

**LOWER PAXTON TOWNSHIP
PLANNING COMMISSION
July 13, 2005**

MEMBERS PRESENT

Fred Lighty
W. Roy Newsome
Denise Guise
Ernest Gingrich
William Neff
Elizabeth Sibert

ALSO PRESENT

Lori Wissler, Zoning Officer
Dianne Moran, Zoning Officer
Chip Millard, Dauphin County

CALL TO ORDER

Chairman Lighty called the Lower Paxton Township Planning Commission meeting to order at 7:03 p.m, at the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Mr. Lighty led the members in the recitation of the Pledge of Allegiance to the Flag.

Approval of Minutes

The minutes from the June 2005 meeting had not been distributed to the members of the Planning Commission, therefore the June minutes were not approved.

Old Business

**Preliminary/Subdivision and Final Land Development Plan #05-13 for
Members First Federal Credit Union**

Ms. Wissler noted that this plan was tabled by the applicant at the April 13, 2005, Planning Commission meeting. She explained that the purpose of the plan was to combine two lots and develop a one-story drive-thru bank and related site improvements. The property is located at the northeast corner of Allentown Boulevard and North Lockwillow Avenue, and is zoned C-1, General Commercial-District. The tract of land possesses approximately 1.66 acres, and is served by public sewer and public water.

Ms. Wissler noted that three waivers had been requested. They are, the waiver to submit a preliminary plan, the waiver from the requirement to provide replacement trees, and the waiver from the requirement to install sidewalk along the entire frontage of the property.

Ms. Wissler noted that staff comments, comments from Dauphin Engineering Co., Dauphin County comments, and a review letter from Grove Miller Engineering, Inc were included in the member's packets. She noted that Mr. Steve Quigley of H. Edward. Black and Associates, was present on behalf of the plan.

Mr. Neff questioned if Regina and Maria Streets must be vacated by the Township. Mr. Quigley explained that the owner of the property spoke with Mr. Stine and was informed that to close Maria Drive, all land owners from the Paxton Town Farm development, would need to be

located to request permission to vacate the road. It was decided not to build over the road, but that it would be left in place as a right-of-way to the property. Mr. Neff questioned if the road was transferred to the Township. Mr. Quigley answered that it is part of Lot #1, shown as a right-of-way.

Mr. Guise questioned if the Commission grants the waiver of the trees, would that mean that the replacement trees would automatically be planted in a Township park. Ms. Wissler noted that if the waiver was granted, then the owner would not be required to replace them, or to do the additional plantings in a Township park. Mr. Guise agreed that it was impractical to plant the trees at the current location, and if it was agreed to plant the trees in a park, then the waiver should not be granted. Ms. Wissler noted that the Commission could grant a waiver stating that the trees would not have to be replaced, one-for-one, but rather, for example, ten trees would be planted in a Township park.

Mr. Quigley explained that Members First would like to build a 4,000 square foot branch bank. He noted that a rear drive-thru facility was requested, with parking in the front of the building. He noted that the entrance would be located on Lockwillow Avenue, with a one-way circulation around the building, through the parking lot, exiting at Lockwillow Avenue.

Mr. Quigley noted that the site grading easement was currently part of a discussion with the neighboring properties. He noted that the Carst Fuel Oil property is also under agreement by Members First. He noted that the two properties would not be combined, but grading work would be completed. He noted that the use of a retaining wall at the rear of the site is planned in order to level the site for the bank. He noted that this was necessary to build the proper grade for the exit driveway.

Mr. Quigley noted the big issue for waivers is the replacement of trees. He noted that the replacement of tree-for-tree would be a very onerous requirement for the property owner since there are 250 trees that would need to be replaced, and many of the trees are not very good quality. He noted that 152 trees would need to be replaced in the 2 ½ inch caliper range, and this would cost roughly \$76,000. He requested that the waiver be granted, and allow the applicant to work a solution with staff in terms of contributions to the Parks and Recreation Department for planting trees.

Mr. Newsome noted that he would hate to see the tract totally cleared of trees and questioned what trees would remain. Mr. Quigley noted that it is his intention to totally clear the tract of the trees because of the controlling grade at the exit driveway. Mr. Newsome questioned if the trees shown on the plan are new trees. Mr. Quigley answered that they were. Mr. Quigley noted that he was unable to save the trees.

Mr. Lighty questioned if staff had an opinion on the trees. Ms. Wissler suggested that a financial contribution be made to the Parks and Recreation Department. Ms. Wissler noted that this plan would also be reviewed by the Shade Tree Commission.

Mr. Newsome asked Mr. Quigley if he was looking to give the sidewalk determination to PENNDOT. Mr. Quigley answered that the sidewalks could be shown on the plan, but he would wait for PENNDOT for the final decision. Mr. Quigley noted that the sidewalks would be over an 8% grade, which is over the maximum slope allowed for a handicap ramp. He noted that there was a safety concern regarding the sidewalks.

