

Lower Paxton Township

Planning Commission

Meeting Minutes

July 2, 2021

Commissioners Present

Fredrick Lighty
Doug Grove
Lori Staub
Jeff Kline
Everette Hamilton
Sandra Bloom
Courtney M. Powell (alternate)

Also Present

Nick Gehret, Lower Paxton Township Codes Officer
Jason Hinz, HRG., Inc.
Andrew Bomberger, DCPC
Charles R. Cook, Professional Land Surveyor
Tim Mellott, Mellott Engineering
Kimberly Cunningham, K&W Engineering
Mark DiSanto, Triple Crown Corp.

Call to Order

Mr. Lighty called to order the meeting of the Lower Paxton Township Planning Commission at 7:00pm on the above date in room 174 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Pledge of Allegiance

Mr. Grove led the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Lighty stated that there were no minutes in the packet, the minutes will be taken up at the next Planning Commission meeting.

New Business

- a. Final Subdivision Plan Lot Addition D & F Ventures LLC Plan. Plan #21-08

Mr. Gehret stated that the Lower Paxton Township Planning Commission has received the following information on the Final Subdivision Plan proposes to subdivide parcel (35-003-116) with a total area 36.72 acres into two lots. Lot 1, total area 18.36 acres will be conveyed to Charles Fogarty but will remain as a standalone lot. Lot 2 total area 18.36 acres will be conveyed to Nicholas DiSanto.

The applicant request waivers

1. [SLDO 180-404.C1.8] – The applicant is seeking a waiver of the requirement to provide existing contours on the property and extending a minimum of 100 feet beyond the property’s boundary at a vertical contour interval of two feet.

We support this waiver request as contours at 10 –foot intervals are provided which are adequate for the nature of this plan.

2. [SLDO 180-404.C.9] – The applicant is seeking a waiver of the requirement that a Plan scale shall not exceed one-inch equals 60 feet.

We support this waiver request as the plan is legible and presentable at the current scale.

3. [SLDO 180-511] – The applicant is seeking a waiver request of the requirement that each new subdivision or land development shall be provided with adequate means for sewer disposal.

We support this waiver request as this is a non – building lot and no on lot sewerage system is being proposed.

4. [SLDO 180-512] – The applicant is seeking a waiver of the requirement that all subdivision shall be provided with adequate water supply facilities.

We support this waiver request as this is a non- building lot, so no water supply is being proposed.

Mr. Charles Cook was present to represent the plan. Mr. Cook stated that he is prepared to make changes before the Board of Supervisor meeting.

Mrs. Staub stated was this a Lower Paxton park? Mr. Cook stated that in the 1950’s this land was just sitting public, open for public use. Mr. DiSanto bought the lower property. Hunters got out and loaded their guns to go hunting. The hunters loaded their guns in Mr. DiSanto’s driveway. Mr. Fogarty knows there are big bucks up there. The land is 40% slope and the lower ground is 35% slope and is not developable.

HRG Comments

Mr. Hinz stated that his only comments were to clean up ownership and some administrative items.

County Comments

Mr. Bomberger stated to clarify plans of Charles Fogarty of which parcels are to merge. Lot 1 the northern traditional has no public access to that lot, no development. Mr. Fogarty can get to the land by the Middle Paton side, there is to be no public access to either lot. The easement lot of 5 acres. Note on the plan no public access or development frontage of lot. The piece to the north is where the steepness goes and a truck could not there to drill a well. There are more copperheads on this land than most places. Update the notes.

Mr. Grove made a motion to recommend approved of the Final Subdivision Plan Lot Addition D&F Ventures LLC Plan #21-08 with the waivers as listed and subject to the Staff, County and HRG comments as stated. Mr. Hamilton seconded the motion and a unanimous vote followed.

b. Final Subdivision Plan for the Estates of Autumn Oaks Phase III Plan #21-10

Mr. Gehret stated that the Lower Paxton Township Planning Commission has received the following information of the Final Subdivision Plan for the Autumn Oaks Phase III consists of 19 single family dwelling lots and the street extensions of Colonial Road and Autumn Oaks Drive.

The Estates of Autumn Oaks Phase III is located in the (R-1) Low Density Residential Zoning District and will be served by public sewer and water supply.

