

MINUTES

LOWER SWATARA TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
April 25, 2013, 7:00 P.M.

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

Chauncey D. Knopp, Chairman
Eric A. Breon, Vice Chairman
Paul Wagner
Kimber Latsha
Christopher DeHart
Erin Garber Letavic, Herbert Rowland & Grubic, Inc., Township Engineer
Brenda Wick, Planning and Zoning Director
Angela Yealy, Recording Secretary

Excused:

Leah Pearlman-Storch, Dauphin County Planning Commission

Others in Attendance:

Matt Genesio, Campus Heights Associates I., L.P.
Chuck Hess, Forino Company, L.P., Campus Heights Associates I., L.P.
Tim Sipe, Campus Heights Associates I., L.P.
Ron Lucas, Stevens and Lee, Campus Heights Associates I., L.P.
Courtney Lehman, Scannell Properties, FedEx Ground Harrisburg East
Betsy Davison, H. Edward Black and Associates, Ltd., FedEx Gound Harrisburg East
Robert Murray, Panattoni Construction, Inc., FedEx Ground Harrisburg East
Josh Keister, Panattoni Construction, Inc., FedEx Ground Harrisburg East
Gregory Creasy, Grove Miller Engineering, Inc., FedEx Ground Harrisburg East
Timothy Przybylowski, P.E., Century Engineering, Dauphin Street Partners, L.P.
Matt Tunnell, GreenWorks Development, Dauphin Street Partners, L.P.
Bobbie Van Buskirk, GreenWorks Development, Dauphin Street Parners, L.P.
Jim Gingrich, GreenWorks Development, Dauphin Street Partners, L.P.

Residents:

Ruth & Ron Helwig
Peggy Ginnovan

MINUTES

A motion was made by Mr. Breon and seconded by Mr. Latsha to approve the Minutes of the March 28, 2013 meeting.

Motion unanimously approved.

CAMPUS HEIGHTS ASSOCIATES INC., L.P.
REVISED LAND DEVELOPMENT PLAN

The Planning Commission reviewed the Revised Land Development Plan for Campus Heights Village-Wood Street Access, submitted for Campus Heights Associates I., L.P., and prepared by Forino Company, L.P. Three waivers were previously recommended for approval.

Matt Genesio, Campus Heights Associates I., L.P., stated that nothing new has occurred since the previous Planning Commission Meeting.

A motion was made by Mr. DeHart and seconded by Mr. Latsha to table the Revised Land Development Plan.

Motion unanimously approved.

CAMPUS HEIGHTS ASSOCIATES INC., L.P.
STUDENT HOUSING, SPECIAL EXCEPTION

The Planning Commission reviewed the request for a Special Exception for the use of Student Housing in a Commercial Neighborhood District submitted by Campus Heights Associates I., L.P., and prepared by Forino Company, L.P.

Mr. Genesio stated that they are requesting to have the Special Exception approved to allow them to move onto phase two of Campus Heights. They are still proposing the same site plan as previously shown.

Ms. Wick commented that this is consistent with what they have been presenting at previous meetings.

Mr. Breon questioned why this approval was not granted at the last Planning Commission meeting.

Ms. Wick replied that they did make a positive recommendation to change the zoning to a Commercial Neighborhood (C-N) District. Within the C-N District, they also need to get a Special Exception to permit a student housing use. Special Exceptions need to have reports to the Zoning Hearing Board from the Planning Commission.

Mr. Latsha questioned if the entire Eagle Heights area was re-zoned as Dauphin County recommended.

Ms. Wick stated that only what had been advertised could be re-zoned. Without re-posting, re-notification and having an additional hearing, the Board of Commissioners could not make that motion. This was not an option once the hearing was established.

Mr. DeHart commented that he would like to see a better plan with a design to improve Lawrence Street as opposed to the plan that they are showing currently.

Mr. Genesisio stated that once they get through the Zoning Hearing Board, they will take a closer look at which options would fit best for the Township and the overall development of the site.

Mr. DeHart stated that it would be better if they were able to continue Lawrence Street straight back and have it circle around so that the Township and emergency vehicles would have better access to that area.

A motion was made by Mr. Latsha and seconded by Mr. Wagner to approve the Special Exception for the use of Student Housing in a Commercial Neighborhood.