Mr. Quigley noted that all other comments were very minor. He noted that there are a few storm water issues that need to be addressed.

Mr. Neff questioned how much fill would be brought to the site. Mr. Quigley noted that he would be removing fill from the site. He noted that the owner would have preferred to build the building to the Rt. 22 grade, but that would be impossible to do. Mr. Neff suggested that a temporary construction entrance be placed on Rt. 22. Mr. Quigley stated that the area is too high and the slope would be too steep to navigate a truck. He noted that the only area to use for a truck entrance is on the corner. Mr. Neff had a concern with the debris left on the road from the trucks. Mr. Quigley noted that there would be an Erosion and Sedimentation Control Plan in place.

Mr. Millard from Dauphin County questioned why so many parking spaces were being proposed for the credit union. Mr. Quigley answered that it is less than the owner wished to have. Mr. Lighty questioned if Members First needed more parking than other banks for its customers. Mr. Quigley noted that it is their practice to install at least 40 parking spaces at their branches to accommodate their customers.

Mr. Millard noted that his comment #5 noted that there are five drive-thru services areas, and he questioned how many would have ATM service. Mr. Quigley noted that only one lane would have the service, the one closest to the bank. Mr. Millard questioned if this would be an issue for the people using the drive-thru services. Mr. Quigley noted that it has not been an issue with Members First since they have an ATM next to their building at their other locations. He noted that there is a bypass lane to access the other areas.

Mr. Guise made a motion to recommend approval for the preliminary/final subdivision and land development plan #05-13 for Members First Federal Credit Union subject to compliance with the comments that had been provided, and approval of the waiver of the requirement for preliminary plan, recommend disapproval of the waiver of the requirement to provide replacement trees with the understanding that the number and type of replacement trees or funds in lieu of replacement trees, would be agreed upon by the applicant, the Shade Tree Commission and the Parks and Recreation Department, and he recommended disapproval of the waiver of the requirement to install sidewalks along the entire frontage of the property, with the understanding that the amount of sidewalk may be subject to adjustment when the Highway Occupancy Permit is granted. Mr. Newsome seconded the recommendation. A unanimous voice vote followed, and the plan was approved

New Business

Conditional Use #05-04 for Dietel Tire Mart, Inc.

Ms. Moran explained that this was an application for a Conditional Use that would allow the expansion of the current automotive repair shop at 4914 Jonestown Road. The property is zoned C-1, General Commercial, which does allow for the repair of vehicles provided certain conditions are met. The criteria to be reviewed for this application are listed in Article 1193.05 and 1193.06, General Use Standards and Performance Standards, respectively and 1193.07(e) of

the Codified Ordinance. Supporting information from Herbert, Rowland and Grubic, Inc. (HRG), the applicant's engineer, has been included in the packet.

Ms. Moran noted that Dietel Tire Mart, Inc. proposes an approximate 3,276 square foot addition with three additional service bays.

Ms. Moran noted that on April 28, 2005, the Zoning Hearing Board granted a variance with regard to front, rear, side building and/or landscaping setbacks in conjunction with a proposed building addition, conditioned upon the applicant providing street trees where feasible, and that the proposed landscaping on the west side of the property be completed as proposed.

Ms. Moran noted that in response to Article 1193.07(e) for Automotive Repair Shops, the applicant has stated that all outdoor storage of parts and supplies would be screened from public view by a solid fence or enclosure, at least six feet high; no vehicles or vehicle chassis used for parts would be stored on the premises at anytime; unlicensed vehicles awaiting repair shall be limited in number to one and one-half times the number of repair bays. In addition, adequate off-street parking would be provided for customers in accordance with Article 1187; and the site proposed for the automotive repair shop shall be serviced by public water and public sewer.

Ms. Moran noted that Eric Hershey from HRG, and Jack Dietel from Dietel Tire Mart, were present to represent the plan.

Mr. Hershey explained that the Conditional Use was an expansion of the existing use that was already located on the tract. He noted that the applicant wished to add an addition to the west side of the building. He noted that two existing homes would be demolished, and the building addition would contain a single-drive thru door, with three automotive repair bays. He noted that additional paving was planned to access the building addition. He noted that the Zoning Hearing Board granted a variance for the landscape buffering requirements.

Mr. Newsome questioned that, other than the front of the three existing bays, would any new curbing lines be installed. Mr. Hershey answered that he would design some form of improved traffic pattern than what currently exists. He noted that customer's park on the sidewalk and he is going to attempt to create curb islands to stay out of the PENNDOT right-of-way, and provide the parking and driveway in the front of the building. Mr. Newsome questioned if the curbs would be raised. Mr. Hershey answered that they would.

Mr. Newsome questioned if there would be access to the new addition from the rear of the building. Mr. Hershey answered no.