No waivers have been requested for this plan.

Mrs. Staub stated does this plan comply with the Preliminary Plan. Mr. Gehret stated that it does comply.

Mr. Tim Mellott, Mellott Engineering, was present to represent the plan.

HRG Comments

Mr. Hinz stated that the technicality of showing the location of the fire hydrants was his only comment'

County Comments

Mr. Bomberger stated to address the recreation land requirement and list the landscape individually on the plan. Each of these needs to be addressed individually.

There is one more phase Colonial Road to Parkway West. There is no issues on these comments. Mr. Mellott stated with the landscaping the street trees are shown. Mr. Hinz stated that the grading should have more detail on the plan.

Mr. Kline made a motion to recommend approval of the Final Subdivision Plan for the Estates of Autumn Oaks Phase III Plan 21-10 consisting of 19 dwellings and the street extending with no waivers and subject to the commented from HRG, County and Staff. Mr. Meckes seconded the motion and a unanimous vote followed.

c. Preliminary/Final Land Development Plan Additions and Renovations to The Infinity Charter School Plan # 21-15

Mr. Gehret stated that the Lower Paxton Township Planning Commission has received the following information on the Preliminary/Final Land Development Plan for the Addition and Renovations to the Infinity Charter School located at 5405 Locust Lane proposes to layout the future expansions of the school and new parking lot.

The scope of the project will include the demolition of the adjacent macadam surface and associated parking lot islands to accommodate the 3 story 6,992 sq ft building addition with a total gross floor area of 11,00 sq ft. Also proposed is 4,700 sq ft of new asphalt paving to accommodate the lost parking due to the building addition.

The lot is comprised of 5.86 acres and is located within the Commercial Neighborhood (CN) and (R-1) Residential Low Density Zoning Districts. The site is served by public sewer and water.

The applicant requests waivers

1. [SLDO 180-602]- The applicant is requesting a waiver of the requirement to provide a Traffic Impact Study. The new building expansion will not involve 100 or more new peak hour trips. The number of students and faculty for the school will not change. Therefore, there will not be an increase in volume of traffic because of the new building expansion.

We do not believe that this waiver request is necessary due to there being less than 100 peak trips per hour and no change to the number of students and faculty to the school.

2. [SLDO 180-701]- The applicant is requesting a waiver of the requirement to provide Hydro geologic Analysis and Water Quality Testing. The project does not propose an increase in the daily water usage demand. The site also currently does not utilize an on-site community public water supply system or individual private wells.

We do not believe this waiver request is necessary due to the site not currently utilizing an on-site community public water system or individual private wells.

3. [SLDO 180-518]- The applicant is requesting a waiver of the Wetland Delineation Report requirement. Regulatory wetlands exist on the site and this plan accurately depicts the extent of the wetlands. A wetland delineation study, dated 09/25/2015, was conducted for the original land development plan for this site. The required Wetland Certificate was previously signed by Bradly J. Gochenauer on 11/10/2016, which can be found on the Preliminary/Final Land Development Plan for the Infinity Charter School (Instrument # 20170000487). Furthermore, the proposed site improvements do not impact the existing wetlands onsite.

We approve this waiver request due to the wetlands delineation report being conducted for the previous development, and the plan does not propose any improvements in the vicinity of the previously delineated wetlands.

Mr. Gehret stated if there are any questions from the Commissioners. The only comment was that they applied for waivers that were not needed. Mr. Lighty stated is this an increase or decrease, there are no complaints nor any police comments.

HRG Comments

Mr. Hinz stated that there is nothing of significance, clean up the patching items of asphalt and the ADA curb ramps and demonstrate parking access for emergency vehicles.

Mark Kurowski, K&W, was present to represent the plan. Mr. Kurowski stated that the administrative items will be clarified. The original project the impervious coverage there is no changes. No changes to the right of way.

Mr. Kline stated that the square footage and that the building is 3 stories. If you're not increasing the student size nor faculty, why the addition.

Susan Gels, Principal of the Charter was also present. We are adding a gymnasium for the existing students.

Mr. Grove stated that the relative lighting plan is all full cut off in which he can see and that they comply with the ordinance. The front lot has no lighting, what is the information there and the lighting ordinance.

County Comments

Mr. Bomberger stated that designated pedestrian walking needs painted, parking lot to playground.

