

## MINUTES

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

**REGULAR MEETING  
May 26, 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  
Eric A. Breon, Vice Chairman  
Christopher DeHart  
Kimber Latsha  
Peter Henninger, Solicitor  
Jamie Eberl, Herbert Rowland & Grubic, Inc.  
Robert Greene, Planning & Zoning Coordinator  
Tonya Condran, Recording Secretary

Absent:

Paul Wagner

Others in Attendance:

Robert Shaffer (Kreider/Longview Rd.)  
Jason Wolfe (Raudenbush Engineering for Cramer/Maaco Body Shop)  
Catherine Prince (Raudenbush Engineering for Cramer/Maaco Body Shop)  
Solomon and Carolyn Cramer (Cramer/Maaco Body Shop)  
Matt Luttrell (ThYnk Design LLC for Cramer/Maaco Body Shop)

## MINUTES

A motion was made by Mr. DeHart and seconded by Mr. Latsha to approve the Minutes of the April 28, 2016 meeting. Motion unanimously approved.

### OLD BUSINESS:

None.

### NEW BUSINESS:

**NOAH KREIDER & SONS MINOR SUBDIVISION PLAN – Proposed Minor Subdivision Plan #2016-02 for 480 Longview Drive and 420 Longview Drive, as submitted by ACT ONE & Associates Engineering on behalf of Noah Kreider.**

Rob Shaffer from ACT ONE & Associates came to the microphone and introduced himself. He stated that he was here tonight for a recommendation to the Board for this lot sideline addition at 480/420 Longview Drive. The smaller parcel is 28 acres and the larger is 157 acres. The proposal is to subdivide about 15 acres off of the smaller parcel and add it to

the larger. There are no opposed improvements or changes; they intend to farm both pieces that will be joined together and the remaining smaller parcel will be put up for sale with the house.

Mr. Knopp asked if there were any questions.

Ms. Eberl from HRG asked if the iron pin in the middle of the property could be made into a monument.

Mr. Shaffer reported that the change has been made already.

Mr. Greene reported that the only thing we need to do is walk through the Non-Building Waiver Planning Module submittal. Also it would be conditional on receiving Dauphin County Planning Commission's (DCPC) comments. The submission deadline was missed with DCPC.

Mr. Henninger said that a recommendation could be made tonight subject to DCPC's comments.

Mr. Greene stated that if the conditions are subject to DCPC's comments and if there is an issue with one of their comments, it would have to be addressed, which would mean that the Board of Commissioners would send it back to the Planning Commission.

Mr. Knopp asked for the waivers to be addressed at the time:

- First Waiver: Preliminary Plats – no problem
- Second Waiver – Soil Erosion and Sedimentation Control Plan – no plan due to no earth disturbances.
- Third Waiver – Sheet size – no problem
- Fourth Waiver – Separate drawings of Proposed Lot – no problem
- Fifth Waiver - Contours with a five foot interval – no problem
- Sixth Waiver – Location Map – no problem
- Seventh Waiver – Road Widening – this is to meet any current standards, but since they are not building anything, they are requesting relief from that.
- Eighth Waiver – Curbs – no problem
- Ninth Waiver – Sidewalks – no problem

Instead of voting on each one individually, the Planning Commission members voted on the waivers as a whole.

Mr. DeHart made a motion to waive the requests. Mr. Latsha seconded. All were in favor.

Mr. Knopp acknowledged that the waiver requests have been approved. He then asked what the recommendation was then on the overall Plan.

Mr. DeHart made the motion to approve the Plan subject to the comments from the Dauphin County PC, HRG and Township Staff. Mr. Latsha seconded. All were in favor.

Plan has been approved by the Planning Commission with stipulations.

**CRAMER AUTO PARK – Maaco – 1998 West Harrisburg Pike, Middletown  
Proposed Land Development Plan #2016-03 for Maaco of Middletown Body Shop as  
submitted by Raudenbush Engineering, Inc. on behalf of Aero Corporation.**

Jason Wolfe of Raudenbush Engineering came to the microphone. He introduced himself and Catherine Prince from Raudenbush Engineering. He also introduced Solomon Cramer and his wife Carolyn; and Matt Luttrell from ThYNK Design LLC.

Mr. Wolfe then proceeded to discuss the proposed plan for the new Middletown Maaco Body Shop to be located at 1998 W. Harrisburg Pike. The entire site is 18.5 acres and the disturbed area will be about 2.03 acres. They are looking at erecting a new building and associated parking improvements with that. It will entail moving some macadam pavement and providing a lawn area for stormwater management.

Mr. Wolfe then discussed the two waivers that they are requesting:

- First – Preliminary Plan
- Second – Water Services. The Cramer's currently have a well that they use and the increase in water demand for this project would be 1 EDU so it would not be a significant increase or a significant demand on their well.

Mr. Wolfe went on to say that looking through the rest of the comments from LST and HRG, there is nothing too difficult to address.

As far as parking on this project, Mr. Wolfe said that with the building they are required to have 134 spaces but they have 175 spaces.

