M I N U T E S

LOWER SWATARA TOWNSHIP **REGULAR MEETING**
PLANNING COMMISSION **FEBRUARY 26, 2026, 7:00 P.M.**

Meeting was called to order by Chauncey Knopp at 7:00 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	Jim Diamond, LST Solicitor
Howard Crawford	Alexa Korber, DCPC
Joseph Formica	Mike Wood, HRG
Tonya Condran, Recording Secretary	

Others present:

Zach Border, Twp. Manager	Ron Paul, LST BOC
Joe Burget Jr., Burget & Associates	Jeramy Bittinger, Landworks Civil Design
Jeff Shyk, K&W	Marc Kurowski, K&W
Grace Heiland, CRA	Maura Gibbons, resident
Justin Witmer, resident	Chelton Hunter, MASD
Bill Meiser, MASD	Charlie Courtney, McNees Law

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

Mr. Knopp asked if there was a motion to approve the January 22, 2026, meeting minutes. The motion was made by Mr. Messick and seconded by Mr. Crawford. All were in favor. Minutes were approved.

OLD BUSINESS:

a. Halkias Minor Subdivision Plan – Planning Commission File PC#2025-08. The Final Minor Subdivision Plan proposes to subdivide an existing 8.110-acre parcel into three (3) separate building lots. The proposed improvements depicted on this Plan are for informational purposes only and are not intended for installation/construction.

Joe Burget of Burget & Associates came to the floor to explain what he referred to as a pretty simple plan. He explained where the property was located: off Oberlin Road

[is Shady Lane] there is a private lane that goes back into property that is currently being used by a couple people in the back. It's about eight acres of ground. We want to subdivide it into three building lots. We did some testing on all of those. Went through some comments from the engineer. And I think everything's pretty simple right now. It's pretty cleaned up. We have no problems with any of the conditions.

Mr. Knopp asked Mr. Snyder for any comments from the Township Staff.

Mr. Snyder said they only have one or two small items to clean up for us. One is the existing well location and existing septic system location for the basic property along 441. And he believes it is the existing septic location for the existing property along Shady Lane. He added that it is minor in nature.

Mr. Knopp asked Mr. Wood (HRG), Ms. Korber (DCPC), and Mr. Diamond (solicitor) for any comments.

Mr. Wood said that their remaining comments are minor in nature. Ms. Korber had nothing else. Mr. Diamond had no legal concerns.

Mr. Knopp asked for any questions or comments from the Planning Commission.

Mr. Crawford had a question. Back to the existing barn that goes over the property line. What are you doing about that?

Mr. Burget said they are pretty much just leaving it as is. It is an existing private thing between the neighbors. If you want, we can put a little small easement around that portion of the encroachment to allow the neighbor to continue that use. Maybe go a foot outside the barn or do something like that. Not a problem.

Mr. Crawford asked Mr. Diamond if there would be any legal issues with that.

Mr. Diamond said that really that is a pre-existing condition, and that is a private issue. As long as the lot otherwise meets all our requirements, there's either adverse possession there or isn't. If we were drawing a new property line through a building, I think we'd have a real big problem here, but that line isn't changing. Physical encroachment isn't changing.

Mr. Messick wanted to verify that all the sight distances have been verified on 441.

Mr. Burget said yes, they have.

Mr. Messick made the comment that that's a nasty spot. There's no doubt about it. And now that we're putting more people in there, there will be more access onto that nasty section of 441 there by having more lots there. So, it's going to be more traffic.

Mr. Messick then said that his other comment was about access to the private drive. He wanted to know that everything was verified about it being accessed by several properties and there were no issues with that.

[There were no issues with that.]

Mr. Knopp wanted to reiterate that the sight distance pulling out onto 441 is terrible there. He can honestly say that he almost got nailed there a couple times.

Mr. Burget said the only other thing we could do is just allow that additional user to come off that existing lane. Then you're controlling it at one spot instead of having two there. He said they could do that, that's up to the Township.

