

Lower Paxton Township
PLANNING COMMISSION

MEETING MINUTES

January 08, 2014

COMMISSIONERS PRESENT

Fredrick Lighty
Ernest Gingrich
Roy Newsome
Dennis Guise
Douglas Grove
Robin Lindsey
Richard Beverly

ALSO PRESENT

Dianne Moran, Planning & Zoning Officer
Stephen Fleming, Township Engineer, HRG. Inc.
Tim Smith, DCPC

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00 pm on the January 08, 2014 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Reorganization Meeting

Election of Officers-

Election of Chairman: Mr. Newsome nominated Mr. Lighty. The motion was seconded by Mrs. Lindsey and passed unanimously. Mr. Lighty was elected Chairman.

Election of Vice-Chairman: Mrs. Lindsey nominated Mr. Guise. The motion was seconded by Mr. Grove and passed unanimously. Mr. Guise was elected Vice-Chairman.

Election of Secretary of the Board: Mr. Guise nominated Mr. Newsome. The motion was seconded by Mr. Grove and passes unanimously. Mr. Newsome was elected Secretary.

Meeting date, time and place for 2014. Mr. Newsome made a move to keep the Planning Commission Meeting the first Wednesday of every month at 7pm at the Lower Paxton Township Municipal Building. Mr. Grove seconded the motion and the motion passed unanimously.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Planning Commission recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Lighty asked if there were any corrections or questions on the November 6, 2013 and the December 04, 2013 minutes. The November 6, 2013 and the December 04, 2013 minutes were tabled.

NEW BUSINESS

Revised Final Subdivision & Land Development Plan #13-22 for Shadebrook, Phase I

Ms. Moran stated that the Shadebrook Development proposes an 84.373 acre area to be developed consisting of two hundred sixty-one (261) residential building lots, two (2) commercial lots, twenty-two (22) (condominium) apartment units to be located above the commercial space with an option of thirty-five (35) additional (condominium) apartment units that would also be located above the commercial space, nine open space lots and one residential lot that is located on the south side of Union Deposit Road. The tract is zoned R-1, Low Density Residential District and Floodplain Conservation District with a TND-Traditional Neighborhood Development Overlay.

Phase I lists sixty-five (65) lots, 30 single family dwellings, 24 duplex dwellings and 42,414 square feet of commercial. The property will be served by public sewer and public water. The property is located at the intersection of Fairmont Drive and Cider Press Road.

On August 6, 2013 the Board of Supervisors approved the Revised Preliminary Subdivision and Land Development Plan for Shadebrook #13-09.

Ms. Moran reviewed the 17 Waiver Requests from the Applicant.

Mr. Jeff Staub from Dauphin Engineering is here to represent the plan.

Mr. Newsome asked about the design appearance? Are we going to be supplied with a new architectural design manual? Mr. Staub stated that he has them available but not handy at this time. Mr. Newsome stated that he would like to see the manual.

Mrs. Lindsey stated that the Staff supports everything except Waiver 6. The waiver is supported with the exception of the termination of Road C near lots 82 and 83.

Mr. Staub states that they have reviewed the comments from Dauphin County, the Police Department, Public Works and the Public Sewer Authority. We are willing to answer any specific questions. Two of the issues we need to discuss this evening have to do with the TND and asking fee in lieu of the Township Ordinance. The ordinance is vague about when you develop a TND that 20% of the open space be suitable for active/passive recreation. The developer must set aside an area for open space or the TND doesn't get approved. That is the first concern.

Mr. Lighty asked for Dianne's comments on the developer being required to provide and the Township willing to agree with the developer to equal a balance.

Ms. Moran read section 314 F of the Ordinance.

Mr. Staub explained that there is a note on the primary plan that nine or ten Open Space lots are being donated to the Township, that is consistent to the original plan. The original plan had that all the pocket parks and open spaces are dedicated to the Township and the Board of Supervisors agreed to that. Since that plan and this plan, the cost to the Township regarding the open space of who own and maintains

them, have brought up second thoughts. Mr. Miller and Mr. Wolfe have brought up these second thoughts, with the understanding that the developer is agreeing to not designate those areas to the Township, they are going to remain part of the Home Owners Association there are facilities in the Open Space such as retaining walls, retaining basins and detention basins these would have to remain belonging to the HOA because the Township would not agree to operate or maintain a retaining basin. The preliminary plan will be changed with that noted. Mr. Lighty questioned the Association's responsibility and what the cost will be. Will the HOA fees be reasonable? Mr. Paul Hepler answered that the fees are open for discussion.

