

## MINUTES

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

**REGULAR MEETING  
AUGUST 28, 2025, 6:00 P.M.**

Meeting was called to order by Chauncey Knopp at 600 P.M. with the following present:

Chauncey Knopp, Chairman	Don Fure, Director of Codes, Planning & Zoning
James Young, Vice Chairman	Richard Snyder, Planning & Zoning Coordinator
Dale Messick	Brett Flower, LST Solicitor
Howard Crawford	Mike Wood, HRG
Tonya Condran, Recording Secretary	Alexa Korber, DCPC

Excused: Joseph Formica

Others present:

Joel McNaughton	Ron Paul, LST BOC
Tom Fisher, resident	Zach Border, LST Mgr.
Barbara Florence, resident	Jeff Shyk, K&W Engineering
Dave Feidt	Carolyn Yagle, Environmental Planning & Design

### **PLEDGE OF ALLEGIANCE & ROLL CALL**

### **APPROVAL OF MINUTES:**

Mr. Knopp asked if there was a motion to approve the July 24, 2025, meeting minutes. The motion was made by Mr. Messick and seconded by Mr. Crawford. All were in favor. Minutes were approved.

### **NEW BUSINESS:**

**a. Fulling Mills (2025)** – Planning Commission File PC#2025-04. The equitable owner, McNaughton Properties L.P., requests both a Zoning Map Amendment and a Zoning Text Amendment to the Lower Swatara Township Zoning Ordinance. The subject property consists of three (3) parcels of land, totaling approximately 201.98 acres. Currently, the three (3) parcels of land lie in either the Residential Suburban (R-S) District or the Residential Agricultural (R-A) District; and the equitable owner proposes to rezone the current zoning districts to Residential Suburban (R-S) District. Additionally, the equitable owner requests a Zoning Text Amendment to the Residential Suburban (R-S) District to permit age-restricted residential development as a Conditional Use.

Joel McNaughton introduced himself as the attorney for the McNaughton Company and partner in McNaughton Properties L.P., the equitable owner of the Williams property. The property is better known as the Williams' Farm. He said the introduction describes it pretty well. The property is north of Fulling Mill Road and south of Oberlin Road. It is an important and large property in the center of the township.

He went on to explain that he wasn't going to present the sketch plan this evening, because he just wanted to talk about the Zoning Amendments. Plus, the sketch plan would just be a picture of one possible way the property could be developed should the Zoning Amendment be approved.

Mr. McNaughton explained that in the (LST) Comp Plan, they talk about this property as an "opportunity site", which they define as "a location to create a center for the Township community". It talks about several ways the property could be used. Commercial? Industrial? He said that is consistent with existing use along that corridor, although may not be so consistent with the residential uses that are east of the tract. And although Commercial and Industrial could derive some fiscal benefits, the Comp Plan also struggles with what to do about the existing Residential districts. The Comp Plan also talks about Residential Suburban (R-S) which is what portions of this property are zoned, which is large-lot single family detached development. So, the Comp Plan suggests that this is compatible with existing land uses also. The Township would probably not benefit as much from a large-lot single family use as they would from a commercial or industrial use. He feels the three key points the Comp Plan is looking for are: is it compatible, is it consistent, and is it beneficial to the township.

Mr. McNaughton went on to say that they went over all these things and he doesn't feel Industrial is the right thing to go in there because it would be most impactful to the surrounding residents. Commercial would have a similar impact but less demand than there would be for Industrial. And with the large-lot Residential, they tried to find a way to make that work but the sales data in Lower Swatara and Dauphin County generally says that a 20,000-sf lot would be hard-pressed to sell for less than \$700-750 thousand, so that pool of buyers really starts to shrink. That just didn't seem like the most appropriate way to tackle the development of this site. So, what they came up with is what they are here to propose to the Planning Commission tonight. He feels their proposal hits all the key points. This would be an Age-Restricted Residential Development.