Mr. Knopp agreed that it would be better with just the one spot.

[More discussion ensued on the access drive.]

Justin Witmer, resident of Shady Lane, came to the mic. He said the existing property; the first one is being discussed about being put on Shady Lane. I was told by everybody that it was there before that did not ever connect to Shady Lane. That ran adjacent from the property all the way up to the very end to where it was opened up to go on to Union. As for adding more homes to it, we absolutely do not want more added to it. It's already a hassle enough. Who has to take care of everything because of [it being] a private lane? Everybody that's there has to take care of it ourselves. And so far, it's me or one of the other neighbors that are able to do so. So, adding more and making more hassle, it's not something we really want to do.

Mr. Crawford asked Mr. Burget if the sight line is proven to be satisfactory.

Mr. Burget said yes, it is.

Mr. Witmer retorted that he does not feel the sight line is adequate to add another one to it. I just don't see how it's possible. And from where it's being discussed, I don't see how it's possible. I walk across the road almost every day to get the mail. I've been hit by a car with the mirror on my hand while going across and trying to get it. She tonight almost got hit by a car trying to walk across. So it's just, I don't see how it is even possible that standards of today, with traffic that's going down through there, the schools, the developments, everything getting bigger, all the traffic that's coming through just doesn't seem to make sense.

Mr. Fure asked a question. So Shady Lane is pretty long, right? About a half mile or so. What if that driveway is within the first 60ft and then that lot can help at least with the first 60ft. Your problem seems to be with the half mile.

Mr. Witmer said it's not even just the half mile. It's the whole thing. Because what's to say new people come in and want to improve their part of that lane? Who's paying for it? Is it them? Is it us? Are we going to have to go to court over everything to get improvements done or not done or fight that we don't have to pay for anything. Where does that line come in? Everybody that's there now has an agreement. Improvements are done. Pothole goes in, one of us fixes it to help everybody out. After that, once you start adding one or two, three more, where's it going to stop? What's the next one? Because we have that old land that's running along there, let's say that it doesn't get developed and then you just add on. We put the agreement the way it is and for us it's working out.

Mr. Burget replied that we would be adding one more user and as mentioned, it'd probably be just the first 60ft of that lane. We would also entertain a maintenance agreement so that we could say that those two lots, lot three and lot one, would be responsible for the maintenance of that part of Shady Lane within their frontage. I think that would help matters.

Mr. Diamond said that he doesn’t think that we can just wade into that, right now we don’t know what’s out there in terms of recorded or even unrecorded agreements. Right now, this plan would be adding that new driveway, and it either works or doesn't work. But it's also informational. And the reality is if they came in later and wanted to be proposing to connect it into there, we’d have to look at that point. But I don't know if we would have jurisdiction essentially to wade in to dictate what the terms are in between

easement answers. There's either recorded easement out there or there isn't and if there isn't, it really is a matter of somebody going to court trying to argue about what's reasonable or not. Just see at this point where we come in without all the parties being in it yet.

Mr. Burget said with Oberlin Road, it looks like it's a 35 MPH road. So probably that situation where people probably don't drive 35 MPH, but the regulations have to be followed. Sight distances are followed by 35 MPH.

Mr. Witmer exclaimed that he invites anybody here to come over to Shady Land and look at those sight distances and then discuss them. Try making a left out of Stoner and all of them every day and understand then our part of where the problem comes in with adding just one more vehicle. You have the 18-wheelers coming down through now, they're cutting over almost all the way over into the far lane to make that turn around at the mailboxes. It's too dangerous.

Mr. Messick added that having lived in the township for 70 years, there was a house and a three-bay garage facing 441 and beside it was Shady Lane. The garage was torn down. When he was young, one man lived there alone and the sheds sort of fell, and the house went into disrepair and got torn down. So, they did have one house on that road, which in his opinion should entitle them to have one access onto Shady Lane as part of the original lot.