Mr. Staub stated that he would like to discuss the waivers. The waivers are almost identical to the waivers granted in 2006 on the first plan. Identical for the Preliminary plan, especially Waiver 6, the plan did show a temporary cul de sac at the end of the road. Mr. Lighty asked if it is not shown on the plan, right in the middle of a house, that house is not to be built. Mr. Staub answered that the house cannot be built until the street is extended. There will be 317 units instead of 318.

Mr. Lighty stated that there are so many waivers because the TND is asking the developer to build a neighborhood that does not look like another neighborhood. Mr. Staub says that the Legislature gave the right to the developer to go to the Board of Supervisors to grant these waivers without justification.

Mr. Newsome stated that he would like to see something more than a temporary cul de sac, not something permanently with a sidewalk around it, but some curves and paving within the whole area. It would be recognized as temporary but for future development, and to be a more permanent type of cul de sac. Mr. Staub says this can be discussed. Mr. Newsome goes on to say that temporary could be a long time. Mr. Hepler says that they can look into that with this Phase and the cost of the development. Mr. Newsome says that it doesn't have to be done now or in the first Phase, if a temporary turn around or cul de sac is put in, he would like it to be more permanent. Mr. Hepler asked what is meant by more permanent? Mr. Newsome answers more curbs, cars tend to go off to the dirt without them. Mr. Hepler said the length will be determined and they are willing to look at that.

Mr. Newsome stated that the lots behind the alley, Lot 120,190, and 271 shows the alley serving those three lots are owned by those three property owners. The property should run just in front of those garages. Mr. Newsome believes that moving the property line would keep the line within property management.

Mr. Staub stated that there were outstanding comments on the Preliminary Plan. They did make improvements on the Preliminary Plan and submitted them to the Township for further review. The Sewer Authority gave its final approval on January 8, 2014. They are expecting to get approval from DEP in the next week, also planner E&S approval for Phase I and we are submitting application to the Conservation District within the week. Outstanding items include the need of 2 general permits from the DEP.

Mr. Lighty questioned the phasing of commercial units in the last plan. Mr. Staub stated that Mr. Yingst made a comment that he would be interested in getting an outside developer to do the commercial work. If he cannot find a developer to do the work, he would have to bring the Township into the development of that plan. Mr. Lighty says that there was an agreement to build 25% units and 25% commercial. Mr. Staub says he doesn't have those plans. Mr. Hepler stated that they have discussed this in many different ways and have agreed that they cannot have all the buildings built and none of them be commercial. The new plan you have in front of you, there was a discussion on building a phase or two and at a certain point be financially able to support commercial with the people. It was never decided when that was going to be done, we do recognize that somewhere it has to be done. The ordinance does not have a time line. We left it open for discussion and thought we could get in there and start building for the people. In the meantime

if someone wanted to come in and buy commercial we would definitely consider that. Some of those answers are not there right now. Mr. Lighty asks when do we take this issue up and when does the discussion occur? Mr. Hepler believes that the discussion is not ready to be discussed, but that a phase or two of housing could be built before they could commit financially to the commercial. Mr. Newsome added that there is no real obvious time to build commercial but it is an interval part of this plan. Sometime during the development, commercial building should begin. Otherwise, a big part of what the Planning Commission hoped would happen with this development does not happen, this will not happen until the commercial development takes place. Mr. Fleming says they will only get a certain amount of residents before they ask questions, because they have expectations also.

Mr. Newsome says that it appears in the architectural guide book that they are going to have to amend or extend the garage to what it is actually going to look like. Mr. Hepler stated that the architectural guide book has not carried the garage styles the whole way through. Mr. Newsome stated that he would like to see the outside appearance and the elevation included in the profile. He would like to see the second story of the eleven in law units. Mr. Lighty asked when the the Developer's Agreement would be completed and if the Commission can see a draft? Mr. Staub stated that he talked to Mr. Zervanos and the work is in progress. Ms. Moran stated that she would see that the developer's agreement be made available to the Commission.

