

MINUTES

LOWER SWATARA TOWNSHIP
PLANNING COMMISSION

REGULAR MEETING
JULY 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
Christopher DeHart
Kimber Latsha
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.
Dan Bartolo, Forino Company, L.P., Campus Heights Associates I., L.P.
Tom & Liz Williams
Mike Williams
Virginia Williams
Annette Cassel Means, High Associates Ltd., Tom & Mike Williams
Peg Stroya

Residents:

Ronald Keeney
Ruth & Ron Helwig
Lin Coble
Donald Burger
Glenn & Sonja Miller
Peggy Ginnovan

MINUTES

A motion was made by Mr. DeHart and seconded by Mr. Wagner to approve the Minutes of the May 23, 2013 meeting.

Motion unanimously approved.

CAMPUS HEIGHTS ASSOCIATES I., 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.

Ms. Wick questioned if the Wood Street traffic light signal has been corrected.

Matt Genesio, Campus Heights Associates I., L.P., stated that they are waiting to hear from the Middletown Borough which should be after they have a fully approved plan for the train station. He believes that they are planning on adding a traffic light at the bottom of the new Lawrence Street, and they want to see what PennDOT has planned for the train station prior to approving a permanent traffic signal switch. Mr. Genesio believes that the current situation will remain the same for about two years. Apparently the Borough flipped that light off of the synchronization loop as part of the closing of old Lawrence Street to be able to accommodate the cars that come down Wood Street, to decrease the time cars wait for the signal to change. This was done without permission from PennDOT. The Plan, which would allow all traffic, not only emergency vehicles, to use the Wood Street entrance to the Campus Heights student housing has one outstanding comment: to change the PennDOT signal permit to keep the Wood Street light out of sync with the other lights on SR 230.

Mr. Breon questioned what could be done about this situation.

Mr. Genesio suggested that the Planning Commission approve his plan with a contingency that if the traffic signal were to revert back to the synchronization loop that the Township does not prefer, he would need to come before the Planning Commission with another plan. HRG said that the traffic counts were done when the light was in the state that it is currently in, so Wood Street access could remain open if the signal remains the same. The traffic light is set up that way now and should not change in the foreseeable future. If the signal does revert back, Mr. Genesio will have the traffic counts completed again with that light timing to prove that they could keep the access open.

Chuck Hess, Forino Company, L.P., commented that they are presenting a sketch plan for phase II tonight. As they go before the Planning Commission for land development, they will be addressing the traffic impacts. HRG has informed them that they would like preliminary counts and a parking study to be completed after the students come back to Penn State in August. The Township will have some recourse with the upcoming plan in regards to the operation of the traffic signal. Unfortunately this plan is being held up based on an adjacent municipality's ownership of a traffic signal.

Mr. Genesio stated that they can continue to submit 90 day extension letters.

Mr. Wick commented that she would rather have a continuously tabled plan than something conditionally approved if something changes in the future.

Mr. Hess stated that the traffic signal will be looked at again and may also be changed to accommodate the development of the new train station. Therefore, the two aspects affecting possible traffic signal changes include the traffic data to be completed in phase II and any development on the other side of SR 230 from the train station.

Mr. Genesisio stated that they are expecting building material to be delivered in about a month and expect construction to be completed by October 15.

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

Motion unanimously approved.

CAMPUS HEIGHTS ASSOCIATES I, L.P. SKETCH PLAN (PHASE II)

The Planning Commission reviewed the Sketch Plan prepared by Forino Company, L.P., and submitted by Campus Heights Associates I, L.P. for Phase II of their student housing project.

Mr. Genesisio stated that they have been before the Planning Commission, The Zoning Hearing Board for the Special Exception, and the Board of Commissioners. They have gone through about 20 site plan layouts as they are trying to accommodate the committees and boards and meet all concerns and comments.