Mr. Crawford stated that he is just not sure that moving that access over to Shady Lane would improve the sight distance. It makes no difference, that whole area is horrible to pull out onto 441.

Mr. Burget said that in his opinion, it would probably be safe to join them together.

Mr. Knopp asked for any other comments or questions.

Mr. Crawford asked if the Plan was approved the way it is, could the builders of the lots change their access drive, or would it have to come back here again?

Mr. Diamond said there was this caveat about these being informational, which really means they're more conceptual. And there's no question this well establishes that

easement area through there and all that. But I don't know really that the house has to be exactly [as proposed with this conceptual plan]. So, when the owner builds there, they can decide to move over. They're going to need a highway occupancy permit for the driveway. So, they're going to have to sort out their access at that time, when they're putting in for the new driveway. But even if they put the driveway in as shown on the conceptual plan, they will still need to get PennDOT approval.

[More discussion on driveways and access onto 441 continued.]

Mr. Snyder added that Shady Lane is actually a legal right of way. It's a 16-and-a-half-foot legal right of way listed as a private road. So, the easements that have been referenced tonight are the fact that where the 16-and-a-half-foot legal right of way is located compared to where the driveway is actually located. There are some portions where the improved Shady Lane is outside of that right of way. So we have asked that those portions where the road is actually outside, that they put those within a legal easement to accommodate that. And they have subsequently done that with the revised plan.

Mr. Messick asked if they would be within the Zoning Ordinance so that they could put a driveway close to the end of Shady Lane coming out onto the road.

Mr. Snyder answered that in this case, it is documented on here that the right of way is listed as a private road. So, they could, in essence, based upon that and the definitions on our Zoning Ordinance, the way the Zoning Ordinance is set up, they could put one residential driveway for every 100 feet of road front they have.

Mr. Wood said to add to that, with Oberlin Road being a state road, PennDOT would even recommend them connecting to that private drive rather than [onto 441]. They might deny that driveway permit if they know there is a connection.

Mr. Burget confirmed that if you have a property that's on both a Township road and a State road, they will make you go to the Township road first before the State road.

Mr. Snyder added that we do have a plan note to that effect that we've asked them to add to the plan about Lot 3. A highway occupancy permit must be obtained prior to construction of any driveway accessing 441. So, we have that on there. There's a whole series of notes. If you look at the plan set, note 13 through 20. There are a lot of plan

notes on there indicating future construction of septic, future construction of the homes, the site, stormwater management. We have a lot on there that we requested because of being a conceptual plan and that final design will come later. That's why we did a lot of plan notes to accommodate that.

Mr. Crawford said that it sounds to him that if we recommend to approve this plan, the owner still has the option to move his driveway over to Shady Lane during the construction phase and doesn't have to come back here.

Mr. Burget said that they can add a note that they would prefer to come on to Shady for safety reasons out on 441 if you'd like.

Mr. Crawford said that it just sounds like they need to negotiate with the other people on Shady Lane. It's not our decision to make is what I'm saying. We do this, then it's up to the owner to negotiate with the other people on Shady Lane and come to an agreement if they want to get on Shady Lane.

Mr. Burget said they can just leave it the way it is. They've got access, safe sight distance on 441. And if they decide to go to Shady, it's a private matter.

Mr. Fure said that this is similar to the Twelve Oak Center where they wanted to put the two single family homes. And if you recall, they wouldn't let them tie into Oberlin Road. They had them tied back in the whole way across the frontage of that property to the existing driveway. So, like Joe said, I guess at the end of the day they're going to make the final call.

Mr. Knopp asked if there were any other questions or comments from PC, Staff, or the Public.

There were none at this time.

Mr. Knopp asked for the waivers to be addressed.

1. The applicant requests a waiver from the requirement to provide the plan on sheets no larger than 14 x 36 inches, proposing 24 x 36 inches to aid in creating a clear and legible plan for review.

