

LOWER PAXTON TOWNSHIP
PLANNING COMMISSION

September 13, 2006

COMMISSIONERS PRESENT

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

ALSO PRESENT

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

Call to Order

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00 pm, on September 13, 2006 at the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Pledge of Allegiance to the Flag

Mr. Beverly led the recitation of the Pledge.

Approval of Minutes

There were no minutes to act on at this time.

Old Business

Conditional Use Application #06-02

Michael True (Sheetz)

Ms. Moran stated that the Township has received an application for a Conditional Use Permit that would allow the construction of a Sheetz convenience store with gasoline pumps and a stand-alone carwash at 6290 Allentown Boulevard (at the existing Geo's Restaurant). The overall property consists of 5.3 acres and is zoned C-1, General Commercial. The applicant intends to subdivide the property into two lots with Lot #1, consisting of approximately 2.5 acres, being the location of the Sheetz project.

Conditional Use Applications for Gasoline Service Stations and Automobile Services (car wash) are reviewed under criteria listed in Articles 1193.05 and 1193.06 General Use Standards and Performance Standards, respectively. In addition, Article 1193.07(d) lists specific standards for Gasoline Service Stations. There are no specific standards for the car wash use.

Mr. Aaron Navarro, Navarro & Wright Consulting Engineers, Mr. Michael A. LaCesa, Director of Real Estate for Sheetz, and Mr. Greg Creasy, Grove Miller Traffic Engineers, were present on behalf of the application.

Mr. LaCesa stated Sheetz will be leasing the property from Mr. True. The restaurant and the motel and mobile home will be raised to develop the property. The convenience store will be approximately 4,997 square feet and is similar to the store in front of Bass Pro at the Harrisburg Mall in that it will be made of brick and glass. There will be no inside seating, possibly some seasonal seating outside. The car wash is a touch free car wash, approximately 836 square feet. There will be seven pumps facing Allentown Boulevard which will allow 14 cars to get gas at one time. The canopy is not attached to the building anymore. This is to draw more attention to the store, and the canopy will no longer be the predominant feature on the site. There are 46 parking spaces on the plan. The site will be concrete. There will be a full access driveway on Blue Ribbon Avenue, and a right-in/right-out driveway on Allentown Boulevard at approximately the same location as what Geo's has currently.

The traffic study is complete, and is going to be submitted to PennDOT showing Sheetz will provide a right turn lane on Blue Ribbon Avenue starting at the driveway proceeding south towards the intersection. There is a shoulder on Route 22 that will be improved and the pavement depth will be increased according to PennDOT's standards to provide a deceleration lane for the right-in/right-out driveway.

The lighting will be directed inward and downward, and the majority of it will be under the canopy directed straight down at the lot. Any perimeter lighting will be shielded and directed downward.

Mr. Guise asked how big the existing restaurant building is. Mr. LaCesa did not know.

Mr. Lighty asked if the applicant has received the comments from Staff.

Ms. Moran read the following requirements for conditional uses:

Minimum frontage on an interior lot shall be not less than 125 feet. If the lot is a corner lot, the minimum side street frontage shall be not less than 150 feet, and the front street shall be not less than 200 feet. Mr. LaCesa stated they exceed that requirement.

Dispensing and storage facilities at gasoline service stations or convenience store shall not be closer to any residence, school, or church building than 500 feet. Mr. LaCesa stated he meets that requirement.

The site of the proposed gasoline service station shall be serviced by public sewer and public water. Mr. LaCesa stated he meets that requirement as well.

Mr. Neff stated he is glad to hear there will be two additional lanes to get the proper movements on the roadways.

Mr. Neff asked if there is a place to fill tires with air. Mr. LaCesa answered yes.

Mr. Neff asked about stormwater facilities and facilities for EPA approved units for catching spills and organic BOC's. Mr. LaCesa stated the facilities will most likely be underground, but the designs have not been done yet, and will be addressed in the land development phase of the project.

Mr. Newsome noted that lot #2 has wetlands, and asked if any of that extends up into Lot #1. Mr. LaCesa stated it does not extend into Lot #1, and they have done an analysis on the 2 ½ acres in their development and have no issues. If Mr. True develops Lot #2, the studies will have to be done on that lot at that time.

Ms. Sibert asked about leasing the property. Mr. LaCesa stated they will have a 30 year lease, with options.