Mr. McNaughton then explained what an Age-Restricted Residential Development would be. It is a residential development planned and designed for persons over a specified age, and it is in accordance with the Federal Fair Housing Act and the Housing for Older Persons Act which is really where this came out of. It can include single-family detached homes, single-family semi-detached homes, community centers, open spaces, recreation spaces, and when you think about age-restricted housing, generally that means that 80% of the houses in the community have to be occupied by at least one person aged 55 or older. Further restrictions can be added, such as no permanent residents within the community under the age of 18. This means that grandchildren could come visit and stay for a couple weeks, but they cannot be permanent residents.

Mr. McNaughton went on to say that they are accomplishing this with a two-stage process. The first part is that they are asking for a Zoning Map Amendment. That map amendment would take the entire 201.98 acres and turn it all to Residential Suburban (R-S). Worst-case scenario is that somebody could come in there by right and do the 20,000-sf development that he alluded to earlier. The way that is different from what you could do there today is that the bulk of the property is zoned Residential Agricultural (R-A) and that requires 1-acre lots. All the other uses are pretty much consistent [between R-S and R-A.] So it is not “spot zoning”, it is just an extension of the already existing zoning.

The second part is that they are asking for a Zoning Text Amendment.

Mr. Young asked to interject. He asked if the application they submitted back in 2024 was scrapped and is this like “Fulling Mills 2.0”.

Mr. McNaughton said yes that first plan never went fully through.

Mr. Crawford asked what has changed since his initial application back then that made them decide on an over 55 community versus regular homes.

Mr. McNaughton explained that he didn't think there was a lot of support to take this from an R-A to an R-U, which is ultimately where you need to be to get lots of a size that have market acceptance. So, if they can get to R-S, he feels you get somewhat smaller lots, but the market analysis just does not support putting 350 20,000sf lots out in the market. So really nothing has changed because the previous plan had smaller lots with smaller houses. That is what they think is desirable but rather than do it in a by-right or

non-restricted fashion, they think that there's less of an impact by having a similar number of units and going age-restricted.

Mr. Crawford asked for clarification. He said that for what they are proposing, the lot sizes are the same whether they are age-restricted or not, correct?

Mr. McNaughton answered no, nothing they are proposing touches the current R-S zoning standards if you are not age-restricted. The only way you can make a change to the current standards is if you go through the process of being age-restricted to meet the criteria. Their text amendment says you must have 150 acres, must be served by public water and public sewer, you have to go through a conditional use process, you must provide 40% of the site as open-space, and a maximum of 40% as impervious coverage. This allows for 70% single-family detached, 30% single-family semi-detached. It requires you to build a clubhouse and recreational facilities for the use of the residents. So, if you do all those things, you can have smaller lots. If you don't, you must have 20,000sf lots.

Mr. Messick asked if there was a required square footage per unit with this.

Mr. McNaughton said yes, there is a size limitation in the Ordinance.

Ms. Flowers explained that for the density, the Ordinance says 2.5 units per acre. So the math on that is 17,424sf per unit, which is marginally smaller than the 20,000sf.

Mr. Crawford asked how the 17,000 per unit versus the 20,000 get you a better selling ability.

Mr. McNaughton answered that it allows you to cluster. So, you get a much more efficient development. He went on to explain that if you develop this property as R-S, you are going to have 350 houses scattered all over there with more streets than you see on their new proposed plan, larger lots, with 20,000 sf lots at \$750,000 which the market study shows that there is limited market for. When you go age-restricted like this, you change that buyer fee. The market data on 55+ living is growing. They would like to live in these types of communities where the grass is cut for them, the snow is shoveled for them, they can go down to the clubhouse and have a Happy Hour after work, or jump in the pool, or play pickleball. So basically, what it comes down to is market acceptance.

Mr. McNaughton pointed out on his sketch plan that there are 448 units there, 70% (or 314) are detached single-family, and the other 30% (134) are duplexes. There are 99.067 acres of open space, a clubhouse that is just shy of 8000 sf with a multipurpose room, a fitness center, and probably a part-time staff person who would organize different events for the community. There would also be pickleball courts, bocci area, a putting green, a fire pit, and outdoor seating. It's really like resort-style living in central Pennsylvania. Every unit has a two-car garage with a two-car driveway. The HOA would handle all lawncare and all snow removal on the streets, sidewalks, driveways, and porches. The roads are 32 feet wide with curbs and sidewalks on both sides. There is 43,483 linear feet (8.24 miles) of sidewalk shown on the plan. There is also a lot of off-street parking. The idea is that this community is largely self-contained.