Mr. Hess presented the new site plan for the second phase of Campus Heights, and he briefly discussed the recent site plans discussed at the previous meeting. One concern from the Planning Commission, Zoning Hearing Board, and the residents was that they are taking away a public access point and the ability to maneuver fire trucks in the area. On their new site plan they have a new public street shown which may be called Emaus Street since that is the name of the street continuing across SR 230. Having a public street would require a building setback from this street which would squeeze the site allowing only one building as opposed to two or three as in previous site plans. The northwest corner of the building becomes the main entrance facing campus with a glass wall atrium and an open ceiling. They will put some effort into making the entrance a nice space as this will be visible from the Penn State Campus. There will be a manager's office and a study lounge or common area for the students inside the main entrance. On the backside will be a doorway, so that the students can walk from Penn State through the main entrance of the building into the courtyard and into their building. Or they can continue on the pedestrian pathway via sidewalks down to the existing student housing complexes. They are trying to promote pedestrian facilities to limit the traffic in the area. In practice, based on traffic counts and the parking census, most students do not drive. The courtyard will be a focal point and a nice

space for students to congregate with benches where they can sit under a shade tree in addition to the inside lounges. The architecture of the buildings will be very similar to phase I in regard to the bedroom orientation and size of the rooms. They will be of similar height but they are looking into doing something different with the roof line to add some architectural diversity to the building. Mr. Hess believes that this would be a nice compliment to what is currently there and they want to create a nice building and space that students will want to live there. There are two small surface stormwater management areas, but they are also looking at doing some underground infiltration systems underneath the parking lot. They will be implementing best management practices with the stormwater and will obtain all necessary permits. They have received some feedback today from the Township Engineer, HRG. One of the issues was the configuration of Gina Lane, and they have a tentative agreement to work with the owners of the property to extend Gina Lane. Another comment from HRG pertains to softening the "kink" on the new Emaus Street between Nittany Village and Campus Heights II. HRG does not feel that the abrupt shift is desirable, but Mr. Hess reviews this as a traffic calming measure as someone would need to slow down to make that turn. Mr. Hess addressed the comment regarding the remaining portion of Lawrence Street appearing as a dead end when it should have a turnaround if it is a public street. He does not feel that it makes sense to have a cul-de-sac for only one house. They could provide access easements through the rest of the site to accommodate any vehicle that may go down Lawrence Street. They may look at petitioning the Township to vacate Lawrence Street if they can get cooperation from the property owner.

Mr. DeHart commented that it would make sense to relocate Lawrence Street all of the way up to Dauphin Street and eliminate the remaining Lawrence Street but there is a house that is owned by GreenWorks there.

Mr. Breon questioned what would be done with this section of Lawrence if it was not maintained as a public road.

Mr. Hess stated that the pavement would remain as shown on the sketch, only it would become private property and not a Township road.

Mr. DeHart questioned if they would make the road wider than it is currently.

Mr. Hess stated that on the plan the road is 24 feet.

Don Burger questioned why the road would need to be any larger than the current width.

Mr. DeHart replied that there will be a larger volume of people with more cars, and when a hose is laid down, it shuts down the whole road. If the road is wide enough, the hose can be kept to one side allowing traffic to pass.

Mr. Hess stated that with the straight orientation, they purposely placed a break in the building to the courtyard and there will be reinforced turf at that area of the courtyard for the fire trucks to drive on.

Mr. DeHart questioned the parking for the new site and if it would be similar to the existing site. When the existing site was full and the fire trucks were out they blocked up the entire lane, and students would not have been able to move their vehicles. It would help if the lanes were a few feet wider than the current site.

Mr. Genesio stated that everything in their proposed plan is fully compliant with the current Township Ordinance, so they will not need to ask for a single waiver. All of the parking dimensions are the exact same including the percentage of compact spaces to regular spaces. Unfortunately, there is not enough room to expand the parking area.

Mr. Hess stated that they will look at the radii as they go through the land development process. On Gina Lane, they are looking at making the inside radius a little larger for the left turn going towards SR 230. They will provide turning templates to demonstrate fire access.

Mr. Breon questioned the distance between Building 13 and Building 14 to the new Emaus Street.

Mr. Hess replied that it is a 40 foot setback from the right of way.