Mr. Wolfe explained that the property is one lot with three parcels on it. They are looking for a possible recommendation from the Solicitor as to how to clean up the deed plot. When they try to plot it, it doesn't close, so they provided a lot consolidation plan that states that and shows how the deed does not close and overlaps itself. They were thinking of potentially used this Plan to correct that deed and make this the Plan of Record for future projects; or potentially do an amendment to the existing deed.

Mr. Henninger advised them to note it on the Plan as HRG recommends but also suggested to record corrected deeds so the Cramer's don't have any problems with it in the future.

Mr. Knopp asked if there were any questions from the Planning Commission.

Mr. Breon asked if they could talk about the Fire Suppression System. He asked why a fire suppression system is not needed.

Mr. Greene stated that both he and Don Fure (LST Building Code Official) reviewed the International Building Code and the International Fire Code and found that based on the proposed use, type of construction, size and square footage of the building, that it meets the adopted International Codes and is exempt from fire sprinkler protection. The square footage of the proposed new building is less than what is required by the International Codes, so a full sprinkler system is not needed. But with that being said, portions of the building will be protected due to the paint booths having fire suppression systems.

Matt Luttrell of ThYNK Design then spoke about the Fire Suppression System that will be in place with the spray booths. They are required under NFPA and are of residential-grade off of the existing water line which means they are a single head. The existing well would not be able to satisfy the need for a full-blown sprinkler system throughout the proposed building.

Mr. DeHart added that a residential-grade produces 12 gallons per minute, while a commercial-grade produces 33 gallons per minute.

Mr. Luttrell added that this fire suppression system is fully designed and engineered separate from the building.

Mr. DeHart asked if there would be a bladder-system would help at all.

Mr. Luttrell responded that in order to sustain the 30 – 90 minute period, the size of that would be incredibly large.

Mr. DeHart said he was just thinking they would need something to hold enough water to last 10 to 15 minutes.

Mr. Breon added that would be long enough to do the job until the Fire Department got there.

Mr. DeHart then asked if they were putting a FDC connection on the building.

Mr. Luttrell said at this point they have not discussed that. He said again that they will be meeting all the minimum requirements from the 2009 Fire Code and what they are adding is a NFPA fire annunciation system and notification system so that the Fire Department would be alerted which is not a requirement by the Codes.

Mr. DeHart asked what their insurance company says.

Mr. Luttrell said he has not spoken with Solomon Cramer with regards to the insurance company but given that it is fully compliant, he has never had any issues with anything as long as the insurance company sees that they are compliant.

Mr. Cramer informed that when the Insurance Company came in for the current building, they just wanted the booths to have fire suppression systems.

Mr. Breon asked if by “fire suppression,” does that mean a dry chemical system.

Mr. Cramer confirmed that yes, it will be a dry chemical system. And the new booths will also be protected by the dry chemical fire suppression system.

Mr. Luttrell apologized. He was under the impression that it would be wet sprinklers in the new booths but it will definitely be the dry chemical fire suppression system. But there will be an alarm system for the entire building.

Mr. DeHart asked if the current system that they have right now in the old building is manual or automatic.

Mr. Cramer said he believes it is automatic but he will have to look into that.

Mr. Greene confirmed that the system in the old building is automatic.

Mr. Knopp asked the Township engineer if she had any questions or comments.

Ms. Eberl said she did have one question about the water supply. She said their calculation is based upon employees but then on the cover sheet, a car wash is listed. She asked if that was supposed to be approved.

Ms. Prince stated that the car wash was already existing. That was a previous plan.

Mr. Knopp asked Mr. Greene if he had any further comments.

Mr. Greene said that his Comment No. 1 on Zoning was the revising of the tabulation that was used to indicate the total proposed parking spaces. He felt it was a little confusing and they should clean up the cover letter to show that the total was 175.

Mr. Wolfe said they would do that.

Mr. Greene went on to say that he received a letter from Matt Cichy of HRG addressing the capacity that is required for the Sanitary Sewer discharge. This needs to go to the Municipal Authority along with the Borough of Middletown Authority to get those forms completed and addressed for the Planning Module.

Mr. Henninger added that this is part of the application requirements that they need to get certifications from both Authorities that there is sufficient capacity.

Mr. Greene added that once that is achieved the Planning Module will be submitted to DEP; therefore a condition would be that we would need DEP's approval letter before the Plan can be approved.

Mr. Breon expressed concern about the idea of not having to hook up to the township's water system. He does not remember ever granting a waiver to hook up to water. He just wanted to make sure we are not going to be causing some kind of problem here, and that somebody cannot come back someday and ask why they were permitted to be waived from water connection but not the other person.

Mr. Greene assured Mr. Breon that the low usage of water for this project is very minor. He feels it would be a whole different situation if we were looking at a building that would demand a water type sprinkler system and the owner would then probably agree to bring water in for that reason. But that is not the situation.

Mr. Henninger also added that in order to choose not to have the water hooked up, it would have to be a one-acre minimum lot.

Mr. Knopp said if there were no other questions or comments, the waivers will be addressed at this time.

Waiver #1 – The requirement of a Preliminary Plan in advance of a Final Land Development Plan.

