehanna Township. The portion of land in Lower Paxton Township contains an existing parking lot and retaining walls. The Lower Paxton Township property is zoned BC, Business Campus District.

The applicant has requested the following waivers: waiver of the preliminary plan requirement and waiver of the traffic impact study submission.

Brent Sapen, Skelly and Loy, 2601 North Front Street, Harrisburg, was present on behalf of the request.

Mr. Lighty asked if the applicant has received comments from staff, County, and HRG. Mr. Sapen answered that he has, and they have made the changes on a revised drawing. Mr. Sapen questioned staff's general condition #3/HRG's #7, with regard to improvement guarantee. The only improvement item located in Lower Paxton Township is sidewalk along Commerce Drive. The plan has gone through Susquehanna Township, addressed all of their comments, including financial security, Conservation District approval, and stormwater maintenance agreement. They have discussed the Lower Paxton Township sidewalks with Susquehanna Township's engineer, who instructed him to include it in the Susquehanna Township estimate. That has been done. He asked if that is okay with Lower Paxton Township. Mr. Snyder agreed that was fine.

Mr. Sapen stated that, with regard to County comment #8, Susquehanna Township has a similar requirement for a traffic assessment. That has been submitted and approved by Susquehanna Township, and has been submitted to Lower Paxton Township. The waiver requested is not a full waiver, but only a partial. He noted that the site is an existing business park and the majority of the traffic will go out to Progress Avenue to I-81.

Chip Millard had no further comments.

Mr. Newsome made a motion to recommend approval of the plan subject to the resolution of the sidewalk issue and recommended approval of the waivers. Ms. Sibert seconded the motion and a unanimous vote followed.

**Preliminary Subdivision Plan #07-27**  
**Estates of Autumn Oaks**

Ms. Moran stated that this plan proposes ninety-five single family dwelling lots and one reserved lot for the installation of a United Water tank. The property is located off of Patton Road, is zoned R-1, Low Density Residential District, and consists of 177.49 acres. Lots 67, 68, and 96 (the water tank lot) are located partially within the CO, Conservation District. The property will be served by public water and public sewer.

The applicant has requested the following waivers:

1. Waiver of the 400' minimum street intersection separation for local streets;
2. Waiver of the requirement of curbing and widening of existing abutting streets;
3. Waiver of the requirement to provide vertical curb;
4. Waiver of the requirement to provide Type "C" inlet grates required in streets;
5. Waiver of the requirement to provide low flow channel and basin under drain required in basins;
6. Waiver of the maximum cul-de-sac length of 600';
7. Waiver of the requirement to provide islands within the cul-de-sac turnarounds;
8. Waiver of the street cartway widths;
9. Waiver of the street horizontal curves; and
10. Waiver of the maximum slope requirement of a collector roadway.

Tim Mellott, Mellott Engineering, 7500 Devonshire Heights Road, Hummelstown, and Joel McNaughton, McNaughton Company, were present on behalf of the plan.

Mr. Mellott stated the land is zoned R-1, and they intend to preserve and maintain a lot of the wooded area. The minimum lot size required is 20,000 square feet, and they propose an average lot size of 1.7 acres. He noted that United Water has identified this land as a location for a two million gallon water tank that will help with fire suppression throughout the area as well as provide emergency backup to their water lines. It will also enhance water pressure. It is a low profile tank, about 36 feet in height. With the mature trees and topography below it, you may not see much of the tank. Mr. Mellott noted that they will extend Colonial Road up to the intersection of the Parkway. There will be a traffic calming island installed.

Mr. Lighty asked for clarification for waiver #2. Mr. Mellott stated that pertains to Parkway West, because of the nature of Parkway West, but they do plan to install curbing for the course of their returns.

Mr. Lighty asked the distance between traffic calming devices. Mr. Mellott stated that it is quite a distance, and they would entertain the idea of another one. Mr. Lighty thought that stretch was too long and more would have to be added, possibly different types of devices. The waiver regarding slopes on Colonial Road is to get existing colonial road to the Parkway, which just cannot be done without exceeding the slope requirements.

Mr. Mellott noted that many of the waiver requests are in compliance with the draft SALDO, but not the current one.

Mr. Guise asked about recreation on this site. Mr. Mellott stated that the MetEd lines run through here so there will be trails associated with that.

Mr. Gingrich asked about the adjacent neighborhood. Mr. Mellott stated that they wanted to maintain a nice vegetative buffer between developments.

Mr. Guise asked how they will deal with the driveways. Mr. Mellott stated that this section of Parkway West is pretty steep in this area so that will allow them to come off Parkway West and hold the grades without cutting the woods away to run a driveway through.