Mr. Guise stated that he would like to comment on the building plans. He states that he is impressed and the plans look good.

Mr. Lighty mentioned the memo from the Police Department. The last time comments were made there was a lot of signage which can make what is suppose to be a pretty neighborhood pretty bad. Mr. Staub stated that they had a meeting with Sgt. Waller and they came to an agreement about private streets and alleys. We don't want signage pollution but there has to be a standard that has to be adhered to. Mr. Lighty questioned what has to be the right balance. Mr. Staub stated that he and Sgt. Waller were pleased with the meeting and came to the conclusion of half the original signs.

Mr. Staub informed the Commission that they met with Mr. Smith, DCPC, Township Staff, George Wolfe, and Dianne Moran, and their determination was not to do a new Traffic Impact Study. Mr. Fleming stated that their comments are fairly minor. The intersection at Fairmont Drive and Locust Lane will be signalized. The TIS would be to determine and trigger a traffic signal based on traffic counts. Mrs. Lindsey questioned how often that would be done? Mr. Fleming answered that it is typically done at every phase. Mrs. Lindsey questioned that the light would not be there at the first phase? Mr. Fleming answered that it depends on how the developers phase the construction.

Mr. Matt Miller stated that his big concern was the dedication of Open Space. It is a lot of effort for the Public Works to absorb and be responsible for. The storm water management facilities are not the Townships and we do not like to take them on.

Mr. Lighty stated that he is interested in the comment on communication lines. Mr. Staub stated that they contacted Verizon. And they did a design for the line and relocated the fiber optic line. They had to realign that utility in such a way that they did not have to splice the bottom applicator, they have to shift south just enough to maintain the specifications for Capital Area. The ordinance states that you have to provide underground utilities for all utilities. According to Verizon that does not apply here. They said we do not have to so we are not going to. Mr. Lighty asked how is this going to look? Mr. Staub stated that it is going to look the same as it does now, that down in the valley the one utility pole is going to be shifted south.

Mr. Miller stated that they will need maintenance schedules for the Storm Water Management, facilities. With the pervious pavement roadways, the municipality MS4 permit requires that the roadways and facilities be construction maintained properly or we could be responsible. Part of Public Works responsibility is to keep tabs on construction activities and have a defined schedule of what is to occur and make it easier to work with the HOA to determine what needs to be constructed. Pervious pavement is not a good material, it has durability and performance issues. If it is not maintained it can be faulty. It needs to be vacuumed twice a year by very large vacuum equipment. Pervious pavement does have its applications and a lot of places make it concrete and one of its biggest applications are areas that do not require a lot of maintenance such as parks. The Township is responsible for ensuring that everyone is in compliance.

Mr. Miller stated that the landscape plan is beautiful and will look great when all the trees have grown. One of the things Public Works does is trim the trees so that their trunks are not damaged.

Mr. Lighty asked if the trees are acceptable? Mr. Miller stated that Public Works wants to meet with the Shade Tree Commission. The Shade Tree Commission is looking for durable healthy tree species that will grow in a climate and visually appear to be a nice tree. Public Works is looking at, is it going to damage our trucks? Looking at the comments, I am assuming the HOA, even though the trees are planted in the right of way, the HOA, is responsible for the individual lot of trees. Mr. Lighty stated that at this point the trees are specified and asked if everyone is satisfied? Mr. Miller said, yes, to his understanding.

Mr. Miller stated that the other concern was the stamp and painted crosswalk areas of the commercial development. They do look nice, they do not last very long. Where the wheel pad hits wears very quickly and Public Works does not have the capability of replicating, replacing or repairing it. It is a design item where when the asphalt is rolled they actually press something down into the asphalt and then a pattern is applied. Maintaining that kind of crosswalk is out of Public Works realm and we would have to contract that kind of work out and that would be an added expense. It looks nice but not for long, the traffic would wear it out. Mr. Miller suggested going back to the normal thermoplastic. Mr. Lighty stated that in the original plan the crosswalks were supposed to be brick, and then the idea came out that there was a stamped product that was more affordable, and now, in the light of these concerns, how do you expect the crosswalk to be built? Mr. Staub answered that something unique has to be constructed, they are asking for contrasting textures and or color. Mr. Lighty stated that if it requires massive adhesion and needs maintenance and cannot be done, then the whole look of the TND is for nothing.