Mr. Lightly questioned if there would be any outdoor storage of parts and supplies. Mr. Dietel answered no.

Mr. Lightly questioned if there would be any vehicles or vehicle chassis parked or stored on the premises. Mr. Dietel answered no.

Mr. Lightly questioned if there would be any unlicensed vehicles awaiting repair. Mr. Dietel answered that no more than one would be present.

Mr. Lighty questioned if there would be adequate off-street parking. Mr. Dietel answered that there would be. Mr. Lighty questioned if the number of parking spaces met the current ordinance. Mr. Dietel answered yes. Mr. Newsome noted that this would include the stacking along the north side of the building. He noted that vehicles are parked two deep along the north side.

Mr. Lighty question if there was public water and public sewer on site. Mr. Dietel answered that there was.

Mr. Newsome questioned why the dumpster was shown, on the plan, on the west side of the property. Mr. Hershey answered that the dumpster was located on the adjacent property, and was included by the engineer as a reference point.

Mr. Neff questioned where the tires would be stored. Mr. Dietel noted that the tires would be store in a storage trailer located behind the building.

Mr. Neff questioned if Mr. Dietel anticipated making any signage changes. Mr. Dietel answered that the billboard belongs to the billboard company, and that they trade a spot on the board in order to locate the billboard on his property.

Mr. Newsome questioned if there was access between the property and the neighboring Chinese restaurant. Mr. Dietel answered that there was, and that it was used.

Mr. Millard noted that he had no comments from Dauphin County.

Mr. Lighty noted that he would accept into the record a letter dated June 19, 2005 from Mr. Charles Weschitz, of 4805 Orchard Street, noting his opposition to the Conditional Use.

Mr. Newsome made a motion for the approval of Conditional Use #05-04 for Dietel Tire Mart, Inc., with the noted comments and concerns. Ms. Sibert seconded the motion. A unanimous voice vote followed, and the conditional use was approved

**Conditional Use #05-05 for
HET Enterprises, LLC**

Ms. Wissler noted that HET Enterprises, LLC, has applied for a Conditional Use that proposes automotive rental and leasing at 112 N. Mountain Road (site of the Old Texaco Service Station). The property, consisting of approximately .073 acres, is zoned C1, General Commercial. Conditional Uses for automotive rental and leasing are reviewed under the criteria listed in Articles 1119.05 and 1193.06, General Use Standards and Performance Standards, respectively.

Ms. Wissler explained that HET Enterprises, LLC has submitted a site plan and correspondence stating that the applicant has reviewed the provisions listed in Articles 1193.05 and 1193.06 and that the applicant would meet all of the listed standards.

Ms. Wissler noted that approval of the Conditional Use should be conditioned on the following: to provide a parking plan (including 18' wide driveway for one-way or 24' for two-way around the rear of the building); show the building and landscaping setbacks and amount of

impervious coverage on the plan; and provide the parking calculation on the plan for 20 rental cars, 6 employee parking spaces and 4 spaces as required for the amount of office space, for a total of 32 parking spaces. In addition, the applicant must provide pre and post stormwater calculations for review by the Township Engineer and contact the Codes Enforcement Officer regarding the abandonment/removal of the underground storage tanks.

Ms. Wissler noted that Mr. Robert Coakley from HET Enterprises, LLC was present to represent the plan.

Mr. Newsome questioned if Mr. Coakley would be replacing the current business, located a two blocks away. Mr. Coakley answered that he would.

Mr. Robert Coakley, of 2626 Abbey Lane, was present to represent the plan. Mr. Lighty questioned Mr. Coakley if he had reviewed staff comments. Mr. Coakley answered that he did. Mr. Lighty questioned if there were any staff comments that he would not be able to meet. Mr. Coakley answered that he would be able to meet the requirements.

Mr. Newsome questioned what would happen if the facility would have an overload of vehicles. Mr. Coakley noted that his numbers are based on the past two year's history of what that office has done since it opened its operation in 1996. He noted that Enterprise deals with many off-site rentals, which are left at dealerships. He noted that not every rented car comes back to his office, and many are left at dealerships, and must be retrieved. In addition, roughly 5% of the vehicles are out for repairs. He noted that all of the vehicles are less than three years old.

Mr. Newsome questioned if the only service that would occur at this location is the cleaning of the vehicles. Mr. Coakley noted that the vehicles are only washed, and not serviced at this location.

Mr. Lighty questioned Mr. Coakley if he had considered the difficulty of making left-turns from the business. Mr. Coakley noted that he would not be able to make a left-turn from his business. He noted that he would make a right-turn from his business, and use Lockwillow Avenue to access the northern part of the Township.

Mr. Neff questioned if he was renting the property. Mr. Coakley noted that he had a lease for the property and was planning to rent the property as soon as all permits were received. He noted that the site was currently used as a service center, and as soon as all permits are received, the current tenant would be given a 60-day notice to leave the property.