Mr. Mellott stated that they are aware of the concerns with drainage on the mountain so they have a swale running along the northern portion as well. They also try to have the driveways come in at a higher location whenever possible to minimize the steepness of the driveway as well as the clearing that would be needed to accomplish it.

Mr. Mellott stated that all dwellings are proposed within the R-1 zoning district.

Mr. Mellott stated he has no problem resolving the comments generated.

Mr. Lighty asked about HRG comment #36. Mr. Joel McNaughton stated that they have preliminary discussions with the Estates of Forest Hills and will try to work something out. Mr. Mellott stated that they are agreeable to doing the work.

Mr. Guise asked about the timing of the traffic signal at Parkway West and Linglestown Road. Mr. Mellott stated that they are giving a prorated share contribution to the Township for the project, so that is up to the Township.

Mr. Millard noted that lot #87 is located partially in a prohibitive slope area. Mr. Mellott stated he has shifted that dwelling. Mr. Millard noted that some of Colonial Road and Autumn Oaks Drive and street J are in prohibitive slopes. Mr. Mellott was not aware of an ordinance about roads through the slope area.

Mr. Millard asked about comment #7, as well as HRG #34, and agreed with Mr. Snyder's suggestion to convey that area to the Township rather than the property owner. Mr. Mellott stated he agreed, and will convey that land to the Township to correct the curve and will so note it on the plan.

Mr. Millard suggested connecting Patton Road to Colonial Road. Mr. Mellott stated that was the initial concept, but after considering the grades and wetlands and streams, it is impossible. He also felt it was better to not encourage short-cut traffic from Patton Road to Colonial Road.

Mr. Lighty called for public comment.

Mr. Darwin Aurand, 2730 Woodrow Avenue, requested a copy of the plan to review. He asked how the Estates of Autumn Oaks fits into the seven phases of Autumn Oaks. Mr. Guise stated that the Estates of Autumn Oaks will be constructed in four phases over an estimated eight year period. Mr. Aurand asked if the road structure in the Estates will coincide with the road structure on the east side of Patton Road. Mr. Mellott stated that much of the construction is dependant on the market. He does expect simultaneous construction at some point. Mr. Mellott stated that sheet 1-2 depicts the phases. Mr. Lighty reminded the public that the plans are always available for them to review at the Township office. Mr. Aurand stated that he lives in Centennial Acres and to the west of his property is Forest Hills 2, and to the north is the subject site. He was glad to hear that there would be some buffering around the Woodrow area. Mr. Aurand noted that he has observed the kind of clear-cutting that occurred with Forest Hills 2, especially with the first four phases, but also with phases 5, 6, and 7 on the mountain. He asked that the buffer include sufficient area to house the wildlife and preserve the large trees, especially on the mountain. Mr. Lighty hopes for some preservation as well, but noted that the Township has limited ability to disallowing timbering. Mr. Aurand stated that he was told by Mr. McNaughton that he is a responsible developer; he hoped that translates into saving a few more trees and creating a nice buffer between developments.

Ken Parmer, 4292 South Carolina Drive, Mr. Parmer agreed that he also was not able to review the plan, and asked the lot size. Mr. Mellott stated that it is an average of 1.8 acres, or 1.7 acres counting the water tower lot. Mr. Parmer asked if that meant some are less than an acre. Mr. Mellott stated that is correct, noting that lots of the 20,000 square foot size are permitted by right. Mr. Parmer apologized to Ms. Wissler for his comments about the R-C zoning. He noted that the information he had

did in fact show A-1 and P-1 going up the mountain. Those zones have a minimum of 1-acre lots. He did not know when that was changed and asked if it was during the Comprehensive Plan process. Ms. Wissler stated that she thought that occurred at the same time as when the lower portion went to R-C. Mr. Parmer stated that the plan he had in his possession showed R-C, A-1 and P-1.

Mr. Parmer was also hoping to see what the setbacks are from the stream. Mr. Mellott stated that all of the streams in the R-1 section are intermittent streams, meaning it is a dry bed unless it is raining. Mr. Parmer asked if that meant that they do not have to be treated like streams. Mr. Mellott stated they are streams, but they are not perennial streams which would have buffer areas associated with them. Mr. Mellott stated that they are not encroaching upon them, but they do have different requirements. Those intermittent streams have been delineated by an environmental specialist and they have been coordinated with the Army Corps of Engineers. Mr. Mellott added that there are zero wetland impacts in the entire R-1 area. Mr. Parmer noted that when the first timbering activity took place, the result was that many underground streams came to the surface, which have now gone back underground. He cautioned that they will find all sorts of things when they begin digging basements, like ground water and underground water. Mr. Mellott stated that is why underdrains will be installed in low areas as well as streets. Mr. Parmer asked if Mr. Mellott has been on the property, and asked about the 1-2 acres of boulder field. Mr. Mellott stated he has walked it for 20 years, and there are very limited units in that particular area.

