

# Lower Paxton Township

## Planning Commission

### Meeting Minutes

July 6, 2016

#### COMMISSIONERS PRESENT

Fredrick Lighty  
Douglas Grove  
Roy Newsome  
Lori Staub  
Lisa Schaefer  
Diane Moran

#### ALSO PRESENT

Amanda Zerbe, Lower Paxton Zoning Officer  
Nick Gehret, Lower Paxton Codes Officer  
Jason Hinz, HRG. Inc.  
Andrew Bomberger, DCPC

#### **Call to Order**

Mr. Lighty called the regular 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. Lighty led the recitation of the Pledge of Allegiance.

#### **New Business**

##### Conditional Use for Forest Hills Commons, 4220 Linglestown Road (behind Sheetz)

Mrs. Amanda Zerbe stated that the Township has received a Conditional Use for Forest Hills Commons, 4220 Linglestown Road ( behind Sheetz) proposal. VanGuard Realty Group, Inc. is the owner of the approximately 12.9 acre parcel located at 4220 Linglestown Road. This property is identified as Tax Map Parcel # 35-009-006 by the Dauphin County Courthouse. The subject tract is located entirely in the CN Commercial Neighborhood Zoning District. The property is situated to the north and west of the existing Sheetz facility located at the northwest corner of the Linglestown Road and Colonial Road intersection. The subject tract has approximately 595 feet of frontage along Colonial Road and approximately 156 feet of frontage along Linglestown Road.

#### **Proposed Use of the Subject Tract**

Vanguard Realty Group is proposing to develop the subject tract for retail and restaurant uses. Vanguard is proposing retails stores and restaurant usage along the northern and western side of the property. In addition, there are two pad sites shown along the eastern side of the property. The primary ingress and regress to and from the site is proposed from Colonial Road, directly opposite the entrance/exit from

the Weis Markets site. A second means of access to the site will be from Linglestown Road, just west of the Sheetz entrance drive. This drive is proposed as ingress only due to limited space for a two-way entrance/exit pursuant to the PennDot meeting for our Highway Occupancy Permit (HOP). A third entrance into the site is proposed approximately 350 feet north of the primary entrance along Colonial Road. This entrance will only be used for deliveries, trash vehicles, and employee parking. The parking for customers utilizing the site will be basically in the central portion of the site. As noted on the plans, there are 507 parking spaces shown for the development. In addition, the project is proposing to relocate a portion of the sanitary sewer main located along the western side of the tract pursuant to discussions with Bill Weaver at the Lower Paxton Township Authority. The relocated main is proposed farther west to avoid the proposed buildings.

In regards to the proposed uses of the site, the development is proposing approximately 94,700 square feet of retail and restaurant uses. There are three Anchor and Junior Anchor spaces shown which total approximately 58,000 square feet. In addition, along the western side of the development are spaces for mid-size and small stores totaling 15,800 square feet. These two areas may contain retail and / or restaurant usage. The Northern End Cap as shown contains 5,600 square feet and is proposed as retail and/ or restaurant usage. The two pad sites shown contain 15,208 square feet and may be either retail or restaurant. None of the buildings will be constructed within the revised 100-year floodplain per the approved LOMR.

Based on the above information and drawings enclosed, the development is proposing greater than 50,000 square feet of total retail use spread between many tenants. If the entire site would be developed as retail use, the site would contain 94,703 square feet of retail space. At this time, the development is proposing restaurant use for some of the area. However, it is safe to say that the development will contain greater than 50,000 square feet of collective retail space.

#### Conditional Use Application

In accordance with Section 306.B.2.b of the Lower Paxton Township Zoning Ordinance Retail Stores and Restaurants (without drive-through service) are permitted uses in the CN Zoning District. However, while Retail Stores are a Permitted Use in the CN District, there is a stipulation in regards to Retail Stores. The stipulation is as follows: A) each individual retail store in the CN Zoning District shall be limited to a maximum of 50,000 square feet of retail indoor building floor area, which we meet; B) if a lot of two or more retail stores include a total of more than 50,000 square feet of retail indoor floor area, then Conditional Use Approval shall be required, which is the approval we are requesting.

As shown on the attached plan, the development is not proposing any individual retail store to contain greater than 50,000 square feet. However, the lot will contain two or more retail stores totaling greater than 50,000 square feet of retail indoor floor area. Therefore, Conditional Use Approval is required for this development.

