

# Lower Paxton Township

## Planning Commission

Meeting Minutes

August 11, 2021

### Commissioners Present

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

### Also Present

Nick Gehret, Lower Paxton Township Codes Officer  
Josh Sheetz, HRG. Inc.  
Mark Di Santo, CEO Triple Crown Corp.

### **Call to Order**

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

### **Pledge of Allegiance**

Mrs. Staub led the recitation of the Pledge of Allegiance.

### **Approval of Minutes**

Mr. Lighty stated is there any corrections or additions to the June 2,2021 Lower Paxton Planning Commission meeting minutes. Mr. Grove made a motion to approve the June 2, 2021 Lower Paxton Township Planning Commission meeting minutes. Mrs. Staub seconded the motion and a unanimous vote followed.

### **New Business**

- a. Preliminary/Final Subdivision and Land Development Plan for Wynchase III

Mr. Gehret stated that the Lower Paxton Township Planning Commission has received the following information on the Preliminary/Final Subdivision and Land Development Plan for Wynchase III, proposing 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 of 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.

2. [SLDO:180-508. A.1]- The applicant is requesting a waiver of the requirement that sidewalk must be installed along the side of all exterior streets upon which a subdivision or land development fronts.

We support this waiver as sidewalk is proposed along the west side of driveway accessing the units and this new sidewalk will connect to

The existing sidewalk along Colorado Ave. on the west side of the proposed driveway.

3. {SLDO: 180-510}- The applicant is requesting a waiver of the requirement that grading associated with site development activities or areas to be graded outside of street right of way lines shall be clearly depicted by proposed contour lines and spot elevations and shall not exceed a ratio 2:1 (horizontal to vertical) for cut slopes and 3:1 for fill slopes.

We support this waiver request contingent upon the applicant providing a certification with supporting documentation from a licensed geotechnical engineer that the soils can support the proposed slopes.

4. [SLDO: 1880-515.C .5. d]- The applicant is requesting a waiver of the requirement that landscaping materials shall be protected from intrusion by cars using curbing, bollards, wheel stops, or similar devices.

We support this waiver request as the absence of curbing along the parking area islands is claimed to enhance the quality of amenities for the future residents and has little bearing on the Township's interests.

Mr. Mark DiSanto, CEO Triple Crown, was present to represent the plan. Mr. DiSanto stated that they met with HRG on July 28, 2021, have reviewed the plan, met comments and the storm water comment also.

#### Commissioner questions:

Mrs. Staub stated that waiver #4 request and we support this curbing around the landscape? Mr. DiSanto stated that islands be placed. The ordinance with curbing we prefer water plants so when it snows the plows do not hit curbs and break the curbs. There will be 2 islands in the area.

Mr. Grove stated that last month we talked about access property from the current property Wynchase II and the issue coming from that direction. Mr. DiSanto stated that one is the stream, trees, and steep slopes so it would be environmental. The cul de sac will have 21 homes. Last coming off Colorado Ave will deter environmental issues. Mr. Grove stated that the approval of DEP and Mr. DiSanto stated yes, a stream crossing permit could be needed.

#### HRG Comments

Mr. Sheetz stated that the stormwater comments were addressed. Mr. DiSanto stated after the next review they stormwater issues would be addressed.

#### Public Comment

Mark Huntington, 5020 Colorado Ave., stated regarding the trees. Are you planning on taking all the trees down on the property at Colorado Ave.? Mr. DiSanto stated at the property line, and yes, we are taking the trees down. Mr. Huntington stated that taking the trees out, you must see something I am not. Why can you not come from the other direction. The trees you plan to leave will come down on our property if there is a storm, it is a cliff.

James Maguire, 5036 Utah Ave., stated I am the last house on the street. There is storm water runoff. Mr. DiSanto stated this is a preexisting condition the storm water condition. Mr. Lighty stated that the Land Development Plan is not going to make this condition better. We have township engineers, and the condition should be addressed to the township. Mr. Maguire stated if we would not have done anything to improve this condition the road would have already collapsed. Mr. Lighty stated to continue working with the township staff and get the right people to work with you.

