

## MINUTES

### **LOWER SWATARA TOWNSHIP PLANNING COMMISSION**

**REGULAR MEETING  
MARCH 24, 2016 7:00 P.M.**

Meeting was called to order by Chauncey Knopp at 7:00 P.M. with the following present:

Chauncey Knopp, Chairman  
Christopher DeHart  
Paul Wagner  
Peter Henninger, Solicitor  
Erin Letavic, Herbert Rowland & Grubic, Inc.  
Leah Eppinger, Dauphin County Planning Commission  
Robert Greene, Planning & Zoning Coordinator  
Tonya Condran, Recording Secretary

Absent:

Eric A. Breon, Vice Chairman  
Kimber Latsha

Others in Attendance:

Alex Kinzey (R.J. Fisher Engineering & Associates, Inc.)

## MINUTES

A motion was made by Mr. DeHart and seconded by Mr. Wagner to approve the Minutes of the December 17, 2015 meeting.

Motion unanimously approved.

## OLD BUSINESS:

None.

## NEW BUSINESS

Mr. Knopp stated that this is the first meeting of the year and we are supposed to re-organize the Planning Commission at this meeting. However, since Mr. Breon and Mr. Latsha are not able to be here tonight, we will put the re-organization on hold until all are in attendance. Everyone was in agreement with this.

**WILLIAMS MANOR – Proposed Final Subdivision Plan #2016-01 for a 26-lot single-family residential development located on Lumber Street, as submitted by R.J. Fisher Engineering & Associates, Inc. on behalf of Rhodes Development Group, Inc.**

Alex Kinzey from R.J. Fisher Engineering introduced himself at this time and explained he was here to represent Rhodes Development Group. He then gave a quick overview of the site. The lot is just over 10 acres that they propose to subdivide into 26 residential lots. He informed that the Preliminary Plan had been approved in 2007 and this was now their Final Subdivision Plan.

Mr. Greene reminded everyone that it was originally filed under the name of Bryn Gweled East.

Mr. Henninger added that the reason it has been so long since the Preliminary Plan is because of the sewer line expansion for this development. Everything else is in place, and once the sewer goes through, they will be able to move forward with the project. He also stated that the expansion of the sewer line down in to Highspire is moving forward right now.

Mr. Kinzey then asked if everyone had the copies of comments from HRG, Dauphin Co. Planning, and LST Planning and if anyone had any questions about these comments.

Ms. Letavic stated that there were some comments that reference information on the Preliminary Plan that they would like to see on the Final for consistency purposes. There also is a note referring to the various impervious areas for some of the lots. Not every house will have the same footprint so the impervious coverage is going to be different depending on which lot you are talking about. She then stated that they made comments that they would like the coverages consistent with the Stormwater report but also confirming that the buildings will be able to reside within the setbacks without any issues. The lots are pretty tight and there are a lot of drainage easements on them, so we would like all of that information to be clear so that when residents want to put in sheds or whatever, it will be clear where those setbacks are when the buildings are to be placed. She also brought up a comment about fencing around the ponds. The ordinance says that fencing around detention facilities may be required. She said that she doesn't know if we can require them but it is something that she would like to have recommendation on to proceed. Another issue is lighting. She said that again it says it "may be required" but she feels there should be lighting but they can discuss at what intensity the lighting should be.

Mr. Greene stated that some of those items were actually discussed at the Preliminary stage. That information can be found in the minutes from then which now carries over to the Final Plan. He asked Mr. Kinzey if he was aware of those items and how they were addressed.

Mr. Kinzey said that he was not aware of how they were addressed. He said his firm got as much as they could from Dauphin Engineering (who were the engineers from the Preliminary Plan) but things were lost in translation. Some of the files were either lost or deleted because they thought the project was dead. So R.J. Fisher Engineering recovered as much as they could, but the minutes are one of the things they do not have.

Mr. Greene reported that the minutes from the Planning Commission Meeting of Dec. 21, 2006 are nowhere to be found. Mr. Henninger says that he will look for them in his files, but doubts he will have them either.

Mr. Knopp asked if they planned to have street lighting put in.

Mr. Kinzey replied that right now they do not have street lighting proposed because at the time of the Preliminary Plan it was not required. He said he is not sure if other developments in the area have street lights, this is something he will look into.

Mr. DeHart asked what the Code requires.