Mr. Neff asked if Mr. True or Sheetz owns to the center of the roadway (Route 22) or if it is owned by PennDOT. Mr. Navarro stated that PennDOT owns from the center of the right-of-way to the legal right-of-way line at the front of the property. Mr. Neff asked if the deed is inaccurate. Mr. Navarro stated that deeds were at one time written to the center of the road, then the rights-of-way were dedicated and the deeds were usually not updated. Mr. Navarro clarified that the property is only owned up to the legal right-of-way lines on both Allentown Boulevard and Blue Ribbon Avenue as shown on the plan. The next plan will show the proposed right-of-way line on Blue Ribbon Avenue and the legal right-of-way will be shown on Allentown Boulevard.

There was no comment from the audience.

Mr. Newsome made a motion to recommend approval of Conditional Use Application #06-02 for Michael True and Sheetz located at Blue Ribbon Avenue and Route 22. Mr. Beverly seconded the motion, and it passed unanimously.

Preliminary/Final Subdivision Plan #06-23
Astoria Knoll

Ms. Moran stated the plan proposes to develop a 23.8 acre parcel of land into 39 single-family lots. This parcel is zoned R-1, Low Density Residential District and will be served by public sewer and public water. The property is located to the north of Lyters Lane and east of Page Road.

Ms. Moran noted this is the first plan submitted under the new zoning ordinance.

The following waivers were requested: waiver of the curb, sidewalk and widening requirements (no sidewalk is proposed along Lyters Lane and Page Road. Curbing and widening is proposed along Lyters Lane, except immediately next to the adjacent Loeun property so transitions can be made to the tract line, no widening or curbing is proposed along

the frontage of Page Road beyond the curb radius of Lyters Lane; waiver of the maximum width requirement of driveways within 15 feet of a public street cartway from the maximum width allowed of 24 feet to 30 feet for no more than 19 lots; waiver of the minimum distance between street intersections, (250 feet is provided between Meadowlark Lane and Page Road along Lyters Lane and 327 feet is provided between Anchor Way and Gaston Place along Meadowlark Lane); waiver of the street construction standards with regard to curb construction (slant curb is proposed); waiver of the requirement to submit a preliminary plan; and waiver of the requirement pertaining to street cross-section design (a boulevard entrance is proposed).

Mr. Tom Scully, RJ Fisher and Associates, and Mr. John Kerschner, Eastern Communities, were present on behalf of the plan.

Mr. Kerschner stated the plan was tabled at the August meeting after gathering input as well as Staff, Engineer, and County comments. Many of those comments have been addressed and revised plans have been submitted.

Mr. Kerschner explained the reasons behind the following waiver requests. A waiver of sidewalks and curbing is being requested because there are none in the area to tie into, but they will install curbing and sidewalks on both sides within the development. At the last meeting it was suggested to extend the curbing and widening to the intersection of Lyters Lane and Page Road. The improvements are tied to the radius of the intersection and the developer has applied for the PennDOT permit. There is about 20-30 feet of frontage on Page Road that they do not propose curbing because there is a guide rail.

Regarding the driveway width waiver request, this is done to accommodate those homeowners that desire 3-car garages that are perpendicular to the street as opposed to side-entry. This is done to continue with the theme that has been favorably received in the past.

With regard to the third waiver request, this was proposed in order to get two entrances.

The fourth waiver is to use slant curbing as they have done in many projects in the past and has been well received, but the Subdivision and Land Development Ordinance does not recognize slant curbing.

The plan will be one phase, so the applicant is requesting it be combined as Preliminary/Final.

The cross section waiver is to accommodate the boulevards. The SALDO does not address boulevards, so they need a waiver to allow them.

Mr. Kerschner asked about HRG Comment #14, about sight line easements. They will be provided for Lots #32, #1, and #39, but cannot do that on the Loewn property because they do not own it. Mr. Kerschner noted they will be meeting with the Loewn's regarding a grading easement to correct the vertical on Lyters Lane and can request that at that time. Mr. Snyder

stated the zoning ordinance requires the sight triangle as proposed, but does require that it be kept clear. The issue is how to keep it clear.