Mr. Young asked if they were counting the accessory uses on the property as part of their open space requirement.

Mr. McNaughton said the accessory uses are included in those 99 acres of open space. The thinking there is that in addition to providing all those facilities, the proposed ordinance also requires every unit to pay the Park & Recreation fee. The concept of open space is passive recreation. But if you took the accessory uses out, they would still be in excess of 40% open space.

Mr. Young said that it sounds like this is based upon the industry and what other developers have done in other municipalities. And these numbers just haven't been drawn out of air; there is some rationale that the proposed deviation from what would be a standard R-S supports the entire concept for the whole property.

Mr. McNaughton said that is correct.

Mr. Messick added that this is a conceptual plan of what could be if the zoning was changed.

Mr. McNaughton said that was exactly right.

Mr. Young pointed out that this was at the very beginning of any sort of planning process. They are here tonight to give us their reason why we should make this a Conditional Use. Then they will have to apply for the Conditional Use and the normal planning process of traffic studies and stormwater management and all that.

Mr. Young brought up the HOA and who can live there under the 80/20 rule and how to go about verifying and enforcing all that. Is that something that will be addressed in the Homeowners Agreement?

Mr. McNaughton said that it is 100% addressed in the Homeowner Agreement. The association keeps very detailed records because they don't want to be in violation of the rules. Enforcement is mainly done by all the nosey neighbors, who then report it to the HOA.

[Sewer related discussion followed between Mr. Young and Mr. McNaughton]

Mr. Messick thought that if we were going to approve rezoning there, maybe we should be consistent with that area there along Fulling Mill Road and rezone that part as C-N versus rezoning it all Residential. He asked if maybe we should stay with the Comp Plan.

Mr. Knopp asked Mr. Fure if he had any comments on that.

Mr. Fure said as far as rezoning goes, we have been approached many times over the years to have that rezoned to some type of commercial zoning but the appetite for that didn't seem to exist. He told Mr. Messick that we could maybe write up a recommendation of a split zoning of C-N and R-S, then present it to the Board of Commissioners to see how they feel, knowing that it will be some type of residential development.

Mr. Young asked for confirmation that The Pond is in C-N District.

Mr. Fure said that is correct. They will have two buildings at the front corner of the property at Fulling Mill and Nissley for future commercial use.

Mr. Knopp asked Ms. Korber for any comments.

Ms. Korber stated that DCPC did review this on August 4<sup>th</sup> and Mr. McNaughton was present for that. Because they are looking for a rezoning sort of bundled up with a Conditional Use for an age-restricted residential community, the County likes to see that as two different applications because they are two different actions. Each decision should stand on its own. The County likes to look at a Conditional Use and make sure that

actually makes sense in the district. She added that they did see that the Comp Plan identified the Williams Farm for rezoning, and it did state C-N as the ideal rezoning for that property at the time that the Comp Plan was written. It looks like different residential uses including residential retirement facilities are allowed in that district by Special Exception, so she wonders if that might make a difference.

Ms. Korber stated that the County's other big concern was traffic on Fulling Mill Road. It is a very high traffic area, so before anything major goes in there, we would have to consider that.

Mr. Young said that on page 2 of the County's comment letter it says, "The County does not object to the rezoning of R-A to R-S", so what they are saying is if the Township wants to do it, the County will not object.

Ms. Korber said that they do not generally object to uniting a parcel under a single zoning district because that is better planning than having it all split up. But whether the Township wants to go all R-S or go with the Comp Plan and make it C-N, is the Twp.'s choice.

Mr. Young asked about the survey. There was a man here last month who came to speak about The Middletown Home about the dire need for over-55 housing, and Mr. Young's question to him was if he was aware of, in addition to what Middletown Home is proposing, The Pond on Fulling Mill is being built. And now this is being proposed. Is there that much of a need for over-55 housing, is there that much of a market for that?