Ms. Letavic said street lights are optional.

Mr. DeHart asked if sidewalks are required.

Ms. Letavic said sidewalks are required. She then asked what the thoughts were on fencing around the detention basin. She then advised that the ponds would be on private lots, so if a person is going to own that property, it will be their liability.

Mr. DeHart said that he felt a fence should be put up by the developer but the homeowner would have to maintain it.

Mr. Henninger said that there is one detention basin that goes across three lots, so that will be an issue as to who maintains what. There would need to be a shared maintenance agreement between the three lots.

Mr. DeHart asked if it could be reconfigured to make the basin less deep.

Ms. Letavic said this may be a possibility after the infiltration rates come back.

Mr. Kinzey agreed and said they would have to wait for the results to come back before that could be looked into.

Mr. Knopp asked who would be responsible if a drowning occurred in a detention pond.

Mr. Henninger replied that since there is no Homeowner's Association and assuming the township does not accept responsibility for these ponds, the homeowner would be responsible. Liability would not attach to the township.

Ms. Letavic added that the waiver is related to the infiltration volume requirement between 2007 and today. LST's Stormwater Ordinance changed; at the time the Preliminary Plan was approved, only rate-control was required for Stormwater, just detention. Now with MS4, we have water quality and they have to get an NPDES Permit, so they now have to

comply with that portion of the updated Ordinance. No other Ordinance updates since 2007 apply to this plan. She went on to say that there was testing done during the Preliminary Plan phase that wouldn't necessarily meet today's standards in terms of number of tests or depth of tests; the tests were inconsistent. Unfortunately though, we are in a portion of the township that is underlined by the Epler Formation, which is a highly sinkhole-prone limestone. She said she would like to see how it lines up with FedEx at the east end of Fulling Mill Road as opposed to the southeast end of Fulling Mill. Although she really wants the applicant to promote as much infiltration as possible, she can appreciate that we don't want a bunch of private property owners dealing with sinkholes in the future. So we are going to at least do additional testing to see what types of rates we can get; see if we can get some consistent data. HRG will be onsite for that as the applicant goes ahead with this work. When the rates come back, these basins could be reconfigured to see if we actually can infiltrate more volume and reduce the amount of detention that we need. Ms. Letavic added that maybe this is the type of development where individual infiltration trenches wouldn't be a bad idea; but again, with the Epler Formation, she's not sure they want to distribute it that far. So, she informed that she doesn't know this waiver is going to go away once testing is completed.

Mr. Knopp said that based on Ms. Letavic's comments, he does not want to address the waiver until the results come back.

Mr. Henninger said that he agrees with that. He also stated that he doesn't really know how to feel about the fencing around the detention ponds. Mr. Henninger then asked how high the outlet structure is.

Mr. Kinzey said the outlet structure was a few feet in the air, nothing extreme.

Mr. Knopp asked what the sizes of the proposed houses were.

Ms. Letavic said they were 2500 to 4000 square feet depending on which lot.

Mr. Kinzey added that the developer wants to leave that option up to the buyer to customize the home a little.

Mr. DeHart asked if the developer is planning on building the houses or will they have another contractor come in to do the work.

Mr. Kinzey said that the developer plans on building the houses himself.

Mr. DeHart and Mr. Kinzey then discussed fire hydrants. Apparently, the plan used two different symbols for fire hydrants. Mr. Kinzey will have that corrected.

Mr. DeHart asked about lot widths.

Ms. Eppinger stated that the lot width is measured at the front lot line. That is required to be 80 feet and, according to the plan drawings, some of the properties are a little short of that. (Lots 11 through 14). She also stated that she was not aware that the Preliminary Plan had a different name, so she could not locate their Preliminary Plan comments because she was looking under Williams Manor (instead of Bryn Gweled East.) She said she is sure they have the previous comments but she just didn't know to look under a different name. But still that doesn't change the measurement that she took from the plan drawing indicating that these lots are a little bit substandard. Using the scale on the plan of 1 inch equals 50 feet, some of the lots are closer to 50 feet at the front, and some of them are 70 feet.

Mr. Greene asked if they could just give us the actual dimensions of each lot. And this would be the width of the property at the 35 foot setback.

Mr. Kinzey said yes, that could be labeled.

Mr. Greene stated that when searching the previous submittal file, he did not see anything in there about a waiver for lot width at the setback line.

