

## MINUTES

LOWER SWATARA TOWNSHIP  
PLANNING COMMISSION

REGULAR MEETING  
OCTOBER 25, 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  
Paul Wagner  
Kimber Latsha  
Christopher DeHart  
Charles Smith, Herbert, Rowland & Grubic, Inc., Township Engineer  
Chris Dellinger, Herbert, Rowland & Grubic, Inc., Township Engineer  
Leah Pearlman-Storch, Dauphin County Planning Commission  
Brenda Wick, Planning and Zoning Director  
Angela Yealy, Recording Secretary

Excused:

Chauncey D. Knopp, Chairman

Others in Attendance:

Jon Wilt, for Jon & Julie Wilt  
Matt Genesio, Campus Heights Associates Inc., L.P.  
Tim Sipe, Campus Heights Associates Inc., L.P.  
Doug Gamber, Raudenbush Engineering for Penn State University  
Catherine Hoover, Raudenbush Engineering  
Donald Holtzman, Penn State University  
Natalie Gentile, Penn State University  
Kyle Hollick, Penn State University  
Jennifer Ramsey, Penn State University  
Kris Raubenstine, K & W Engineers & Consultants  
Brian Soyka, Sheetz, Inc.  
Mike LaCesa, Sheetz, Inc.  
Matt Tunnell, GreenWorks Development, LLC.  
Bobbie Van Buskirk, GreenWorks Development  
Residents: Ronald Keeney  
Don Wagner  
Ruth & Ron Helwig

## MINUTES

A motion was made by Mr. Latsha and seconded by Mr. DeHart to approve the Minutes of the September 27, 2012 meeting.

Motion unanimously approved.

**JON G. AND JULIE A. WILT**  
**FINAL PLAT MINOR SUBDIVISION PLAN**

The Planning Commission reviewed the Final Plat Minor Subdivision Plan submitted for Jon G. and Julie A. Wilt, prepared by Skelly and Loy, Inc.

Jon Wilt stated that a Variance was granted by the Zoning Hearing Board to permit the alteration of an existing conforming lot to a nonconforming lot with a lot size less than the minimum of one acre in order to make an adjoining lot less non-conforming. Mr. Wilt stated that Robert Whitmore, the Sewage Enforcement Officer (SEO), has been contacted and pending Mr. Whitmore's review, he is requesting that a conditional approval be granted by the Planning Commission tonight.

Ms. Wick stated that since the Variance was approved, and staff recommends approval with the one stipulation of the Sewage Enforcement Officer (SEO). This plan has three waivers which were all recommended for approval at last month's Planning Commission Meeting.

A motion was made by Mr. DeHart and seconded by Mr. Wagner to grant the Final Plat Minor Subdivision Plan with the stipulation for approval of the SEO.

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 Inc., L.P., prepared by Forino Company, L.P. Three waivers have been requested.

Matt Genesio, Campus Heights Associates Inc., L.P, stated that since they have been operational, there is a need for vehicular traffic to have access to what is now an emergency vehicle access only from Wood Street. They had on-site meetings with the Police Department, Fire Department, and some of the Board of Commissioners and they all have agreed that it makes sense to make this change. They are going through the planning process again to extend full use of the Wood Street entrance which was planned for emergency use only. The outstanding issue is the Traffic Impact Study which their Engineer is currently conducting. Now they are requesting that their waivers be granted conditioned upon the Traffic Impact Study results.

Ms. Wick stated that she is comfortable with the Planning Commission acting on the waivers; however, the Traffic Impact Study has not been performed and needs to be completed prior to acting upon the Plan.

Ron Keeney, a resident, commented that the emergency exit access is being used by the students who ignore the signs, and create unsafe conditions. Mr. Keeney would like posts put up to prevent access by students.

Mr. Genesisio is under the impression that the Traffic Impact Study will not show a need for any changes with the timing or signalization of the light at Wood Street. He believes it makes sense from a fire protection standpoint, to have this opened up allowing multiple vehicles get in and out.

Mr. Breon questioned if the entranceway is opened up, if there would there be a stop sign when approaching Wood Street.

Mr. Genesisio stated that there is currently a stop sign at the Wood Street exit.

Ron Keeney, a resident, commented that there is no longer a stop sign in this area.

The Planning Commission Members stated they were not at the site today, and were unsure if there is currently a stop sign at this exit.

