

## MINUTES

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

**REGULAR MEETING  
MAY 24, 2018 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  
James Young  
Peter Henninger, Solicitor  
Erin Letavic, HRG  
Alexa Korber, DCPC  
Ann Hursh, LST Planning & Zoning Coordinator  
Tonya Condran, Recording Secretary

Others in attendance:

Tim Mellott, Mellott Engineering  
Ron Paul, Commissioner, resident  
Chris DeHart, Commissioner, resident  
Jason Gutshall, Navarro & Wright  
Lawrence Dimeler, Jr., New Thing UM Community

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MINUTES:**

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

### **OLD BUSINESS:**

**File #PC2017-06 Stoneridge Lot 1 Final Land Development Plan** - The plan was tabled at the December 28, 2017 meeting and remains tabled at this time.

Mrs. Hursh advised that they are working on getting their comments addressed so they could come in with a cleaner plan. They have gotten DEP approval so they hope to be back here next month with all the comments taken care of. Mrs. Hursh also said that they will give her a time extension for the Commissioners Meeting so there won't be any time issues.

**NEW BUSINESS:**

**a. Campus Heights Village III, LP**, Planning Commission File #PC2018-01, with a time deadline of July 25, 2018.

Mrs. Hursh said they are also working on their comments and they will give us a time extension so there is no issues with that also. They will be back on next month.

**b. FINAL LAND DEVELOPMENT PLAN FOR WOODRIDGE PHASE II SECTION 9**, located on Overlook Drive, one lot, 4.35 acres, 32 proposed townhomes, zoned Residential Urban, owned by Joseph and Dorothy Messick, submitted by Mellott Engineering. Planning Commission File #PC2018-02, with a time deadline of August 22, 2018.

Tim Mellott of Mellott Engineering, representing the plan of the last phase of Woodridge, explained that this would be on the south side of Overlook Road. The 32 units will be developed and owned by a single owner. There is public sewer and public water and the buildings will be sprinklered. As a part of this plan, the tentative plan for the approved PRD allocated 32 units, although the layout was not conducive with today's standards because of poor angles. He said they have reduced the impervious coverage slightly as well as provide more adequate access drive widths and turn-around cul-de-sac diameter exceeding township street criteria. They have a 24 foot wide access drive. From a fire protection standpoint, there is a public fire hydrant that was installed with the last phase of Woodridge right in the center of their lot. That hydrant is within 300 feet of all units. They also wanted to make sure there was the ability for proper access into the site so they did an 80+ foot diameter cul-de-sac. They were originally considering bringing the road through as a through-street, but the grading of the site is not conducive to bring a road down in there and it would have generated several thousand more cubic-yards of material that would have to be exported off the site. Every truck can only take 10 cubic-yards of dirt, so that would be hundreds and hundreds of truckloads out onto the road and that cost would take the project from being financially feasible. That was the main justification of doing the minor modification of the single access point. But he reiterated that the plan does have 24 foot wide drives as well as a cul-de-sac diameter is excess of 80 foot in diameter and they have restricted the cul-de-sac on parking.

Mr. Mellott then went into the Stormwater standpoint. He said they made sure they maintained the divides. There is a portion of the south west rear corner towards Spring Garden Drive that flows into a stormsewer system that ultimately drains to the stormwater basin that is right along Spring Garden Drive. The majority of the site flows to the north into the stormsewer system that ultimately discharges into the large basin that has the baseball field down along Rte. 283. He said they wanted to make these upgrades because there was concern about capacities of

downstream sewers and they will be compliant with current NPDES criteria relative to CG1 recharge requirements. He said that they have implemented 3 BMP infiltration facilities with the project in order to meet their volume requirements but in addition to that they made these facilities have the ability to provide for rate control as well. So the discharges from the three facilities are extremely low which would help relieve any burdens on the existing stormsewer system. This plan is being developed in consistence with what was allocated for the PRD and the impervious coverage with a slight reduction in the impervious coverage.

Mr. Mellott also advised that there is a tentative agreement with the Township in regards to their plan with paving improvements.

Mr. Henninger said there is a letter agreement with Triple Crown that they will bond and finish Overlook Road and finish Maplewood Lane. There has also been a concession made in regards to tapping fees in order to get these roads done without more expensive means of resolution. We are going to need a more formal developer's agreement as part of this process but we will wait until we get the plan in because there may be some additional things that would end up being on that. Generally, we cannot require offsite improvements but we have a tentative agreement between the applicant and the Township.

