

Lower Paxton Township

Planning Commission

January 4, 2023

ANNUAL REORGANIZATION MEETING

Commissioners Present

Fredrick Lighty
Doug Grove
Lori Staub
Jeff Kline
Everette Hamilton
Sandra Bloom
Kurt Meckes

Also Present

Nick Gehret, Lower Paxton Township Codes Officer
Jason Hinz, HRG, Inc.
Andrew Bomberger, D.C. P.C.

Reorganization Meeting

Call to Order

Mr. Kline called to order the Reorganization Meeting of the Lower Paxton Township Planning Commission to order at 7:00pm on the above date in room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Pledge of Allegiance

Mr. Kurt Meckes led the recitation of the Pledge of Allegiance.

Election of the Chairman of the Planning Commission:

Mr. Jeff Kline nominated Mr. Fredrick Lighty as Chairman of the Planning Commission. Mr. Meckes made a motion to approve Mr. Lighty, Mr. Hamilton seconded the motion and a unanimous vote of 1's followed.

Election of Vice-Chairman of the Planning Commission:

Mr. Fredrick Lighty nominated Mr. Douglas Grove as Vice-Chairman of the Planning Commission. Mr. Hamilton made a motion to approve Mr. Grove, Mr. Kline seconded the motion and a unanimous vote of 1's followed.

Election of the Planning Commission Secretary:

Mr. Fredrick Lighty nominated Mr. Everette Hamilton as Secretary of the Planning Commission. Mr. Grove made a motion to approve Mr. Hamilton, Ms. Bloom seconded the motion and a unanimous vote of 1's followed.

Approval of Meeting Dates

Mr. Grove recommended to adopt the meeting dates as listed. Mr. Meckes seconded the motion and a unanimous vote of 1's followed. The meeting dates are as followed:

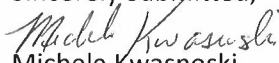
JANUARY 4, 2023
FEBRUARY 3, 2023
MARCH 1, 2023
APRIL 5, 2023
MAY 3, 2023
JUNE 7, 2023
JULY 5, 2023
AUGUST 2, 2023
SEPTEMBER 6, 2023
OCTOBER 4, 2023
NOVEMBER 1, 2023
DECEMBER 6, 2023

April 5, 2023 is Passover- meeting date set.

Approval of Meeting Times:

Mr. Grove made a motion to approve the Meeting time of 7:00pm and Mr. Meckes seconded the motion.

Mr. Grove made a motion to adjourn the Reorganization Meeting and Ms. Bloom seconded the motion, and a unanimous vote followed.

Sincerely Submitted,

Michele Kwasnoski
Recording Secretary

Lower Paxton Township

Planning Commission

Meeting Minutes

January 4, 2023

Commissioners Present

Fredrick Lighty
Doug Grove
Lori Staub
Jeff Kline
Everette Hamilton
Sandra Bloom
Kurt Meckes

Also Present

Nick Gehret, Lower Paxton Codes Officer
Jason Hinz, H.R.G. Inc.
Andrew Bomberger, D.C. P.C.

Call to Order

Mr. Lighty called to order the meeting of the Lower Paxton Township Planning Commission at 7:05 pm on the above date in room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Approval of Minutes

Mr. Lighty asked if there were any questions or changes to the December 7, 2022 Lower Paxton Township Planning Commission meeting minutes. Mr. Hamilton made a motion to approve the December 7, 2022 Lower Paxton Township Planning Commission meeting minutes. Mr. Meckes seconded the motion and a unanimous vote followed.

New Business

a. Preliminary/Final Land Development Plan for Sheetz Store #219, Plan # 22-20

Mr. Gehret has stated that the Lower Paxton Township Planning Commission has received the following information on the Preliminary/Final Land Development plan for the Sheetz Store #219 located at 2300 Colonial Road involves demolishing the existing 4,879 SQ FT Sheetz Convenience Store, including the removal of the existing gas pumps/canopies and underground storage tanks. The project proposes construction of a new 6,132 SQ FT Sheetz Convenience Store with new gas canopies and tanks. The existing parking lot paving and curbing will be replaced as well. The site has a total area of 2.80 acres and is located within the (CN) Commercial Neighborhood Zoning District.

Waiver Requests:

1. [SWMO: 170-502.L] - The applicant states that the existing basin does not have a spillway and there are no known issues with the basin's performance. The plan proposes to reduce the stormwater volume contributing to the basin, while increasing the basin's storage volume.

We support this waiver request as the basin is being improved from its existing condition and there is no feasible location to provide an emergency spillway.