Mr. DeHart commented that with the amount of cars and students accessing this site, it is best to have another entrance and exit on the other side of the site. For two of the buildings, the Fire Department connection is on Lawrence Street, and if a fire would happen, you could have 300 students trying to get off site.

Ms. Wick stated that there was a previous comment from Dauphin County Planning Commission that the driveway should be built to Township standards which it has been.

A motion was made by Mr. Latsha and seconded by Mr. Wagner to waive the requirements of the Preliminary Plat requirements.

A motion was made by Mr. Latsha and seconded by Mr. DeHart to waive the requirements to construct curbs.

A motion was made by Mr. Latsha and seconded by Mr. Wagner to waive the requirements to construct sidewalks.

A motion was made by Mr. Latsha and seconded by Mr. Wagner to table the Revised Land Development Plan for Campus Heights Village – Wood Street Access until the Traffic Impact Study results are submitted.

Motion unanimously approved.

Ron Keeney, a resident, feels that the Student Housing is negatively affecting their neighborhood due to increased traffic and noise from the student parties. He would like to see a stop sign at the Wood Street exit again.

Don Wagner, a resident believes that there was a reason it was approved as an emergency exit initially, and it makes sense to want a free flow for emergency vehicles during an emergency. He believes there will be college students running through the cemetery if this change is made, and he is not in favor of any new construction on the Middletown Cemetery lot.

**PENN STATE HARRISBURG  
EDUCATIONAL ACTIVITIES BUILDING  
FINAL LAND DEVELOPMENT PLAN**

The Planning Commission reviewed the Final Land Development Plan for Educational Activities Building Addition and Alterations submitted for Penn State University Capital Campus, prepared by Raudenbush Engineering, Inc. Two waivers have been requested.

Ms. Wick stated that there are two waivers with this plan, and one was acted on in August. The new waiver is for the construction of a storm water inlet in a courtyard area that will not receive vehicular traffic.

Natalie Gentile, Project Manager for Penn State, showed and discussed an illustration of the proposed new two story brick building, and asked for comments or questions on this plan.

Mr. DeHart questioned the location of the fire department connection.

Doug Gamber replied that there was a meeting with Glenn Snavelly a few weeks ago since there was a desire to move the fire department pull off area to the opposite side of the street. That is where it is planned currently. They implied to Mr. Snavelly at our meeting that there should be some landscaping or planting around the pull off area to distinguish it along the road. Currently, there are signs around this area and they would defer to the Township on what is an acceptable amount of landscaping. They envision if there are plantings, they should be relatively low and could be walked over.

Mr. DeHart questioned how far the pull off area is from the building, and how far it has been pushed to the north.

Mr. Gamber replied that the pull off area is about 100 feet further north now.

Ms. Gentile commented that even though this area has been moved further north, it did not necessarily increase the distance to the entrance.

Mr. DeHart questioned if the knox box is now located in the front of the building.

Mr. Gamber confirmed that the knox box is located in the front.

Mr. DeHart questioned if the fire hydrant will be private or a United Water hydrant.

Mr. Gamber stated that it is a United Water hydrant, and they were directed by their client to keep it that way.

Mr. Breon questioned where the annunciator panel is located.

Ms. Gentile stated that it is in the north vestibule.

Ms. Wick asked for input from Mr. DeHart on his thoughts of the fiber reinforced turf.

Mr. DeHart replied that the reinforced turf is fine. He does not want the fire hydrant or the Fire Department connection hidden in any way. It should be marked with a sign stating the pressure that is needed. Mr. DeHart questioned whether the applicant wants to put yellow poles around the hydrant or if they were looking for something more aesthetic.

Ms. Gentile stated that more aesthetic would be nice, but they would like to do what works best for the Township.

Mr. DeHart commented that the plain poles save money for everyone involved, and to keep a distance from the hydrant. The poles could be painted a certain color or a decorative wall could be put up as long as there is access for the Fire Department.

Mr. Breon asked Ms. Wick to explain the waiver that has been requested.

Ms. Wick stated that the Township Ordinance requires all storm water facilities to be built to PennDOT standards. This is a courtyard with pedestrians and is not to be driven on. They would like a smaller inlet that is more aesthetically pleasing.

Mr. Latsha questioned Ms. Wick if the smaller inlet will handle the water runoff.

Ms. Wick replied that it will be large enough, and it is the only one of the inlets at this site that will be smaller.

A motion was made by Mr. Latsha and seconded by Mr. DeHart to waive the size requirement of the storm water inlet.