Mr. Kerschner stated that HRG comment #20 asks that the note regarding the maintenance of the boulevards be removed from the plan, but he felt it was important because there is no home owners association. There is no mowing, only trimming of bushes occasionally. If that requirement is forced upon a lot owner, they will have to remove the boulevards because they have found they cannot sell the lots with that burden. In Mindy Meadows and Huntleigh the Township has agreed to maintain them. In Maiden Creek the Township is not maintaining them and they have been unable to sell those lots with that requirement. Mr. Snyder stated that this has become an issue with Public Works, they feel they should not be taking care of those. Mr. Snyder felt the issue should be recognized by the Board when they address this plan. Mr. Newsome agreed this issue should be addressed by the Board of Supervisors. Mr. Newsome noted that if the note is removed from the plan, it may not be discussed, so he wants to ensure that the issue be addressed. Mr. Kerschner noted he has to either remove the note on the plan or remove the boulevards. Mr. Kerschner noted that the boulevards were being proposed because it was requested by the Township Engineer (Mr. Sutor) in the past as a traffic calming device. Mr. Kerschner noted that if they are to be removed, he is okay with that too. Mr. Newsome stated that it is in the right-of-way and in many circumstances including this one, it is a desirable feature. Mr. Newsome further stated he does not want it to be removed from the plan, but would like to know up front the Board's feeling, and there should be a regulation to that effect. Mr. Snyder noted that since it is a waiver request, it will carry to the Board of Supervisors meeting.

Mr. Neff stated he agrees with Mr. Newsome and he has been involved in the past with developments where the governing body set up a trust account where the developer makes capital contribution into the trust account as determined by the Township Treasurer the amount of money generated each year can be passed to Public Works to maintain it. That seemed to work very well. The governing body should look at that.

Mr. Neff asked about the maintenance of the five drainage outlets. Mr. Kerschner stated that in addition to the stormwater, there is also NPDES retention areas, and they will be the responsibility of the lot owners. There are no detention facilities, these are retention infiltration areas. Mr. Neff asked if that will be on the agreement or on the deed of sale. Mr. Kerschner answered yes.

Mr. Beverly asked about the metal shed on lot #39. Mr. Scully stated the adjacent property owner has some structures over the property line that will need to be moved.

Mr. Guise asked if the curbing, widening and right-of-way dedication along the frontage of the neighboring property would be part of the negotiations with the owner to keep it consistent. Mr. Kerschner answered no, they do not own it and therefore is not theirs to improve. Mr. Guise asked if the applicant would be willing to do the improvements if the Township approached the property owner and got their consent. Mr. Kerschner agreed it is not

much work, and it would provide a smooth transition, but it is currently designed in a way that it is not a hazard if it is not done.

Mr. Neff asked if the development signs are low enough to not conflict with the sight triangle, and if they are permanent. If they are permanent, Mr. Neff questioned if there was a maintenance agreement for them. Mr. Kerschner stated it is not known whether they will be permanent, but they are back far enough to not be in the sight triangle. The easements are on the plan to provide that option to install two signs.

Mr. Kerschner addressed comment #22 regarding the parking issue. At the recent workshop meeting, it was discussed whether the driveway can count as parking spaces. This will have to be addressed with every plan. Mr. Snyder stated it has to be addressed as part of this plan. The way the zoning ordinance reads, for single family lots greater than 10,000 square feet, 3 parking spaces are required, but in the event you have to move a car to get access to a space, you cannot count it. For example, if there are two parking spaces in the garage, and two spaces behind it, you can't count them because you have to move the cars in the driveway to get to the cars in the garage. To show the other space, the plan has to show sufficient parking on the street to accommodate that. Problems arise when plans like this one ask for a reduced cartway width, which only provides parking on one side of the street, so they have to demonstrate one space on the street for each lot. The other option is to ask for a variance. Mr. Kerschner added another option is to pave more of the yard, but that is not at all desirable. Mr. Kerschner noted that for years developers have counted driveways as parking, and realistically, people use driveways as parking, and it has never been an issue, and now the ordinance does not allow it. The Township goes to great lengths to reduce impervious coverage, and this ordinance counters that. Mr. Snyder stated he agrees 100%, and added that this is a shortcoming in the ordinance that needs addressed.

