

**MINUTES**  
**DILLSBURG BOROUGH PLANNING COMMISSION MEETING**  
**MARCH 26, 2014**

The March meeting of the Dillsburg Borough Planning Commission was called to order on the above date at 7:30 PM. Planning Commission Members in attendance were Allen Reeves, Brian Radcliffe, Paul Eurich, Joe Robinson and Leon Zeiders. Also present were Borough Engineer Tim Knoebel, Borough Manager Karen Deibler and Borough Secretary Debbi Beitzel.

The following visitors were present: Alpha Consulting Engineering Inc. Representatives John Murphy and Tom Scully and Grand Point Associates/Classic Communities Representatives Doug Halbert and Stuart Kricarso.

The first item on the agenda was the Re-Organization to Elect Officers for Chairman and Vice Chairman. Paul Eurich nominated Allen Reeves for Chairman. Leon Zeiders seconded the nomination. There were no other nominations. – Motion Carried.

Joe Robinson nominated Brian Radcliffe for Vice Chairman. Paul Eurich seconded the nomination. There were no other nominations. – Motion Carried.

The second item on the agenda was the approval of the December 18, 2013 meeting minutes. Paul Eurich moved to approve the Planning Commission meeting minutes of December 18, 2013 with corrections. Motion was seconded by Leon Zeiders. - Motion carried.

The third item on the agenda was the discussion of the Preliminary Subdivision and Land Development Plan for the Winfield Project. Tom Scully from Alpha Consulting Engineering Inc indicated back in July, 2013 he presented a sketch plan to the PC. Mr. Scully stated they were here tonight to present the Preliminary Subdivision and Land Development Plan; which looks similar to the sketch except for the loss of some units due to stormwater. Mr. Scully stated the property is zoned RS except for a small portion which is zoned PC. There are 141 single family attached dwellings proposed and one commercial dwelling. The Borough will be responsible for the two public streets, Winfield Drive and Second Street extended. The other streets will be privately owned and maintained by the homeowners association as well as the sidewalks, parking lots and lawn maintenance. Mr. Scully stated they are requesting a waiver for the private streets to provide easy access to the front of the units and perpendicular overflow visitors parking. The overflow parking would be for visitors and guests.

Mr. Scully indicated Winfield Drive is a collector street and is 34 foot wide; they are requesting a waiver from the 40 foot requirement and South Second Street would be 32 foot wide. Mr. Scully stated most of the private access drive would be 32 foot wide except for a small area that would be 24 foot. They added a parallel service road so that the units wouldn't back out on to Winfield Drive; there are only three units which directly back out onto Winfield Drive.

Mr. Scully indicated the wetlands have been verified. The other green areas are multiple storm water management areas which were added to help manage control and infiltrate some of the storm water closer to where it originates versus the old plan where it was at the bottom of the hill.

Engineer Knoebel asked if the commercial portion was being proposed for approval with the plan; they thought it wasn't. Mr. Scully stated there was no specific use for it currently. He indicated the plan only shows how it would be graded and how the access would go. He also mentioned the square footage of impervious land is counted in the stormwater calculations.

Mr. Scully reviewed the waivers being requested:

1. The number of units in a phase; they have two phases that don't have the minimum requirement of 35. The phases are based on logical marketing and physical improvements. There are four phases; phase one would include both public streets.

2. To allow private streets. The units can have perpendicular parking. The Borough wouldn't have to maintain the private streets. The streets would be posted with 'no parking'.

3. To permit the name "Winfield Drive" in lieu of Pheasant Ridge Road; this aligns across South Baltimore Street.

4. To permit a pavement width of 34 feet for Winfield Drive.

5. To allow slant curbs along the proposed private streets; in order not to have to do driveway cuts for every driveway. The public streets would have the vertical standard curbs.

6. Sidewalk construction. The developer is requesting four foot wide sidewalks along the proposed private streets versus the five foot width requirement. The public streets would have the standard five foot wide sidewalks. Mr. Robinson asked if the developer had considered the recent activity relative to ADA compliance by taking the sidewalk to four foot and going sub-standard compared to the Borough ordinance and passing it on to the ownership of the homeowners association. Mr. Murphy stated ADA requires five feet unless there are passing areas; the driveways would be considered passing areas. Engineer Knoebel stated municipalities have been reluctant to accept streets that might not meet ADA requirements; so KPI has been asking for independent certifications of these before the streets are dedicated. Engineer Knoebel stated the private streets wouldn't be dedicated but it would still be wise to make sure they are in compliance before the homeowners association takes over those streets. Chairman Reeves asked if the five foot wide sidewalk would solve the problem. Member Robinson stated theoretically it would. Mr. Murphy stated they would check into this issue. Vice Chairman Radcliffe stated in order to protect the Borough in regards to approving the waiver there should be some language in the justification which would cover this issue.