Mr. McNaughton replied that it is what studies say that they updated as recently as yesterday. There are pretty high absorption rates, higher than what you would anticipate. In Central Pennsylvania, about 2 to 4 units a month is generally good for a new home community. For age-restricted, it is more in the range of 7 -12 units a month, especially with an amenitized facility and staff-organized community events.

Ms. Korber concluded that DCPC did not put forth any objections to it, but that is not necessarily the same thing as saying we support it.

Mr. Knopp asked for any comments/questions from HRG.

Mr. Wood said that he feels all HRG's comments have been covered.

Mr. Knopp asked Mr. Fure if he had any idea what the BOC would like to see with this proposed project.

Mr. Fure explained that this development is more designed like an R-U which is pretty much the core of the Township. [The overhead projection of the Township Zoning Map was used to point out where the R-U and R-S districts were in LST.] So, what they are doing is building a community, it is tighter living, but he said he wanted to get the Board's opinion of how they feel about it. Like discussed earlier, the R-S is 20,000sf lots and the R-U is 10,000 sf lots. Same with setbacks, what he is proposing is 15 feet between buildings. The R-U is 8 feet, and the R-S is 16 feet. So, it is very similar although it is a unique development.

Mr. Knopp asked Ms. Flower for any comments/questions.

Ms. Flower said that everything she had has been addressed.

Mr. Fure asked Mr. McNaughton if they were going to permit accessory structures (sheds, pools, gazebos, greenhouses, etc.).

Mr. McNaughton said that all accessory structures, which would also include fences, will be prohibited.

Mr. Fure pointed out that they should have a lot less equipment in their garages because their yards will be maintained by the HOA, so sheds won't be a necessity.

Mr. Knopp asked if these homes would have basements.

Mr. McNaughton said he cannot say with 100% certainty yes or no at this time. He said that when 55+ communities were first started, it was almost always a blanket "no basement", but as these communities have grown, it is almost now that they all do have a basement. Since they cannot have a shed and you don't want all your stuff in your garage, basements are becoming increasingly more popular.

Mr. Crawford asked if we wanted to change the zoning to this or to Commercial. And would the whole thing be Commercial?

Mr. Knopp said only the frontage should be Commercial zoning.

Mr. Crawford asked what the benefit was to the Township of one versus the other. (C-N versus all R-S). Which one benefits LST the most? What are the positives and negatives?

Mr. Fure said that he feels it is a little late in the game to be talking about rezoning it Commercial. If it would've been rezoned Commercial, they could've marketed it to another buyer. This buyer (McNaughton Company) plan is to build residential homes, so Mr. Fure doesn't see any advantages of making it a Commercial-Neighborhood zoning district now. We just need to stick with the R-S or R-U to build out single-family homes. He added that this is just his opinion.

Mr. Young said that one of the concerns expressed was about lot coverage. Isn't C-N up to 65%? So, at 40% coverage, they are much closer to the coverage for R-S than they are for C-N.

Mr. Fure confirmed that. He went on to say that the R-S District is 30% coverage, and the R-U is 40% coverage. With this plan, they are proposing 40%.

Mr. Young wanted to know if the applicant has any input if they would split the difference between the R-S and the R-U and went with 35% or is their plan based upon the 40% coverage.

Mr. McNaughton answered that it is not based upon 40% coverage because while they did more engineering on this sketch plan than they normally did, they spent a lot of time looking at the grade of this site. He said it is pretty interesting if you stand out there and look at the 200 acres. Right now, it looks like it is pretty flat, but it is really uphill. There is an existing fiberoptic line and a gas line that crosses the property, so they cannot change the grade in those locations. He added that he didn't think it would be fair to come here with a "pretty picture" that had no reality, so there is a lot of engineering behind this. He said he knows they are not at 40% and he doesn't think they are 30%, but it is somewhere in the middle.

Mr. Young asked if 1260 Lumber Street is included in their exhibit.

Mr. McNaughton said yes, in that exhibit it is included, but in the original exhibit it wasn't.

Mr. Fure discussed the impervious coverage. It says impervious coverage including buildings shall be 40% of the gross tract.