Vanguard Realty Group Inc. is the owner and applicant for the proposed development identified as Forest Hills Commons and shown on the attached drawings. It is Vanguard Realty's intent and desire to develop Forest Hills Commons as retail and restaurant usage and is requesting Conditional Use Approval for the development.

Lori Staub asked to be recused from the Conditional Use for Forest Hills Commons.

Eric Kessler, VanGuard Realty Group, 4090 Continental Drive, was present on behalf of the plan. Mr. Kessler discussed the development of retail and/or restaurants. The scope of traffic study is in process. Skelly and Loy, Inc. is working on the stormwater and DEP requirements.

Mr. Lighty asked about the traffic study. Mr. Kessler answered that it is a 6-8 months with PennDot scope study, it should be completed within the next 60-90 days.

**Public Comments:**

Julie Stolman, 4279 Wimbledon Drive, discussed the concerns of a two lane road, traffic and many accidents.

Jane Madio, 4300 Wimbledon Drive, discussed that a strip mall is not appropriate in a residential area. She questioned 507 parking space in a strip mall.

Susan George, 2330 Forest Lane, questioned the traffic study with PennDot and noted that the northern portion of Colonial Road is Township Road. Mr. Kessler replied that the traffic study north of Colonial Road is being done by an Independent firm. Ms. George believes that the traffic is already congested and will get worse. She referenced the Tri-County Planning Commission Plan study from Route 39 in Susquehanna Township thru Lower Paxton Township. She asks that a name change from the Forest Hills Commons be proposed. Andrew Bomberger, representing the DCPC, stated that the Tri-County study is in the early stages and that this study of the Route 39 corridor has no impact on this Conditional Use. This is step one and not the Land Development step. It falls under the Statute of Planning Codes.

Cynthia Sell, 4325 North Victoria Way, stated some changes are good and some not so great. The traffic is a major problem on a daily basis, especially rush hour traffic and congestion. She questioned the other strip malls with vacant stores.

Diane Naugle, Victoria Abbey, stated that there will be a lot more traffic.

Kathy Becker, 2276 Forest Hills Dr., stated there was one traffic light from Front Street to Colonial Road now there are 13 traffic lights. There is no attempt to make the intersection of Colonial Road and Linglestown Road safe. There is an increase risk for pedestrians and bicyclists.

Dan Madio, 4300 Wimbledon Drive, echoed the traffic concerns and also was concerned about children riding bicycles. He stated there needs to be a good solid plan on Colonial Road.

Eric Epstein, SWAN, stated that at every meeting there is a lack of context. Recommendations for traffic study with the School Districts and with the land use and traffic capacity. Impair sight distances especially with tractor trailers. Seasonal traffic such as the golf course in which there are three located on that road. Flood Plain and the back fill with the underground water stormwater. The SWAN residents ask this plan be tabled until the land use corridor study is completed.

A resident, Victoria Abbey, suggested the Weis Market will expand and traffic will be worse. The Weis Market purchased additional land.

John Frain, 2730 Woodrow Ave., questioned the Conditional Use criteria? He suggested waiting eighteen months for the traffic study is reasonable.

Janice Macut, Pine Hollow Road, stated be careful of the mistakes being made in other communities you do not want that in your development.

A resident, 5908 Pine Hollow Road, asked if the seven criteria have been met?

Tim Murphy, 1524 Pine Hollow Road, questioned that no one talked about the Comprehensive Plan and what changes are on the zoning map. Mr. Lighty answered that there is no change to the zoning, of this tract. The proposed use is permitted in the CN Zone.

Mr. Murphy questioned the representation of the flood plain on the Township map. Mr. Lighty stated that for conditional use there is a set sequence and the plan has to come back to the Planning Commission and thru the land development process.

Jack Rhinehart, Avon Drive, stated this is our way of life.

Ken Palmer, 4252 South Carolina Drive, questioned the stormwater and the parking with underground water. The water is high in this area and the stream floods. Mr. Kessler replied that there will be underground water storage.

Richard Carl, 2400 Colonial Road, stated oppose to double square feet and what it takes to meet the seven criterias.

Ron Raymond, Victoria Way, questioned the conditional use recommendation at doubling the size from 50,000 feet to 93,000 feet. Mr. Lighty stated that the conditions matched.

Gene Puza, 2326 Forest Lane, questioned the storm water and where will it go.

Peter Womack, Stoneleigh Court, questioned the safety of traffic and the doubling of capacity.