7. Maximum cut and fill slopes. Mr. Scully stated there is one area that has a 2:1 fill slope because of space problems.

8. Number of driveways per street frontage. Mr. Scully stated since there are four lots with numerous townhomes on it, there is obviously more than one driveway per lot.

9. Prohibits driveway/access drive to cross the street right-of-way within 10 feet of a catch basin/drain inlet. Mr. Scully stated since there are slant curbs and many driveways, there will be a driveway within 10 feet of a drain somewhere. Engineer Knoebel stated the plan didn't show the inlets were in the direct tire path but in between the driveways.

10. Prohibits a driveway/access drive to cross the street right-of-way within forty feet of another driveway/access drive. Mr. Scully stated that when there are single family homes with garages and driveways close together it's difficult to meet the requirements.

Engineer Knoebel asked how many of the waivers are different from the prior Winfield plan. Mr. Scully indicated he didn't have the prior list and wasn't sure.

Chairman Reeves stated changing the name of the street across Baltimore Street from Pheasant Ridge Road was poor planning. He indicated he objects to the philosophy that this is a separate entity; he would like to see it part of Dillsburg Borough and not a separate community. Member Eurich stated he agreed; because it's confusing for someone driving through town looking for Winfield and there is Pheasant Ridge which is the name of the development across the street. Member Eurich indicated they shouldn't saddle the new development with Pheasant Ridge, but understands the point the developer makes for wanting their own street name. Chairman Reeves stated we then will have the same situation with the future connection at the other end. Member Eurich asked if it would automatically be approved since it was approved before. Chairman Reeves stated no, since this was a new plan. Mr. Murphy stated the Chairman made a good point in terms of being part of the community. He indicated further thoughts should be given to the fact to the confusion of GPS saying to turn into Pheasant Ridge. Mr. Murphy indicated it could be confusing either way. Mr. Halbert stated the concept of this

community is part of Dillsburg; in our minds it always was. Mr. Halbert indicated they are not opposed to anything. Chairman Reeves suggested the present road should be East Pheasant Ridge Road and going into the Winfield Development should be West Pheasant Ridge Road. Mr. Halbert stated they will confer with staff, emergency services and post office and will get some feedback from them and make their decision based upon their feedback. Mr. Scully asked Manager Deibler if there were any emergency service reviews yet. Manager Deibler stated no.

Member Eurich asked under general notes what #13 meant; names for each of the access drives are shown on the plan and have been approved by the postal service with the previous plan for this site. Engineer Knoebel stated it is something they required; the developments must get prior approval for the street names from the postal service. This was done back when Mr. Sealover did his final plan. Engineer Knoebel stated if the street names are to be changed, the developer would have to go back to the postal service for approval.

Engineer Knoebel stated the biggest issue is making sure the private streets concept was still acceptable. Engineer Knoebel indicated he didn't see anything on this plan that would make any case not to allow them versus the prior Winfield plan. There is nothing that creates anything unsafe; the turning radiuses are equal or better.

Vice Chairman Radcliffe asked if the private streets were going to be posted "no parking". Engineer Knoebel stated that's a question, because they didn't notice any notations on the plan. Mr. Scully stated there are signs on the site plan on page three. Engineer Knoebel asked what the developer's intentions were. Mr. Scully stated the intention was all the streets were posted "no parking" except for the designated spaces. Engineer Knoebel asked if Second Street, Winfield Drive and the private streets were all no parking. Mr. Scully stated yes. Member Eurich asked who will enforce the "no parking" regulations. A Winfield representative stated the homeowners association would be the enforcement agency on the private streets and the Borough would be responsible for enforcing it on the public streets. Member Eurich stated there is a lot of duties for the HOA and asked if there would be an on-site manager for this location or will there be a manager who handles several locations. Mr. Halbert stated they generally hire a professional management company and are familiar with the procedures.

Mr. Scully stated they received KPI's comments on March 26, 2014 and they do have some clean up to do and some fabrications to make. Engineer Knoebel stated it's a big project and there are obviously some things to work through, especially the waivers. Once they have worked through the waivers, the rest is just engineering issues.

Engineer Knoebel indicated they didn't review the commercial lot in terms as part of the land development plan. If it is going to be for approval, they will have to look at it closer. Mr. Murphy stated they provided too much information on the commercial lot; the intent was to provide impervious calculations and to make sure the stormwater would work down the road.

