

MINUTES

LOWER SWATARA TOWNSHIP PLANNING COMMISSION

**REGULAR MEETING
JUNE 26, 2014, 7:00 P.M.**

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

Eric A. Breon, Vice Chairman
Christopher DeHart
Kimber Latsha
Paul Wagner
Robert Greene, Planning & Zoning Coordinator
Erin Letavic, Herbert Rowland & Grubic, Inc., Township Engineer
Peter Henninger, Jones & Henninger, P.C., Township Solicitor
Tonya Bibb-Sakr, Recording Secretary

Excused:

Chauncey D. Knopp, Chairman

Others in Attendance:

David Koratich, LSC Design
Ryan Woerner, Capital Valley Business Park

MINUTES

A motion was made by Mr. DeHart and seconded by Mr. Latsha to approve the Minutes of the March 27, 2014 meeting.

Motion unanimously approved.

CAPITAL VALLEY BUSINESS PARK PRELIMINARY / FINAL LAND DEVELOPMENT PLAN

The Planning Commission reviewed the Preliminary/Final Land Development Plan for Capital Valley Business Park – Building ‘C’ as prepared by LSC Design Inc. Four waivers have been requested.

David Koratich stated that he and Ryan Woerner are here for Capital Valley Business Park. They were at the March 27, 2014 Planning Commission Meeting. Mr. Koratich asked how much of a “refresher” the Commission needed from that meeting.

Mr. Breon requested a total refresher.

Capital Valley Business Park is located in the Industrial Park Limited District (IP-L). Kreider Drive runs through the tract. The Land Development Plan was approved in 2001/2002 for four buildings on the tract. Building 'A' has been constructed, and they are now in the process of starting the second building (Building 'C'). Building 'C' will be an 18,000 square foot building office with 7,000 square feet being used as a medical office, and the other 11,000 square being an office/warehouse. There will be 115 parking spaces.

Mr. Koratich went on to report that they are requesting 4 waivers.

Mr. Breon asked if these 4 waivers were on the plan.

Mr. Koratich responded that they are on the plan on sheet 2 and went on to explain each waiver.

- Waiver 1, from Section 22-405, Preliminary Plan.
- Waiver 2, from Section 22-607, Sidewalks.
- Waiver 3, from Section 22-602.1, Concrete Monuments.
- Waiver 4, from Section 26-126-2H, (Storm Water Management) De-watering Time.

Mr. Breon stated that with Waiver 1, it has been brought up numerous times, so they would take a vote on that unless the Commission had any questions.

Mr. Breon then went on to Waiver 2. He questioned if there were any sidewalks in the area.

Ms. Letavic stated that there are sidewalks along Fulling Mill Road, along the Lottery building frontage. But with the adjacent warehouse, there are no sidewalks along their Parcel A.

Mr. Latsha also stated that there are sidewalks on both sides of 441.

Ms. Letavic then informed that there are no sidewalks on Kreider Drive and that is where Capital Valley Business Park's frontage exists.

Mr. Henninger reported that there are no sidewalks in front of the existing building, and he believes those were waived, not deferred, when that plan went in, so there are no sidewalks on Kreider Drive at all.

Mr. DeHart reported that there is a "depressed curbing" along Kreider and Oberlin Roads.

Mr. Breon then brought up Waiver 3, Concrete Monuments. He questioned why they are requesting this waiver.

Mr. Koratich stated that there are many angles in the property's border, so what they are proposing is four monuments along 441 and then iron pins everywhere else.

Mr. Breon requested the staff comment on this.

Ms. Letavic stated that HRG is fine with that. Typically you have concrete monuments at major intersections, and pins in between. She feels what they are proposing is perfectly fine; it's a less expensive way to go.

Mr. Breon addressed Waiver 4, De-watering Time.

Mr. Koratich explained that ordinance requires that infiltration basins be "de-watered" within 72 hours. He explained that they have very low rates so it does not de-water within 72 hours, it de-waters in approximately 14 days. So what they are proposing is to put an under-drain in each of the basins to help get the water out quicker.

Mr. Breon asked if it takes that much longer to de-water, does that mean the basins are that much larger?

Mr. Koratich answered that the basins are not that much larger, that is why they are proposing the under-drains. Mr. Koratich also advised that it is not a waiver to add an under-drain. His waiver is for the time limit of the 72 hours. But he feels that with the under-drain, they may be able to bring the time down closer to 72 hours instead of the 14 days.

Mr. Breon asked if they are requesting to waive the time or the way it is constructed.

Mr. Koratich replied that it is the time that they would like to have waived. Mr. Koratich informed that a waiver is not required for the under-drain.

Ms. Letavic explained that we had a similar situation with the project at Stoneridge. She went on to explain that the situation is one where the infiltration rates are very poor like Mr. Koratich mentioned. For the smaller storms, you primarily depend upon infiltration for your entire de-watering time. Because their infiltration is so poor, it's going to take a long time for that pond to drain which is why they proposed an under-drain in the basin at a depth in which you'll have your basin bottom, soil, and the pipe. The idea is that you get filtration in the soil and media for water quality but it doesn't necessarily all soak into the ground.

