

MINUTES
DILLSBURG BOROUGH PLANNING COMMISSION MEETING
JANUARY 28, 2009

The January 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, and Leon Zeiders. Also present were Borough Engineer Tim Knoebel, Borough Council Member John Richardson and Borough Secretary/Treasurer Debbi Beitzel.

Joe Robinson, Borough Manager Karen Deibler and Borough Solicitor Mark Allshouse were absent.

There were no visitors present.

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

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

The second item on the agenda was the approval of the December 17, 2008 meeting minutes. Leon Zeiders stated the phrase “the someone who stated yes was Leon Zeiders” in the first paragraph should be rephrased. Paul Eurich indicated in the third paragraph, the word “minutes” should be added after November 19, 2008. Vice Chairman Radcliffe moved to approve the December 17, 2008 minutes with the noted corrections. Leon Zeiders seconded the motion. – Motion Carried.

The third item on the agenda was a general discussion period. Tim Knoebel stated this was intended for the discussion on the status of the tabled Meadows Edge waivers. Mr. Knoebel indicated Council voted on all the waivers, some were approved, some were tabled and two were denied. He indicated Council thought it was important there be some dialogue and discussion between the Council and the Planning Commission on the waivers.

Mr. Knoebel went over the action of the Council regarding the waivers. He stated the waivers that were approved were: the slope of the street; the horizontal radius (the turning radius) with the condition the developer must post Winfield Drive with a 25-mile per hour speed limit; having more than one access drive per lot; the drawing scale; and the distance from embankments to a stream bank of less than 60 feet was approved with the condition that the Conservation Easement continue to be shown on the plan. Chairman Reeves asked about the waiver regarding allowing one access drive per lot. Engineer Knoebel stated it is actually allowing more than one, because the Borough ordinance isn't geared toward this type of development.

Mr. Knoebel indicated the denied waivers were: not placing sidewalks on each side of the streets, and the top or toe of the stormwater basin slope embankment closer than fifteen feet to adjoining property lines. Vice Chairman Radcliffe indicated the waiver for not placing sidewalks on both side of the streets wasn't reviewed by Planning Commission. Mr. Knoebel stated that was correct.

Mr. Knoebel indicated the five tabled waivers were: to allow the private streets; the cartway/pavement width of Winfield Drive; the curbs to be slant curbs; the slopes of the banks along Winfield Drive, and the pipe size of less than fifteen inches because the developer continues to figure out how they are going to connect to the sewer/water systems. Mr. Zeiders asked if the problem with the pipe size was because the developer can't get down deep enough. Engineer Knoebel stated the catch basin that is presently there is already very shallow. Mr. Zeiders asked if there was anything they could do. Mr. Knoebel indicated they might be able to put a parallel squash pipes or put some type of elliptical pipes in; he doesn't think the developer would be able to meet the fifteen inches that is required. Chairman Reeves asked if this was a sign of a hydraulic problem and would all the water be able to flow through the existing pipe. Mr. Knoebel stated there isn't much water. He indicated what they would look at is an elliptical pipe with an equivalent fifteen inch area. Chairman Reeves asked if there was a written rule that the pipe had to be fifteen inches. Mr. Knoebel stated no, it's really a maintenance issue. Vice Chairman Radcliffe asked what the pipe was going into. Mr. Knoebel indicated it's going into a contraption of no real dimension. Vice Chairman Radcliffe asked if the water is going into an open area. Mr. Knoebel stated there is a homemade catch basin presently there and the developer would be extending the pipe from the basin up to where Winfield Drive meets Gettysburg Street. Vice Chairman Radcliffe asked if there would be a point where they need to connect to an oval pipe to a round hole. Engineer Knoebel stated they would have to replace the structure because the one presently in place isn't in good shape. Mr. Zeiders asked if the structure would go under the street. Mr. Knoebel stated yes. Discussion. Mr. Zeiders asked if there was any merit for the developer to replacing the pipe across the road. Engineer Knoebel stated there is, but it's a major project. Vice Chairman Radcliffe indicated it would be difficult to have the developer do this because it's not on his property. Engineer Knoebel indicated originally the developer wasn't going to have any inlets at the area being discussed, but was informed the inlets would be required because there could be some problems in the intersection. The inlets were put in and they initially showed the pipe going across the street and tying in to the existing basin. Engineer Knoebel indicated it wasn't a good idea going across the street and the structure needs replaced. The developer was trying to save money until they were told that there was massive concrete under the street. Mr. Zeiders asked what size pipe the developer was proposing. Mr. Knoebel stated twelve.