2. [SLDO: 180-404.C.4] -The applicant is requesting a waiver of the requirement to show all existing, natural features on the property and extending a minimum of 100 feet beyond the property's boundary. Applicant states that the project involves the rebuild of an existing convenience store within the same footprint as the existing store and parking area. No natural features will be affected outside of the property boundary.

We support this waiver request based on the justification provided.

3. [SLDO: 180-404.C.5] -The applicant is requesting a waiver of the requirement to show all existing and man-made structures on the property and extending a minimum of 100 feet beyond the property's boundary. Applicant states that the project involves the rebuild of an existing convenience store within the same footprint as the existing store and parking area. There will be no changes to the topography or drainageways to areas outside of the property boundary.

We support this waiver request based on the justification provided.

4. [SLDO: 180-404.C.8] -The applicant is requesting a waiver of the requirement to show all existing contours on the property and extending a minimum of 100 feet beyond the property's boundary. Applicant states that the project involves the rebuild of an existing convenience store within the same footprint as the existing store and parking area. There will be no changes to the topography or drainageways to areas outside of the property boundary.

We support this waiver request based on the justification provided.

5. [SLDO: 180-404.E.6] -The applicant is requesting a waiver of the requirement to provide a wetland delineation report. Applicant states that the existing wetlands are shown on the plan as recorded from the original land development plan. No work will be performed within the existing wetlands.

We do not support this waiver request and recommend that the delineation and associated report be updated as wetlands can change over time.

6. [SLDO: 180-508.A.1] -The applicant is requesting a waiver of the requirement to provide sidewalks along the side of all exterior streets upon which the subdivision or land development fronts. Applicant states that sidewalks are not proposed along Linglestown Road due to future widening improvements being proposed at the intersection.

We support this waiver request based on the justification provided.

7. [SLDO: 180-515.C.I] -The applicant is seeking a waiver of the requirement that in any parking lot containing 30 or more parking spaces (excluding a parking garage), 5% of the total area of the parking lot shall be devoted to interior landscaping.

We support this waiver request as the applicant has met the intent of the Ordinance.

8. [SLDO: 180-515.D.1] -The applicant is requesting a waiver of the requirement to provide landscaping along building foundations and entrance points.

We support this waiver request as the applicant has met the intent of the Ordinance.

9. [SLDO: 180-515.D.5] -The applicant is requesting a waiver of the requirement to provide an additional vegetated screening around the perimeter of the dumpster area.

We support this waiver request as the applicant has met the intent of the Ordinance.

Mr. Gehret stated any questions of the Commissioners. Mr. Grove stated the last 3 waivers 7,8,9, waiving landscaping. Mr. Gehret stated that this is an existing lot, with an additional expansion and it would create a hardship providing landscaping on the lot.

Mr. Lighty stated the screening of the dumpster. Mr. Gehret stated that screening with a decorative masonry wall disconnecting to dumpster. There is limited area disturbing this site.

Mr. Adam Williams, B.L. Companies is present to represent this plan. Brian Soyka, Sheetz Inc., is present to represent this plan. Mr. Lighty stated to Mr. Williams have you reviewed the HRG, County and Staff comments. Mr. Williams stated that he had and there are modification to the wetlands, retaining wall, 8ft. wetlands and stream. There has been non work done to the wetlands since 1995. Mr. Williams stated we are rebuilding not deconstructing the retaining wall. Mr. Lighty stated is this with changes. Mr. Williams stated no changes along the wall. Mr. Lighty stated with delineations. Mr. Gehret stated Engineer. Mr. Hinz stated that no calculations. The purpose of the study is land disturbances with the wetlands.

Mr. Kline stated how far the fuel tanks. Mr. Hinz stated large distance. Mr. Kline stated that no disturbances with the fuel tank to the wetlands. Mr. Soyka stated that that the wall separates the wetlands and the building. It will be a new store, new canopy and new tasks. The wetlands will not touch beyond the walls.

Mr. Meckes stated the parking spaces, will the number of parking spaces change. Mr. Soyka stated that the building will be longer, the curb line will stay the same. Mr. Soyka stated that this store was due for improvements, and it is a great corner, this store will not have a drive thru. The design will be a slanted roof and will be longer. Mr. Lighty stated that it will have to look of a Wawa.

Mr. Lighty stated the wetland delineation to Mr. Hinz and Mr. Gehret, do we waive it or need it, Mr. Hinz stated that it is not vital to the plan, it was done in 1995. Mr. Lighty stated what about Mr. Kessler and his property. Mr. Hinz stated that it is not extended over to that side. The property boundary is the wetland. Mr. Hinz stated it is not relevant to this plan. Mr. Bomberger stated it is the flood plan adjustment. Mr. Grove stated the impact as a new construction, does DEP require anything, Mr. Hinz stated that getting involved only if issues at site or if people call in. The delineation was done in 1995 and why not update.