Mr. Guise asked if the traffic comments from the Traffic Safety Unit have been reviewed. Mr. Mellott stated he has, and had no problem with the information provided.

Mr. Guise asked if there were any comments, particularly from the Township Engineer, that the developer could not address. Mr. Mellott answered no. Mr. Guise asked about comment #39. Mr. Mellott stated he has coordinated with Mr. Snyder today about basin #6 and the location with regard to FEMA floodplain. Mr. Mellott stated that erosion and sedimentation control ponds and farm ponds are permitted uses within the Flood Plain Conservation District, and they do incorporate channel protection volume design within the basin. During construction, it is just a basin, but will after construction have that channel protection design techniques. The Lower Paxton Township ordinance defines structure to not include stormwater basins. It does need to have justification that any fill that is placed within the flood plain does not create any kind of increased flood heights. That is very easy to do. He did note that they could relocate the basin but did not feel that would be necessary. Mr. Mellott stated he will address that comment. Mr. Snyder agreed, noting that placing fill that increases flooding is not permitted, so the absence of that seems to say that it is permitted, even though it is not specifically listed as a permitted use. He noted that he and Mr. Mellott will look at it further, but didn't feel that would be a problem.

Mr. Guise made a motion to recommend approval of the plan, subject to addressing the review comments. The motion included supporting the 10 requested waivers, with the proviso that waiver #5 is supported only if the applicant can demonstrate that residual stormwater stored in the basin will infiltrate or drain fully without becoming stagnant. The motion also includes the dedication of lot 68B to the Township. Ms. Sibert seconded the motion and a unanimous vote followed.

Mr. Guise noted that approval of this plan shall not move forward until the preliminary plan is approved, including resolution of the Parks and Recreation issues.

**Preliminary/Final Re-Subdivision Plan #07-28**  
**Spring Creek Hollows/Kendale Oaks, Phase 1B, Lots 126-135**

Ms. Wissler stated that the purpose of this plan is to revise the subdivision of existing lots #126-130 and lots #131-135, within the Spring Creek Hollows Development. The area is zoned R-1, Low Density Residential District and FP, Flood Plain Conservation District and will be served by public sewer and public water. The plan will rearrange the lot lines to make a more buildable area on those lots.

The applicant has requested a wavier of the preliminary plan requirement, and waiver of the vertical curb requirement, they would like to use slant curb in this area.

Mr. Guise asked the Township's position on the waivers being requested. Ms. Wissler stated she has no problem with the waivers.

Mr. Al Busher, BL Companies, was present on behalf of the plan. Mr. .Busher noted that they have received the comments and have no problem addressing them.

Mr. Millard had no further comments.

Mr. Newsome made a motion to recommend approval of the plan, subject to addressing the comments. The motion included a recommendation for approval of the waivers as requested. Mr. Gingrich seconded the motion and a unanimous vote followed.

**Public Comment**

Mr. Ken Parmer, 4292 South Carolina Drive, asked about Continental Drive being a relief route for the traffic on Linglestown Road. He noted that there is not one house with a driveway onto Continental Drive in Centennial Acres, as well as in Tuscan Villas and Estates of Forest Hills, however in the Forest Hills development, there are homes with driveways to Continental Drive. He noted the plan for the lower portion of Autumn Oaks will have many driveways coming directly onto Continental Drive. He noted the inconsistent way the plans unfold. He felt this was similar to the failed attempt at extending South Mountain Road to relieve Nyes Road.

**Commissioner's Comment**

Ms. Moran stated that Dr. Lacasse wants Vincent Cotrone, a State Forester, to speak to the Commission regarding stormwater basins and new techniques. Mr. Lighty asked that he come to a meeting that is somewhat lighter, unless he needs to come sooner.

Ms. Sibert noted that she is not asking to be reappointed. She felt her time spent on the Commission has been rewarding, challenging, educational and she enjoyed her term. Mr. Lighty thanked her for her public service.

**Adjournment**

The next regular Planning Commission meeting is scheduled for January 9, 2008, at 7:00pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 9:10 pm.

Respectfully Submitted,

Michelle Hiner  
Recording Secretary