- HRG recommends approval.
- Mr. Young made the motion to approve this waiver

- Mr. Crawford seconded the motion.
- All were in favor.

2. The applicant requests a waiver from the requirements of the submission of a separate Preliminary and Final Plan to proceed with a combined Preliminary/Final Plan since the plan is proposing only two new lots with no earth disturbance.

- HRG recommends approval.
- Mr. Crawford made the motion to approve this waiver.
- Mr. Young seconded the motion.
- All were in favor.

3. The applicant requests a waiver from the requirement to provide a plat with a scale of 1" = 100', proposing 1" = 40' to produce a more detailed and readable plan.

- HRG recommends approval.
- Mr. Crawford made the motion to approve this waiver.
- Mr. Young seconded the motion.
- All were in favor.

4. The applicant requests a deferral from the requirement to provide curbing on the plan, citing there is no curbing on adjacent properties.

- HRG recommends deferral instead of a full waiver of this request.
- Mr. Young made a motion to recommend approval of the deferral.
- Mr. Messick seconded the motion.
- All were in favor.

5. The applicant requests a deferral from the requirement to provide sidewalks on the plan, citing there are no sidewalks on adjacent properties.

- HRG recommends deferral instead of a full waiver of this request.
- Mr. Young made a motion to recommend approval of the deferral.
- Mr. Crawford seconded the motion.
- All were in favor.

6. The applicant requests a deferral from the requirement to provide tree preservation and planting, since the plan is proposing only two new lots with no earth disturbance.

- HRG recommends approval.
- Mr. Crawford made a motion to recommend approval.
- Mr. Young seconded the motion.
- All were in favor.

Mr. Knopp asked the Planning Commission what they would like to do with this Subdivision Plan.

- Mr. Crawford made a motion to recommend approval to the Board of Commissioners.
- Mr. Young seconded the motion.
- All were in favor.

Plan was approved.

b. Blue Raider Lane Improvements – Planning Commission File PC#2025-11. The Stormwater Management Site Plan proposes the widening of Blue Raider Lane and the installation/construction of roadway improvements along Oberlin Road (S.R. 0441). Also, said Plan proposes on-site improvements, utility extensions, and stormwater management facilities.

Marc Kurowski, of K&W, came to the mic. He said, as discussed last month, there were a number of comments to be resolved and a few items from the Township review and HRG. The vast almost entirety of those comments have been addressed. On the stormwater side, there are just three or four which are plan provisional that essentially you wouldn't even notice if you were looking at the plans relative to the township review. All but the last three items in that letter, numbers 7, 8, and 9, all essentially relate to stormwater maintenance easement. We've had conversations both with HRG and with Township Staff. Essentially it was a form of the easement. I think what we're down to is the agreement language around those easements, which we would certainly have our Solicitor work with Mr. Diamond to get through that as well. I believe that addresses the vast majority, if not all the technical review. We know that there are some administrative items I think Mike said in their letter as well, relative to the signed O&M Agreement. We know obviously standard stuff, seals, signatures and then action dates for the waivers assuming those are acted upon. But we're certainly here to answer questions you have this evening.

Mr. Knopp asked Mr. Snyder, Mr. Fure, and Mr. Wood for any comments.

Mr. Snyder said no, we're confident that the latest plan sheet that we have seen will give us the correct exhibits and legal descriptions for the easement moving forward.

Mr. Fure said that he thinks they're in good shape.

Mr. Wood said, as Mr. Kurowski had mentioned, our stormwater comments are very minor in nature.

Mr. Knopp asked Ms. Korber and Mr. Diamond for any comments.

Ms. Korber said she had nothing additional.

Mr. Diamond had nothing additional, as well.

Mr. Knopp asked for any questions/comments from the Planning Commission.

Mr. Messick asked how we have this review letter that is titled Middletown Elementary School. Is that tied to this at all, as far as the Blue Raider Lane Improvements?