Mr. Neff questioned if Mr. Coakley knew the age of the gasoline storage tanks. Mr. Coakley answered that Texaco removed the storage tanks. He noted that it is a gravel lot, and he must permit on-site examination to their testing wells until they are cleared by the Department of Environmental Protection. He noted that, to date, Texaco has received three clear tests for the last three quarters. Ms. Wissler noted that the Codes Office does not have any record of the tanks removal and requested Mr. Coakley to provide documentation to their office. He noted that he must sign a waiver, to allow Moravian to test the wells, and he would provide a copy of this document to the Township.

Mr. Newsome questioned if the canopy would remain. Mr. Coakley answered that it would.

Mr. Lighty questioned what signage would be use. Mr. Coakley answered that he would meet the Township's requirements of 160 square feet. He noted that two smaller signs would be added to the canopy. Ms. Wissler requested Mr. Coakley to provide a drawing for the proposed signs before ordering the signs. Mr. Coakley noted the he would provide Ms. Wissler with the drawings.

Mr. Gingrich made a motion to recommend approval of the Conditional Use #05-05 for HET Enterprises, LLC, subject to the comments that have been made, and to the five comments from staff. Ms. Sibert seconded the motion, and the motion was carried unanimously.

**Preliminary/Final Subdivision and Land Development Plan # 05-24 for
Charles B. Liebman**

Ms. Moran noted that the NB Liebman Furniture Store is located on the northwest corner of the intersection of Jonestown Road and Mayfield Street. The plan consists of three lots. The proposed development plan would combine the three lots into one parcel in order to construct a 6,485 square foot addition to the furniture store, off-street parking areas, and curb and sidewalk along Jonestown Road. The property is zoned C-1, General Commercial, consists of 1.76398 acres, and would be served by public sewer and public water. The impervious coverage would be reduced and the interior landscape coverage would be increased.

Ms. Moran noted that the applicant has requested waivers for the requirement to provide a preliminary plan, curb and sidewalk installation along Mayfield Street, and a waiver of the street widening requirement along the frontage of Orchard Street.

Ms. Moran noted that Dawood Associates' comments are included in the packet, as well as the Dauphin County comments. Ms. Moran noted that numerous comments made by Dawood Associates were based on the pre-existing non-conformity of this property.

Ms. Moran noted that Mr. Jeff Staub from Dauphin Engineering Co., was present to represent the plan.

Mr. Jeff Staub, Dauphin Engineering Co., explained that he prepared the subdivision and land development plan for Mr. Liebman. He noted that the plan was similar to another plan viewed last month, in that it is pre-existing non-conforming as far as pervious coverage, interior landscaping, and the building. He noted that portions of the building fall within the building setback lines, and he noted that improvements would be made to the non-conforming portions of the property that relate to landscaping and impervious coverage.

Mr. Lighty questioned Mr. Staub if he would be able to meet the comments supplied by Dawood Associates and Dauphin County, noting that some of the comments may be based on non-conformance standards. Mr. Staub noted that his immediate concern relates to the three proposed parking spaces to be located in the front-yard landscape along Jonestown Road that would require a variance. He noted that it would be an area 30 to 40 square feet located where the existing duplex building is.

Mr. Staub explained that there are 12 existing parking spaces along Mayfield Street that are partially on the Mayfield Street right-of-way, and according to Mr. Stine, the applicant is entitled to those spaces until such time that the Township would install sidewalk and curb along Mayfield Street. He suggested that at that time, the 12 spaces would be lost. He noted that the 12 spaces have nothing to do with the parking requirements for the furniture store, as there was an agreement signed between Mr. Liebman and Mr. Hoffer several years ago acknowledging that the 12 parking spaces were for the exclusive use of Mr. Hoffer's building for the Kinko's customers. He noted that there are recorded documents that preserve those rights for Mr. Hoffer.

Mr. Lighty questioned what would happen if the Township decided to install a sidewalk in that location. Mr. Staub suggested that Mr. Hoffer would lose his rights to the parking spaces because they would no longer exist. Mr. Lighty noted that that is the only parking for Kinko's customers. Mr. Guise noted that there are a few spaces that abut the building, on a steep slope.

Mr. Newsome had a concern regarding the waiver request for Mayfield Street. He explained that when Commerce Bank was built, there was a discussion to establish curb cuts with curbs in the area opening to Orchard Street. He stated that there are several locations that should have curbs installed. He noted that, in the past, full curbs were not required, only curbs around the radius of the building. He noted that the area of Mayfield and Orchard Streets is an example of an area that needs to have curbs installed since it is not well defined, and he stated that he would be opposed to a full waiver for curbs. He stated that curbs should, at a minimum, be required at the intersection of Mayfield and Orchard Streets. He noted that the parking situation, backing out onto Mayfield Street is a hazardous situation and that it should not have been allowed, but there is nothing that could be done at this time. Mr. Staub explained that, along Orchard Street, it is difficult to tell the parking area from the street, and he proposes to define the street with grass strips along Mayfield Street and Orchard Street. Mr. Newsome stated there should be curbs in the area as well, in the same fashion as was developed for the Commerce Bank. Mr. Staub noted that he understood Mr. Newsome's concern and stated that Mr. Liebman installed the curbs for the Commerce Bank subdivision.