Mr. Genesio stated that HRG had made some comments regarding offsite traffic. With Lawrence Street being private, HRG suggested to vacate W. High Street between their current facility and the townhouses which would eliminate the need for the nontraditional intersection and soften the kink in the road as well. From an emergency vehicle standpoint, there are two options. They could vacate W. High Street and do something similar to what they did on High Street on the Nittany Village side where they planted 10' – 15' of grass in between Lawrence Street and High Street so cars do not go there, but there is access for emergency vehicles. If emergency vehicles ever needed to get to the rear of the Campus Heights units, they could keep it there, but Mr. Genesio likes the idea of vacating this section and keeping it from intersecting or touching the new Emaus Street. He has spoken to John Tierney from GreenWorks regarding the realigning of Gina Lane, the vacating of W. High Street, and the little L-shape of Lawrence Street. He is fine with all three of these changes in principal and will talk it over with other associates prior to putting this in writing.

Mr. DeHart questioned if some reinforcement could be placed by the properties off of Gina Lane.

Mr. Hess said that they want to remove a portion of the pavement, leaving some pavement on the side with some breakaway bollards.

Mr. DeHart suggested that they could also put stabilized turf or blacktop in that area.

Mr. Genesisio stated that they could put a curb cut along Emaus Street.

Mr. DeHart questioned if they could take Gina Lane straight across into their new facility.

Mr. Hess stated that one of their concerns would be that they would be inviting cross traffic instead of trying to keep that area isolated from the other residential areas.

Mr. Genesisio stated that they could do reinforced turf in this area also, but by connecting Gina Lane to the new site, they would lose parking spaces. The site is so tight that they cannot afford to lose parking spaces. They have 162 of the 160 parking space requirement for the site, but as they go through land development they may lose a couple of spaces to add handicapped spaces.

Mr. Hess stated that there is also a maximum amount of impervious cover permitted by the zoning requirement.

Ron Keeney, a resident, stated that if they reinforce the area in between the buildings and if they do not make a larger access at the bottom of the new site, there is no way that an emergency vehicle will be able to get into the site as people will park their cars there. Mr. Keeney also stated that Gina Lane is not a one way street unless this was just changed in the last couple of weeks. He also questioned what will be done with the stormwater facilities and if they will be placing fences around those areas.

Mr. Hess stated that stormwater facilities do not necessary need to have fences around them, but they will be designed in accordance with Township and State regulations.

Mr. Keeney commented that there are young kids living in the area which needs to be taken into consideration. He questioned if they have talked to Penn State to get permission to open their fence before just saying that the students will be able to walk through it.

Ron Helwig feels that this is a good plan, because currently the students speed through the neighborhood and drive right through the stop signs, but if they place that curve on the new road that should slow down the drivers. There is also a 60 foot right of way over by the old Lawrence Street, so whatever paving goes in there, they have 60 feet. If the Township vacates it, they will determine the width of the street.

Ms. Latavic asked Mr. Hess if he would mention the idea of an alternative surface for the parking lot as impervious coverage may be a problem for this site.

Mr. Hess questioned if pervious pavement is considered a non-pervious surface with relating to the Zoning Ordinance and coverage.

Ms. Latavic stated that she would like to hear more about something that is green with vegetation and whether or not that idea could be entertained.

Mr. Hess stated that there are a number of options and even for the sidewalks. He has used porous concrete before which has less cement paste resulting in rough looking concrete but it is hard and the water flows through it. In both of the stormwater management facilities, they have ideas of possible down spouts into some rain gardens which will flow into another ground stormwater system. They will be using best management practices to deal with stormwater due to regulations and the possibility of reducing maintenance.

Mr. Hess asked for consensus on the idea of traffic calming along the new Emaus Street given the setting of the residential neighborhood, the low design speed, and the posted speed limit, or if they prefer Emaus Street be straightened out.

Mr. Knopp suggested speed bumps in the area to slow the traffic.