Mr. Snyder explained that the letter just came out yesterday. This plan is requiring a Highway Occupancy Permit from PennDOT and the submission for the driveway here as well as the proposed traffic light at 441 and Spring Garden. The HOP review is moving forward for those and along with this construction, that traffic light will get constructed. So HRG's traffic division did a review of the HOP submission. We cannot hold up any approval here awaiting the HOP, provided that they give us the adequate plan note saying that an HOP plan is being applied for. That note is located on sheet one, the cover sheet of the plan set, indicating that the HOP set is for informational purposes only. And we'll follow through with final design at PennDOT. So, this is the township engineer's review of the HOP, which we provided you with a copy, but for whatever reason, instead of titling it Blue Raider Lane, they put it as Middletown Elementary School.

Mr. Kurowski added that they have been through several technical reviews. We just got a draft of their most recent and we are down to extremely nominal technical comments. They are reviewing all the HOP work. He said that their focus right now is on Blue Raider Lane and the Thane Lane subdivision. We are coming back obviously to have that conversation and the HOP work along with that as well. But we are deep in the process on both of those with PennDOT.

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

There were none.

Mr. Knopp asked for the waivers to be addressed:

1. The applicant requests a waiver from the requirements for a minimum slope of 1% within the bottom of detention basin (SCM 1A). As the basin has been designed to utilize evapotranspiration (ET) credits, we are requesting a lower slope of 0.5% to help facilitate growth of the required vegetation.

- HRG recommends approval.
- Mr. Young said that based on the recommendation from our Stormwater Engineering firm that this is adequate, he made a motion to recommend approval of the waiver.
- Mr. Messick seconded the motion.
- All were in favor.

2. The applicant requests a waiver from the requirements for a minimum two-inch drop between the invert in and invert out for inlets I-102, I-202, MH-108, I-109, MH-110, and I-111 due to limited available cover and issues with the depths to a limiting zones/required amended soil media within the MRC Basin (SCM 1) and Detention Basin (SCM 1A). The inlets and manholes in question are shown on the profiles on Sheets C-301 and C-302.

- HRG recommends approval.
- Mr. Young said based on the recommendation of our Stormwater Engineering firm, he recommends approval of the waiver.
- Mr. Crawford seconded the motion.
- All were in favor.

Mr. Knopp asked the Planning Commission what they would like to do with this plan.

- Mr. Young made a motion to recommend approval.
- Mr. Crawford seconded the motion.
- All were in favor.

Plan was approved.

NEW BUSINESS:

a. Steelton Terminal SDP – Planning Commission File PC#2026-01. The Preliminary/Final Subdivision Plan proposes the consolidation of two (2) existing parcels and creating a new 135.3636-acre lot (Proposes Lot #1). Furthermore, said Plan proposes to subdivide a new 2.9639-acre lot (Proposes Lot #2) from Proposed Lot #1, and consolidating Proposed Lot #2 with an existing parcel in Swatara Township. Said Plan proposes no new improvements.

Mr. Formica had to recuse himself from discussions with anything involved with the Steelton Terminal Subdivision Plan due to a possible conflict of interest.

Jeramy Bittinger, of Landworks Civil Design, came to the floor and said that they were here about a year and a half ago for the land development plan. Since that has been approved in all three municipalities (Swatara Twp., Lower Swatara Twp., and Steelton Borough), we've been coordinating with our neighbor, which in this case is the quarry operator. We have since decided to subdivide some land off our parcel and give it to them as well as clean up what would be some incorrect labeling on the parcel maps today. There are two parcels for the site, but it is actually only one lot. So, we are tidying that up, making this one large lot and then subdividing the piece off. It's about three acres that we'd be giving to the quarry. In Lower Swatara specifically, it's about one acre that would be changing hands. We do have the comment letters from LST Staff, HRG, and the County. I don't think there is anything insurmountable here. Pretty generic, mostly cleanup at this point.