Mr. DeHart questioned if this poor drainage was because the soil is so rocky over there.

Ms. Letavic said that the soil is probably more clay than rocky.

Mr. DeHart brought up the problems of sinkholes in that area.

Mr. Henninger then advised that what Mr. Koratich is proposing will shorten the 14 days but it won't get down to 72 hours.

Mr. Koratich then agreed that they will never be able to get the de-watering down to three days but what they are proposing will shorten it significantly.

Mr. DeHart asked if the water would be discharging into the stream.

Mr. Koratich confirmed that it would be discharged into the stream.

Mr. Latsha asked what was the significance of the 72 hours.

Ms. Letavic explained that it is long enough that you get a decent amount of recharge to the ground water table with filtration through the soil media but not so long that you have a nuisance where you would be dealing with mosquitoes.

Mr. Breon voiced concern about the ability of mosquito larvae to hatch in that time frame.

Ms. Letavic explained the 72 hours is a DEP term. DEP basically dictate that 72 hours is the right time frame.

Mr. DeHart reported that the water that lies in the basins by the PA Lottery is stagnant all the time.

Mr. Koratich reported that in order for them to get the basin to drain in 3 days, we would not be able to filtrate any of the water which is a regulation that the State wants them to do.

Mr. Henninger explained that the regulations require them to filtrate the water but in order to meet the 72 hour time limit they will have to pipe it off which doesn't meet the regulations.

Mr. Breon questioned Mr. Koratich and Mr. Woerner, being civil engineers, what other solution does the current technology offer besides the ones discussed this evening?

Mr. Koratich replied that "Green Roof" which would put a big hole in the bottom of the outlet structure which is not what they want to do. They do want a sense of filtration.

Mr. Breon asked how to increase the filtration.

Mr. Koratich replied that you could increase it with soil amendments. Basically, you take out the bad soil and replace it with good soil which he believes they are actually doing.

Mr. Breon then asked if they were doing this in all of the basins or just that one.

Mr. Koratich responded that it is in all three. The soil amendment mix is being taken out and replaced with a compost/soil mixture to help even further but there is no way to give you data that it's going to drain in six days or five days or three days. So in addition to that, they will have the under-drain and water quality seeding and water quality inlets to help even clean out more.

Mr. Breon asked if having water-garden-type plantings is a possibility.

Mr. Koratich replied that it certainly could be a possibility.

Mr. De Hart stated that there is a water-garden at ACT, 2001 Fulling Mill Road, along the retention areas.

Ms. Letavic explained that what they are proposing are basically larger versions of that (a rain garden) which is the water-quality seeding that they discussed earlier. This is a low-maintenance, high-water-quality, high-habitat type seed mix.

Mr. Breon iterated that water-management and light-management are a high priority for them.

Mr. Koratich assured that they will follow every aspect of the ordinance as far as water-management goes; it is just the time limit for which they are requesting the waiver.

Mr. Wagner asked if the basins will eventually drain into the creek and if the main purpose is to slow the flow.

Mr. Koratich replied that is correct.

Mr. Breon asked if they had tenants for this building yet.

Mr. Koratich informed that they have one which is a medical office (dialysis).

Mr. Koratich then brought up a subject from the March 2014 Planning Commission Meeting regarding the drive-thru height or "clear space". The height will now be 13'8" high.

Mr. DeHart explained that his concern with the height of the drive-thru was that it would be high enough for a box-truck to fit under.

Ms. Letavic brought up the lighting concerns. She asked Mr. Koratich to describe that for the Commission.

Mr. Koratich explained that they understood that lighting was a big issue. He said they have supplied shields for the lights on the property and it is LED lighting. The intent is

to shine everything back onto the property with no spillage beyond the pavement. This info can be found on page 8 of their plans.

While searching for the lighting plans on page 8, Mr. DeHart advised that the hydrant location would be available next week.

Mr. Breon informed Mr. Koratich that one of the stipulations of the lighting situation would be that the Township Development Committee has to look at this yet and their comments have to be included. Mr. Breon also commented that he sees in the plan that “no foot candles escape the property.”

Mr. DeHart requested to hear staff comments.

Mr. Greene said the only issue he had was dealing with their planning module for sewage. He asked if the entire sanitary has been constructed from the original 2001 submittal to DEP.

Mr. Koratich answered that it is just a matter of the sewer lateral connections. It would just be extensions to certain laterals.

Ms. Letavic commented that HRG does not have any objections to any of the four waivers. HRG feels they have made reasonable adjustments for the storm-water de-watering time. Some comments of note are that we haven't put together yet the financial security estimates or cost estimates from Capital Valley. Her comments 11 and 12 on page 3 reference the geo-technical report that was submitted, referring to single-formation and the poor infiltration. She asked what their response is going to be to the recommendation on a clay liner.

Mr. Koratich explained that they did not want to go that route (clay liner).