Ms. Letavic would like to see a larger radius between the “kink” on the proposed Emaus Street down to the new intersection. The radius is around 60 feet currently which is awfully tight. Her colleague that completed this review is concerned that when a radius is this tight, drivers become lazy, and they start to shift into the next lane. With this being an intersection and a steep hill, the tight radius is less than ideal and should be fixed now if possible.

Mr. DeHart does not care for the “kink” in the road and would prefer a stop sign or maybe small scale speed bumps. He is concerned that the curve could even cause a head on crash.

Mr. Genesio stated that they will probably come back to the next Planning Commission Meeting with any changes to their plan based on some of the feedback and suggestions made. He is hoping that once they come back in September, they will be looking for full approval of their plan.

Ms. Wick questioned if they are planning on taking any of the sketches to the Board of Commissioners.

Mr. Genesio stated that they wanted to finalize their site layout as much as possible before going before the Board of Commissioners. Their attorney has been communicating with Peter Henninger, the Township Solicitor, for his guidance on the procedures.

Mr. Hess wants to make sure that the sketch plan works prior to taking this before the Board of Commissioners since they are still receiving continuous feedback.

Ms. Wick stated that some of the issues are big items such as turning over portions of the current Lawrence Street to a private street or to create a dead end street which is not allowed by the Township Ordinance.

Mr. Hess stated that they could take this input and take it to the Board of Commissioners to see if they like the layout and to give them an idea of what would need to be done.

Ms. Wick stated that she would need the material to be presented to the Board by August 2nd for the Workshop Meeting on August 7th.

Mr. Hess stated that the only waiver that they would possibly ask for would be a waiver of the Preliminary Plan since the construction will not be phased. The Final Plan would cover all improvements including financial security and legal documents.

Mr. Keeney questioned if they can make a larger radius than what is currently on the curve by Dauphin Street.

Mr. Hess replied that the radii are per Township Ordinance, and they will verify that emergency vehicles can make those turns, but this is a much larger radius than any of the curves or intersections in this development today.

Mr. Keeney stated that it is just as bad as the radius on Wood Street which is very narrow.

Mr. Hess stated that radius is a center line radius, and agreed that the road is narrow.

Mr. Keeney commented that it would be great if they could improve the road. He also felt that adding stop signs would not help since the students already are not stopping at the existing stop signs. There are not police in the area to enforce this issue.

Mr. Knopp suggested Mr. Keeney contact the Police Department.

Mr. Breon suggested that Mr. Keeney share this at the Board of Commissioners meetings.

Mr. Keeney stated that he has brought the issue before the Board of Commissioners and nothing has been done since this is all private land that belongs to Campus Heights and GreenWorks. The Township cannot even stop someone for driving through a stop sign on that land. He questioned if they will have lighting along the new sidewalks.

Mr. Genesisio replied that it will look just like the lower half does now with about 5 or 6 lights on the new site.

Mr. Keeney felt that reflector belts and reflectors for sneakers should be given to the students since it is hard to see them when they wear the dark blue clothing.

Mr. Breon questioned when the relocated portion of the road would be dedicated.

Mr. Genesisio stated that the Township will not accept the road until the Main Street project has been completed.

Ruth Helwig, a resident, would like to see this project move forward as quickly as possible as she is part of the 11 families that all have contingency agreements on their homes right now, and they have been waiting three years for this to happen.

Paul Wagner commented on the discussion of straightening Emaus Street and the speed control, but the Public Works Department would appreciate a straight street for snow removal.

Mr. Hess stated that when any type of traffic calming device is installed on a road, it is a constant battle for the maintenance crew. He also wanted to get feedback on the notion of waiving the Preliminary Plan. They believe that this waiver request is viable since the plan has gone through the rezoning process, obtained a Special Exception from the Zoning Hearing Board, The Planning Commission has reviewed the sketch plan, so they do not know what a Preliminary Plan would afford the Township.

The Planning Commission agreed that this could be done.

Donald Burger questioned the almost 90 degree turn off of Gina Lane and how the emergency vehicles can get around in that area.

Mr. DeHart stated that Gina Lane is private, and there are no issues getting fire trucks to and from that area.