Mr. Mellott added that whatever the Solicitor ends up feeling comfortable with, they will be fine with. Mr. Mellott said that their goal is to be as aggressive as possible and all the paving will be done at the same time. They were also going to coordinate with all the home owners to give them the opportunity to get a very reasonable price to do their driveways at that time.

Mr. Mellott went on to say that they are fine with all the comments and are willing to bring in the items that are in LST's current Ordinances. He then asked the Planning Commission and staff to look over all the comments and ask him any questions about any of them.

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

Mr. Breon had a question for the staff. He asked if this has been through the Fire Department yet.

Mrs. Hursh informed that she had sent the Fire Department an email when the Plans came in advising them to come pick up their copies so they could review them and give us comments but no one ever came to get them therefore we do not have comments from the Fire Department.

Mr. Mellott added that LST's Ordinance for this area requires fire hydrants to be within 1200 feet of each residence, but they feel that must be outdated. He said they always plan for fire hydrants to be within 300 feet of every residence.

Mr. Breon said that is why he asked that question because the closest hydrant he sees is out on Overlook Road.

Mr. Mellott said that fire hydrant is within 300 feet of all of the proposed units. He also added that they have provided vehicular access to their private driveway that actually meets LST's street criteria relative to cul-de-sac turnarounds.

Mr. Mellott said they are happy to incorporate another fire hydrant into the plan if that is what would be required.

Mr. Breon added that there is really not much he can say if the Fire Department has not taken the time to look at the plans.

Mr. Breon then brought up the subject of drainage. He asked if two of the three are draining down to the ballfield.

Mr. Mellott responded that at least 75% of the site drains over Overlook into the stormsewer, through the Maplewood Lane area, across that next road and then into the stormwater facility.

Mrs. Hursh had a question for Mr. Henninger. She said that they want their own Homeowners Association and they are going to have the stormwater drain down into the Woodridge Basin. Would they need a Developer's Agreement or legal document for that?

Mr. Henninger responded that we are going to do a Developers Agreement about that as opposed to a note on a plan, that whoever's property it is on, it would be their responsibility to maintain. We want to delineate where Triple Crown ends and where Woodridge begins.

Mr. Mellott said that is easy. Triple Crown's property will be totally separate from Woodridge. They made it clear that part of the purchase agreement was that they do not want to be part of the Woodridge Home Association. They were originally going to do a HOA for just their property, but then realized they do not need an HOA because they are a single owner.

Mr. Henninger asked if this project is proposed to be 32 townhouses, 32 apartments, or 32 condominiums.

Mr. Mellott responded that there were 32 units that were owned under one single ownership that are not for sale.

Mr. Henninger reiterated that the 4+ acres will be owned by one entity and that entity will be responsible for the basins, trenches, facilities, and whatnot, until it gets to the line of where the Township responsibility begins.

Mr. Mellott agreed that everything inside of their lot is their responsibility.

Mr. Latsha asked if the entity that would be signing the Developer's Agreement would be Triple Crown Corporation.

Mr. Mellott said they wanted to get contingent approval on the Plan and then move forward with the purchase.

Mr. Henninger added that he would anticipate that it would be a different entity in the end.

Mr. Latsha just wants to make sure they have wherewithal, whoever the entity is.

Mr. Mellott said that obviously they want to make sure the plan is approved before they go ahead and buy it because if they buy it first and then find out it cannot be developed, they won't be able to sell it then. This way they know what their parameters are.

Mr. Henninger advised that the Township would like them to be legal owner before the Plan is recorded so those agreements will be binding.

Mr. Breon asked about the gradient going into Basin 2.

Mr. Mellott replied that they had a 3 to 1 gradient as the steepest. He also added that the way he has it designed, there will never be a substantial depth of water there.

Mrs. Letavic added that usually with this type of design, if the couple inches of soil on top of the rocks depth is appropriate and there are vegetation bushes and it isn't compacted, it is very unlikely that you'll even see standing water because it gets through that soil and gets up taken by the roots. Once it gets through, it's in the stone.

Mr. Breon said that is all good to hear however there is standing water in basins all over the township.