Dan McLinn, 5030 Colorado Ave., stated the degrees of the slopes. Mr. Sheetz stated that 3/1 slope and 2/1 slope that the 3/1 slope is 30 degrees and the 2/1 slope is not quite 45 degrees and these slopes are about 1/2 which is 30 -45 degrees. Mr. McLinn stated that he would like to have the insurance of a fence or shrubs at the common property on the development plan, because of the trash coming down onto the property. The drainage run off and storm water erosion is a concern. The erosion makes problems with the water which runs into the properties and washes out the grass. Mr. Sheetz stated that this has been approved and that post construction will lessen the erosion and mitigate the water. The pond will collect and release water, it is designed for infiltration. Mr. McLinn stated about looking at making Colorado Ave. a one-way street. The vehicles park on both sides of the street and for sight distance. Mr. Gehret stated that the Police Department would have to look at making this a one-way street. There have not been any existing conditions such as accidents. Mr. Sheetz stated that Indiana Ave and Colorado Ave. are narrow roadways and there is already a no parking from this point to that point already. Ms. Powell stated that around the bend the question of the trash and the snowplow getting through. Mr. McLinn stated what triggers a traffic study. Mr. Gehret stated that the turnaround helps with traffic

going in and coming out. Mr. Lighty stated to send someone to see the area and see what can be done. Also, take the plan and give it to the Public Safety Director.

Kathleen Jones, 5006 Colorado Ave., stated that it was submitted to Mr. Gehret another access from Royal Ave. A stop sign to the street doesn't exist. Royal Court is on the plans and there is a fire hydrant there, it extends up to the corner. Mr. DiSanto stated that it goes to Lancer Street. Ms. Jones stated there is a 3-foot stream where culverts would have to be placed. The culvert at Earl Ave. and Lancer St. did not work. Storm water remediations did not work, you cannot predict storms by using data, numbers does not tell the whole picture. From 5012-the structure above is coming down to the ground. The assumption that water will go into the retention pond is absurd, water seeks its own course and travels with gravity. Make sure the developer does the right thing first. The trees that are there to absorb the water, taking the trees down they can't absorb the water. The ground is clay based and my house sits on shale. Shale does not absorb water. When you remove topsoil, subsoil and grass doesn't get green, water sits on the topsoil. An incidence, the stone drainage field at the corner of Eastman Dr. is a runoff of the building, no water is soaked up by the soil it used to soak it up, now it sits at Earl Ave., and Lancer St. This area is wetland and a stream because of the runoff in this area. The access can be at Lancer Ave. to Royal Ave., to Royal Ct. Royal Court is on the plans.

Ryan Anderson, 5007 Colorado Ave., stated that they should come from Royal Ave. using that as the way into the development, using this point from Royal Ave. and Lancer Street will not disturb Colorado Ave. Mr. Anderson does not understand the concept of disturbing 20 some homes for not much of a gain. Why not shift the top of the property.

Sandy Lush, 5013 Colorado Ave., stated that our neighborhood is peaceful, quiet on a dead-end street. Once construction starts there will be in and out constantly. We will have to look at hideous townhomes. Ms. Lush stated that there is water in her basement 4 inches in 1 hour. The little stream is going thru there now. Ms. Lush stated the traffic this will impair and that no one thinks of the people using uber, share a ride, calling for rides, nor the school bus that picks up the children. The snowplows cannot get through for days after some snowstorms.

Janice Anderson, 5007 Colorado Ave., here for friends at the corner of Indiana Ave. and Colorado Ave., stated that this plan was not thought about the safety measures of small children and dogs, Colorado Ave. is very narrow. If DEP needs to approve the bridge that is what needs to be done. Is the cost of a bridge over the cost of a community worth it? Leave Colorado Ave., Utah St., and Indiana Ave., as they are.