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

Motion unanimously approved.

**K&W ENGINEERS & CONSULTANTS**  
**FINAL LAND DEVELOPMENT PLAN FOR SHEETZ, INC.**

The Planning Commission reviewed the Final Land Development Plan for Sheetz, Inc, as prepared by K&W Engineers & Consultants.

Kris Raubenstine, K&W Engineers, reviewed the new sketch plan for the proposed Sheetz facility which is almost identical to the original plan. The site is located at the corner of Meade Avenue and SR 230. Some features in addition to the main store include fuel pumps, a car wash, drive-through & pick-up area, a loading service with dumpsters in an enclosed area. Mr. Raubenstine showed where the existing drainage ditch runs along SR 230.

Mr. DeHart questioned Ms. Wick on how far the Flood Plain is from this parcel.

Ms. Wick replied that the majority of the site is in the 500 year flood plain, and not the 100 year flood plain.

Mr. DeHart commented that the Fire Department Committee has not had a chance to meet on this facility. He requested that if the Planning Commission approved this plan tonight, one of the stipulations would be to meet with the Fire Department Committee to review their plan.

Mr. Raubenstine questioned Ms. Leah Pearlman-Storch on the County comments regarding the SR 230 entrance.

Ms. Pearlman-Storch clarified that the County would like to see a clear one-way sign off of the SR 230 entrance to the site.

Mr. Raubenstine stated that they will take pictures to show that there are about four different "Do Not Enter" signs on site.

Mr. DeHart questioned if tractor trailers can get around this site, and stated his concern on the SR 230 traffic with four ways in and only two ways off of the site.

Mr. Raubenstine replied that tractor trailers will be able to get around the site.

Mr. Soyka, Engineering/Permits Manager stated that there are four ways onto the site and three ways out as there is an access drive that connects to Meade Avenue.

Mr. DeHart questioned if an estimate was known on how many vehicles per hour would visit this site.

Mike LaCesa, Director of Real Estate for Sheetz, stated that each store is different and they cannot predict how much volume there will be inside the store or at the gas pumps. Traffic is not as busy at this site as many other Sheetz locations that are located at a full intersection. This is a large site accommodating everything that is planned to be built. They do not want tractor trailers using the site, so they do not sell truck diesel. They will have auto diesel. Some trucks will access the area, and it is set up to provide safe access for pedestrian and large vehicle traffic.

Mr. DeHart questioned if the SR 230 entrance to the site could be changed from an entrance only to a two-way access for the site (right in/right out).

Ms. Pearlman-Storch stated PennDOT approval would be required before making that change and a Highway Occupancy Permit would most likely need to be obtained.

Ms. Wick commented that there needs to be a Subdivision Plan if the lot will be leased by Sheetz, Inc, and this has not been submitted up to the Township standards. Ms. Wick also commented that the site is within United Water's service area, yet the Plan shows that the water will be provided by SARAA.

Mr. Raubenstine stated that if the site is within the United Water PA franchise area, they will get confirmation from them that it is okay to use SARAA services.

Ms. Wick questioned if the building height is within the zoning requirements.

Mr. Raubenstine stated that they are within the requirements at a height of 24' 6".

Ms. Wick stated that there are a couple of DEP permits and asked which permits they would need.

Mr. Raubenstine stated they would need a permit for the sewer crossing under the creek on the other side of Meade Avenue. The retaining wall with an encroachment near the channel along SR 230 is within 50 feet of the bank and in the absence of a FEMA-defined floodplain, this may require a permit. Mr. Raubenstine questioned if it makes sense to have sidewalks along SR 230.

Ms. Wick stated that people walk in the right turn lane on SR 230 in front of this site currently. A pedestrian easement at this site was discussed as a possibility to prevent pedestrians from walking along the road.

Mr. Raubenstine asked for clarification on Ms. Wicks comment on access drives being considered private drives and meeting certain design standards.

Ms. Wick stated that the access drive in question would be off SR 230 beyond Sheetz heading north to the signal.

Mr. Raubenstine stated they did not want to rebuild that road since it was constructed recently, and wanted to know if this drive was ever approved as part of a Land Development Plan or approved by the Township. Mr. Raubenstine asked HRG to research this and provide something showing what the design intent had been and if this drive is in compliance.

Ms. Wick stated that they will have HRG check on this.

Mr. Raubenstine questioned another comment from Ms. Wick on the handicapped access to the air machine, and that everything on this machine is below 42" in height.