Mr. Snyder asked if Mr. Kerschner could demonstrate that, by virtue of the on-street parking on one side, that he could meet the criteria on this plan. Mr. Kerschner stated they could add a pull off area or extra parking pad. Mr. Kerschner stated he does not want to create a situation where he has to post no parking on one side of the street. Mr. Snyder explained that he would not have to spend the construction dollars to fix it, when all he has to do is demonstrate it on a plan that it could physically fit. Mr. Kerschner understood that he just has to show that the cars could be accommodated somehow. Mr. Snyder noted that the homes with 3-car garages would not require anything else, because they would meet the 3 space requirement. Mr. Kerschner will address that on the plan.

Mr. Guise made a motion to recommend approval of Preliminary Final Subdivision Plan #06-23 for Astoria Knoll, subject to the comments, and approval of the six waivers requested with the description in the Township report, and with respect to the boulevard entrance that the Supervisors address the issues of the maintenance of the boulevards in the public streets and the question of who should maintain it, the approval shall also be subject to the other comments discussed at this meeting. Mr. Gingrich seconded the motion and the motion was unanimously approved.

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

Ms. Moran stated that they have signed a time extension, and they have not submitted revised plans to the Township.

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

New Business

Preliminary/Final Subdivision Plan #06-26
Rosewood

Ms. Moran stated the Township has received a plan for the subdivision of 33 building lots and the development of a residential cluster located at the intersection of Colonial Road and Earl Drive with frontage on the south side of Earl Drive. The property consists of 19.8349 acres and will be served by public water and public sewer. 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 requirement from 60 to 50 feet and minor street width requirement from 36 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 ten feet of a catch basin, drain inlet or fire hydrant; waiver of the sidewalk and curb requirements along the frontage of Colonial Road.

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

Mr. Neff asked about the issue of the yield of the lot. Ms. Moran stated the yield plan shows 33 lots.

Mr. Lighty asked if the applicant received comments from Staff, County, and HRG. Mr. Staub answered he has received the comments.

Mr. Staub stated he and Ms. Molinari and Ms. Greenburg met with Ms. Moran and Mr. Wolfe today and reviewed the comments and determined that four variances will be needed to

allow the plan to move forward. Mr. Staub noted that under the old R-C and R-2 ordinances, this plan would not need any variances. The first variance needed has to do with minimum lot area, for multi-family lots, the minimum lot area is 6,400 square feet. At least two of the lots cannot meet that. This is probably one of the “housekeeping” items to be addressed in the new zoning ordinance. Mr. Lighty stated that this is a downward compromise to a very deliberate regulation. Mr. Staub explained that if there were a town home community with interior lots with a minimum lot width of 20 feet, the depth would have to be 400 feet. Mr. Lighty stated the idea was to increase the width. Mr. Staub stated a 40-foot width would still require a 200-foot depth.

The second variance would deal with the issue of not using the driveway as parking. About half of the homes will have 2 car garages, so the third parking space will have to be on the street. Because of the nature of this development, they have crowded all the improvements into a small area of the property, so the lot frontages are less than 100 feet, so there is no room to add the third space on the street because there is only a 30-foot cartway which only provides for parking on one side of the street. For this plan, it is not possible to get the third parking spaces on the street, because both sides of the street would have to be parked, and the cartway width proposed only permits parking on one side of the street.

The third variance that will be needed deals with tree preservation. They have proposed on Lots 6, 7, 9, 10, and 12, single family homes with a portion of which the footprints are in the precautionary slope (15-25%). The old ordinance permitted homes to be built in the precautionary slopes, but the new ordinance does not. The ordinance also does not allow the removal of trees with a diameter of 6 inches measured at 4 ½ feet from the ground. After a tree survey, a variance will need to be requested to remove those larger than 6 inches. The nature of this project is that they will clear cut the whole site and do some extensive grading, so to be practical, the trees will not be saved. Mr. Lighty clarified that the trees larger than 6 inches in diameter can only not be cut in the precautionary slope area.

The fourth variance has to do with allowing the construction of single family homes in the precautionary slope area in lots 6, 7, 9, 10, 12 and 28. A 3,000 foot building area has to be provided within the setbacks, and that has to be outside the precautionary slopes. Lot 28 is a twin-home (formerly called duplex). The multifamily homes require a 20-foot buffer between the precautionary slope and the proposed structure. What is proposed is within two feet of that.

Mr. Snyder asked if Mr. Staub will seek a variance because he cannot park on the street because the street is too narrow because a waiver is being requested. Mr. Staub confirmed that statement, noting that a 30 foot cartway is proposed, which is less than the 36 feet that is required, but it is consistent with other multi-family developments in the recent past, which have gotten waivers for that.