Motion unanimously approved.

**FEDEX GROUND HARRISBURG EAST
COMBINING SUBDIVISION AND FINAL LAND DEVELOPMENT PLAN**

The Planning Commission reviewed the Combining Subdivision and Final Land Development Plan for FedEx Ground Harrisburg East, submitted by Scannell Properties, and prepared by H. Edward Black and Associates, Ltd. Six waivers were previously recommended for approval.

Courtney Lehman, Scannell Properties, FedEx, stated that they have been working on the plan with the Township staff for several months and they have taken some of the recommendations that they discussed last month and implemented them into the Land Development Plan. They are requesting recommendation for conditional approval from the Planning Commission to move onto the Board of Commissioners.

Ms. Wick stated that her comments are checklist items and there are no changes to the plan requested by any of her comments.

Ms. Letavic stated that there are some things that should be noted as there were changes made according to some of the recommendations. Slide gates have been proposed in certain locations throughout the site and within the stormwater conveyance system in order to be able to shut off any flow to the creek in an emergency. Retaining walls have been shifted to the locations where they need to be, and the grading is updated. The detail is consistent with standard practice. A draft spill plan (PPC Plan) was submitted as well, and everything

in that plan is customary and what is expected. If a site specific spill plan would be drafted, it would be nice to have that on file at the Township, so that it could be referred to in an emergency. Highway Occupancy Permit (HOP) and right of way plans have been reviewed, and there are no further stormwater comments.

Mr. Knopp questioned if anything has been done regarding the traffic light discussion from the last Planning Commission meeting.

Ms. Wick commented that two items to discuss would be the emergency preemption and the line striping request to have a right/flow through and a designated left turn lane.

Mr. Lehman stated that at the last meeting they discussed placing an emergency vehicle preemptor at the existing signal at Fulling Mill Road and North Union Street, because they are proposing to have this at the two new traffic lights at the ramps. He believes that Scannell Properties would be willing to do this, but they would like to see it happen in a process outside of the land development and building permit process. They may provide the funding to install the preemption and to revise the traffic signal permit. Since it is lagging behind the other permits already submitted to PennDOT, it might slow down the process. They do not have a problem doing this, but since it is not part of the HOP requirements from PennDOT, they would like to keep this on a separate track.

Ms. Wick asked that they add notes to this affect on the Plan, and also that they provide a draft document agreement to that affect for the Township Solicitor to review.

Mr. DeHart questioned if anything will be done regarding the westbound traffic and adding a left-turn lane versus a straight through at the Fulling Mill Road and North Union Street intersection.

Mr. Creasey stated that they are retiming that intersection with the other two traffic lights as part of the new signal system. The timings for that approach will be different than what they are currently, because the traffic will be increasing. Based on the analysis that was approved by PennDOT, they believe the lane configuration as it is now will be sufficient. If for some reason it becomes a problem, it would not be a huge ordeal to fix this in the future.

Mr. DeHart commented that if this becomes a problem down the road, the Township would be responsible to restripe the road or reprogram the traffic signals. Mr. DeHart stated that they have had several serious accidents at that intersection already, and he is trying to be proactive.

Mr. Breon commented that they are going to add truck traffic in a quantity that does not exist today at all.

Mr. Lehman stated that the studies have considered the additional truck traffic and they look at the service levels.

Mr. DeHart questioned if they can add a comment to the plan stating that after six months or one year of operation, this area would be evaluated and they would be responsible for making any of the above mentioned changes if necessary at that time.

Mr. Breon questioned Ms. Wick if this time period should be six months or one year.

Ms. Wick replied that six months after being in operation would be sufficient.

Mr. Lehman stated that they are agreeable to having the traffic reevaluated after six months of being fully operational.

Mr. DeHart questioned where the fire hydrants are located.

Betsy Davison, H. Edward Black and Associates, Ltd., showed the utility plan and indicated where the Fire Department connection and the fire hydrants are located on the plan.

A motion was made by Mr. DeHart and seconded by Mr. Latsha to approve the Combining Subdivision and Final Land Development Plan with stipulations.

Motion unanimously approved.