Ms. Letavic went on to then explain that sinkholes are a nuisance and must be repaired. She said they can also be a problem during construction. She has seen designs where people have put in the clay liner, put in an under-drain, put the amended soils on top of that, so you get some filtration and you get the under-drain component but it doesn't go any further to cause sinkholes. It is a pain to construct but it could be effective for your end-user.

Mr. Koratich informed that two of those basins have been in since 2001 so we are going 13 years and they have not developed any sinkholes to his knowledge.

Mr. Latsha asked what the cost was for something like this.

Ms. Letavic replied that “it's not cheap; it's a lot of labor, a lot of clay to bring in.”

Mr. Koratich said they would just handle it as a sink-hole repair if something ever happened.

Mr. DeHart reported that there are three areas on Kreider Drive that have had sinkholes. He said the sinkholes are kind of following a line that is headed towards Capital Valley's direction. It goes the whole way up to 1961 Fulling Mill Road.

Mr. Koratich advised that Capital Valley is going to remain owner of the property and they certainly will not allow something like this to happen or continue to happen.

Mr. Breon asked Ms. Letavic if this is a requirement or a recommendation for the clay liner to help prevent sinkholes.

Ms. Letavic replied that it is not a requirement it is just a recommendation based upon their geo-technical report. It basically documents the status of the site.

Mr. Breon then asked what would make this a requirement.

Ms. Letavic stated that there is nothing in the ordinance that can require it.

Mr. Henninger suggested getting sinkhole insurance that covers their structure. But understand that it doesn't cover your yard.

Mr. Wagner asked if it would be prudent to consider some-type of walking-path.

Mr. DeHart reported that he does not see many people walking the paths. He sees more people walking on Fulling Mill Road.

Mr. Henninger suggested rather than waiving curbside walks, would be to defer them so that if in the future we (LST) would decide that you need to have a sidewalk there it would then fall on the responsibility of the property owner to put the sidewalk in.

Mr. Latsha said he would have liked to have seen sidewalks installed back in there.

Mr. Breon informed that basically the sidewalks were waived because the types of businesses that would be attracted to this area do not have a huge employee base.

Mr. DeHart stated that Phoenix Contact has the walks and they are used all the time. And realistically, when Building B is ready to be constructed, he feels it will be time to think about planning for sidewalks. Mr. DeHart thinks it will be a selling-point when trying to get tenants for the buildings. He also stated that even if it was only on one side of the street, the north side, it would make sense.

Ms. Letavic stated that the sidewalk would connect to the residential area behind there as well, so from a planning perspective it would make sense.

Mr. Latsha asked if the consensus is that if we are going to have sidewalk on the north side of the road rather than the south side, so we do not need to defer it we can just waive it.

Mr. Henninger said it could be waived, just make known in your comments with the understanding that when the other side of the road gets developed that would not be something you would recommend.

Mr. Breon asked for any comments from Mr. Greene.

Mr. Greene had no other comments other than he thought it was an excellent way to approach the sidewalk issue. With sidewalks on the north side, it does connect to sidewalks that are on the main section of the highway.

Mr. Woerner added that he wasn't sure if there would be room for sidewalks on the other side of the street due to the swale that was there.

Mr. DeHart said there was a large enough area for a sidewalk.

Mr. Greene asked what kind of area there was between the cartway and the swale. Is there space enough for a sidewalk?

Mr. Henninger feels there is enough room for a sidewalk.

Mr. Latsha stated there is a little rise that comes up by the curb and a sidewalk could easily be put there.

Mr. Breon then asked if there was anything else from the Commission or staff. There was not, so Mr. Breon asked to proceed with the vote.

Waiver #1 – Preliminary Plan – Mr. DeHart motioned to approve, Mr. Latsha seconded. Motion unanimously approved.

Waiver #2 – Sidewalks – Mr. Latsha made a motion with the understanding that when the other side of the road is developed, we would not be so inclined to approve that waiver again (Lot B, for example). Mr. Wagner seconded. Motion unanimously approved.

Waiver #3 – Concrete Monuments – Mr. Wagner motioned to approve. Mr. Latsha seconded. Motion unanimously approved.

Mr. Henninger clarified that the waiver was for some of the concrete monuments, not all of them. Waiver is for any other than the four main property corners.

Waiver #4 – De-Watering Time – Mr. DeHart motioned to approve. Mr. Wagner seconded. Motion unanimously approved.

Mr. Breon stated all waivers are approved with the stipulations of what was discussed, especially the sidewalks.

Mr. Breon then asked for recommendation from the Commission on the plan itself.

Mr. DeHart recommended approving the plan with the stipulations.

Ms. Letavic added that there are some outstanding planning and engineering comments that need to be added; these would all be conditions of the recommendation as well.

Mr. Henninger also added the Municipal Authority comments would need to be included as well.

Mr. DeHart motioned for approval with the stipulations. Mr. Wagner seconded. Motion unanimously approved.

ADJOURN

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

Motion unanimously approved.

Meeting adjourned at 7:43 P.M.

Respectfully Submitted,

Robert S. Greene
Planning and Zoning Coordinator