Mr. Fleming stated that they have done quite a few projects, that have asphalt stamped where they actually take a metal stamp and heat the pavement and stamp the metal down into the pavement and make an impression and then take a thermoplastic sheet product that replicates the pattern and lay it over top so the heat so it melts it into the paving. He is told it is easily maintained because it is installed in pieces. It is a fairly new product and he is not sure how it holds up to the wear and tear. It is the closest you can get to a paver application without actually using a paver. You get the individual wedges in between, looks authentic, but from a maintenance standpoint you have asphalt underneath it and it is the same as the street. That is what he recommends. Mr. Lighty asked Mr. Miller about that product? Mr. Miller stated that is fine and that Public Works could do some research into the longevity. Additional discussion followed regarding stamped concrete and the maintenance of it.

Mr. Lighty stated that it is amazing, with all the modern materials, that we have a conversation like this. Some cobblestone streets in Philadelphia are 100 years old, some are good streets and some are bad. Mr. Fleming stated with cobblestone and brick streets you can reuse the material. You can pull it all up and regrain the street and put it back down. Benefits an old city, you don't have utility trenches underneath.

Mr. Newsome stated that Virginia uses crosswalks as speed bumps and they look good and work well in the commercial area.

Mr. Lighty asked Mr. Miller how his plows handle these speed tables? Mr. Miller explained that the ones we have are built in asphalt and we have tried to build them to the standards that are out there, it's a gradual enough rise, not a ski bump in a parking lot that the plow will hit because it's a smaller area and shave it off and dislodge it. The speed tables are massive enough and it's a gradual enough slope. Mr. Newsome stated that it's a very gradual incline, they have brick in them. Mr. Fleming stated that in a short distance, if you want to do one crosswalk and raise that, that's an alternative, but you do not want to put too many together. Mr. Miller states that he is willing to work with Mr. Staub, if we can do some research and Mr. Fleming can provide some data on these different areas, if we can find some case studies. Someone has had to have it down for a while and we can try to do research on the longevity. Mr. Lighty stated that the ordinance requires it, we want to get it right. Mr. Newsome stated that he has seen it and likes it. Mr. Staub stated that it is called in a note that the concrete/ stamp is a different color.

Mr. Miller questioned the wells, are they observation wells? Mr. Staub stated yes, for a long term.

Mr. Smith asked if potential improvements are being considered at Union Deposit Road and Fairmont Drive. Mr. Lighty stated, not of the developers. The developers are contributing to the improvements on Locust Lane and Fairmont Drive. Mr. Smith stated that there are traffic flow concerns, with geometrics and sight distance at the intersection. Attention is needed at this intersection. The Township needs to be supportive. Perhaps State funding should be looked into sooner rather than later.

Mr. Guise made a motion to approve the Revised Final Subdivision & Land Development Plan for Shadebrook, Phase I #13-22. Subject to the comments, approval of the 17 waiver requests, waiver #6 to include that the termination be designed as semi permanent cul de sac with paving, and resolution with recreation fee in lieu of to the satisfaction of the developers. Mr. Newsome seconded the motion and the motion passed unanimously.

The Commissioners held a discussion on the nine applicants for the Planning Commission. Mrs. Lindsey and Mr. Gingrich will attend the February 5, 2014. The interviews will be held on February 5, 2014 after the meeting. The applicant will be invited to attend the meeting and the interviews will be held alphabetically after the meeting. After the interviews, a memo of two applicants, will be recommended to the Board of Supervisors.

Next Meeting February 05, 2014

The meeting in February will be February 05, 2014.

Adjournment

Mr. Newsome motioned to adjourn the meeting. Mr. Grove seconded the motion.

Meeting adjourned at 8:45pm.

Respectfully submitted,

Michele Kwasnoski

Michele Kwasnoski

Recording Secretary