Mrs. Letavic said this one is designed a little bit differently.

Mr. Mellott added that he has never seen soils like that before; they are so sandy that they are more concerned about having the ability to structurally build on it. But because of this sandy soil, he had a hard time keeping any water in the pit.

Mr. Knopp asked for any other questions or comments from the Planning Commission. There were none at the time.

Mr. Knopp asked Mrs. Letavic to address her comments.

Mrs. Letavic began with her comment about an updated Sewer Planning Module; she asked if Mr. Mellott had a response for that yet.

Mr. Mellott responded that on the plans, they were just carrying the same note over. The Sewer Authority is in the process of reviewing the plan. They did sewer planning with the overall project, so the Sewer Authority will shed light on that and if there is an issue, they will process an exemption.

Mr. Henninger informed that there is more than enough sewer capacity to cover the 32 units.

Mr. Mellott said they will follow up with the Sewer Authority formally to get something on record.

Mrs. Letavic continued on with her comments about stormwater. They are primarily notes and minor changes in the details. The design related ones are basically requesting documentation of this project compared to the original because from a rate perspective, the Township is required to resort back to the old Stormwater Ordinance from the previous plans. But he still has to do stormwater for this project because of the NPDES permit that he needs for the project. So that is another reason why you see BMPs here because if that regulation did not exist, you might not have seen any at all. From a performance perspective of the existing pond down at the ballfields, this site should hold more water on site than fifteen years ago it would have been required to. So, in theory, if everything is constructed properly, it should not impact that downstream pond.

Mr. Knopp asked Ms. Korber if she had any comments from Dauphin County PC.

Ms. Korber had nothing major. She mentioned that they thought building 6 looks a little disconnected from everything else, especially when it comes to the mailbox and the pavilion.

Mr. Mellott responded that originally they were trying to incorporate a sidewalk over to that but one of the things they try to do with stormwater BMPs is to have disconnect, not put it in the stormsewers, so they have water running down along the curb-line along building 5 that drains down into the facility that they are doing. So they recognized with the large diameter that they have and the lack of traffic, so there is parking in front of the mailbox, they are proposing 80 spaces which is in excess of what is required by ordinance. So his point was that most people would be driving to the mailboxes anyway. He also said that if there was concern, they could maybe just provide striping along the edge of the cul-de-sac.

Ms. Korber informed that Dauphin County does a Regional Growth Management Plan every couple of years and through that they establish things called Planned Growth Areas where they determine areas that they would like to see grow. And this is in that area.

Mr. Henninger went back to Mrs. Letavic's comment #11 about adding notes to the plan regarding paving Overlook and Maplewood that it would be covered in a separate agreement, but he would like the stormwater to be added in that same note.

Mr. Mellott said he would come up with that agreement note and send it over to Mr. Henninger.

Mr. Henninger said he understands the buildings will be sprinkled, but are there sprinklers or smoke detectors in the attics? These are the things that are important for the Fire Department to review. So if this Board was so inclined as to move this forward, he would recommend doing so with the strong recommendation that the Fire Department take a look at it.

Mr. Knopp wanted to make a comment. He said he is very disappointed and he doesn't ever remember a time that the Fire Department has not reviewed plans before it got to this stage.

Mr. Breon felt we can only make a conditional approval before we go any further with this until we get feedback from the Fire Department.

Mr. Knopp agreed 100%.

Mr. Latsha asked if as far as the inside goes, are there Code requirements that need to be complied with at a minimum.

Mr. Latsha then asked if the Fire Department reviews this and it is conditional upon review, and they make a suggestion that is not a Code requirement, where would we go from there.

Mrs. Letavic said that honestly that is why she did not make the comment because she cannot point to an ordinance that requires it.

Mr. Henninger said he is sure of that but he doesn't know what the Code is.

Mrs. Letavic asked if it would be possible to grade in a reinforced turf access off the cul-de-sac somehow.

Mr. Mellott said that he could show it on a plan, but it will not be possible to get up it because of the 3 to 1 slopes. That is the reason the road does not go all the way through because the grades of the site are not conducive to a through-street.

Mr. Knopp asked Mrs. Hursh if she had any questions from the Township.

Mrs. Hursh said most of her comments are general and she did not duplicate Mrs. Letavic's comments. We will need the Fire Chief's approval for Zoning. She said she did notice that they could not put a through-road in because of the grading and infiltration system.