Mr. Lighty repeated that the applicant is asking for a waiver for a smaller cartway width, and that then creates the issue where there isn't sufficient on-street parking, which requires a variance be obtained. Mr. Staub confirmed Mr. Lighty's statement.

Mr. Lighty asked if the applicant didn't ask for the reduced cartway width, would they then have the necessary on-street parking. Mr. Staub answered yes, because both sides of the streets could be parked. Mr. Lighty asked how that can not be seen as a self-created hardship. Mr. Staub stated that from a certain perspective, it is self-created, so the issue is whether it is more desirable to ask for a waiver for cartway width or asking for a driveway to be counted as a parking space.

Mr. Snyder felt the applicant would have a difficult time meeting the legal requirements for a variance.

Mr. Lighty felt those four hurdles were quite substantial, and important. Depending on the outcome of them, the plan before the Commission could change drastically. Mr. Lighty added that it is hard for the Commission to give comments on a plan that could change so much.

Mr. Guise asked if a subdivision could be designed and built consistent with the ordinance. Mr. Staub answered they could, but not in such a way as to keep the 40% open space and still have 33 units. Mr. Guise speculated it could be done with less than 33 units. Mr. Staub agreed it would probably be 29 or 30 units to comply with the new ordinance. Mr. Staub noted that if it weren't for delays in the rezoning, the plan could have been submitted under the old R-C ordinance, and no variances would be necessary. Mr. Lighty reminded him that that is irrelevant.

Mr. Guise speculated that the parking problem would be corrected with the next revisions, but noted that the other differences were done very deliberately.

Mr. Staub stated an additional waiver will be needed to be requested for the requirement to provide a cul-de-sac at the end of Caden Way. A stub street is proposed up to Sandi Prah's property. Ms. Molinari and Ms. Greenberg have had discussions with Ms. Prah and she is amenable to that, and eventually that farm will be developed. She is also agreeable to a grading easement to allow the stub street to be constructed. A small turn-around is shown at the end of the street, there is no room to put a standard cul-de-sac. Staff's initial reaction to that was favorable as well. Mr. Lighty felt that public safety may be concerned about that, even though there are only 3 homes there.

Mr. Staub stated that the plan will be changed to eliminate the walking paths and the gazebo. That is a result of the section of the ordinance that requires handicapped accessibility for the walking paths, and it also requires sufficient access made available for maintenance equipment. To do that, a substantial part of the open space area would be affected by grading and drainage structures, and that is prohibitively expensive. Mr. Staub stated the ordinance does not require walking paths in the open space area.

Mr. Snyder asked if that was a condition of the rezoning. Mr. Staub stated it was shown on the rezoning plan, but didn't think it was a commitment. Mr. Lighty stated the plan shown during a rezoning does not mean anything, but there may have been conditions set on

the approval of the rezoning. Ms. Moran did not believe there were conditions added, but she will verify that. The Commission felt it was a shame to lose the gazebo and paths. Mr. Neff stated there is no place to walk on Colonial Road or Earl Drive, so the residents are encouraged to walk internally, and the paths would have been a nice place to do that. Mr. Staub stated the waiver for curbing and sidewalks only pertains to Colonial Road and Earl Drive, but the development will have curbs and sidewalks everywhere internally.

Mr. Snyder noted the walking path issue is one that should be addressed with the revisions. Mr. Lighty suggested calling it a nature trail instead of a walking path.

Mr. Neff asked if the applicant does not intend on widening the 24-foot cartway of Earl Drive. Mr. Staub stated Earl Drive is a collector street, and the current SALDO calls for a 28-foot wide cartway with no parking and a 60-foot right-of-way. They are providing a 30-foot right-of-way and 14 foot cartway on their side of the centerline. Sidewalks will also be provided on their side of Earl Drive.

Mr. Neff stated the width of Earl Drive is less than is permitted on an interior road and has to be improved. Mr. Staub felt their side of Earl Drive was in compliance with the ordinance. Mr. Neff felt that the ordinance needs changed, because internally the roads are required to be wider. Mr. Lighty pointed out that internal roadways have parking on both sides. Mr. Snyder noted what is in the ordinance is standard. Mr. Snyder added that the theory is that if there is no parking, you get a 12-foot travel lane and a 2-foot off-set to the face of the curbing. Mr. Snyder suggested signing that portion of the street with no-parking.

