

SWATARA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JUNE 4, 2024

The Swatara Township Planning Commission regular meeting was called to order by Chairman Chad Martin at 7:02 pm at the Swatara Township Municipal building, 599 Eisenhower Boulevard, Harrisburg, PA. The call to order was followed by the recitation of the Pledge of Allegiance.

ROLL CALL

Members of the Commission present:

Chad Martin, Chairman

Karen Bear

Chuck Bowser, Vice Chairman

Mark Caruso

Katie Ibberson arrived at 8:24 pm

Also Present: Robert Ihlein, Township Director of Planning and Zoning and Secretary for the Commission, Danielle Derolf, P.E. with Dawood Engineering, and Karen Dixon, planner with Dauphin County Planning Commission. With Ms. Derolf was Mr. Joe Pedone, a new employee at Dawood who will be assisting Ms. Derolf on some township projects.

APPROVAL OF MINUTES

Mr. Caruso made a motion to approve the minutes of the May 7, 2024, meeting. Mrs. Bear seconded the motion. The motion to accept the minutes passed with 4 votes (Mrs. Ibberson was not present during the vote).

PUBLIC COMMENTS, INCLUDING STORMWATER MANAGEMENT ISSUES

Mr. Ken Wise of 2nd Street, Borough of Steelton, appeared again on behalf of residents in the East End regarding the proposed Steelton Terminal project. This proposed land development with warehouses is in their back yards. Among the concerns is the possibility of disturbing the “High Priority Correction Site” being monitored by the U. S. Environmental Protection Agency. This is a 35-acre capped landfill that was used as dumping grounds by the steel mills for over 125 years. There are still concerns regarding possible contamination of groundwater with heavy metals and other contaminants. The group would like to see the results of the Phase 1 and Phase 2 Environmental Assessments being made for the applicant. Mr. Wise shared copies of an “Environmental Covenant” that was filed with Dauphin County and the PA Department of Environmental Protection. It states that the 10-ft high fence surrounding the site must be maintained. The integrity of the landfill site must be maintained. The citizen’s group is asking for a complete environmental assessment of the project. The group would like to see the proposed buildings and parking lots set back at least 25 feet from the edge of the landfill site.

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Charles Courtney, Esq., attorney for the applicant, replied that parts of the fence are located on the applicant's property and need to be relocated. The capped landfill area will not be disturbed by the proposed project. See other comments below under the Steelton Terminals land development project.

OLD BUSINESS - SUBDIVISION AND LAND DEVELOPMENT PLANS:

a. Plan No. 2023-12C: “Preliminary/Final Land Development Plan for Swatara Paxton Developers LLC – Proposed Wawa Food Market and Fueling Station”, dated 11/21/2023

Project: proposing to redevelop the current Hoss’s Restaurant site on the corner of Route 322 and Bridge Road to a Wawa store and fueling station

Location: 9009 Bridge Road

Applicant: Swatara Paxton Developers, LLC

PLAN STATUS: Accepted for review on 12/02/2023; BOC ACTION BY (90 days), EXTENSION GRANTED BY APPLICANT TO AUGUST 14, 2024

WAIVER REQUESTS: none at this time

The applicant was not present.

ACTION: There was a consensus to postpone action on this plan until the July meeting.

b. Plan No. 2024-01C: “Preliminary / Final Land Development Plan for Steelton Terminal for Equity Development Partners”, dated 02/16/2024, REVISED 4/26/2024

Project: proposing to construct 3 warehouse / truck terminal buildings that will mainly be located in Lower Swatara Township and Steelton Borough; entrance will be in Swatara.

Location: Quarry Road and Harrisburg Street

Applicant: Equity Development Partners

PLAN STATUS: Accepted for review on 03/05/2024; BOC ACTION BY JUNE 4, 2024 (90 days); EXTENSION GRANTED BY APPLICANT TO AUGUST 14, 2024

WAIVER REQUESTS:

1. Section 253-10A - 11 requiring the submission of a Preliminary Plan
2. Section 253-14A – Map scale (will do 1 inch = 50 feet)
3. Section 247-20.A(1) – Plan size (will do 1 inch = 50 feet)
4. Section 253-32 – requiring the construction of sidewalks: deferral for short sidewalks at the road intersection, especially along 2 sides of Quarry Road

NOTE: Dawood is reviewing only the traffic impact studies for Swatara. HRG is reviewing the stormwater and land development for Swatara, Lower Swatara Township and Steelton Borough. The applicant was represented by Charles Courtney, Esq. of McNees Law and Aaron Navarro of Landworks Design.