Mr. Hess stated that they were not asking for an action from the Planning Commission, and they appreciate the feedback received tonight.

TOM & MIKE WILLIAMS
POSSIBLE REZONING OF LAND

The Planning Commission had a discussion with Tom and Mike Williams regarding their properties along Fulling Mill Road, south near the Kunkel School and north to Oberlin Road. The owners are asking for input from the Planning Commission regarding a possible rezoning of their land to IP-L.

Mr. Williams introduced himself, his family, and Annette Cassel Means with High Associates Ltd. They have had their properties on the market for two months with no interested buyers. High Real Estate has suggested that they ask for Industrial Zoning of the properties. Initially, they were asking for a zoning change to Industrial Park-Limited (IP-L), but they would like to know if Industrial (I) Zoning would be suitable.

Mr. Breon commented that requesting an I Zoning District is a big change from requesting an IP-L Zoning District. This is nothing close to what was in the Comprehensive Plan for this area. Many residents like our semi-suburban & semi-rural community.

Mr. DeHart questioned Ms. Wick on which zoning district would apply for an office building similar to TE Connectivity.

Ms. Wick stated that TE Connectivity is zoned Industrial Park (IP) and Harrisport is zoned as IP-L (IP-L).

Mr. DeHart stated that many of the residents of Twelve Oaks were upset when the land adjacent to their neighborhood was zoned Commercial Neighborhood (C-N). Without a developer and an idea of what would be built on the properties, it may be a waste of money to try to rezone at this point when there is uncertainty on what a developer may want to do with the land. He can see office buildings or smaller houses, but he does not see large homes going in this area.

Mr. Breon commented that they are asking for a straight I Zoning District which would not be office buildings and residential homes.

Mr. Knopp stated that he is not in favor of an I Zoning District.

Mr. Breon questioned the wetlands on the property.

Mr. Williams stated that this would be included and would not obviously be built on.

Mr. Breon and Mr. Knopp stated that they personally would not recommend an I Zoning District.

Annette Means, Associate Broker with High Associates Ltd., questioned the Planning Commission on what their vision is for Fulling Mill Road and what they believe the market is doing on Fulling Mill Road.

Mr. Knopp stated that there is nothing currently happening on Fulling Mill Road due to the economy.

Mr. Breon stated that the infrastructure is changing around the Township especially on the ends of Fulling Mill Road. They are trying to accommodate the fact that Fulling Mill Road will be a commerce corridor.

Ms. Means stated that they can see this as well with the convenience of the PA Turnpike and SR 283 nearby, and the only thing holding this back in their opinion is the zoning. A developer could not come in and put large boxes on these properties or million square foot warehouses due to topography, but questioned if they would still want commerce on Fulling Mill Road.

Mr. Breon replied that the zoning would not have to change a bit, as commerce is increasing on the east end of Fulling Mill Road.

Mr. DeHart stated that on the northern side of Fulling Mill Road is a residential neighborhood, and having a buffer or a small residential area on the upper side may work. Even when they had the Commercial Neighborhood (C-N) Zone for a retirement facility at Fulling Mill Road and Nissley Drive, the residents were upset that this was zoned all the way back to the tree line by the Twelve Oaks development.

Ms. Means questioned the zoning of C-N for a retirement village.

Mr. DeHart replied that there are some small professional businesses such as a doctor's office with the plans of the retirement village.

Ms. Means questioned how they can promote commerce with a Residential Agricultural (R-A) Zoning District. She questioned when the Comprehensive Plan was created.

Ms. Wick stated that the Comprehensive Plan was approved in 2004 but zoning was approved in 1993.

Mr. Latsha does not believe that the only issue is the development of commerce, and this could be opened up for anything. There are people who bought properties that rely on the Zoning Ordinance, and they developed a property consistent with the Comprehensive Plan. People have a right to rely on reasonable designs made by the Planning Commission to allow for a reasonable development of the properties. They are asking for something really huge by jumping from a farm to smoke stacks which is far removed from the design that they anticipated for the future.