Engineer Knoebel stated more attention would have to be made on the intersection at South Second Street and West Franklin Street. Mr. Scully agreed.

Vice Chairman Radcliffe indicated he thought it was going to be tough to discuss the plan with Borough Council with ten waivers. He would like to see the waivers address more with the intent of why they are requesting the waivers; it is his understanding that according to the ordinance waivers can be requested when there is a hardship imposed by the nature of the ordinance. He didn't see anything that is addressing the hardship situation. Mr. Murphy stated they could be more specific with their reasoning without being too negative. Manager Deibler indicated it's a lot for Council to have to grasp all at one time.

Member Eurich asked if waivers 8, 9 & 10 were similar to any of the waivers which were received with Autumn Woods Court. Someone stated yes.

Engineer Knoebel stated it's going to take some time to work through all of these items; but anytime there is a modification to the ordinance you want the minimum extent possible. They need to make sure they are going back to see they are asking for the minimum deviation possible. He also stated given the fact that

attached units are permitted in the zoning district; which they are, the PC has to be flexible with some of the design waivers.

Engineer Knoebel indicated the slant curbs are practical for this type of development and make sense for attached unit homes, especially if there are private streets.

Engineer Knoebel stated the developer needs to confirm whether or not the sidewalks can meet the ADA requirements.

Engineer Knoebel stated the pavement width of the collector streets was discussed at great lengths with the prior plan and if there are any concerns; we should talk about them.

Engineer Knoebel stated the street with a different name will have to be worked out and the developer will have to do some research on it.

Engineer Knoebel stated to allow for private streets was going to have to be revisited to the extent to be comfortable with. The Borough's history is that they don't have private streets. The idea with the development previously was reviewed that private streets made sense because of the nature of the association that was going to be created with it and the association was liable because there were significant amount of units. There were enough units to justify that the HOA could maintain it, own it and effectively manage it. There is a slight difference in how the ownership is going to be with this development; it is not a condominium association anymore. Mr. Halbert stated they are basically the same. Mr. Murphy stated they are basically called planned communities, which is the next generation of condominiums. Engineer Knoebel indicated he saw plans in the last couple of years come back through municipalities that were condominiums and the developer wanted to change them; plans were resubmitted for the exact same development because banks weren't favorable in terms of lending for condominiums. Engineer Knoebel stated this was an improvement in the plan and makes the association more viable. Engineer Knoebel stated it is better suited to have private streets because the borough doesn't have to worry about maintaining them.

Engineer Knoebel stated the 25% for Phase One waiver was the same as on the previous Winfield plan. He stated the developer has a better idea what they want to use as Phase One than the PC does. Engineer Knoebel stated the one item that is different with this plan is the fact that they are going to build all the public streets in Phase One. Mr. Murphy stated the intent for the number of units in a phase is less important than what is being built with Phase One. Chairman Reeves agreed; he stated the only reason for the number was to make sure enough got built so there was something there if the developer walked away.

Member Eurich asked if there was a new owner now, because the old plans stated Classic Communities and the present plans now reads Grand Point Associates, LP. Mr. Murphy stated Classic Communities is the overall developer building it; each individual property has a separate ownership.

Mr. Murphy stated the reason they are before the PC is to get the input of the PC and comments on the waivers being requested. Their next goal is to comply with the engineer's comments and the PC's comments and go back and make some official modifications and then come back to make recommendations.

Engineer Knoebel stated obviously there is no recreation community building with the current plan. Member Eurich stated his concern is that there is a mixed community with a lot of kids and the Borough is building a new park; there are two major streets to cross to get to the new park and won't be very accessible. There is a very large community proposed with very little space for swing sets and seesaws; the Borough is accepting a fee in lieu of this. He was wondering if the people buying the homes ever want playground areas. Chairman Reeves asked if it was possible to have children's play areas in the rain gardens/stormwater areas. Vice Chairman Radcliffe stated if it is assumed to be a play area and there is water in there and a child drowns; it would be best to keep them out of those areas. Mr. Murphy indicated it's a functionally/liability issue. Chairman Reeves asked if the developer was going to fence in those areas. Mr. Scully stated there is no fencing proposed currently; some of them are rain gardens and very shallow. Engineer Knoebel stated this does need to be considered; the ones close to the units are very shallow. Member Robinson asked what a rain garden was. Engineer Knoebel indicated it's a modern technique with soil mixtures and plants that are conducive to taking

water. Mr. Murphy stated some of these features are required for MPD for state and county conservation approval also. Member Eurich asked what the developer meant by the rain gardens being kind of connected. Mr. Scully stated they flow into the stormwater areas.

