

MINUTES

**LOWER SWATARA TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
NOVEMBER 16, 2017 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 Breon, Vice Chairman
Kimber Latsha
Dennis Fausey
Peter Henninger, Solicitor
Erin Letavic, HRG
Alexa Korber, DCPC
Ann Hursh, LST Planning & Zoning Coordinator
Tonya Condran, Recording Secretary

Absent:

Paul Wagner

Others in attendance:

Adam Davis, BL Companies
Tim Clouser, Resident

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

Mr. Knopp asked if there was a motion to approve October 26, 2017 meeting minutes. Motion was made by Mr. Fausey to approve the minutes and seconded by Mr. Breon. All were in favor. Minutes were approved.

NEW BUSINESS:

None

OLD BUSINESS:

BUDDY’S RUN SUBDIVISION PLAN – Review and discuss for recommendation the revisions to the application for an 11-lot single family detached dwelling subdivision plan to be located between Morgan Drive and Stoner Drive as submitted by BL Companies on behalf of Tim Clouser.

Adam Davis from BL Companies said that since they were here last month, they have responded to the County Planning Commission and Township Engineer's comments. He said that the review letters from the township and from HRG seem to be mostly administrative. The item that was the bigger topic was the waiver for the tree preservation. So he showed the Planning Commission with the new submission where the trees could most likely be preserved within the disturbed area. They feel that when the area within two feet of the existing grade of a tree trunk is going to be disturbed, it has less chance of surviving. Trees within fifteen feet of the house or in an easement will be removed. He again pointed to his new drawings to show where the trees would be preserved on the site. He said there may be larger areas of preservation of trees, but this is what they thought could be preserved at this time.

Mr. Knopp asked if the drawings showed the "worst case scenario."

Mr. Davis answered yes.

Mr. Knopp asked if there were any questions.

Mr. Fausey said he didn't have any problems with what they were proposing.

Mr. Breon said that he did not have any questions on this topic; he felt they did what was asked of them to do. He said he did have another concern regarding the one-way-in and one-way-out issue. He said that typically we try to have multiple ways in and out for emergency vehicles. He felt this was an issue before when this proposal of a development was presented some years ago.

Mrs. Letavic informed everyone that the ordinance on cul-de-sacs states that the threshold for a cul-de-sac would be 24 dwelling units. Technically, the development as a whole does not fit that definition of being a cul-de-sac, just because there is a loop.

Mr. Breon argued that it looks like a cul-de-sac to him.

Mr. Henninger agreed that he understood what Mr. Breon was saying but, under the law, it is not a cul-de-sac.

Mrs. Letavic stated that according to the ordinance, this is definitely not a cul-de-sac.

Mr. Henninger clarified that the development was a loop with a cul-de-sac off of that loop. But as a whole, the development was not a cul-de-sac.

Mrs. Hursh stated that she had copies of the meeting minutes from when this plan was here before. January 2007 was the first meeting and July 2007 was the second meeting, and it was a big concern that there was only one way in and out. In the end, they all agreed that there is no other way to do the development and that was determined even before the pipeline came in and took additional area.

Mr. Henninger said that the concern remains the same and it is understood that there is only one way in off of Rosedale Avenue.

Mr. Breon brought up the exit from Buddy's Run and Morgan's Run onto Rosedale Avenue; he feels it is absolutely atrocious. He feels it is an accident waiting to happen because there is no sight line especially to the left when pulling out of the development.

Mrs. Hursh said she believed that was one of the issues the last time also. Because they couldn't get another access, they talked about cutting back more of Morgan Drive.

Mr. Breon agreed and added that they did do something with the lot on Rosedale. The lot was altered in some way but he feels it is not enough. He says it is not that property owners fault because that house has been there much longer than these developments.

Mr. Knopp asked Mr. Clouser if he had any comments on that issue.

Mr. Clouser said there have been discussions on that and it has been an existing problem from day one. The property owner's land is elevated there so unless you are going to cut away his whole front yard, there isn't anything that can be done. He said although it is not an ideal area and there is not a good fix to the problem, it has not been treacherous. He does not know of any accidents that have happened there.

Mr. Breon said that he doesn't know of any accidents that have occurred there either, but the sight lines are brutal and he feels an accident there is inevitable.

Mr. Henninger said that it would have had to pass a traffic engineering study in order for Morgan's Run to be built.

Mr. Henninger went on to say that under LST's ordinance and under MPC and other definitions, this is a permitted way to develop that tract. It is not a zoning issue with this cul-de-sac off a loop street. Yes, the concerns about the one access are noted and he said he was sure they were raised when Morgan's Run went in.

Mr. Knopp asked for comments from the public.

Chris DeHart, commissioner-elect, asked what the County's position was on the cul-de-sac, because in 2007 County stated they didn't want any more cul-de-sacs.

Ms. Korber from Dauphin County Planning Commission said she would have that info at the next meeting but right now she did not have that information.

Mr. Henninger stated one way to handle this is to make is a boulevard entrance (with an island in the middle of the street) but this is a maintenance nightmare for snowplows and creates a turning radius issue for firetrucks.

Mr. DeHart said that he just wanted to know if County changed their position on cul-de-sacs from back in 2007.

Mrs. Letavic said that she thinks the board has changed in that time frame so that may be way their position may have changed.