Ms. Means questioned Mr. Latsha with how he sees Fulling Mill Road getting developed and if he sees it as a farm forever.

Mr. Latsha replied that he would love to see it remain a farm but that is not realistic. He feels that we need to be sensitive to what the Planning Commission has approved as a master plan and sensitive to what people have relied on and anticipated being developed in this Township. In another year they will be relooking at the Comprehensive Plan. Mr. Latsha questioned how long the farm has been for sale.

Mr. Williams replied that it has been on the market for less than two months.

Mr. Breon stated that the following are some of the permitted uses for an I Zoning District: auto wrecking and junk establishment, brick pottery, tile or terra cotta manufacturing, bottling works, and metal fabricating and forging, mixing plants for asphalt and concrete, and railroad yards.

Mr. Wagner questioned Ms. Means if she knew of any particular interest in this area and what may be developed if it were rezoned to an I District.

Ms. Means stated that it would be some type of warehousing like the Federal Express down the road. Amazon is changing to one day deliveries, and this is changing the whole face of real estate as they are going from bricks, mortar and retail to mostly small warehouses. People still go to stores and shop but there is a lot more shopping happening online which is creating much more demand for small warehouses all over the place. Pennsylvania benefits from the location as it is the Keystone Hub to the Northeast. Ms. Means understands that nobody wants to have smoke stacks in this area, but that is probably not what the market wants either.

Mr. DeHart commented that there are three empty warehouses currently on Fulling Mill Road.

Ms. Means stated that some of that is how the warehouses are situated as you have to have certain ceiling heights, have to be on a rack, the amount of docks needed, etc., so some

of this is due to the configuration and the expense to make the necessary changes to existing warehouses.

Mr. Latsha stated if this were only a small warehouse this may be a simple discussion but if this were rezoned to I, it would be opened up to almost anything including the things that Mr. Breon discussed as permitted uses. This is an extreme change from the current R-A District.

Mr. Wagner questioned if IP-L or IP would be restrictive to what they see being built in the future.

Ms. Means replied that IP-L would be restrictive and IP would have some possibilities. Fulling Mill Road continues to want to grow and is a great asset to have in the Township. Many townships would love to have this opportunity in their township.

Mr. Breon stated that the land is a very valuable asset and they want to use it appropriately to make sure that the growth matches what is in their plans, meets the expectations, and is still viable for the Williams' family.

Mr. DeHart questioned how many acres he would like to rezone.

Mr. Williams replied that there are 150 acres on the farm and about 250 acres total which he would like to discuss rezoning everything. He does not have a buyer, and he does not know what a future buyer may want, but he would like to open this up to more possibilities.

Ms. Means wants them to think about what makes sense for this area. There is a need for some type of commerce that is not retail or housing, but maybe an office and warehouse combination.

Mr. DeHart stated that they typically prefer offices to warehouses that would most likely have truck activity at all hours. TE Connectivity & Phoenix both have a mix of office and warehousing with very little assembly.

Mr. Wagner questioned if there might be a drive from SR 441 to Fulling Mill Road.

Ms. Means stated that they have looked at that as a possibility for an entrance.

Mr. DeHart stated that this would be tough with it being a residential area, and it would require the realigning of Longview Drive and Oberlin Road to get a turning radius to allow the trucks to go through there. In 2007 D & H wanted to put a box warehouse up

behind the ball fields where the power lines run, but when the market took a hit in 2008 they pulled out.

Mr. Latsha questioned Ms. Means as to what she could sell in that area if it were not zoned as Industrial.

Ms. Means stated that the market is extremely excited about the possibility of the area potentially going into an industrial type lease.

Ms. Wick stated that smaller warehouses are permitted under IP-L and there is no building size restriction in the I-P District.

Mr. Breon suggested that they come back and discuss this further.

ADJOURN

A motion was made by Mr. DeHart and seconded by Mr. Latsha to adjourn the meeting.

Motion unanimously approved.

Meeting adjourned at 8:30 P.M.

Respectfully Submitted:



Brenda Wick
Planning and Zoning Director