HRG Comments:

Mr. Hinz stated that there are only technical minor questions. The questions are the right of way on Linglestown Road and the RT. 39 study. The stormwater cleanup scale and the text of things on the Plan.

County Comments:

Mr. Bomberger stated sidewalks along Linglestown Road. The Weis markets across from Colonial Road and up and down Linglestown Road. The RT. 39 study is not officially completed. 99% sidewalk along the corridor. Where there is opportunity for sidewalks. Mr. Meckes stated that required sidewalks added, reasonable but expensive. A very in depth conversation regarding sidewalks was discussed. Mr. Meckes stated that we let them pass months ago with the sidewalk discussion. Mrs. Staub stated we required to have sidewalks. Mr. Soyka stated that the culvert and guiderail on Linglestown Road pushed a culvert. Mr. Meckes stated that development on every side. Sheetz is not just for gas, food is a big part. Mr. Williams stated that we can put them in to just have them taken out later with the right of way. Mr. Grove stated what about a deferral. Mr. Gehret stated until future development or widening. Mr. Bomberger stated to enforce deferral and work with PennDot to construct sidewalk. Mr. Bomberger stated the traffic signal and sidewalk could be a few years. Mr. Hamilton stated a sidewalk over the basin. Mr. Soyka stated there is no good place to put a sidewalk on the road. Mr. Soyka stated there is no problem putting in sidewalks but to have to have the sidewalks ripped out later. You are just inviting pedestrians into an area with no safe place to go. Mr. Lighty stated that sidewalks do not always make it safer, it invites people to walk and then just dumps them on the street. Mr. Grove stated put a sidewalk in when PennDot widens the road. Mr. Soyka stated this is not an issue but where it is practical. Mrs. Staub stated to go to HOP with this proposal. Mr. Soyka stated there are less pumps, building is larger in the rebuild and try to utilize as much as existing. Mr. Lighty stated that taking sidewalk to driveway where will people go. Mr. Bomberger stated they will walk where they are walking now. It does not make it safe for walking, but no one should just be leisurely strolling down RT 39. Mr. Lighty stated that 4 to 5 foot sidewalks with 5 feet wide on both sides of the street. Mr. Kline stated that on the right side which is west the sidewalk is a burden. It would have to be hybrid to Colonial Road without disturbing the guiderail or stormwater. Mr. Meckes stated to post signage or street lines for pedestrian traffic. Mr. Soyka stated the sidewalks now are not necessary. ADA accessibility with a ramp on the road you are inviting liability. ADA private cause of action is real, you invite them down with nowhere to go, not inviting them to a safe escape. When the culvert goes in the sidewalk will be in.

Mr. Grove made a motion to recommend approval of the Preliminary/Final Land Development Plan for Sheetz Store # 219 Plan 22-20, including approval of the waiver request 1,2,3,4,6,7,8,9, subject to comments from the Staff, HRG and County. Mr. Kline understanding waiver #5 to be included also. All waivers requested. Mr. Hamilton seconded the motion and a unanimous vote of l's followed.

Mr. Soyka stated that shut down to reopening would be 23 weeks. The start date would depend on the permits, contractors and Building materials. Mr. Grove stated your about 6 months out. Mr. Lighty stated the carwash with the rebuild, drive thru is more important than carwash.

b. Preliminary/Final Minor Subdivision Plan Overlands of Shukri A. Rahman & Noor Abdukrahman Plan # 22-33

Mr. Gehret has stated that the Lower Paxton Township Planning Commission has received the following information on the Preliminary/Final Minor Subdivision Plan Overlands of Shukri A. Rahman & Noor Abdulrahman proposes to subdivide the existing parcel (35-066-064) which has a total area of 10.147 acres and create two separate lots. Lot 7a is to be a new building lot and will have a total area of (3.415 acres) and Lot 7 will be the residual lot with a total area of (6.732 acres). The site is in the Agricultural Residential (AR), zoning district and will be served by private sewer and private water supply.

Waiver Requests:

1. [SLDO: 180-404.C.5/8] - The applicant is requesting a waiver of the requirement to provide all existing natural features, man-made structures and existing contours on the property and extending a minimum of 100 feet beyond the property's boundary.

We do not support this waiver request as parcels to the west of the subject property may have wells located within 100 ft. of the proposed on-lot sewage disposal system which should be shown on the plan.

2. [SLDO: 180-508.A.1] The applicant is requesting a waiver from the requirement to provide sidewalk along the roadway frontages bordering the subdivision.

We support this waiver request due to the lack of sidewalks along Red Top Road in the vicinity of the project.