Mr. Staub stated one of the comments suggests connecting the proposed sidewalk with the existing sidewalk at the medical building. There is a problem with that, but there is a 4-foot gap between the end of the proposed sidewalk and the end of the existing sidewalk. Mr. Snyder stated that is in the right-of-way. Mr. Staub asked if that gives them the authority to do the work, because they are happy to do it, but want to do it legally. There is a dedicated right-of-way, but because of the age of the plan, it is unclear if the Township ever accepted it. Mr. Lighty stated it has to be connected, even if that means the Township step in and help.

Mr. Neff asked if you can see both ways on Caden Way because of the hill. Mr. Staub stated that to the east they exceed the sight distance requirement by hundreds of feet, and to the west (left) they are required to have 250 feet, and they have 256 feet. The posted speed limit is 25 miles per hour.

Ms. Molinari gave a brief history of how this project came to be, noting that they "down-zoned" it from R-O to R-1. They, as developers, have never done the maximum density on any of their projects, for example, when they were allowed 456 units they did 150, when they could have done 85, they did 31. They anticipate the widths of the lots will be minimum of 36 feet for the 2-packs. The garden homes will be stunning. This will be an adult community without labeling it an adult community. There are many people moving into these homes in their 60's and 70's. The duplexes will be in the \$350,000 to \$390,000 range, and the garden homes will be in the \$450,000 to \$550,000 range to compliment what they are doing at

the Tuscan Villas development, which start in the \$600,000's. There will be another old world theme. Mr. Lighty noted that the Commission is familiar with the quality of the developers' quality.

Mr. Eric Epstein, chairman of SWAN, stated SWAN supported the plan that is "kind-of" before the Commission. SWAN strongly recommends greenspace, and this plan has 42% greenspace. SWAN also supports density restrictions. Age restricted communities are good because they help grow the tax base, minimize the burden on schools and police, and also minimizes traffic impacts. On an environmental state-wide format, this is an incredibly good plan in terms of preserving buffers and polishers and filters and the Paxton Creek Watershed. SWAN is willing to work with Ms. Molinari and Ms. Greenberg to come up with a good solution.

Mr. Epstein's field of expertise is environmental economics, and he explained land banking. Mr. Epstein stated this plan is not age-restricted by covenant but it is by design, and there is a difference in the impact on the infrastructure.

Mr. Epstein felt the Township should not penalize conscientious and responsible developers. Mr. Lighty noted that Colonial Road is a state road, so the Township is at the mercy of the State.

Mr. Newsome stated the Township should take into consideration developments that are age-restricted, when regulating parking. There should be some kind of reflection in the ordinance for homes that will have only one or two people living there.

Mr. Millard mentioned County Comment #5 regarding side and rear yard setbacks, they are unclear on the plan. Mr. Staub stated that there is nothing in the ordinance that specifies the minimum side and rear yard setbacks for the multifamily portion of the development. That leaves it up to the Planning Commission and Board of Supervisors for each plan. Mr. Staub explained that they used the R-2 setbacks for the units that are not adjacent to R-1. Mr. Lighty stated that in developing the new ordinance, the Commission and Board felt it would be better to do it on a case by case basis because each development had different needs. Mr. Staub asked if that has to be part of the motion. Mr. Lighty stated that if the plan is recommended for approval, whatever is shown on the plan is acceptable. Mr. Lighty asked what should be done if it is not shown on the plan. Mr. Snyder and Ms. Moran felt it would be beneficial to have some specifics in the ordinance so it does not need decided with every plan that comes before the Commission. Mr. Lighty felt that was being done anyhow. Mr. Snyder felt the majority of the plans complied.

Mr. Staub stated that Mr. Wolfe expressed his concern earlier that day about the parking in the driveway issue, as well as the lot size issue. These are things that should be looked at again.

Mr. Millard noted for clarification that a duplex is two units up and down, and a twin dwelling is two units side by side.

Mr. Guise made a motion to table the Preliminary/Final Subdivision Plan #06-26 for Rosewood. Mr. Gingrich seconded the motion and the motion passed unanimously.