Mr. McNaughton said that 40% covers everything from roads to sidewalks to buildings, etc. The plan that was on the board tonight, as it stands now, is 28.6% impervious coverage. So, we could make the clubhouse a little bigger or something like that. He said 35% is pretty reasonable.

Mr. Fure went over a couple comments with Mr. McNaughton. If any home fronts on a collector-road, we should probably limit it to no parking on the street. Also, in LST ordinance, for parking (under single-family homes), we do allow bumper-to-bumper parking as it stands today. But what we are going to talk about tonight is changing that to side-by-side and not bumper-to-bumper.

Mr. Knopp asked for any questions or comments from the Public.

Barbara Florence, 33-year resident of Lower Swatara Township and resides in Twelve Oaks, came to the microphone. She asked if these were going to be rental units and what the price range would be.

Mr. McNaughton answered that they are designed as “For Sale” units. They are not designed as rental units. There would not be any restrictions though that if someone bought it and wanted to rent it out, they would be able to do that. They estimate that a single-family detached unit in this community would be \$500-\$550K and a duplex unit would be between \$400-\$450K. He said that it would be on the lower to lower-middle tier of sale prices for these types of units in an age-restricted community.

Mr. McNaughton also added that the Middletown Area School District would benefit the most from this because they would get lots of real estate taxes with no children to teach from this community. The total annual tax revenue based on numbers he gave would be about \$3.5 million of which \$2.4 million would go to the school district.

Mrs. Florence asked how many square feet the average home would be.

Mr. McNaughton said approximately 3500sf for detached houses and 2200sf for duplexes.

Mrs. Florence asked if there would be three entrances into the development.

Mr. McNaughton said that is what is proposed.

Mrs. Florence asked if Lumber Street would be extended all the way through the development.

Mr. McNaughton said that they purposely tried not to make Lumber Street a pass-through road. It will go up to the clubhouse.

Mrs. Florence asked where the road would go out onto Route 441.

Mr. McNaughton said across from Swatara Drive.

Mrs. Florence asked if there would be an entrance across from Twelve Oaks.

Mr. McNaughton said yes, across from O'Hara Lane.

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

Mr. Young asked if there was anything discussed tonight that made Mr. McNaughton want to rethink any portion of the Ordinance. He also stated that he thinks it may be the best resolution tonight to table this and then they come back either in September or October.

Mr. McNaughton said he agreed. There are at least three places that are going to require some further refinement of the Ordinance. He feels they should also consider an addition that would prohibit accessory structures.

Mr. Knopp asked if there were any further questions/comments. There were none.

- Mr. Knopp asked the board what they would like to do with this tonight.
- Mr. Young made a motion to table until such time as the Township and the Applicant can agree on the verbiage of the Ordinance.
- Mr. Crawford seconded the motion.
- All were in favor.

Plan was tabled.

## **OLD BUSINESS:**

None.

## **OTHER BUSINESS:**

### **a. Discussion – Revised “Draft” of Proposed Subdivision & Land Development Ordinance and Zoning Ordinance Revisions.**

Mr. Fure introduced Carolyn Yagle of EPD, who was hired to evaluate our Ordinances, and explained that the revision included adding more, as last month’s packet was 64 pages, this month it is 81 pages.

Some topics of the discussion on the Ordinance changes included:

- Pools – not permitted in front yard
- Tandem parking (bumper to bumper) – new builds will require side by side parking
- Added business signs
- Added the wording “approve or deny”
- Pages 51 - 62 added – Parking Ratios: Ms. Yagle explained that they tried to get some consistency, so the terminology matches in the Land Use. They have been at such a level of detail that they don’t even necessarily exist as Land Uses anymore. But she said there still are some uses there that will not require a parking ratio.

[More discussion on Parking Ratios ensued.]

Mr. Fure went through the revisions page by page with the Planning Commission.