Mr. Staub noted that, currently, there are no curbs in front of the duplex building, and he planned to install a curb along that area, and along the radius to Mayfield Street, stopping it at the pre-existing parking spaces. He stated that he was requesting a curb waiver for the rest of Mayfield and Orchard Streets. Mr. Newsome noted that he was not in favor of a waiver for curbs.

Mr. Lighty noted that, on the plan, the area of the old duplex building shows a grassy plot. He questioned what the thinking was for leaving the area in grass. Mr. Staub answered that parking could not be put in the area, since it was located in the front-yard landscape setback for Jonestown Road. He noted that there would be no logical way to plan parking for the area, other than the slight encroachment of the three parking spaces. He noted that it would give the site a nicer appearance. Mr. Staub explained that the business sign would be relocated from its current location to the corner in the grassy area. Mr. Staub noted that landscape plantings are planned for this area.

Mr. Millard had a question regarding the parking on the Liebman's lot that is allocated to Mr. Hoffer's business. He noted that the area is exclusively for Kinko's use, and he questioned if overflow from Liebman's could use those spots. Mr. Staub noted that he was under the

impression that, according to the agreement, Liebman's customers could not use those spaces along Mayfield Street. He noted that 18 spaces are designated for use by Kinko's, which is over and above the 77 parking spaces for the furniture store. Mr. Millard noted that the 77 parking spaces, as well as the 18 Kinko's parking spaces are located on the same property owned by Mr. Liebman. Mr. Staub noted that the 18 spaces are as a result of negotiations between Mr. Liebman and Mr. Hoffer. He noted that Mr. Hoffer would not sell the property on the corner unless he received his 18 parking spaces. He noted that there are 12 spaces along Mayfield Street and six against the building.

Mr. Staub noted that he does not necessarily oppose installing the curb. Mr. Lighty noted that it would be good to define the radii. Mr. Newsome noted that he would like to see the radii installed. Mr. Newsome questioned what the length would be after you made the radius. Mr. Staub suggested extending it back at least into the parking lot. He noted that PENNDOT extends the radius beyond where it becomes tangent with the street, and then flares and tapers it back. Mr. Gingrich noted that this could be a temporary solution for the area. Mr. Newsome suggested that the details could be worked out with the Township.

Mr. Lighty questioned if curbing should be required for all areas except for the parking spaces. Mr. Lighty questioned if curbing and sidewalks need to be waived from the parking spaces. Mr. Newsome answered that he did not know what would be required due to the pre-existing situation. Mr. Staub questioned how you would restrict access to the parking spaces. Mr. Lighty answered that, if the Planning Commission did not waive the requirement for curbing and sidewalk, then the applicant would be required to run the curbing and sidewalks down the back of Liebman's and the parking would be gone. Ms. Wissler noted that he would lose the parking spaces and be required to go for another variance. Mr. Lighty questioned if there could be a partial waiver for sidewalks and curbing. Mr. Newsome noted that the waiver could be granted for the plan, except for the area for the prior commitment for parking

Mr. Guise recommended that the Planning Commission grant the waiver in part and deny the waiver in part.

Mr. Guise made a motion to recommend approval of the preliminary/final subdivision and land development plan #05-24 for M. B. Liebman Furniture Showcase, one-story office building subject to those comments that were submitted that apply in light of the prior non-conforming use and he recommended the approval of the waiver request to provide a preliminary plan, and the waiver to provide street widening along the frontage of Orchard Street. He further recommended that the waiver of curb and sidewalk along Mayfield Street be approved for the sidewalk, and approved in part and denied in part as the curb, with curb to be installed in an area along the radius of the Mayfield and Orchard Streets intersection, and further south on Mayfield Street to the point where the curbing would begin to interfere with the parking spaces for Kinko's. Mr. Newsome questioned Mr. Guise if this would include Orchard Street totally. Mr. Guise answered that he did, except Orchard Street at the radius for that curb. Mr. Guise noted that there was no request made for curbing for Orchard Street. Mr. Newsome questioned Mr. Staub if that was correct. Mr. Staub answered that he requested a waiver for Orchard Street as well. Mr. Guise noted that it was included in Mr. Staub's letter. Mr. Guise continued with the recommendation to include that the waiver be granted for to sidewalk along Orchard Street, but not granted for curbing along Orchard Street. Mr. Newsome seconded the motion, and the motion was passed unanimously.