3. [SLDO: 180-509.A] The applicant is requesting a waiver for the requirement to provide curbing along the roadway frontages bordering the subdivision.

We support this waiver request due to the lack of curbing along Red Top Road in the vicinity of this project.

4. [SLDO: 180-503. A.9] The applicant is requesting a waiver of the requirement to widen all streets bordering the subdivision which do not meet the current minimum width requirements.

We support this waiver request as there are no known needs for additional cartway width along Red Top Road at the affected location.

5. [SLDO: 180-515. E.1] The applicant is requesting a waiver of the requirement to provide street trees.

We do not support this waiver request. It appears the subject lot currently meets the requirement for providing street trees, but the trees are not depicted on the plan. The applicant should demonstrate whether existing trees meet the requirements for street trees prior to pursuing the waiver request.

Administrative Comments: 1. A Zoning Permit shall be required for the plan. [ZO: 103.A.2] 2. Upon approval, provide an electronic file of the complete plan set and any other technical plans on a compact disk (CD) in accordance with Section 180-308. [SLDO: 180- 404.E.16] 3. The applicant shall pay all required fees prior to recording the plan. [SLDO: 180-1105] 4. Provide all signatures prior to final approval of the plan [SLDO: 180-403. E.1] 5. The applicant shall pay a fee in-lieu of recreational land dedication. [SLDO: 180-522.C]

Mr. Gehret stated to the Commissioners of the Planning Commission are there any questions. #6 the wetland waiver. Mrs. Staub waiver #1 denial and modification checked. The modification and approval. Mr. Gehret stated 100 ft west of the property. Mr. Kline stated modification for that piece of property.

Cody Jones, Burget and Associates, was present to represent the plan. Mr. Jones stated that the only comment was HRG comment on the recreation of land fee required. Mr. Gehret provide the applicant with the Chapter 180 # 6.

Mr. Hinz stated that this is on the township paving list for later this year, this area is in distress and in need of rehabilitation. Mrs. Staub stated how much and who determines who is responsible. Mr. Kline stated are the existing lots split , not remedial work if the street is in distress, is it different than commercial lots or am I missing something. Mr. Hinz stated that the township can assist up to the entrance of the property. Mrs. Staub stated could they waiver this. Mr. Hinz stated yes they could. Mr. Jones stated that the land owner is to improve where they already paved the road. Mr. Lighty stated to where the lot touches the road. Mrs. Staub stated to request waiver or pull plan until after the paving is done.

Mr. Lighty stated that Lot 7 and Lot 7A. Mr. Jones stated that the prior subdivision Lot 7 instead of 7A is the property line on Red Top Road. The lot is shaped the way it is, it has access to the road, flag the lots, and there is a sand mount already on the property. Mr. Kline stated is 7A wide enough for a house there and the property line setbacks. The dimensions 150 feet wide, 25 foot side setbacks and 110 foot house. There will be another house on lot 7A.

Mr. Lighty stated the waiver request # 1. Mr. Jones stated that there is 100 foot boundary to the west and the other lots in the area. East of the neighboring Lot 7 100 feet passed west of Lot 7A and 100 feet north of the subdivision. 7A is the new building lot. Mr. Hinz stated that east of Lot 7 to the rear of the lot is non buildable which is north of Red Top Road, provide to the west of lot 7A.

Waiver #5, street trees, update the plan and waiver can be withdrawn entirely, provide street trees. Mr. Kline stated what are the waiving and Mr. Lighty stated to show the existing street trees. Mr. Jones stated to show the existing street trees. Mr. Gehret stated that 50 street trees will exceed the limit but it must be reflected on the plan.

Waiver #6 wetland deferral. The wetland study deferral can wait until the time building begins.

Mr. Hamilton made a motion to recommend the approval of the Preliminary/ Final Minor Subdivision Plan Overlands of Shukri A. Rahman & Noor Abdulrahman Plan # 22-33 with the conditions of the waiver requests and provide information west property of the lot, and street trees , withdraw #5 and #6 deferred, subject to the comments from Staff, HRG and County. Mr. Grove seconded the motion and a unanimous l's vote followed.

Commissioner comments:

Mrs. Staub stated she would not be in attendance February or March.

Next Regular Meeting

The next regular Lower Paxton Township Planning Commission meeting is scheduled for February 1, 2023 at 7:00pm.

Adjournment

Mr. Grove made a motion to adjourn the January 7, 2023 Lower Paxton Township Planning Commission meeting. Mr. Hamilton seconded the motion and a unanimous vote followed. The meeting adjourned at 8:45 pm.

Sincerely Submitted,

A handwritten signature in cursive script that reads "Michele Kwasnoski".

Michele Kwasnoski
Recording Secretary