Talking points that were discussed:

- Streets – final street names and numbers must be approved by Dauphin County in conjunction with Township Staff
- Snow Dump Areas – duplex and townhouse complexes where off street parking abuts the street, snow dump areas shall be provided
- Easements – minimum width of 20 feet
- Shade Tree Commission is now the Planning Commission
- Storm Sewers – no more metal pipes; concrete or plastic only from now on

- Definitions
- Retirement vs Age-Restricted – verbiage clarification
- RV Parks – clarification of meaning (we do have one RV Park in LST)
- Low Intensity Retail vs High Intensity Retail – can be distinguished by square footage or number of visits per hour. In some municipalities, outdoor sales automatically put you in a High Intensity category. Convenience Store is in its own category. The Planning Commission all agree that we should make these distinctions.
- Restaurants – sit-down vs drive-thru. It can be based on number of seats, whether a menu is provided, or whether it is in a convenience store (ex: Sheetz, Wawa).
- Consistency of terms in all areas of the Ordinance
- Maximum building height to now be 50ft instead of 40ft
- Solar Canopies can have a maximum height of 25ft
- Everything related to pools is in the Pool Code now (State Code)
- Accessory Apartment – must be incorporated within or attached and open to an existing single-family dwelling, only for blood- or marriage-related person(s), now 600 sf instead of 400, and an additional off-street parking space for the accessory apartment
- Lighting – must reflect away from adjacent lots, must also be made to minimize glare on adjacent properties
- Changes in Non-Conforming Uses – applicant cannot bring in more traffic, storage, waste disposal, noise, smoke, dust, fumes, heat, odor, glare, vibration, etc.
- More parking discussions

The last thing Mr. Fure asked for discussion about this evening was the Chicken Ordinance.

Mr. Young asked for the opinion of Ms. Yagle, Ms. Flower, and Mr. Wood on whether they felt this ordinance should be in Chapter 2 or Chapter 27.

Ms. Flower said that her recommendation is actually both, which is what we already do have.

[A few discussions on chickens took place at this time.]

Mr. Fure asked the Planning Commission for any questions or comments.

Mr. Young said that he looked at a couple other different municipalities' chicken ordinances, and ours was not much different from theirs. Mr. Young didn't feel that it was as onerous as having four large dogs in a smaller development.

Mr. Fure said one thing he noticed in the surrounding areas (i.e. West Hanover and possibly Susquehanna townships) is that they actually require residents to pay a fee to have chickens on their property.

Mr. Knopp asked if the fee was annual or just a one-time fee.

Mr. Fure thinks it was just a once-and-done fee, but he will look further into it.

[Extensive discussion on chickens/roosters/coops ensued.]

The Planning Commission agreed that to have a rooster, you must have a minimum of 1 acre.

[More discussion on chickens/roosters/chicken coops continued.]

Mr. Fure asked that the setbacks be handled and finalized at this level tonight. In section 3 of the chicken ordinance, it says the setbacks for chickens/runs/hen houses shall be not less than 100 feet from adjacent dwelling units [neighbor's house], and not less than 15 feet from a property line, and not less than 20 feet from the owner's house. He pointed out that the 100 feet setback is going to limit a lot. He asked the PC members if they were comfortable with those numbers.

[The PC members discussed the setbacks in depth at this time.]

The Planning Commission decided that they would like the 100-foot setback to be changed to 50 feet [from neighbor's house]. They agreed with the other two setbacks [20 feet from owner's house and 15 feet from property line]. They all agreed that there can be none in the front yard setback. Chicken Coops are considered Accessory Structures, and Accessory Structures can only be in the side or rear yards.

They also decided that this is not just limited to chickens but also includes ducks, guinea hens, geese, turkeys, and all other poultry.

Mr. Young suggested that the PC review this all between now and the September meeting with the intention of signing off on all of it so it can be advertised and go before the Board of Commissioners.

**b. The next Planning Commission meeting** will be held on Thursday, September 25, 2025, at 6:00 P.M.

**PUBLIC COMMENT:**

Mr. Knopp asked for any comments from the Public. There were none.

**GOOD & WELFARE**

**ADJOURN:**

A motion was made by Mr. Crawford and seconded by Mr. Messick to adjourn the meeting. All were in favor.

Meeting adjourned at 10:17 P.M.

Respectfully Submitted,

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Donald A. Fure, Director of Codes/Planning & Zoning