Mr. DeHart stated that was a big issue that County pushed for because there were a couple instances where neighborhoods were blocked because of fire or ems calls, people were stuck.

Mrs. Hursh added that back in 2007 it was discussed whether an emergency access could be put somewhere in there but there wasn't a feasible place to do that.

Mr. DeHart said that there were only two places to do that but now it is not possible because of the pipeline. But other than that, nothing has changed since 2007, there are still the same issues.

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

There were none at this time.

Mr. Knopp asked Mrs. Letavic if she had any further comments.

Mrs. Letavic said that we had talked about the waivers last time, they did provide more information on the landscaping plan, but it is really not an engineering issue. It's what do you want your township to look like. The rest of HRG's items are signatures, roadway deed dedication information, confirmation that "Buddy's Run" is really the street name, just the loose ends that are tied up once the project is closer to being approved.

Mr. Knopp asked Ms. Korber if she had any further comment.

Ms. Korber said she had nothing further. County's biggest issue was talked about last time with who is going to be responsible for the stormwater management maintenance. But other than that, she said she just echoes Mrs. Letavic's statement of "what do you want your township to look like" when it comes to landscaping and the sidewalk issue.

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

Mr. Henninger said he agreed that it is an aesthetic issue as far as how you want to handle the tree thing. Other than actually going out and doing a tree-survey, there isn't much more that can be done.

Mr. Latsha said he didn't know what the best way was to handle the tree issue, but he just wanted to make sure that when other people go to develop we will keep in mind that this is all we required of these folks. He also stated that to him personally, the trees are important, within a range of reason and that is why we have an ordinance. He gave credit to the applicants for putting forth a good faith effort and coming back with a new plan, but he feels they could've done more.

Mr. Henninger stated that behind every house there is going to be a ton of trees. In the future, if someone comes in and has a sparsely forested lot, and they want to clear-cut the whole thing, it is a different situation and he feels we can draw some distinction. Mr. Henninger feels the circumstances are a little different here because it is literally a forest back in there.

Mr. Davis added the forest with the topography makes it a lot harder.

Mr. Henninger felt that if this was clear cut and he didn't think the Board would buy it, he wouldn't recommend to send it up that way. But he feels that with what is there, a full-blown tree-survey is too much to ask for.

Mr. Latsha said he doesn't feel that was what was recommended. He said that an ordinary identification for which trees could be preserved, not a tree-survey, was not an unreasonable thing to ask for. But he said he is willing to go with the plan they came back with.

Mr. Davis said that if there are trees outside of the areas they have marked on the plan that can be salvaged, they will be. But as far as guaranteeing where these trees are going to be is just too difficult at this point.

Mr. Knopp asked Mrs. Hursh if she had any further comments.

Mrs. Hursh said that most of her comments were already addressed. The ones that are left are the typical ones that are asked before the plan is recorded (O&M Agreement and such) that they really couldn't address right now anyway.

Mr. Henninger asked about the snow easements.

Mrs. Hursh replied that they did add two snow easements. She had talked to Lester Lanman and he prefers if there is one at the back. She also stated that the Fire Chief asked that the fire hydrant be moved to the front of the development. But that is not something we have in our ordinance that they are required to do. She added that they had already asked them to put two in, but now we are asking for three.

Mr. Knopp asked if that would be a lot of work to do that.

Mr. Clouser said they can't do it because there will be too many trees in the way.
(Laughter ensued.)

The plan will be adjusted to show easements and fire hydrants.

Mr. Knopp asked for any other questions or comments.

At this time the waivers were addressed:

Waiver #1 – Preliminary Plan to be waived and be presented as a Final Land Development Plan. Motion made by Mr. Latsha and seconded by Mr. Breon.

Waiver #2 – Fee in Lieu of Recreation Dedication Requirement. Motion made by Mr. Latsha and seconded by Mr. Breon.

Waiver #3 – Sidewalks deferred. Motion made by Mr. Latsha and seconded by Mr. Breon.

Waiver #4 – Tree Preservation Planning. Applicant requests the Township waive the requirement that trees with a caliber of 6" or more not be removed within 15' of a proposed foundation. Mr. Breon asked if we were able to amend that waiver request to reflect the plan as shown here today. Mr. Latsha would recommend approval for the waiver subject to the plan presented tonight. Mr. Latsha and Mr. Breon are in favor of a "partial waiver" to incorporate the commitments to maintain trees in the areas that are identified on the plan. Mrs. Hursh added that the recorded plan will show those areas on there and be recorded as that.

***Mr. Henninger clarified that the waiver should say to waive the 6" caliber (diameter) trees outside of the 15' from the foundation as modified by the plan as submitted tonight.

Mr. Latsha pointed out that on their new plan presented tonight, it shows a green area that will be behind all the houses. In this green area there will be "a ton" of trees.

Mr. Knopp now asked if there was a motion to accept this waiver. Mr. Latsha made the motion and it was seconded by Mr. Fausey.

All were in favor. Waivers have been approved.

Mr. Knopp now asked the Planning Commission members what they would like to do with the overall Buddy's Run Subdivision Plan.

Mr. Latsha made the motion to approve it with the stipulations. Mr. Fausey seconded that.

All were in favor.

Plan has been approved.

OTHER BUSINESS:

None

ADJOURN:

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

Meeting adjourned at 7:28 P.M.

Respectfully Submitted,

Ann M. Hursh
Planning and Zoning Coordinator