Mr. Knopp asked for any questions/comments from the Planning Commission.

Mr. Crawford asked Mr. Bittinger to show on the overhead projection of the map which lands are going to the quarry.

[Discussion ensued using the overhead projection of the plan.]

Mr. Knopp asked Mr. Snyder for any comments.

Mr. Snyder said the only comment he had was that there were some questions regarding the original lot lines that were depicted on here as well as the land development plan. We received after business hours today as copy of an historic subdivision plan that essentially deals with the lot consolidation of the two lots on the southern end of the property. We have not had an opportunity to look at that yet so our recommendation at

this point would be to table the plan tonight until we get an opportunity to look at that historic plan.

Mr. Diamond added that he was surprised when this showed up. Removing a lot line, going through two buildings because that wasn't how it was represented when it went through the land development. But now Mr. Courtney sent me a 2004 [plan copy] and we have to line up everything, make sure it all comes together, but that looks like it had been through a subdivision plan approved by all three municipalities in 2004 that made it one lot. For some reason, it seems the assessor's office decided to put different parcel numbers where the municipal line broke maybe, which would mean that it is not a real lot line. When this showed up initially, you see in the red, the lot line removals there, it looks very concerning because it's going through buildings. Another kind of strange thing is there would need to be a signature block for Steelton because the lot goes into Steelton, and although you look at that and think it's irrelevant to their concerns, it is a general procedure matter.

Mr. Courtney said that the line that is running through here is not really a lot line. It is a municipal boundary. It's still a boundary line but the lot lines that are depicted on this plan with one dash and on the land development plan is aligned with two dashes. And that is essentially around the perimeter of the combined area of the site that was reflected on there as a municipal boundary. But we've also had to identify so that the tax assessor's office doesn't get confused when the plan is recorded because it has two tax parcels. Mr. Courtney said he doesn't know why there are two tax parcels. If you look at that 2004 subdivision plan, it showed that same municipal boundary with a municipal boundary line type. So why two tax parcels are assigned, they don't know. But the only consolidation is simply the elimination of two parcel identifiers. It is not a consolidation of two lots because that property today exists as one lot. He said they could change the line type.

Mr. Diamond feels that maybe the line type should be corrected to clarify. He said he doesn't know how but to actually explain what this is. It's already one legal lot, but the assessor has a line there. We don't want to call into question everything we did on the land development plan, like why buildings were approved with lot lines in them. And that's not really the case.

Mr. Snyder said that ironically the tax assessors' line for probably 75% or more of that line. The township line and parcel line are like 75% the same.

Mr. Diamond added that each municipality that it touches should have a signature block.

Mr. Courtney reiterated that they could change the line type on there. We'll replace sheets to address what we're talking about. The note and the change of the line type. We can do that before it goes to the Board [of Commissioners].

Mr. Knopp asked the Planning Commission what they would like to do with this plan tonight.

- Mr. Crawford made a motion to table it for now until we get better clarity on it.
- Mr. Young seconded the motion.
- All were in favor.

Plan was tabled.

b. 103 – 209 Rosedale Avenue – Planning Commission File PC#2026-02. The Preliminary/Final Subdivision & Land Development Plan proposes the consolidation of two (2) existing parcels and creating a new 1.54-acre lot (Lot 1). Furthermore, said Plan proposes the construction of a new 20-rrom, 2-story hotel, and the installation/construction of parking lots, access drives, other associated improvements, utilities, and stormwater management facilities.

Plan was tabled by applicant.

OTHER BUSINESS:

The next Planning Commission meeting will be held on Thursday, March 26, 2026, at 7:00 P.M. (Possibly at 6:00 P.M. depending on if any other plans are submitted. Notice will be advertised if meeting time is changed.)

PUBLIC COMMENT:

Mr. Knopp asked for any other 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 8:02 P.M.

Respectfully Submitted,

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