**Final Subdivision Plan #05-26 for
Willowbrook, Phase 4**

Ms. Wissler explained that Phase IV Final Plan proposes to develop 3.06 acres into 21 townhouse units. Phase IV is located south of Union Deposit Road and west of Page Road extended, is zoned R-2, Medium Density Residential District and will be served by public water and public sewer.

Ms. Wissler noted that seven waivers were approved with the preliminary plan, and staff, Dauphin Engineering Co., and Dauphin County comments were included in the packet.

Ms. Wissler noted that Mr. John Walker from Hartman and Associates, Inc. was present to represent the plan.

Mr. John Walker from Hartman and Associates, of 2101 Orchard Road in Camp Hill, explained that he was present to represent the applicant, Larry Hatter.

Mr. Lighty questioned Mr. Walker if he received staff, Dauphin Engineering Co., and Dauphin County comments. Mr. Walker answered that he did as well as CET comments. He noted that he reviewed all comments prior to tonight's meeting and he had no problems meeting any of the listed comments.

Mr. Lighty questioned Mr. Walker if he had anything to add to Ms. Wissler's comments. Mr. Walker answered that he did not.

Mr. Lighty questioned Mr. Walker what his time frame would be for building out Phase IV. Mr. Walker noted that it should be completed in 2006. Mr. Lighty questioned when Page Road would be open for traffic. Mr. Walker answered that it should be open in the near future. He stated that the Township is working on the project. Mr. Lighty questioned if the Township was paving the road after Mr. Hatter graded the road. Ms. Wissler answered that that was correct.

Mr. Gingrich made a motion to recommend approval for the final subdivision Plan #05-25 for Willow Brook, Phase IV subject to the two site-specific comments, six general comments, three staff comments, Dauphin Engineering Co., and Dauphin County comments. Mr. Neff seconded the motion, and the motion was passed unanimously.

**Preliminary/Final Land Development Plan # 05-27 for
Proposed 3-Story Office Building, Lot 2, East Park Drive**

Ms. Wissler explained that the plan proposes the development of a 42,000 square foot, three-story office building to be constructed on Lot 2, 730 East Park Drive. The property is located north of Spring Creek Road and west of East Park Drive and is zoned C-3, Commercial-Mixed District. The tract of land possesses 9.022 acres and would be served by public sewer and public water.

Ms. Wissler noted that there were five waivers; the waiver of the preliminary plan requirement, the requirement to provide right-of-way dedication, roadway widening and curbing for Spring Creek Road and Peiffers Lane; requirement to provide sidewalk on all adjacent

roadways, waiver of the wetland delineation requirement, and waiver of the construction of underdrainage system in the existing detention pond. Ms. Wissler noted that, in discussion with Mr. Wolfe, it was thought that the location for the Township line was different than what was shown on the plan. In addition, staff, Dauphin Engineering Co., and Dauphin County comments were included in the packet.

Mr. Neff questioned what the Township's position was on Peiffers Lane. Ms. Wissler noted that staff was not recommending any improvements in that area since improvements were completed in the 1990's when I-83 was widened.

Ms. Wissler noted that Mr. Jim Snyder from Herbert, Rowland and Grubic, Inc. was present to represent the plan.

Mr. Snyder noted that this plan was brought to the Planning Commission twice before, for the construction of the initial office building located on the site, and in 1998, the property was subdivided into two pieces with Lot 2 being 9 acres, and Lot 1 being 4 acres. He noted that the land development plan was submitted and approved for the Hawthorne Suites Hotel for the Union Deposit Corporation. He noted that this plan would complete the development for the site. He explained that this building would use the existing access drive to the property with a slight modification to existing parking lot in terms of circulation and access drives.

Mr. Snyder explained that he would make some slight modifications for the existing detention pond for storm water management. He noted that the project is bounded on three sides, by East Park Drive, Spring Creek Road and Peiffers Lane. Mr. Snyder noted that in addition to the five listed waivers, an additional waiver may be needed in regards to the traffic impact study. He noted that a traffic impact study would be required for more than 100 peak-hour trips, and it was his calculation, for the site, that there would be 94 A.M. trips and 120 trips in the P.M. hours, using the existing driveway. Mr. Snyder noted that the comments received from Dauphin Engineering Co., Dauphin County and Staff are straightforward, with no major changes needed.

Ms. Wissler noted that the border for the Township line is in question. Mr. Snyder noted that Swatara Township's maps show that most of Spring Creek Road is in their township, whereas, the Lower Paxton Township's map shows a boundary further south. He noted that Swatara Township maintains Spring Creek Road and recently renamed the road to Francis Cadden Parkway. He noted that the boundary was surveyed by HRG 30 years ago to dispel a dispute between the two townships. He noted that he would conduct more research on the boundary line, and the line may need to be moved a few feet in either direction.