Mr. DiSanto stated that he would make this quick and brief. I have made it clear to the Board that coming up through the lower side from Wynchase II, will not be disturbing the steep slopes and is environmentally a better choice. The Stormwater is the township. There is a stormwater fee that township residents pay, and the preexisting conditions come first but the township does have a budget for this improvement. The traffic flow is not enough for a study; however, traffic will increase. We will provide a letter from the traffic safety for the planning design. Mr. DiSanto stated that this is a safe, environmentally, and respectful request.

Mr. Grove made a motion to recommend approval of the Preliminary/ Final Subdivision and Land Development Plan for Wynchase III Plan # 21-14 with the waiver requests listed and subject to all HRG. County and Staff comments. Mr. Hamilton seconded the motion.

Mr. Grove stated that we listened intently to the neighbors and Mr. DiSanto, there are issues here, I have been on this Board for 20 years and have seen and heard everything. It was not an easy decision to make but the Planning as met the Ordinance that is why I am recommending approval. We are extra vigilant on the stormwater that it meets the requirement of the legal plan.

A unanimous vote followed. I's have it.

- b. Ordinance 21-02, amends Chapter 203 of the Zoning Ordinance, Section 303. A, to modify the Lower Paxton Township Zoning Map (the "Zoning Map") to rezone land from the CG, Commercial General District to the TC, Towne Center District.

### Ordinance 21-02

Ordinance 21-02 amends Chapter 203 of the Zoning Ordinance, Section 303.A, to modify the Lower Paxton Township Zoning Map (the "Zoning Map") to rezone land from the (CG), Commercial General District to the (TC), Towne Center District. Ordinance 21-02 amends the Zoning Map to rezone from the (CG) Commercial General District to the (TC) Towne Center District for the parcels known as Dauphin County Property Identification Nos:

PARCELS TO BE RE-ZONED  
FROM GENERAL COMMERCIAL (GC) DISTRICT  
TO TOWNE CENTER (TC) DISTRICT

**PARCEL**

A  
B  
C  
D  
E  
F  
G  
H  
I

**PROPERTY ID**

35-037-004  
35-037-005  
35-037-012  
35-041-084  
35-041-139  
35-041-144  
35-041-149  
35-041-150  
35-051-028

The above referenced parcels to be rezoned consists of 51 acres of land. The area that is to be rezoned is intended and deemed to include entire contiguous area that is generally bounded to the west by SR 3017 known as Colonial Road; to the north by parcels located along Ethel Street; to the east a Township Road, Care Street; and to the south SR 0022 known as Jonestown Road. The Planning Commission has been provided the following information regarding Ordinance 21-02:

- Proposed Ordinance 21-02
- A copy of the Public Notice

The proposed ordinance was advertised in accordance with the PA Municipalities Planning Code.

- The Public Notice has been posted in the Legal ad column of The Sun on Thursday, July 22, 2021, and Thursday, July 29, 2021.
  - A listing of individuals and the mailing that they received, which included the Legal Advertisement of the Ordinance was sent on July 16, 2021.
  - The property was posted with the public notice on July 19, 2021.
- The Application for Amendment to Zoning Ordinance was sent to Dauphin County Planning Commission for review on July 2, 2021, the item was placed on the Commission's August 2, 2021, agenda.

Mr. Gehret stated that the proposed Ordinance goes from a CG (Commercial General District) to a TC (Towne Center District). Mr. Gotshall could not be here this evening due to a conflict in schedule. Mr. Lighty stated possibly we should table this until Mr. Gotshall could be in attendance.

Mr. Gehret stated that public notice was given for 9 parcels and the notification of a zoning map amendment was on the August 2, 2021 agenda of the Dauphin County Planning Commission.

Mr. Lighty stated that the Towne Center go # 2 was the Zoning Map. The map in the packet is the Mall. Finally, everything appears to be in order.

Mrs. Staub recommends making a motion to approve the Ordinance 21-02, amends Chapter 203 of the Zoning Ordinance, Section 303. A, to modify the Lower Paxton Township Zoning Map (the "Zoning Map") to rezone land from the CG, Commercial General District to the TC, Towne Center District, to approve the modified map with the parcels listed in the Public Notice. Mr. Kline seconded the motion and a unanimous vote followed.