Engineer Knoebel indicated overall the plan was a good design and is aggressive and the property has many limitations to it, that trying to get this many units in is very difficult. Mr. Knoebel stated once the streets get wider, the whole plan changes. Chairman Reeves stated the Planning Commission worked hard to get the width of the street the width they wanted it for the Winfield Development, he wouldn't want to see the width of the street change in the middle. Council Member Richardson stated with no

houses and no parking along Winfield Drive, Council didn't have any issues with the street width. He stated it wasn't per say where kids were coming out and also with Mr. Sealover's there is nothing dumping onto Winfield Drive. He indicated if they give it to Mr. McNaughton, they should go back to Mr. Sealover and give him the option to reduce his part of Winfield Drive down. Mr. Zeiders asked what the width requirement was for Second Street. Engineer Knoebel stated it wasn't forty feet, that it might be thirty-two. Vice Chairman Radcliffe stated it was because Mr. Sealover was blending into a street. Engineer Knoebel indicated the whole thing was based on Winfield Drive fitting the definition of a collector street; a collector by ordinance is to be forty feet. Vice Chairman Radcliffe stated he felt Winfield Drive should still be considered a collector street because there are a lot of houses and a lot of people dumping out onto it. His other concern was as long as Winfield Drive in Winfield development is forty feet wide the width shouldn't narrow. Chairman Reeves stated if the Borough is willing to reconsider the width of Winfield Drive (Winfield Development), Mr. Sealover probably wouldn't have any objections. Chairman Reeves indicated there would be no parking from one end to the other on Winfield Drive, which there shouldn't be. He asked if there would be any driveways or building on Winfield Drive. Engineer Knoebel stated no. Engineer Knoebel indicated no one disputed that Winfield Drive wasn't a collector street; what it serves to do, it is considered a collector street. He stated the question was because of all the accesses to it, it's not like there are multiple accesses, there are no houses or businesses accessing on to it and without the parking did it need to be as wide. Engineer Knoebel stated from an engineer's standpoint he didn't have any issues with the width of Winfield Drive being forty feet. He indicated there were some issues regarding cost down the road when the Borough has to pave Winfield Drive. Vice Chairman Radcliffe asked if the Borough would drop it back; would it be a thirty four foot cartway. Engineer Knoebel stated yes. Vice Chairman Radcliffe asked if vertical curbs were being required. Engineer Knoebel stated yes. Chairman Reeves asked if Mr. Sealover was doing the same. Engineer Knoebel stated yes. Vice Chairman Radcliffe asked if the road would still be built to the same specs as if a forty foot cartway. Engineer Knoebel stated yes. Vice Chairman Radcliffe asked if there would be slant or vertical curbs along Winfield Drive. Engineer Knoebel stated all vertical. Chairman Reeves indicated he would like to see Winfield Drive in both developments be coordinated. Council Member Richardson stated Borough Council would also.

Council Member Richardson indicated he had a concern with the slant from the back of the houses down to Winfield Drive. Mr. Knoebel indicated when the developer first started all this, they didn't have the elaborate drainage pipes. He stated the developer would put in a header pipe and tie all the roof drains into it, so the water from the houses wouldn't run over the hill. Engineer Knoebel stated from an engineering's perspective, this can be done, however there is a chance it won't be done properly even with supervision. Vice Chairman Radcliffe asked if anything else could be done at the bottom of the slope. Mr. Knoebel stated the developer has done everything he could do with the way it's designed. The developer has put drainage at the top and a swale and catch basins along the bottom. Mr. Knoebel stated the developer could put in a retaining wall. Mr. Zeiders stated he thought that was talked about. Council Member Richardson

indicated it could become a liability hazard depending on how high the wall is. Chairman Reeves stated retaining walls aren't permanent. Vice Chairman Radcliffe asked if someone would fall down the slope, would they be out of control the whole way down and roll out into the street. Chairman Reeves stated no, because there is a swale there. Mr. Knoebel indicated it would be a relatively difficult slope to maintain. Vice Chairman Radcliffe stated it would be the Homeowners Association's responsibility to take care of this. Chairman Reeves asked if the developer had to put something there that needed mowing. Engineer Knoebel stated no.