Mr. Grove made a motion to recommend approval of the Preliminary/Final Land Development Plan Additions and Renovations to the Infinity Charter School Plan #21-15 as Staff stated waivers 1 and 2 not necessary and the approval of the waiver of wetland and subject to the comments from HRG, County and Staff. Ms. Bloom seconded the motion and a unanimous vote followed.

d. Preliminary/Final Subdivision and Land Development Plan for Wynchase III Plan # 21-14

Mr. Gehret stated that the Lower Paxton Township Planning Commission has received the following information the Preliminary/Final Subdivision Plan for Wynchase III, proposes to subdivide the existing Lot 4 (Wynchase II) into two lots. Lot 4 will be subdivided to create proposed Lot 4 and interim Lot 4A. Interim Lot 4A will be combined by deed with existing Lot 5 to create proposed Lot 5.

Lot 4 (Wynchase II) will have a total area of 3.9611 Acres. Lot 5 (Wynchase III) will have total area of 3,8794 acres and consist of twenty-one (21) townhouse units. The required parking facilities, driveway access, lighting, and stormwater management facilities shall be constructed as shown on the plan.

The site is in the (R-2), Residential Medium Density Zoning District and will be served by public sewer and water supply.

The applicant request waivers

1. [SLDO 180-503.C]- The applicant is requesting a waiver of the requirement that minimum street right-of-way and cartway widths shall meet the requirements of Table 180-503.1. According to table 503.1, the minimum cartway width for Minor Streets for Residential Uses shall be 32 feet with curbing. Colorado Street, which borders the development, has an existing width of 30 feet with curbing.

We support this waiver request because the width of Colorado Street is an existing condition, and the nature of the plan does not warrant the widening of the street by an additional foot along the frontage.

Mr. Rob Shaffer, Act One & Associates, is present to represent the plan for Triple Crown. Mr. Shaffer stated that the lot on Colorado Avenue is the only access point.

Mr. Shaffer stated that that they was an obstacle in the sewer planning. Wynchase II has 21 lots an there were five lots added on to make 21.

HRG Comments

Mr. Hinz stated there is some technical issues that needed cleaned up.

County Comments

Mr. Bomberger stated there were no issues at this time.

Mr. Shaffer stated that if the plan needs to be tabled tonight because of the number of comments that will be fine.

Public Comments

Cheryl Snook, 5000 Colorado Ave., concerns and the neighbors' concerns and a great attendance. Ms. Snook stated that the access to the cul de sac and that the street is a corner around. The way the driveways are no one can park across the street, especially at the edge of Colorado Ave and Utah Ave. Ms. Snook stated that the cul de sac is a quiet little street with hardly any traffic. Prince Street to Utah Ave. is terrible, Utah Ave. has a stop sign and no one stops. Utah Ave. is practically a one way lane because the homeowners park on both sides of the road. This development will add at least 42 extra vehicles on Colorado Ave and Utah Ave, which is the connection to Prince Street. We have a lot of walkers on this quiet street and not a lot of traffic. Ms. Snook stated that another problem is our street is single family home owners and this development will be renters to owner situation. They has to be a better path and ruining our lovely close knit neighborhood. The speeding and not obeying the stop sign occurs now, in which the fence at 501 Utah Ave. has had to be replaced and the crime on Lancer Street, take into consideration too.

Mark Huntington, 5020 Colorado Ave., suggest come the other way, our way is a two way out. Mr. Huntington stated that at 7:00am and 5:00pm there will be more traffic added. The school kids already come across the yards and put trash along the fence. This dead end street is going to get worse with apartments and the road coming.

Ryan Thompson, 5015 Colorado Ave., stated that his concern is that the devaluation of the property monetary and otherwise. When he purchased the home it was appraised in a no street outlet location and this development will monetarily devalue the property.

Kathleen Jones, 5006 Colorado Ave., stated that she has lived here 45 years at a dead end street. The apartment behind the dwelling she lives in has had three owners, garbage all over the property. The cut

off of the hillside behind the property is sloping and has high density water runoff. The wooded area takes away any additional water runoff, this will be prohibited. Ms. Jones stated that the Lancer Street traffic to Colonial Park will tear up Colorado Ave. Ms. Jones stated that proposing at the narrow part of the street No Parking signs because across the street at the driveway is a telephone pole and a dangerous curve. Ms. Jones stated are you trying to destroy our neighborhood with townhouses and high density homes, these are just what are needed at this time.