Mr. Mellott said that one of the things with the through-street is that it eliminated the ability to capture a large portion of the stormwater because then it would have been lowered and they would have had no ability to collect it and treat it before it would go into the stormsewer.

Mr. Knopp asked if there were any other questions or comments.

Mr. DeHart from Old Reliance Road came to the microphone. Mr. DeHart is a past Fire Chief. He said that he hasn't seen the whole plan but he feels the biggest issue is access. He feels that minimum there should be a fire hydrant at the entrance on the side that has less homes so that the side of the entrance that has the more homes won't be blocked.

Mr. Knopp then asked the Planning Commission what they would like to do with the Final Land Development Plan.

Mr. Latsha asked Mrs. Letavic if she was satisfied.

Mrs. Letavic responded that she feels all the comments can be addressed without significant changes.

Mr. Latsha then made the motion for approval with the Developer's Agreement, and with all the stipulations that are made satisfactory to the staff, and the final reasonable approval by the Lower Swatara Fire Department. Mr. Young seconded the motion. All were in favor.

Plan approved with the above conditions.

**c. PRELIMINARY/FINAL SUBDIVISION/LAND DEVELOPMENT PLAN FOR STAR BARN DUPLEX UNITS**, located on Nissley Drive, south of I-283, one lot, 3.67 acres, 12 duplex units, zoned Residential Urban, owned by Star Barn Townhomes, LP, submitted by Navarro & Wright Consulting Engineers, Inc. Planning Commission File #PC2018-03, with a time deadline of August 22, 2018.

Jason Gutshall from Navarro & Wright came to the microphone and introduced himself. He explained that this project would be on the former Star Barn property. The owner has purchased the property outright already and are planning to do 6 duplex units, all one ownership to be apartments or leases. He went on to say that they have had a pre-application meeting with staff, Lester Lanman, and Erin Letavic, and Ann Hursh, to go over some of the things. The plan that was brought into them looked a little different than this one; they had two basins and as they worked through the grading and some of the issues with existing stormsewer on the site. He said they just seemed to be fighting themselves from one utility to another. There is a pipe that comes from Route 283 that discharges around what was the old pond. It creates like a wetland swale. They have a full wetland report that has been done that shows how it generates their existing conditions. The pond doesn't hold water anymore because the berm is blown out.

Mr. Gutshall went on to say that as part of this plan, they presented it with notes on some grading and a new outlet pipe for the existing pond. The pond would just be aesthetic not recreational. The pond repair would not be any part of their stormwater either, it's a separate item. The basin next to the pond is designed to hold and treat all the water. The NPDES permit for water quality will be going in about a week or two. They would like to get their comments from the Township before that goes in.

Mr. Gutshall explained the location of the site. He said they were coming off Nissley Drive. The Nissley right-of-way goes the whole way to Route 283. As part of the plan and what is part of their property includes that right-of-way, because there doesn't seem to be any future use for it. He said that Lester Lanman told them that the township pushes snow back there, so they did provide some space in their plan for a snow pile area.

Mr. Knopp asked if they were proposing curbing.

They were not because they need the water sheet flow off the driveway. Mr. Gutshall said they provided a reinforced area for the fire trucks.

Mr. Breon asked if there was a pumping station planned for this property.

Mr. Gutshall said there is an existing sewer near the house that is back there but there is a storm pipe so they cannot get into it with gravity. So what they would be looking at is gravity to a small duplex grinder pump station that would be privately owned and operated by the one entity who would own and lease the townhomes.

Mr. Henninger said that the Municipal Authority is not happy with that proposal. The problem is that if this mini pump station would fail, the ultimate responsibility is the Township's. The thought is that most of it can be done with gravity with some grinder pumps for a few units.

Mr. Gutshall said they looked at many different routes but because the street is very flat and because of the connection locations and the stormsewer pipe location, they cannot get much depth for gravity flow.

Mrs. Letavic advised that the stormsewer could be changed.

Mrs. Letavic asked Mr. Gutshall to give information on the retaining wall.

Mr. Gutshall explained that they made space there so it could be built. The property from the pond slopes up to Route 283.

Mr. Fausey asked if it was for noise reduction.