Ms. Wick stated that this is only preparation for the building permit since the site will be evaluated.

A motion was set by Mr. DeHart and seconded by Mr. Latsha to table the Final Land Development Plan for Sheetz, LLC.

Motion unanimously approved.

## **NITTANY VILLAGE STUDENT HOUSING, PHASE 2** **ZONING MAP AMENDMENT**

The Planning Commission reviewed the Zoning Map Amendment at the Nittany Village Student Housing – Phase 2, prepared for Lawrence Street Partners, LP, c/o GreenWorks Development, LLC, General Partner. The request is to change the zoning district from Residential Urban (RU) to Commercial Neighborhood (CN), to allow student housing through a Special Exception.

Timothy Przybylowski with Century Engineering for Lawrence Street Partners, LP, and their General Partner, Greenworks Development, LLC, introduced himself and spoke on the importance of the zoning change to support Penn State's urgent need for quality student housing that is safe and walkable. Lawrence Street Partners envisions a second phase to the Nittany Village student housing that will continue to operate as an extension of the Penn State campus and provide direct pedestrian linkage between adjacent properties. Under current zoning, the student housing would not be a permitted use within the area described by this amendment. Under amended zoning, student housing would be permitted by a Special Exception. Thus, Lawrence Street Partners, LP, is requesting a Zoning Amendment to rezone an approximate 1.4 acre triangle of land from a RU to CN district. Agreements of sale have been executed between Lawrence Street Partners and the four existing property owners which constitute the entire area of land to be re-zoned. The 1.4 acre site is served by both public water and sewer, and since the intended use of the tract is for student housing by Special Exception, there is no anticipated impact to the school system or surrounding road infrastructure. Currently, the lack of onsite student housing within walking distance, forces the students to commute from the surrounding community. The creation of more walkable housing is anticipated to reduce the amount of trips occurring from off-campus students. This proposed Zoning Map Amendment meets the goals of the updated Township's Comprehensive Plan with smart growth, compact design, walkable communities, diverse housing options and economic vitality through the development.

Mr. Breon confirmed with Mr. Przybylowski that what he really wants to do is add another building and asked if it would be similar size and shape of the current student housing buildings.

Mr. Przybylowski stated that the building would be of the quality and similar style but on a smaller scale. The building will have around a dozen dwelling units (four beds per unit) but a final number is not confirmed at this time. There are nine lots with four owners and there is an agreement with each of the four owners.

Mr. Latsha questioned the projected closing on this agreement.

Matt Tunnell with GreenWorks Development, LLC, replied that the projected closing on all parcels would be before the end of the year.

Mr. Latsha questioned if the contract is contingent on approval of this plan.

Mr. Tunnell stated that it is not specifically contingent on the approval; however, the contracts allow them to walk away from the parcels for any reasons associated with an inability to develop at the site. If GreenWorks walked away from this contract, there would be a financial penalty ranging from two to five percent of the contract price. GreenWorks is moving forward at risk.

Peggy Ginnovan, a resident, stated that she is in agreement of approving the zoning change, and felt that this is a way of getting out since she is no longer happy living in this area.

Don Burger, a resident, felt that in the long run the rezoning would benefit the neighborhood by having better access with sidewalks and better lighting in the area.

Ron Keeney, a resident, stated he is against this as it will increase traffic flow along Dauphin Street and Lawrence Street. Lights and sidewalks are great but construction crews have had no consideration to residents in the neighborhood. Some colleges are downsizing and he is concerned this will happen to Penn State in a couple of years causing the student housing to be sold and anyone could be moving into the housing units.

Ruth Helwig, a resident, stated that she would like to have the student housing put up so that she can market her property and get out of the neighborhood.

Bob Hawk, a resident, stated that he is in sync with this project and believes that it will help the neighborhood.

Ron Keeney stated that even if sidewalks were in place, the students will take the shortest route to the campus. They have knocked down a fence and all barriers to make a shortcut to campus. He expressed his concerns of having greater restriction upon accessing his house once the construction of the new housing begins.

Ruth Helwig stated that she is very tired of the parties which keep her awake during the night.

Don Wagner questioned how it is beneficial to the community if the residents just want to sell their properties so that they can get out. This would only make a bad situation worse, and felt that the residents should not put up with what is being done.

Ron Keeney stated that there should be increased police in the area with the added student housing.