Preliminary/Final Subdivision Plan #06-27
Sir Thomas Court, Lots 5C & 5D

Ms. Moran stated that the purpose of this plan is to subdivide existing Lot 5C and Lot 5D into two new lots of a different area configuration, also known as a lot line adjustment. The parcels are zoned BC, Business Campus District, and are located north of Schoolhouse Lane and west of Interstate 83. Public water and sewer will serve the site.

Ms. Moran stated the applicant has requested a waiver of the preliminary plan requirement.

Mr. Marcel Mileo of Dawood Associates was present on behalf of CPA Real Estate Group to represent this lot line adjustment. The two lots are owned by the same owner, and they wish to adjust the interior lot line. Lot 5C is currently 2.3 acres and will become 3.3 acres. Lot 5D will go from 4 acres to 3 acres. That will allow Lot 5C to fit nicer parking and building and more area. The detention basin will be shared by both owners.

Mr. Mileo did receive the comments from Staff, HRG and County. All the comments can be satisfied except for two that Mr. Mileo is asking about.

Wetlands are located within the flood plain area and will not affect the development area. They also checked for fire hydrant and sight distances and other things that would impact the development of the lots and everything seems okay.

Staff comment #10 regarding sidewalks on Sir Thomas Court. Since there is no driveway entrance yet, the developer would prefer to wait to install sidewalks so as to not have to install them and then rip them out to put in the driveways and redo the sidewalks. Mr. Snyder stated a note should be placed on the plan saying the sidewalks will be installed when the lots are developed from a land development perspective. Mr. Snyder advised Mr. Mileo to ask for a deferral, not a waiver of the requirement.

Staff Comment #4 refers to US Coast and Geodetic Survey datum. The surveyors would use the datum that the Authority used in developing Olde English Gap Office Park. Mr. Snyder stated the Sewer Authority datum is not the same as US Coast and Geodetic Survey datum, and it is not uncommon to use Authority datum, so a waiver needs to be requested. Mr. Mileo presented a written request for a waiver of this requirement to Ms. Moran.

Mr. Mileo stated the applicant is able to address all the other comments with no problem.

Mr. Neff asked about the distance to the curb cut on the property to the right. Mr. Neff asked about recording an easement along the center property line, that way instead of 3 curb cuts, there would only be two and one would be shared. This would also make it more aesthetic. Mr. Mileo agreed that was a good suggestion.

Mr. Millard had no additional comments regarding this plan.

There was no comment from the audience.

Mr. Guise made a motion to recommend approval of Preliminary/Final Subdivision Plan#06-27 for Sir Thomas Court, Lots 5C and 5D, including the waiver of the preliminary plan requirement, waiver of the USGS datum, and recommend adding a note to the plan that installation of sidewalks on Sir Thomas Court will be deferred until the time of the land development plan, and subject to all the comments. Mr. Gingrich seconded the motion and the motion carried unanimously.

Public Comment

There was no public comment at this time.

Commissioner Comment

Mr. Newsome asked about the Commission's role in the analysis and planning for Linglestown Road. Mr. Lighty stated that Staff was to do a study first, then that information will be forwarded to the Planning Commission. Mr. Guise asked if it will be done before the meeting on October 10th. Ms. Moran stated she is getting maps from Mr. Weisinger to begin working on that. Ms. Moran stated that she spoke with West Hanover Township and their portion of that area is all Conservation from Linglestown Road up to Blue Ridge, 5,300 feet.

Mr. Newsome felt the Planning Commission should be prepared to make a recommendation to the Board of Supervisors at the next joint meeting regarding that strip of land. Mr. Lighty suggested the Planning Commission conduct a workshop meeting. Ms. Moran asked if the Commission wanted to get the van and do a road tour to work on it. Mr. Lighty felt it would be better if the Commissioners went out on their own and then got together for a workshop.

Mr. Guise felt that if the Commission was going to hold a workshop, they should also discuss text changes to the zoning ordinance.

The Planning Commission will conduct a workshop meeting at 5:30 pm on October 4, 2006.

The Planning Commission will meet at 5:30 pm on October 10, 2006 with the Board of Supervisors to review the zoning ordinance.

Ms. Sibert stated the Greenway Committee met and has selected a consultant to look at the Township for working on the greenway. They hired Collins, who has done many greenways throughout the state. That will be started immediately.

Adjournment

The next regular Planning Commission meeting is scheduled for October 11, 2006 at 7:00pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 8:55pm.

Respectfully Submitted,

Michelle Hiner
Recording Secretary