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The Commission reviewed the memo from Dawood Engineering dated 5/21/2024. Comment #4 has to do with a retaining wall that will be needed on the site. Detailed designs are not needed as part of land development plan approval but will be needed as part of a building permit application. Two items that will be needed are a lighting plan and trip generation assumption report prior to occupancy of the buildings.

ACTION: *There was a consensus to postpone action on this plan until the July meeting.*

c. Plan No. 2024-03C: “Preliminary / Final Land Development Plan for Swatara Exchange”, dated 02/27/2024, revised 05/10/2024

Project: re-development of the Harrisburg Mall property with retail and flex space buildings and outparcels for related uses.

Location: 3501 Paxton Street

Applicant: Harrisburg Mall LP

PLAN STATUS: Accepted for review 03/05/2024: BOC ACTION BY JUNE 4, 2024 (90 days);

EXTENSION GRANTED BY APPLICANT TO AUGUST 14, 2024

WAIVER REQUESTS:

1. Section 253-10A - 11 requiring the submission of a Preliminary Plan
2. Section 253-32 – requiring the construction of sidewalks in specific locations.
3. Section 253.19.B.3 – regulating the subdivision and land development of properties that front on a limited access highway.

The applicant was represented by Charles Courtney, Esq. of McNees Law, Joshua Hoffman of Pennoni and Associates, and Karen Watsic of St. John Properties. The Traffic Impact Study has not been completed. Revised plans are to be submitted in the near future. Regarding sidewalks, Ms. Watsic reported the applicant has contacted the owner of the property located on the corner of Mall Road and Paxton Street (Pizza Hut lot) regarding an extension of a pedestrian walkway along Mall Road from the sidewalk on the prison property to Paxton Street. The Township would be involved in obtaining a Highway Occupancy Permit for this. A note should be added on the land development plans regarding any sidewalks that may be constructed off-site or by PennDOT. The applicant should request a deferral and not a waiver of sidewalks along Harrisburg Street (Rout 441). Comment letters were received from Dawood and HRG regarding revised plans submitted earlier this month. The applicant will be working on refining the plans and will resubmit by the end of July.

ACTION: *There was a consensus to postpone action on this plan until the August meeting.*

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d. Plan No. 2024-04C: “Preliminary Land Development Plan for Swatara Township Bishop Park”

Project: development of a new municipal park

Location: Highland Avenue near Eisenhower Boulevard

Applicant: Swatara Township Board of Commissioners

PLAN STATUS: Accepted for review 04/02/2024: BOC ACTION BY JULY 4, 2024 (90 days);

WAIVER REQUESTS:

1. Section 247-14.B.1 – regarding the rate controls on the 1-year storm for Point of Interest #1.

Commissioners Tom Connolly and Shane Steele present and shared some information. The plans are being modified to include a larger scope of work in Phase 1. The location of the restroom is changing, and a “splash pad” is being considered. Also, the revised plans will show that it is a “Preliminary / Final Land Development Plan”.

ACTION: There was a consensus to postpone action on this plan until the July meeting.

NEW BUSINESS - SUBDIVISION AND LAND DEVELOPMENT PLANS

a. Plan No. 2024-05R: “Preliminary / Final Land Development Plan for Townhome Development at 425 Pear Avenue”, dated 05/28/2024

Project: development of 12 new townhouses

Location: Pear and Plum Streets, Rutherford

Applicant: Green Acres Investment LLC

PLAN STATUS: just submitted

WAIVER REQUESTS:

1. Section 253-10A - 11 requiring the submission of a Preliminary Plan
2. Section 253-10A (1)(b)(5) – separate drawing in 100-foot scale

ACTION: Accept the plans for review.