Dan McLinn, 5030 Colorado Ave., stated that he has lived there since 1975 stated that his concern is the stormwater runoff coming down his property and the trash which also comes downhill. Mr. McLinn brought a thumb drive of pictures showing the water run off at his property. Mr. Lighty stated that building newer homes help subside with the older homes, on the release of water. The storm water is proposed in the plan.

Jane Macguire, Utah Ave., stated that the erosion from the creek is so bad that the street collapse and public works threw stones. It is a quiet neighborhood and with rental properties it will not be quiet. Ms. Macguire stated that the traffic is one way due to everyone parking on the street when they are home. Everyone knows each other and respects one another. How will the emergency apparat ice come down the road in the event of an emergency? Mr. Lighty stated that township ordinance states that emergency vehicles must be able to get thru the street.

Rachael and Conner McCormick, 5011 Colorado Ave., stated that we park on both sides of the street and the plows, school buses and trash trucks cannot get down the street now.

Sharon Swanger, 5012 Utah Ave., stated that a lot of traffic, she recommends a traffic impact study be done. No more than one vehicle can go on Utah Ave. Ms. Swanger stated there are renters across the street and they are different than home owners. Mr. Gehret stated that a traffic study is proposed the study does not just occur. That study is usually part of the Land Development Ordinance. It is a guided ordinance not a required ordinance, and due to the amount of traffic,

Mr. Lighty stated that 3 staff serves the citizens conditions. The Codes Officer, HRG consulting engineers, and Dauphin County Planning Commission land and development assist the Lower Paxton Planning Commission. They compare our Ordinance and give a second opinion. The names of these people were identified. The Land Development propose to build and the zoning of R2 townhouses are required of the Ordinance. The Planning Commission and the Board of Supervisors by law grant the builders to build. Go online to the Township Ordinance, Land Development. Litter, and this will give legal rights to develop property. They technically comply with every order or they cannot build.

They stated that it is irrelevant here our opinions do not even matter. You do not know our area. If they are obligated by law, and the decrease of monetary value and the property value decreases. What can they do for us?

Sandy Leshner, 5013 Colorado Ave., stated that section 8 housing does make a difference, the neighborhood will be worse. The wildlife will be gone, the huge deer, the turkeys, the coyotes and the hawks. The traffic will add an additional at least 42 cars.

Another Citizen stated that traffic does not go 25 mph on Utah Ave and they disobey the stop sign.

Sylvia Kirsetter, 5016 Utah Ave., stated that they will lose the wildlife, and the speed of traffic. Why build now and why develop on a woodland.

Jeff Guther, 5017, Colorado Ave., stated his concerns for the neighborhood children and pets. The water retention pond will attract snakes and mosquitoes.

Dan McLinn, 5030 Colorado Ave., stated that they propose Lancer Court. The 42 units where Wynchase I is now the ladder truck cannot turn around there. There is a one-way loop out. The zoning is a R1. The Wynchase I is adjacent to single family homes.

Patricia Schaffer stated she has lived there 55 years and purchased there due to the home being on a dead-end street. There are 20 homes on Colorado Ave, an extra 50 parking spaces in one area there is going to be traffic, traffic will ruin our way of life. The retention pond will contain mosquitoes. Ms. Schaffer stated that we live adjacent to Colonial Glen apartments there have been numerous problems there. The music, dogs, babies screaming and the arguing. If you add townhouses to Colorado Ave, you are turning the rural into city.

Mark DiSanto, CEO of Triple Crown Inc., stated that my company is based in Lower Paxton Township, live in Lower Paxton Township, and develop in Lower Paxton Township. I am proud of the development in the township and have great opportunities. I have listened to the big issue of traffic on Utah Ave. The traffic is a township issue, with 21 units and townhomes added there will only be 50 % of trips of single-family homes.

Mr. DiSanto stated as for section 8 housing, there is no such thing as developing a section 8 development. Lower income can go anywhere. The Lower Paxton voucher is to subsidize rent. The rent will range from \$1400 to \$1600. The depreciation of homes with join housing is not so. The data shows that 2.9 appreciates 2.6.