Mr. Newsome questioned if the plan would appear before the Swatara Planning Commission. Mr. Snyder answered that it would not since the property is entirely in Lower Paxton Township. He noted that the dispute is where the boundary line occurs in the bed of Spring Creek Road, to determine if road widening would be applicable to the approval of the plan.

Mr. Lighty questioned where Swatara Township claims the boundary line to be. Mr. Snyder noted that their map shows that the line is further north, in the right-of-way of Spring Creek Road. Mr. Lighty noted that the signs are located up the hill, on East Park Drive.

Mr. Snyder noted that HRG would conduct more research on the Township boundary and if the line moves in the direction of Swatara Township, then the waiver would be removed from the plan as Spring Creek Road would not be in Lower Paxton Township. He noted if the boundary moves in the other direction, then the waiver request would stand. He noted that the township previously approved the waivers in the previous submissions.

Mr. Newsome questioned if PENNDOT had jurisdiction tied down on their right-of-way along I-83 where the road crosses the interstate. Mr. Snyder suggested that PENNDOT's right-of-way would not be part of this plan. Mr. Lighty noted that the township map shows a different border than what is shown on the plan. He noted that the dotted yellow line shown on the township map matches up with the signs on East Park Drive.

Mr. Lighty questioned what the building would be like. Mr. Snyder noted that it has not been designed yet, but it should be similar to the other office buildings located on East Park Drive. Mr. Lighty questioned, if the client were permitted to build a taller building, would he have done so. Mr. Snyder answered no, since the physical constraints and parking determined the size of the building. He noted that parking was placed under the building since commercial parking requirement ratios are usually higher than the 5 per thousand requirements.

Mr. Lighty questioned if the existing driveway could be modified to match with the driveway on the other side of East Park Drive. Mr. Snyder noted that there are steep slopes in this area and the site is not very accommodating. Mr. Snyder noted that the driveway is already installed, and he would be building a retaining wall, due to the slope that exists there now.

Mr. Millard noted that the setbacks were not well labeled on the plan, and he questioned if the rear setback along Peiffers Lane had the required 50 feet. Mr. Snyder answered that the setbacks for the three sides were road frontage setbacks. Mr. Millard noted that if the setback for Peiffers Lane was a front, then it would not be an issue.

Mr. Lighty questioned what would happen to Peiffers Lane when PENNDOT widens I-83 in this area. Mr. Millard noted that, for this section of I-83, only one additional lane is proposed by PENNDOT. Mr. Millard did not know if the area in Peiffers Lane would need to be filled in to complete the plan.

Mr. Newsome made a motion to recommend approval of the preliminary/final land development plan #05-27, for a proposed Three-Story Office Building Lot 2, 730 East Park Drive to include the waivers of the preliminary plan requirement, the requirement to provide sidewalks on all adjacent roadways, and the waiver of the construction of underdrainage system in the existing detention pond. The waiver of the wetland delineation requirement shall not be waived as well as the requirement to provide right-of-way dedication, roadway widening and curbing for Spring Creek Road until the correct boundary lines for the two townships have been determined. Ms. Sibert seconded the motion, and it was passed unanimously.

Mr. Newsome questioned Mr. Snyder if he would be conducting a trip generation study. Mr. Snyder answered that he would. Mr. Snyder noted that a Traffic Impact Study would be required if it was found that the amount of trips were 100 trips or greater. He noted that the preliminary calculations show that the A.M. counts would be 94 and the P.M. counts would be 125. He noted that the counts would be further refined, based on the type of office building

leased. He noted that dependant on all these factors; there may not be a need to conduct a Traffic Impact Study.

Mr. Snyder noted that, if a request for the waiver was denied, then he would need to conduct the traffic study, to include the driveway, and determine if it was adequate in its current state, or if the study would recommend modifications.

Mr. Newsome questioned if the request would come back to the Planning Commission for approval if it was found that a Traffic Impact Study was necessary. Mr. Snyder noted that he did not think so. Mr. Newsome noted that the developer would negotiate this with the township. Ms. Wissler noted that her research showed that Mr. Snyder's numbers would warrant a Traffic Impact Study.

**Final Subdivision Plan #05-28 for
Spring Creek Hollows, Phase 1A, 1B, 1C**

Ms. Wissler noted that Phases IA, IB, and IC involves approximately 94.11 acres located in Lower Paxton Township and Swatara Township. The portion of the tract located in Lower Paxton Township is zoned R-1, Low Density Residential District; FP, Flood Plain Conservation District and SS, Steep Slope Conservation District and is located west of the Kendale Oaks development. The tract is bounded by Lyters Lane on the north and Jefferson Street on the south. The site would be served by public sewer and public water.

Ms. Wissler noted that the number of lots proposed by the plan is 31, of which three lots are existing.

Ms. Wissler noted that the following waivers were approved with the preliminary plan; waiver of the maximum length of the cul-de-sac for Kendale Drive, waiver of the minimum curve radius of 275' to 175 radius, and the waiver of the requirement that blocks shall have a maximum length of 1,600 feet.