DAUPHIN STREET PARTNERS, L.P.
FINAL SUBDIVISION PLAN

The Planning Commission reviewed the Final Subdivision Plan for Dauphin Street Partners, L.P., submitted by Dauphin Street Partners, L.P., and prepared by Century Engineering.

Timothy Przybylowski, P.E., Century Engineering, stated that the Final Subdivision Plan qualifies as a Minor Subdivision Plan according to the Township Ordinance. Labeling will be added to the Plan to reflect the minor status. The Plan essentially subdivides 13.8 acres from the existing Middletown Cemetery Association Plot from the parent tract. The dividing line parallels the private cemetery road that comes in off of Spring Street. Approximately 4.6 acres is in Lower Swatara Township, and the remaining tract is in the Middletown Borough. They conducted a pre-application meeting with Ms. Wick and her counterpart with Middletown to see how this submission would work between the two municipalities. They are scheduled for a Middletown Borough Planning Committee Meeting on May 15. One of the suggestions that they have received was to add signature blocks for both Municipalities on the plan, so they will add Middletown Borough signature blocks to

the current plan alongside the Township signature blocks. The same plans were essentially submitted with different title blocks to each Municipality. The 13.8 acre parcel complies with the current Township Ordinance. There is only one waiver request which is to eliminate the requirements for a preliminary plat. Ms. Wick requested that a formal letter be submitted, and this letter was submitted to her yesterday. With regard to comments supplied by Ms. Letavic, one additional concrete monument was requested at the northern property line where it intersects the Municipal boundary. They have agreed to add that monument at that particular point. One other comment asked whether a waiver was required for E&S Plan. Since there is no earth disturbance, this is a Subdivision only and there is no Land Development associated with this submission. A waiver was deemed not to be required.

Mr. Latsha questioned what the ultimate plans were for this site.

Mr. Przybylowski replied that student housing is a consideration. The zoning district of the Township portion is Educational-Institutional (E-I) which is the same zone as the Penn State Campus. The zoning district in the Borough is Residential Multi-Family, and student housing is a permitted use for that zone as well.

Mr. Breon commented that if they are buying adjacent property to Eagle Heights with a possibility for more student housing, it would be nice to have some thoughts from both Dauphin Street Partners and Campus Heights on how to mitigate the public concerns in the area.

Matt Tunnell, GreenWorks Development, stated that having been involved in the student housing projects for about three years now, he knows exactly where Mr. Breon is coming from regarding all of the issues the residents have been dealing with. They are interested in having some type of connection to what they are already doing in the area since Penn State Harrisburg is the largest driver of economic activity in this area. Student housing is highly likely to be part of whatever they develop, but there are other uses, particularly in the EI zoning district, that would allow other potential uses. There are other commercial type uses that would be accessory to the student housing. These are things that they need to take a look at to see what would make sense and how it would play out with the infrastructure that could be part of other development plans that occur before they would move forward with their development plan. Many things could dictate how their plan would move forward. They appreciate the issues of the disturbances that are occurring in the neighborhood, which occurred as soon as they started building the student housing. They are not buying this property to farm which is the current use, so they will build, which will have an impact on the residents that remain in this area. They only know that this seems like a very good opportunity for them to purchase this land as there are not any other tracts of this size that are readily available and for sale in the Township or Borough that are contiguous to Penn State Campus.

Mr. Breon commented that residents have come to the Township meetings practically in tears over what has been going on since the student housing has developed.

Mr. Latsha commented that they have created an island and he feels that the whole section should be re-zoned. Many residents had contracts to buy out their homes which they believed to be enforceable, but they were not. Now they are locked into a little island and if this last tract is developed, they are completely surrounded by student housing. The whole character of that neighborhood should be student housing, and it would be nice if the developers could find a way to solve this problem.

A motion was made by Mr. Breon and seconded by Mr. Wagner to approve the waiver to eliminate the requirement of a preliminary plan.

Motion unanimously approved.

A motion was made by Mr. DeHart and seconded by Mr. Breon to approve the Final Subdivision Plan with stipulations.

Motion unanimously approved.

ADJOURN

A motion was made by Mr. Breon and seconded by Mr. Wagner to adjourn the meeting.

Motion unanimously approved.

Meeting adjourned at 7:33 P.M.

Respectfully Submitted:



Brenda Wick
Planning and Zoning Director