#### c. Neighborhood Design District update

Neighborhood Design Zone (ND)- This zone is established pursuant to the authority granted to Lower Paxton Township by Article VII-A of the Pennsylvania Municipalities Code (MPC) ,53 P.S. 10701-A, et.seq., and provides for a Traditional Neighborhood Development with no commercial or mixed uses. This zone seeks to promote conventional neighborhood planning and design principles for new residential communities. The primary goal of this section shall be to make permitted densities attainable to ensure the residential "highest and best use" of Lower Paxton Townships' valuable and diminishing commodity of developable land, as well as to permit and provide for appropriate conventional neighborhood planning and design. The provisions of this Section seek to balance the benefit and attraction of being able to achieve permitted densities with an increased emphasis on outstanding architectural design; creation of neighborhoods with a unique identity and a "sense of place" with green open space public "squares," and establishment of scale, massing and architecturally consistent streetscapes which are of appropriate conventional neighborhood design proportions. Any property developed within the parameters of this Section must be designed in accordance with the design

guidelines contained in 203-322. o., hereinafter referred to as the “Neighborhood Design Guidelines (NDG).” Some of the specific development objectives of this section include the design and construction of neighborhoods that:

1. Reflect, preserve, and enhance one selected consistent traditional building style currently existing within the region.
2. Provide for an architecturally consistent and seamless diversity of housing sizes appropriate for a mix of market segments of Lower Paxton Townships’ population and do so by intermixing the range of housing choices together (as opposed to grouping similar housing types together and separating from other housing types).
3. Make efficient use of local infrastructure and services, provide for convenient vehicular access to the neighborhood’s edges, but also place an emphasis on pedestrian-friendly movements within the neighborhood’s boundaries.
4. Incorporate an efficient pattern of streets modified to produce outstanding and attractive streetscapes.
5. Reserve and feature upkept green open spaces as community focal points.
6. Provide safe, efficient, and compatible linkages with existing nearby land uses, by providing appropriate linkage of street, sidewalks, walking/bicycle trails and open spaces.
7. Foster social interaction among the neighborhood’s residents accomplished by targeting the spatial relationship between open spaces, walking/ bicycle trails, sidewalks, streets, front porches, and the residential buildings.
8. Blend these above-described features in a manner that promotes community identification, a “sense of belonging” and a “sense of place” for the neighborhood’s residents.

These development objectives will be used as the guidelines to measure conformance of proposed development under the parameters of this Section, as well as to judge the merit and validity of any requested waivers from 203-322. O., Neighborhood Design Guideline (NDG).

The Lower Paxton Township Planning Commission had a discussion of this Ordinance. The topics of interest were stormwater management, Narrow Streets and the widening of streets and the calming of tow way traffic. The model types were another topic that all dwellings are not of one type of housing, but they vary. Mr. Lighty stated that the suggestions of changes should be spoken due to the starting of the approval process. Ms. Powell stated that if it something we would like to see and it should be put into the plan when approving the plan, more detail on a particular project. Mrs. Staub stated that this could occur when reviewing the plan. The development starts at scratch and goes with the ideal layout, and we look at the plan and catch it in the master plan. Mr. Light stated that this goes farther than any other Ordinance has ever gone with details in the development. Where do we cut it off and how much does the landowners have freedom to the plans? In the past we have visioned it one way and it has turned out to be another. Our vision does not always go with the market. Mrs. Staub suggested that the developer goes to Staff every couple of months, keep a running log and display blueprints of every building on the building plan. The engineer and builder are different, there can be many different builders.

**Next Regular Meeting: September 1, 2021**

The next regular Lower Paxton Township Planning Commission meeting is scheduled for September 1, 2021 at 8:00pm.

**Adjournment**

Mr. Grove made a motion to adjourn the August 11, 2021 Lower Paxton Township Planning Commission meeting. Mr. Meckes seconded the motion and the meeting adjourned at 8:50pm.

Sincerely Submitted,

Michele Kwasnoski  
Recording Secretary