Member Eurich asked if all the snow from all the streets was going to be dumped in the two snow dump areas behind the house at 400 S Baltimore Street. Mr. Scully stated he thought there was an ordinance requirement for a cul-de-sac. Engineer Knoebel stated there is usually a lot of snow in a cul-de-sac and the idea was to push it off in those areas so turns could still be made.

Member Zeiders stated originally there was a plan for emergency access at that cul-de-sac at Butler Alley and asked if it was still on the plan. Mr. Scully stated it was still on the plan.

Member Zeiders thought there were more inlets on South Second Street down from the water tank in order to keep the water from overpowering the lower part of Second Street. Engineer Knoebel stated that this was an area that would have to be drilled down a little bit more. Member Eurich asked how much more water will be running under the street over to the area at Pheasant Ridge once this area is developed. Mr. Scully stated the two year storms should be equal or less and the bigger storms the volume would be more. Engineer Knoebel stated the Borough Ordinance requires the rate has to be equal to or less in post developments.

Member Zeiders asked why the sidewalk doesn't go clear to the end of the property by the commercial zoned area. The sidewalk does end at the end of the property.

Member Zeiders asked if there was a traffic light signal going to be placed at the intersection at South Baltimore Street. Mr. Murphy stated it's no longer required but there will be some upgrades to the lanes and the street.

Vice Chairman Radcliffe indicated on page one the water service information is incorrect.

Member Zeiders indicated the developer needs to see if the permit is still valid mentioned under note #17. Mr. Scully stated the general permits are indefinite; it's the joint permits that usually have a five year expiration date.

Member Zeiders asked for clarification of note #28: DAA assumes no liability for damages to Winfield property owners from any malfunctions of the stand pipe located on the northwesterly property line. He stated if the water tank burst and took out half the community; who would be responsible for it. Mr. Scully indicated they will look into this. Vice Chairman Radcliffe indicated he thinks the Authority might require this.

Member Zeiders indicated note #37 states a separate application shall be made for any development identification signage; he asked if this was going to happen. Mr. Murphy stated this is a separate permit application to the Borough and isn't part of the land development plan.

Member Zeiders stated under the post-construction stormwater plan; it gets confusing when stating lot owner, he thinks the verbiage should be cleaned up. Mr. Murphy indicated that would be pursuant to the reviews from DEP and the County; it will be controlled by the planned community documentation and will verify the verbiage. Engineer Knoebel asked if each lot would own things separately or would there be an association. Mr. Murphy stated there would be an association; the association document defines what is owned.

Member Zeiders asked what the width dimension was for Second Street. Mr. Scully stated it is 32' feet.

Member Eurich indicated under site data, note #14 regarding proposed off street parking spaces, the number of spaces doesn't match the 141 units. Mr. Halbert indicated there are four extra parking spaces.

Mr. Scully asked if there were any questions or comments. Manager Deibler asked if there was anything she needed to present to Council on Tuesday. Vice Chairman Radcliffe stated they shouldn't present anything to Council yet. Chairman Reeves stated Council should be told that the PC reviewed and discussed the plan and the developer will be making changes and additions. Mr. Murphy indicated they prefer to have the plan tabled and they will address the comments and come back before the PC.

Mr. Scully asked if there were any objections to the private street waiver. Member Zeiders asked if the private streets were approved on the previous plans. Chairman Reeves stated yes. Engineer Knoebel stated there was a lot of detail put into the previous plan and didn't see any changes with the current plan. Vice

Chairman Radcliffe indicated there are certain aspects about the private streets and cul-de-sacs that are laid out better in the current plan than the previous one.

Member Zeiders asked if there will be a cul-de-sac put in at the end of Winfield in order to turn around. Engineer Knoebel indicated they asked the developer to put it there, but probably won't ask them to do it.

Mr. Scully asked when the deadline was for resubmission. Manager Deibler states the ordinance states fifteen business days. Mr. Murphy indicated they will contact the Borough Office and let them know their progress.

Mr. Scully, Mr. Murphy, Mr. Halbert and Mr. Kricarso thanked the PC for their time.

**Old Business:** There was none.

**New Business:** There was none.

**Adjournment:** As there was no further business, Leon Zeiders moved to adjourn at 8:50 PM. – Motion Carried.



Debbi L. Beitzel  
Borough Secretary

cc:	A. Reeves	T. Knoebel
	B. Radcliffe	M. Allshouse
	J. Robinson	Mayor Hollinger
	P. Eurich	K. Deibler, Borough Manager
	L. Zeiders	Council