Council Member Richardson stated Mr. McNaughton assumed he could have private streets because Mr. Sealover did, but did he try to get them to be public streets. Mr. Zeiders stated Mr. McNaughton couldn't meet the width requirements. Mr. Knoebel indicated Mr. McNaughton's private streets aren't the same width as Winfield's; Winfield's are thirty feet and he is proposing twenty-eight feet. Council Member Richardson indicated Council told him they would have to increase to thirty feet. Vice Chairman Radcliffe indicated this would have to be required because thirty feet was acceptable to the fire company. Vice Chairman Radcliffe asked if the water and sewer systems that are under the private streets get dedicated to the Authority. Engineer Knoebel asked how the Authority handled this situation for Winfield. Vice Chairman Radcliffe stated he couldn't remember. Council Member Richardson stated he thought the Authority had easements with Winfield to go across the property. Vice Chairman Radcliffe indicated the Authority's engineer is concern with the width of the private streets; he stated thirty feet would be OK.

Council Member Richardson asked if there was a retention pond in the middle. Engineer Knoebel stated the pond would have to go and Mr. McNaughton agreed.

Engineer Knoebel indicated if the waiver regarding the slopes would be approved, he felt there had to be some conditions on it. There would have to be a slope stability analysis provided to make the design a little tighter; the stabilization design approved by the county and the Borough; the additional portion needs drainage provided; the slopes be inspected for materials compaction stabilization by an independent geotechnical engineer and by the Borough and the Borough wouldn't be responsible for ownership or maintenance of it. Mr. Zeiders asked if the rules are made up as they go with the geotechnical study. Engineer Knoebel stated no, they know what they are doing. Vice Chairman Radcliffe stated the alternatives are to do what the Borough is requesting in order to get the waiver approved, put in a retaining wall or redesign the plan. Council Member Richardson asked if it could be pushed up a bit. Mr. Knoebel stated no, not unless the developer wants to lose houses. Engineer Knoebel stated the Borough could get a geotechnical engineer to look at the plan ahead of time and asked for their opinions. Mr. Zeiders asked how long it would take. Mr. Knoebel stated it wouldn't take much time at all. He indicated beside the engineering issues, the slopes begin right at the back of the houses. Vice Chairman Radcliffe asked if the geotechnical engineer would look at all the slopes or certain ones. Mr. Knoebel stated all of them. Council Member Richardson commented on the discussion of the retaining wall; what happens twenty five years from now when it begins to break away; is the Homeowners Association going to be able to come up with the money to have it replaced. Mr. Zeiders asked how high the

wall would have to be to get the slopes to meet the requirements if the developer went with a retaining wall. Engineer Knoebel indicated the geotechnical engineer would be able to tell us. Mr. Zeiders asked if it would be fifteen to twenty feet or more like five to ten feet. Engineer Knoebel stated it would be closer to ten feet. Vice Chairman Radcliffe stated the top would have to be protected. Chairman Reeves agreed. Engineer Knoebel stated his first reaction was not having a retaining wall for specifically the safety issues. There was some discussion on comparison of slopes in the area.

Engineer Knoebel stated the biggest two concerns were the street width and the slope. He indicated the private streets didn't seem to be an issue with Council except for the width of them had to be consistent with the Winfield Development.

Vice Chairman Radcliffe asked why the waiver regarding curbs was tabled. Engineer Knoebel stated it was because the waiver for private streets was tabled.

Vice Chairman Radcliffe asked what does the Borough ordinance say regarding the slope waiver. Engineer Knoebel stated for a fill slope it's 3.1.

Mr. Zeiders asked if the Borough received a clear drawing regarding the entry way off West Hanover Street. Engineer Knoebel stated Mr. McNaughton really would like to connect to Hanover Street. He indicated there was discussion that there should be an emergency access and Mr. McNaughton placed an emergency gate there. Engineer Knoebel stated the mechanism on how the gate gets lock is still being determined; the emergency personnel should have some say in this. Mr. Zeiders thought they had a code system and the emergency personnel could proceed in. There was discussion on what type of gate should be used and how they would be locking the gate. Mr. Knoebel stated Winfield Development has something similar and they separated their street with grass pavers; Mr. McNaughton wants to run his road right up to West Hanover Street. Vice Chairman Radcliffe thought for Winfield they talked about it being a gate with a lock and keys would be given to the emergency personnel. Mr. Eurich indicated the same was discussed for McNaughton's gate also.