Mr. Lighty stated that storm water is a professional manner and will follow the storm water ordinance. A two-year storm will retain water however it will than reduce.

Mr. DiSanto stated that parking will be 3 spaces per unit with no need for street parking. Most complexes provide 1.5 spaces we are providing 3.

Mr. McLinn stated that he would like policing on a weekly basis. A good plan for the infiltrate on site, how the snowplows will get around, public sewer, and the environmental issue of tearing out wooded area and stream for less impact to destroy the environment.

Mr. Hinz stated that a buffer area behind the property to accommodate the residents.

Mr. Lighty stated that the applicant must show all of this on the plans and the township enforces the showing of it on the plans, this is to hold the builders to the plan.

Nicole Peterson, 5019 Colorado Ave., stated does the data show the street as general or being a dead end. Mr. DiSanto stated that the study is a mass not specifically to a dead-end street. Ms. Peterson stated that the road goes over a stream, and that 50 % of the woods not 100% of the woods stay, the neighborhood has no say in this, is there not a positive and less impactful way. Ms. Peterson stated that as for the neighborhood development of water, we were not told ahead of time to benefit us, we do not believe this benefits' us at all.

Chris DiSanto, President of Wynchase Property, stated that there was a meeting the past Thursday night and no one attended. The question asked was where was this published that there would be a meeting. Mr. DiSanto stated on Neighbors of Lower Paxton Facebook page. We booked a room at the Lower Paxton Township Building from 7:00pm to 7:30 pm. The answer by the public was no one does Facebook that is here.

Rachel McCormick, 5011 Colorado Ave., stated her concern is the clearance of the turns for school buses, trash truck and the plow making the turns. The parking issue is not a concern enough. This becomes one way and people do not look. There are 10 homes on the street, and everyone is polite towards each other. This is not creating a problem but adding to the existing problem.

The retention ponds are another area, Mr. DiSanto stated that there is always no standing water in the retention pond. The public stated that the ponds need maintained and there are algae on it and cattails grow. The retention pond is not set up to retain water from the overflow of ponds.

Jermaine Hickman, Colorado Ave., stated what happens with the construction equipment and the construction activity. The roads are going be blocked. I must go to work at any given time.

Mr. Meckes stated that the retention pond is preexisting and is lower than a retention pond. Wynchase Phase II is less than 5 years in the making so the pond meets today's standards.

Public concern when is this construction noted to begin? Mr. DiSanto stated shortly like 2-4 months which is the end of the year.

Public concern is it in your means to do a traffic study, for the safety of our roads because this will increase traffic, Mr. DiSanto stated yes, it is in the means but the strait of way, no it's a negative effect. The stop sign at Colorado Ave. and Utah Ave. is not enforced. The traffic will increase and the need to work together the tenants and the neighbors.

Mr. Grove made a motion to table the Preliminary / Final Subdivision and Land Development Plan for Wynchase III. Mr. Hamilton seconded the motion and a unanimous vote followed.

Commissioners Comments

The Lower Paxton Comprehensive Plan, the ordinance and the hard copy of the Neighborhood Design District update draft has been written. We need to get to the goal. We would like to Zone the product like we saw in Lancaster at the Veranda. We are thinking outside of the box. The first draft needs to be completed as soon as possible.

Mr. Bomberger, Dauphin County Planning Commission, stated the Regional Transportation is having a public area July 1- July 31 open to the public, the meeting is on Wednesday on Zoom. The transportation funding is questionable to widening Colorado Ave. The Giant on Union Deposit Road is part of the TAP project and is 100% funded.

Public Comments

Cheryl Snook stated that she wanted to thank the Lower Paxton Township Planning Commission for the ability to remain calm and professional when so many were vocal and passionate, the professionalism was greatly appreciated.

Next Meeting

The next regular schedule meeting for the Lower Paxton Township Planning Commission is scheduled for August 11,2021 at 7:00pm.

Adjournment

Mr. Grove made a motion to adjourn the Lower Paxton Township Planning Commission meeting at 9:20 pm. Mrs. Staub seconded the motion and unanimous vote followed.

Sincerely submitted,

Michele Kwasnoski
Recording Secretary