#### **Commissioner Comments-**

Mr. Newsome thanked the community for their input.

Mr. Newsome made a motion of denial for the Conditional Use for Forest Hills Commons, 4220 Linglestown Road (behind Sheetz) due to not meeting the traffic nor the storm water ordinances.

Mr. Grove seconded the motion with the understanding that traffic is a huge issue and the request in a plan has not been met currently. It was followed by a unanimous vote.

#### **Preliminary/Final Land Development Plan for 5200 Jonestown Road Hoffman Ford Building Addition**

Mr. Nick Gehret stated that the Township received the Preliminary/Final Land Development Plan for 5200 Jonestown Road Hoffman Ford Building Addition proposes to expand the existing building and make associated parking improvements to the existing facility at 5200 Jonestown Road. The parcel is 7.120 acres and is served by public water and sewer. The lot is zoned CG, Commercial General, and is adjacent to properties zoned CG to the north, south and east and R-1, Low Density Residential to the west.

The existing and proposed use of the property is automobile sales and service.

The applicant request the following waivers:

1. [SLDO: 180-508]- The applicant is requesting a waiver of the requirement that sidewalk be provided along Carolyn Street and Jaycee Avenue.

We support this waiver- the lot itself is pre-existing non- conforming and will not connect to anything.

2. [SLDO: 180-514.A. 4] - The applicant is requesting a waiver of the requirement that a Letter of Map Revision (LOMR) will be obtained from FEMA to revise the Flood Insurance Rate Map (FIRM) for the affected floodplain area as described in the No Rise Certification Report prepared by Site Design Concepts, Inc. dated March 29, 2016 following construction and establishment of As-Built information.

We support this waiver. Please add the waiver request to the coversheet of the plans. Likewise, add a variance request for specific requirements of the Township Floodplain Ordinance to the coversheet. This variance will go before the Board of Supervisors as required under Section 8 of the Floodplain Ordinance.

3. [SLDO: 180-515]- The applicant has requested a waiver for the requirements related to street trees, parking lot buffer yards, and site area landscaping. The applicant's justification for the request is that the plan proposes a small extension to an existing facility with paving and trees and shrubs would hide the display of vehicles, in addition, tree leaves and sap and birds are a constant maintenance issue for new display vehicles.

The Township has confirmed for the applicant that no variances will be required for landscape design standards as the lot is considered pre-existing, non- conformity. A waiver of SALD 180-515 will be only relief required.

We support this waiver

Mr. Robert Sandmeyer, Site Design Concepts, was present on behalf of the plan. He stated that it is a conforming lot and is going to be restriped and repaved. In addition to the three waivers there is a variance request. The variance request approval of doing a map of PEMA flood plain. Mr. Lighty questioned if the variance would affect what the Planning Commission was doing? Mrs. Zerbe answered that is would not be affected.

Mrs. Staub questioned the imfurbish coverage and if it would be increased? Mr. Sandmeyer answered that it would actually be reduced by two percent and 1,000 square feet infiltration beds.

Mr. Grove questioned the lighting of foot candles and if that would change the lighting? Mr. Sandmeyer stated that they were relocating two or three light poles and changing to LED lighting to make it more modern. They are having a lighting consultant come in and consult the entire property. The lighting will not exceed what already exists.

### **HRG Comments-**

Mr. Jason Hinz made the comments on the following:

1. The pave area set back variance required- pre-existing and non- conformity of the total number of required spaces.
2. Detail on the fence in the buffer yards- land development comment and the lighting.
3. Clarify the stormwater compliance

### **County Comments-**

Mr. Andrew Bomberger made the following comments:

1. Flood plains current and what is mapped attempt to field survey. 6 inches up slope/ 3 feet downslope; from the stream to lake. The approval of LOMAR from FEMA.
2. Hydrant soils and wetland study and existing pavement.
3. Sidewalk waiver not requiring sidewalks. There is nowhere to go.

Mr. Grove made a motion to recommend approval of the Preliminary/Final Land Development Plan for 5200 Jonestown Road Hoffman Ford Building Addition with the waivers listed and subject to addressing the notes and general comments, and subject to the approval of the variance to be taken to the Board of Supervisors. Mr. Newsome seconded the motion and a unanimous vote followed.