Mr. Zeiders asked if Winfield Development doesn't get approval from Penn DOT, how long the Borough would proceed before saying no; then Meadows Edge is in trouble. He indicated Meadows Edge could be ready to go and Winfield still doesn't have the OK; which means no Winfield Drive and no access. Engineer Knoebel indicated he had hoped they would stagger one another and end up at the end at the same time. Vice Chairman Radcliffe asked if Meadows Edge could be approved contingent two accesses are provided. Mr. Knoebel stated that is one of the comments and something Mr. McNaughton has to do. Council Member Richardson asked what if Mr. McNaughton says he has two means of egress in an emergency situation, which is Hanover Street. Vice Chairman Radcliffe indicated the accesses would be for normal use not as an emergency access only. A solution could be for Mr. McNaughton to build Winfield Drive down through Mr. Sealover's property.

Council Member Richardson asked if Penn DOT is really holding Mr. Sealover up. Engineer Knoebel stated according to the information he has reviewed, yes. He indicated he doesn't know how aggressively Mr. Sealover is pursuing his rights.

Vice Chairman Radcliffe asked if Mr. McNaughton was coming to the Council meeting regarding the waivers that weren't approved. Council Member Richardson indicated they basically gave him the answers.

Vice Chairman Radcliffe indicated the next step for Mr. McNaughton is to work with KPI and make changes and revise the plans; and to get the geotechnical issue done. He stated there should be no further action on the waivers until these issues are resolved. Council Member Richardson asked when the decision had to be made. Planning Commission indicated Mr. McNaughton was approved for an extension until April 2009.

Mr. Eurich asked what the status was on Chestnut Hollow. Mr. Zeiders stated he thought Carroll Township approved their part. Engineer Knoebel stated they may have, but they haven't received their approval from the Conservation District. Mr. Zeiders asked if the Borough is satisfied. Engineer Knoebel indicated there are a couple of loose ends to deal with. Vice Chairman Radcliffe asked if there were any issues with them. Mr. Knoebel stated there weren't any plan or design issues, just some approvals from county and the stormwater issues.

Engineer Knoebel indicated he received a phone call from an engineer who is working on the property at the end of Pheasant Ridge Road in Carroll Township. The engineer asked if the Borough had any requirements and was told yes. Mr. Zeiders indicated he would vote no, because it would open the road up for a run down. Mr. Knoebel stated it's a very small project, but it will connect to Windy Heights. Mr. Eurich asked if the project is all in Carroll Township. Mr. Knoebel stated there might be a little piece in the Borough. He indicated if the intention is to connect to Pheasant Ridge Development, which it is; they would have to go through the Borough for review and get a traffic study done before Borough would take any action on it. Chairman Reeves indicated they worked for years trying to get a connection between Baltimore Street and Old York Road. Council Member Richardson indicated the original plan was to come through the school. Mr. Eurich stated they could put a stop sign up there and it would be safer than what it is presently.

Council Member Richardson asked if speed humps could be placed on Winfield Drive. Chairman Reeves states yes, they could be put in. Council Member Richardson asked if from a maintenance and plowing standpoint are they a nightmare. Chairman Reeves stated yes.

Engineer Knoebel indicated people would eventually have the ability to go from Route 15 turn into Gettysburg Street, take Winfield Drive and go all the way over to Old York Road. Chairman Reeves stated that was the goal. He stated during the regional planning we did have this as one of our goals that Range End Road would be connected to Old York Road at some time to provide a route around Dillsburg and Carroll Township has set aside land to accomplish this, right through the middle of one of the new developments. Mr. Zeiders stated he didn't understand why Mr. McNaughton didn't tie into Range End Road. Chairman Reeves stated it should have been and if planning was done correctly between Carroll Township and the Borough, there would have been a street coming out the other end of the development. Chairman Reeves stated the more ways you allow for people to come through the Borough the better it is; presently Baltimore Street is the only way.

Adjournment: As there was no further business, Leon Zeiders moved to adjourn at 8:36 PM. – Motion Carried.

Debbi L. Beitzel
Secretary/Treasurer

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