Peggy Ginnovan stated that her house was egged one Saturday night and then the next night, too, and she is now afraid to be in her home at night. If she would have the opportunity where someone was willing to buy her house, she would be all for it.

Mr. DeHart questioned what the ultimate goal would be after the new housing unit would be completed.

Mr. Tunnell stated that the 13.5 acres that is not shown on the map is part of the Middletown Cemetery Association and it has been discussed that this is under the agreement with the Association. The 13.5 acres is zoned differently with some the land belonging to the borough. If there is continued growth, there could be housing built in this area for about 1,000 or more beds. As the buildings continue to be filled and the tracts are developed, this area could be developed in the future.

Mr. DeHart questioned Mr. Tunnel if a long-term goal of theirs might be to sell the property to the Penn State Campus.

Mr. Tunnell stated that they have not sold a single property in the six years that the business has been in existence. Not that they could not sell anything down the road, but they have been owners, developers, and managers.

Mr. Latsha asked if the demand for the housing is based on communications with Penn State.

Mr. Tunnell replied that the demand is coming not only from Penn State, but mainly it is what they are observing through the phone calls that they are receiving regarding housing needs as there is still a demand to lease in this year. Other than what is on campus, Penn State has not had much student oriented housing. GreenWorks and Campus Heights are the first dedicated off-campus student housing in this area. Even though they are not currently 100% leased, they are in the upper 80% and by spring they anticipate being completely occupied.

Mr. DeHart questioned whether the new sidewalks will direct the students to campus.

Mr. Tunnell stated that the students do walk on the straightest and shortest path that they can take to campus. There are areas on the northern part of Lawrence Street that do not have sidewalks and the students do walk in the middle of the road to walk to campus. They are looking to put the gate back in at the emergency entrance near the security building of Penn State, at the top of the Lawrence and Dauphin intersection to direct students onto the pedestrian walkway to campus.

Mr. Breon questioned Ms. Wick on the process of having a change to the Zoning Map Amendment.

Ms. Wick replied that there has been a Zoning Hearing scheduled for December 5<sup>th</sup>, and The Planning Commission can make a recommendation to the Zoning Hearing Board. The plans have also been sent to Dauphin County Planning, and they will meet on November 5<sup>th</sup>.

Mr. Breon questioned if Dauphin County has an opinion on this zoning change.

Ms. Pearlman-Storch stated that Dauphin County will submit a letter to the Commissioners after they meet on November 5<sup>th</sup>.

Ms. Wick commented that the benefits to approving this plan would be that they are able to improve Lawrence Street, and they will have more control up near the emergency access.

Mr. Tunnell stated that there would be infrastructure improvements including streetlights, and expects a pedestrian access onto campus, sidewalks along northern Lawrence Street to prevent walking on the street.

Mr. Breon questioned Don Holtzman, with Penn State, if he would be in favor of these changes.

Mr. Holtzman stated that they do want to work with the Township and the residents in the neighborhood to do this in a way that is least intrusive. If the answer to the situation is to place a fence in the area, they are in favor of that. If it makes sense to have a pathway further into the development, they will come up with the right-of-way and build that into the system. Currently, they are looking at the master plan for the campus and trying to bring the entrance of the campus down further to draw the students over that way.

Mr. DeHart questioned if there were any decisions on what type of gate would be used for emergency access.

Mr. Tunnell stated that they would communicate with the Fire Department and they know of their interest would be to have access to a fire hydrant on the other side of the gate.

Ronald Keeney felt that there are plenty of rental properties in town, so the student housing is not necessary.

Mr. Latsha questioned if this is consistent with the Comprehensive Plan.

Ms. Pearlman-Storch stated that there are pieces of the Comprehensive Plan that do support this as there are elements that discuss working with Penn State to establish more of a campus feel and integrate them into the Township. This will have to be reviewed more thoroughly during the review process in November.

A motion was made by Mr. DeHart to recommend approval of the Zoning Map Amendment. There was no second to the motion and the motion failed.

A motion was made by Mr. Latsha and seconded by Mr. Wagner to table the proposed Zoning Map Amendment. The motion carried with a two to one margin with Mr. DeHart dissenting.

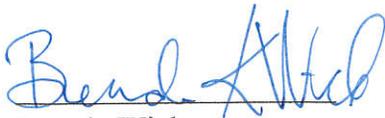
### ADJOURN

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

Motion unanimously approved.

Meeting adjourned at 9:03 P.M.

Respectfully Submitted:



Brenda Wick  
Planning and Zoning Director