Ms. Wissler noted that staff, Dauphin Engineering Co., and Dauphin County comments are included in the packet.

Ms. Wissler noted that Mr. Tom Mitskey and Mr. Steve Quigley were present to represent the plan.

Mr. Lighty questioned Mr. Mitskey if he received staff, Dauphin Engineering Co., and Dauphin County comments, and if he was in agreement with those comments.

Mr. Mitskey questioned Ms. Wissler what he needed to do regarding comment # 2. He questioned if the equitable owner's name needed to be changed to the owner of record. Ms. Wissler explained that the people who own the Kendale Oaks part of the plan must be included with their name typed below the signature line. Since they are part of the plan, they must be included in the signatures lines.

Mr. Mitsky noted that comment #13 from Dauphin Engineering, Co., noted that a 14" concrete slant curb is shown on the plan for the island, and it was noted that this is not an approved curb type in Lower Paxton Township. He noted that he plans to use the slant curbs

only in the area of the three traffic calming islands. Mr. Lighty questioned if the traffic calming islands were required. Mr. Mitskey answered that it was a requirement of the Traffic Safety Unit. Mr. Lighty questioned if Mr. Mitskey preferred to install the concrete slant curb. Mr. Mitskey explained that he, and Mr. Szeles toured the Township, and viewed a similar traffic island in a subdivision that used slant curbs. Ms. Wissler questioned if the slant curbs would only be in the location of the traffic calming islands. Mr. Mitskey noted that it was designed to accommodate emergency apparatus. Mr. Gingrich suggested that it should be stated for the intent of where it would be located.

Mr. Gingrich noted that with regards to phasing, it is not indicated what the phasing would be, and he questioned if a phasing sheet would be included in the plans. Mr. Mitskey noted that it would be part of the next edition. He noted that it was removed since it shows the whole project. Mr. Mitskey pointed out, on the map, the phasing of the project. He noted that Phase 1B would be retained by Mr. Szeles; Phase 1A would be sold to Kendale Oaks, and Phase IC would be next with Phase 2 and 3 to follow.

Mr. Lighty questioned if the border lines for the two townships were in agreement. Mr. Newsome requested Mr. Mitskey to trace the boundary line on the map. Mr. Quigley noted that the staffs from both townships have decided that since the location of the homes on the properties is unknown at this time and the master bedrooms are not shown, the agreement was that the township with the largest amount of buildable area within the setback lines would retain ownership of the property. Mr. Quigley noted that both staff's have agreed with the boundary lines as shown on the map.

Mr. Quigley noted that the surveyor received information from both townships in order to draw the map. Mr. Newsome noted that the line shows part of the lower phase in the loop in Lower Paxton Township. He noted that most of those tracts are not part of Phase I.

Mr. Mitskey noted that the rest of the comments concern details and corrections.

Mr. Neff questioned what Swatara Township required for the road width. Mr. Mitskey answered that they required a 30-foot width. Mr. Lighty questioned if Lower Paxton Township requested the greater width, and Swatara Township required the smaller width. Ms. Wissler answered that Mr. Sutor requested narrower roads as a form of traffic calming. She noted that the road was wider in Swatara Township and it was agreed to make it the same width as required by Swatara Township. Mr. Lighty noted that this would be a collector road and be designed for traffic flow for north-south access. Ms. Wissler noted that that was correct, and the road was widened in Lower Paxton Township. Mr. Neff stated that 30 feet would not be the proper width for a collector road. Ms. Wissler noted that the ordinance requires a 30-foot width for a collector road. Mr. Mitskey noted that, originally, he was asking for 24-foot width and changed it to a 30-foot width. Mr. Neff noted that it should match Swatara Township's requirements.

Mr. Millard noted that the building setbacks should exclude the prohibitive slope and floodplain areas since there are a few plots that could be an issue to locate the building on. Mr. Mitskey noted that he would trim the building setback line at the prohibitive slope line.

Mr. Milliard noted that no more than 15% impervious coverage is allowed for precautionary slope areas.

Mr. Guise made a recommendation to approve the final subdivision plan #05-28 for Spring Creek Hollows/Kendale Oaks, Phases IA, IB and IC subjects to the comments and discussion, and recommendation of the approval of a waiver for the slant curbing described in the plan, and also subject to correction of the requested waiver that was pointed out for the cartway width which was no longer needed. Ms. Sibert seconded the motion, and the motion was carried unanimously.

Mr. Newsome questioned the date of the next joint Board of Supervisors/Planning Commission Zoning workshop meeting. Mr. Guise noted that it was scheduled for August 9, 2005.

Adjournment

There being no other business, Mr. Lighty made a motion to adjourn the meeting. Mr. Newsome seconded the motion and the meeting adjourned at 8:55 p.m.

Submitted by:

Maureen Heberle
Recording Secretary