Mr. Bowser made a motion to accept the plans for review. Mrs. Ibberson seconded the motion, and the motion was approved. The official plan review time clock starts now.

b. Plan No. 2024-06R: “Preliminary Land Development Plan for 10 Mars Street Apartments”, dated June 1, 2024

Project: proposing to redevelop a lot with an existing building with one new apartment building

Location: 10 Mars Street

Applicant: Aztlan Investment

PLAN STATUS: just submitted

WAIVER REQUESTS: none at this time

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Paul Navarro, P.E. was present to represent the applicant. The project site is a 1.4-acre lot that contains a building that was built by a membership club some years ago and has been used as a place to hold private parties. This structure will be removed and a single building with 12 apartments will be constructed. There are some low areas on the site that will need fill. This may impact some wetlands and would need a special permit from the PA Department of Environmental Protection.

***ACTION:** Accept the plans for review.*

Mrs. Ibberson made a motion to accept the plans for review. Mr. Caruso seconded the motion, and the motion was approved. The official plan review time clock starts now.

OLD BUSINESS – PLANNING INFORMATION, ISSUES AND ORDINANCES

Discussion regarding land use and zoning issues selected by the Commission that may be addressed and recommended to the Board of Commissioners:

This list submitted in January 2024 for suggested clarifications and corrections to the zoning ordinance:

- a. Improved definitions of lots and yards with new graphics
- b. Minimum lot sizes for dwelling units in the Commercial zoning districts (see “Attachment 2” from ordinance)
- c. “Home Occupation” – the wording used in the definition section is different than that used in additional regulations 2095-96.D(9) – “minor” vs “light”, etc.
- d. “Night Club” – no definition, plus the Use Table H indicates there are additional requirements in 295-39, but there are none
- e. Commercial Fences – no distinction in the zoning ordinance made between residential and commercial uses. The current maximum height for all fences is 6 feet.
- f. *(NEW FOR MARCH)* – industrial scale food & beverage processing including beer brewing, alcohol distilling, vinegar & pickling of foods, sugar refining. These uses are not mentioned in the Township zoning ordinance and are regulated in the City of Harrisburg ordinance

Discussion: Mr. Ihlein reported that he did a little more research on the question of residential lot sizes in commercial districts and looked at the Mechanicsburg Borough zoning ordinance. This ordinance is a bit more specific on the number of units permitted in commercial districts. No further action is required at this time.

OTHER BUSINESS – PLANNING INFORMATION, ISSUES AND ORDINANCES

- a. Review of proposed ordinance on “Keeping of Chickens” – recommendation for the Board of Commissioners

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***ACTION:** After a short discussion about the proposed ordinance Mr. Caruso made a motion to recommend approval to the Board of Commissioners. Mrs. Ibberson seconded the motion, which passed unanimously.*

b. Possible rescheduling of the meeting in October from 10/1 to 10/8

***ACTION:** Mr. Ihlein asked the Commission if they would consider moving the date of October meeting to the 8th to avoid a conflict with a planned vacation. There was a consensus that the new date would work out for all concerned.*

c. Notice of Hearing: ZHB Case 2024-02 – Diane and Richard Ortega

This case will be heard on June 13th regarding a request for a variance regarding minimum lot size for a 2-lot subdivision.

d. Notice of Hearing: ZHB Case 2024-03 – SOAR1 LLC

This case will also be heard on June 13th regarding a special exception to convert an existing hotel into a 350-bed treatment center and methadone clinic.

COMMUNICATIONS AND ANNOUNCEMENTS:

a. Next meeting will be held on July 2, 2024

b. Ms. Dixon announced that the offices of the Tri-County Regional Planning Commission are moving to Strawberry Square in Harrisburg as of June 17th.

COMMISSION MEMBER COMMENTS

There were no additional comments.

ADJOURNMENT

Mrs. Ibberson made a motion to adjourn the meeting. Mr. Bowser seconded the motion, which was approved unanimously. The meeting adjourned at 9:24 pm.

Respectfully submitted,

Robert Ihlein