Mr. Henninger said they would've had to apply for a variance and he does not believe that was ever done. He said he highly doubts there was a Zoning Hearing on this.

Ms. Eppinger added that she believes there is a way to do this without going through that process but if they would amend where the setback line is, that would need to be displayed on the plan where it is appropriate because those driveways will have to be longer.

Mr. Kinzey asked if that is a potential solution because being how tight they are, can they put the setback farther back to make the 80 feet width.

Mr. Henninger said technically no, realistically maybe. We do not have flagged lot provisions in this township for irregularly shaped lots.

Ms. Eppinger stated that she felt if they labeled the lots on the plan, being that they look to be so close, that would be fine and we could go forward.

Mr. Wagner asked if the radius in the street should be less of a curve. He feels this would be a nightmare for plowing snow.

Mr. Henninger said the township has road design standards and he assumes they were followed.

Ms. Letavic added that because it was approved this way in the Preliminary Plan, she feels it was consistent.

Mr. Wagner asked if in a heavy rain event, will this complicate Lumber Street's flooding being that Lumber Street is a flood-prone area.

Mr. Kinzey said it is designed not to.

Ms. Letavic stated that the model says it doesn't by rate, but intensity is another thing.

Ms. Letavic and Mr. Wagner both agreed it won't make it better. There will probably be a lot of run-off.

Mr. Greene added that the normal storm that it is designed for, will handle it. But an extreme storm, will most likely cause a problem.

Ms. Eppinger also commented that there are 26 dwellings on one access point and that could be a potential issue. The Ordinance allows cul-de-sacs to have 24 units on it, so this is 2 more than allowed on a single access point. She stated she realizes this is not a cul-de-sac, but it essentially the same thing, one way in/one way out. Potentially, a boulevard treatment of the access point where you could block one side but still have access in and out may work, but with an approved Preliminary Plan, she is not sure what the regulations are on that. But just to keep on record, one in/one out with 26 homes is significant and needs to be taken into consideration. If there is an accident at the entrance to the development, there would be 26 homes that could not get in or out.

Mr. Henninger stated that from a certain standpoint, there is some potential rear access through the parking at the church and the cemetery. But there are some mitigating factors to that potentially.

Ms. Eppinger added that she knows in the past with some developments, there have been some access easements put in for emergency vehicles only or to be used in emergency situations. Potentially, this could be considered.

The fire hydrant locations were brought up again. Mr. Kinzey informed Mr. DeHart that if he feels there is a better location for them than what is listed on the plan, that would be fine. He said to go ahead and mark where the better spots would be.

Mr. Henninger commented that there is sewer capacity for these 26 lots that was part of the original agreement. It looks like the sewer construction will be completed this summer.

Mr. Knopp asked the staff if they had any further comments.

Mr. Greene stated that the Zoning Ordinance now allows up to 40% of lot coverage, so he asked Mr. Henninger if that would be applicable to this or would they have to stay under the 30% that was originally on the Preliminary Plan.

Mr. Henninger replied that he would think that they would gladly be willing to agree to the new provision. He thinks they could go either way. They could stay with the original 30%, which is probably what they will do, or they could put a note on the plan that says they are going with the existing allowance of 40% lot coverage rather than the 30% they already had in place. It all comes down to Stormwater.

Mr. Greene said his only other comment is that the notation of the PA DEP Planning Module approval for this project from April 2, 2007 is still active. If they need a copy of the letter, he has it. (Mr. Greene handed the copy he had to Mr. Kinzey at this time.)

Mr. Knopp asked the Planning Commission members if they had any questions or comments.

Mr. Knopp asked the Planning Commission what their recommendation was to do with this Plan.

Mr. DeHart made the motion to table the plan. Mr. Wagner seconded the motion to table. All were in favor.

Plan tabled.

Next submission would need to be into the Planning Office by Thursday, April 14, 2016 for the April 28, 2016 Planning Commission Meeting.

#### **OTHER PERTINENT BUSINESS**

None.

#### **ADJOURN**

A motion was made by Mr. Wagner and seconded by Mr. DeHart to adjourn the meeting. Motion unanimously approved.

Meeting adjourned at 7:49 P.M.

Respectfully Submitted,

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Robert S. Greene, Jr.  
Planning and Zoning Coordinator