### Preliminary/Final Land Development Plan for CVS Pharmacy, Devonshire/Jonestown Road

Mr. Nick Gehret stated that the Lower Paxton Township received the Preliminary/Final Land Development Plan for Proposed CVS Pharmacy Jonestown Road & Devonshire Road. J.C. Bar Properties, Inc. is proposing to construct a 13,225 square foot CVS/Pharmacy on Lot 2(35-043-057). The 1.61-acre lot currently contains a vacant commercial store and parking area. The proposal includes the demolition of the existing vacant commercial store, construction of the CVS/Pharmacy with the installation of associated parking, utilities, landscaping and stormwater management controls necessary to support development.

The site is located in the Commercial General (CG), zoning district and is served by public sewer and water supply.

We have completed the review of the referenced plan and we offer the following comments:

The Applicant request the following Waivers:

1. [SLDO:180-503.I.3]- The applicant has requested a waiver for the requirement that the proposed driveway not be located closer than 5 ft. to an existing inlet.

We support this waiver.

2. [SLDO: 180-507.E.7]- The applicant had requested a waiver for the requirement that the amount of illumination spillover onto an adjacent commercial lot shall not exceed 0.5- foot candles.

We support this waiver.

3. [SWMO:170-1102]- The applicant has requested a waiver for the requirement that proposed roof drains shall not be connected directly to storm sewers.

We support this waiver.

Mr. Joel DelliCarpini, Bohler Engineering Inc., was present on behalf of the plan. He stated that there would be a drive-thru in the pharmacy. The landscaping is being proposed. The stormwater rain gardens east and west. The roof drains are too low and will be tied directly into the pipes. The traffic is a right in and a right out onto Devonshire Road. The set back is thirty foot with the assuming forty feet with thirty feet size of usage. It is being revised the thirty feet and decreasing the non- conformity.

Ms. Schafer questioned the right in and right out of traffic flow. The concern is Queen Avenue and Devonshire Road.

Ms. Schafer made a motion to recommend approval of the Preliminary/Final Land Development Plan for CVS Pharmacy, Devonshire/Jonestown Road with the approval of the waiver requests and the concerns met. Mrs. Staub seconded the motion with a unanimous vote followed.

#### Final Subdivision Plan for Amber Fields, Phase VILLAS Plan #16-12

Mr. Nick Gehret stated that the Lower Paxton Township has received the Final Subdivision Plan for Amber Fields, Phase Villas Plan #16-12. Amber Fields Villa involves a total tract area of 14.246 acres to be developed in accordance with the phasing plan of Amber Fields Subdivision. The villas will consist of 17 single family lots and an add-on to lot #56 that will change the lot from .48 acres to .61 acres. The tract is zoned R-C Residential Cluster. The lots will be served by public sewer and public water.

The Preliminary Subdivision Plan for Amber Fields was approved by the Board of Supervisors on July 6, 1999.

Mr. Tim Mellott, Mellott Engineering, was present on behalf of the plan. He stated that they will reduce the plan by one lot and to accommodate lots with larger garages.

#### **HRG Comments-**

Mr. Hinz stated that the plan presentation consists of roof leaders and cartway widths be present on the plan.

Mr. Grove made a motion to recommend the approval of the Final Subdivision Plan for Amber Fields, Phase VILLAS, subject to comments listed. Ms. Schaefer seconded the motion and a unanimous vote followed.

## Old Business

Final Land Development Plan for Infinity Charter School, 5404 Locust Lane-Tabled at 6/1/2016 meeting-  
Tabled at the request of the applicant 07/05/2016.

## Comprehensive Plan Discussion

A brief discussion was held on the Lower Paxton Township Comprehensive Plan regarding the final document and the format. It has been determined that the format is good and should be submitted to Mr. Wolfe.

## Comment-

Mr. Andrew Bomberger discussed the Regional Connection grant which is due August 31, 2016. He suggested that The Planning Commission should apply for the Regional Connection Grant. Mr. Newsome made a motion to apply for the grant. Mr. Grove seconded the motion and a unanimously vote followed.

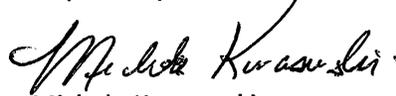
## Next Regular Meeting: August 3, 2016

The next Lower Paxton Township Planning Commission Meeting is scheduled for August 3, 2016.

## Adjournment

Mr. Grove made a motion to adjourn the meeting, Ms. Schafer seconded the motion, and the meeting adjourned at 10:00pm.

Respectfully Submitted,



Michele Kwasnoski  
Recording Secretary