Mr. Gutshall said no, right now it is for grading purposes. He said that what they are basically doing is creating a flatter area for the back yard. The retaining wall is about 3 to 4 feet tall and will hold the dirt to be able to create that flatter area.

Mrs. Hursh says she has concerns about this because with the patios back there, and the wall, and the house all within 10 feet, she doesn't know where the water is going to flow.

Mr. Gutshall said there will be a couple yard inlets catching the water and pulling it out to the front.

Mr. Breon asked how far the retaining walls were from Route 283.

Mr. Gutshall said they were probably 40 or 50 feet away.

Mr. Henninger asked Mrs. Letavic if a sound barrier was going up in that area.

Mrs. Letavic said not that she was aware of.

Mrs. Letavic asked Mr. Gutshall to explain what type of pavement improvements they may be proposing.

Mr. Gutshall said it is not 100% clear yet but he would say an overlay back to the new pavement and then full depth there. He said they would have to look at the width too.

Mrs. Letavic agree. She said right now she believes it is delineated as if it was a service drive so it is only about 20 feet wide. So the overlay would have to meet today's standard.

Mrs. Letavic then asked about tree preservation.

Mr. Gutshall said he didn't think there were any trees on the site.

Mrs. Letavic said there looks like there are two tree symbols on the plan.

Mr. Gutshall said they would look into it.

Mrs. Letavic said she understands that they are bypassing a lot of drainages that are not theirs from underneath the highway. One concern of hers is what happens to that pipe during a 100-year storm, so we have an understanding related to if that system would fail and it is all slipping downward over their retaining wall. How would that water flow between the buildings without negatively impacting the buildings?

Mr. Gutshall explained that the culvert pipe goes into an outlet box then drops, fills up, and then the pipe comes out of the site. But he will get some numbers on that for the next meeting.

Mrs. Letavic then brought up the topic of the pond and the pipe. She told him we would need more detail on what's proposed there and also any required regulatory coordination.

Mr. Gutshall said their goal is to fix it but if they go to DEP and they say they don't want any ponds anymore, they will have to do away with it.

Mrs. Letavic said there is a reason why the Township is interested in seeing that pond restored. In years past, it actually served for some flood mitigation downstream and we are already going through the process of upgrading some of the culverts down at the intersection of Lumber Street and Spring Garden Drive. This water all makes it down to there. She said she has been told that when that embankment breached, flooding became worse downstream. So that is

why we are interested in the property owner restoring that feature because it actually did serve a purpose. There is a stream flowing through it and that is why it is a DEP issue.

Mr. Knopp asked DCPC for comments/questions.

Ms. Korber added that the stream is a tributary of Burd Run which is a designated warm water fishery.

Ms. Korber just wanted to point out that further down Nissley Drive, there is strong sidewalk presence. Other than that, there are no other major comments from DCPC.

Mr. Knopp asked Mrs. Hursh for comments/questions.

Mrs. Hursh said she just had some general comments/questions. Are mailboxes going to be at each unit or will there be a central one? Parking? Sidewalks? They should propose a street name so we can get addresses at some point. Trash collection? Her bigger concern was the driveways and parking spaces. There must be two parking spaces per dwelling unit and they must be five feet from the side lot line requirement. She is not sure they meet the requirements.

Mr. Gutshall asked if the garage would count as 2 parking spaces.

Mrs. Hursh said yes, if they have 2-car garages that would count.

Mr. Fausey asked for clarification on where the property starts. He asked if where Nissley Drive ends is where the property begins.

Mr. Gutshall responded yes.

Mr. Fausey asked why we were concerned about snow removal then.

Mrs. Hursh said that we still have to plow Nissley and the snow needs to be pushed somewhere.

Mrs. Hursh informed again that the Fire Department comments were not received but they did add the emergency turn-around after the pre-application meeting.

Mr. Knopp asked for any other questions or comments. There were none.

Mr. Knopp then asked what the Planning Commission would like to do in regards to this plan.

Mr. Latsha made the motion to table it. Mr. Breon seconded the motion to table. All were in favor.

Plan tabled.

**OTHER BUSINESS:**

The next Planning Commission Meeting will be held on Thursday, June 28, 2018 at 7:00 P.M.

**ADJOURN:**

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

Meeting adjourned at 8:22 P.M.

Respectfully Submitted,

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Ann M. Hursh  
Planning and Zoning Coordinator