Mr. DeHart made the motion to approve Waiver #1. Mr. Breon seconded. All were in favor.

Waiver #2 - The connection to the main water supply system. Mr. Breon was opposed to this waiver. At this time, there were no other motions to approve or deny. Further discussion then continued.

Mr. Luttrell then came back to the microphone and informed that he also sits on a Zoning Board. There are always projects where there are unique circumstances. This project (Maaco of Middletown/Cramers) is certainly unique and will have extenuating circumstances beyond that of other projects that may happen in the future. So given the circumstances of this project and remoteness of it from the water line, the cost of it would be prohibitive and would begin to approach 50% of the project cost. This is truly a unique project and there are certainly provisions for this board to make that exception in this case without setting a precedent.

Mr. Henninger agreed that if the waiver was granted he feels it is defensible because of the circumstances and would not create a precedent.

Ms. Prince added that the location of the water line and the extension to the property really is, in this instance, self-serving for very minimal gallons per day and Suez (the water company) is not looking for that extension to occur.

Mr. Henninger informed that, as the board knows, a recommendation is not needed. It can go before the Board of Commissioners without a recommendation and the Board can address it then.

Mr. DeHart also advised that there was no water line up Route 230 and that McDonald's was on a well also. He also added that this proposed building is a small building.

Mr. Knopp asked for Waiver #2 to be addressed again.

Mr. DeHart made the motion to recommend approval for Waiver #2.

Mr. Latsha asked for clarification on the underlying reason for the distinction between Residential and Commercial requirements.

Mr. Henninger explained that in the ordinances for Residential Zoning, if you have public water and public sewer, you are able to build smaller lots because you don't need the land to recharge wells. But other than that he was not sure of the reason for the distinction.

Mr. Breon stated that his recommendation was to pass it onto the Board of Commissioners without Planning Commission recommendation. He also stated this would be one of the first times we've ever done that.

Mr. Henninger said that he could tell the Board that the Planning Commission has some concerns which is why they are not making a recommendation on this waiver.

Mr. Knopp reminded that there is a motion on the floor and asked if there was a second to that motion.

Mr. Latsha asked what this property could be used for besides what is being proposed tonight.

Mr. Cramer replied that currently they are using it basically for parking for the overflow of the body shop as well as the car sales operation. The reason they are building this new building is because he says they are completely out of room and they just want to upgrade to a newer, nicer building that isn't over 40 years old. He stated that they are basically paved all the way up to the curb and they will add 20 feet of green around it. He says he is looking forward to having a nicer building that will be a lot more inviting to people.

Mr. Breon asked Mr. Cramer if Maaco was not going in there, what else could happen there.

Mr. Henninger said they could use it for whatever they choose as long as they brought it back through the Planning Commission for recommendation for approval.

Mr. Greene added that if they would change the use, it could trigger the fact that they would then need a fire sprinkler system in the building. Which could possibly mean that at that time, it may be necessary to hook up to the public water service.

Mr. Latsha was just concerned that because of it being a commercial business, it seems odd that they wouldn't have to connect for fire safety reasons.

Mr. Henninger replied that the building was small enough that it falls under the code that it wouldn't need a sprinkler system. A dry chemical fire suppression system is adequate for this size and type of building.

Mr. Greene clarified that if there ever was a change of use for that building in the future, it would need to obtain approval from both Codes and Zoning which could trigger the fact that they may need to connect to the public water at that time. The current Fire Codes limit the amount of material storage containers and the size of containers and where the containers have to be stored. This is all regulated by the Fire Code.

Mr. Cramer assured that everything is being brought up to current Fire Code regulations and since these will be all new paint booths, everything will be up-to-date to whatever the requirements would be for health and safety.

Mr. DeHart asked if there was any consideration given at all to put a dry system in with a FDC connection as a back-up.

Mr. Greene did not believe there was. He asked Mr. Luttrell if that was discussed between him and Don Fure.

Mr. Luttrell said it was not. He said they evaluated the building onto the current state codes, (fire code, building code, etc.), and everything was in compliance. The building footprint is 15,000 square feet and it is broken into fire areas so there is a three hour fire wall that separates out 12,000 square feet from that and isolates the bay area; and within that 12,000 square feet are the paint booths with their own fire suppression control. So he stated that they keep reducing it down and trying to contain the most hazardous portions. They also have added a fire notification system.

Mr. Latsha then said that if the motion is still on the table, he will second the motion to approve the two waivers.

Mr. Knopp asked if all were in favor.

Mr. Latsha, Mr. DeHart, and Mr. Knopp were in favor. Mr. Breon was not in favor.

Motion approved by majority vote.

Mr. Knopp then asked if there was a motion to approve the project.

Mr. DeHart made the motion to approve the project with stipulations contingent upon Dauphin County, HRG and Township Staff comments. Mr. Latsha seconded the motion. All were in favor.

Motion approved.

**OTHER PERTINENT BUSINESS**

None.

**ADJOURN**

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

Meeting adjourned at 8:00 P.M.

Respectfully Submitted,

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Robert S. Greene, Jr.  
Planning and Zoning Coordinator