

APPROVED

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
MARCH 17, 2016**

**MEMBERS IN**

**ATTENDANCE:** Alan Maciejewski, Chairman  
Mark Robertson  
Charles Stuhre  
Tim Staub

**ALSO IN**

**ATTENDANCE:** John Luciani, First Capital Engineering and Acting Zoning Officer  
Christopher King, Solicitor  
Charles Rausch, Solicitor  
Sue Sipe, Stenographer

**NOT PRESENT:** Charles Wurster

**1. CALL TO ORDER:**

**A. Pledge of Allegiance**

Chairman Maciejewski called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**2. ACTION ON THE MINUTES**

**A. FEBRUARY 18, 2016**

**MR. ROBERTSTON MOVED FOR APPROVAL OF THE MEETING MINUTES OF FEBRUARY 18, 2016 AS PRESENTED. MR. STAUB SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. BRIEFING ITEMS**

**A. SD-16-02 Saxe Subdivision**

Jim Barnes, James Holley & Assocs.

Project Narrative: This plan proposes to subdivide an existing parcel near the intersection of Memory Lane Extended and Ridgewood Road. The lots are to be used for residential purposes.

Plan Background: Staff has met with the applicant to discuss aspects of the proposed design. First Capital Engineering has completed a first review of the project. These comments are attached. Once input from the Commission members is received, a full evaluation of the project will be provided by staff for action at the next Commission meeting.

Waivers:

- 1.) Curbs (289-31) The ordinance requires that curbs be installed on both sides of all streets in subdivisions and land developments. The applicant has requested a waiver of curbing and asks that vehicle curb stops be allowed within the parking lot in order to allow unimpeded stormwater flows and to avoid channelization of stormwater, thereby protecting vegetated areas.
- 2.) Sidewalks (289-32) The ordinance requires that sidewalks be installed on both sides of all streets in subdivisions and land developments. The applicant has requested a waiver of the requirement to install sidewalk along Ridgewood Road and Memory Lane Extended because sidewalk along those streets would not presently connect to any existing sidewalk network.
- 3.) Streetlights (289-36) Streetlights shall be required to be installed in all subdivisions and land developments in all zoning districts and shall be in accordance with Township Construction and Engineering Specifications.

Mr. Barnes stated the proposed subdivision plan takes two existing parcels at the southeast corner of the intersection of Memory Lane and Ridgewood Road and subdivides them into three parcels – one with the existing house and a vacant lot on the east and a vacant lot to the west. The two vacant lots will be available to sell.

Mr. Barnes referred to the waiver requests and noted as a result of a letter received from the township engineer they may need an additional waiver for plan scale. Mr. Barnes indicated the standards listed for preliminary plans states that any scale can be used up to 1" = 100 ft., but the standards for a final subdivision plan, indicates it must be drawn at either 1" = 50 ft. or 1" = 100 ft. Since they used 20 ft. scale they were not sure if a waiver would be necessary.

Mr. Barnes confirmed the waiver for curbs and gutters is separate from the sidewalk waiver. He noted there are no sidewalks in the area – the closest one is Pleasant Valley Road, which ends at the Kinsley building.

Comments from 1<sup>st</sup> Capital regarding the location of the street as it relates to the house were reviewed. Mr. Luciani noted that with creating the three parcels, the property line is taken off 90 degrees to the street and one of the lots has a 45 degree angle.

Mr. Barnes confirmed this is compliant with the township ordinance. He noted when the Zoning Ordinance states it 'shall' or 'will' it is a requirement. When it states 'should' or 'would' it does not necessarily indicate that it is required. In addition, he noted the lot width is measured at the right of way line and not at the setback line. Therefore, it meets the requirement because it has the 80 feet at the street right of way line.

Mr. Luciani also noted the street map which referred to the volume of the adjoining roadways are now definitions for a local collector arterial minor and the roadway function is no longer related to the street map, it is related to the volume of traffic on Memory Lane. Consequently, they will need to know what the volume of traffic is, which will determine the required width of the roadway.

Mr. Barnes referred to Figure 8.1 of the Township Comprehensive Plan which lists the functional classifications of all streets in Springettsbury Twp. He noted the exhibit shows both Memory Lane and Ridgewood Road as local roads, which typically would not have a high volume of traffic.

Discussion was held regarding the following;

- Storm water
- Mr. Luciani recommended if the PC was inclined to grant a waiver for widening curbs and sidewalk it be shown on the plan with a six month note.
- Driveways – Mr. Barnes indicated that Sheet 5 of the plans shows what the maximum dwelling size would be on the two lots for development and also shows the driveway for both lots.
- The location of the 20 ft. wide sanitary sewer easement – Mr. Barnes pointed out on the plan the edge of the right of way line, at the location of where the building would be, noting the building envelope goes from the right of way line out to the front end. They are not showing any type of rear set back because it will be within the right of way. In addition, Mr. Sowers has asked for an additional 10 foot right of way on the south side, which will be noted on their revised plan. This easement will be 30 ft. in width with the extra 10 feet to extend to the south side.

## **B. LD-16-01 Misericordia Expansion**

Craig Smith, RGS Associates

Marian Bittner, Misericordia

Project Narrative: This plan proposes to expand the size of the existing facilities.

Plan Background: Staff has met with the applicant to discuss aspects of the proposed design. First Capital Engineering has completed a first review of the project. These comments are attached. Once input from the Commission members is received, a full evaluation of the project will be provided by staff for action at the next Commission meeting.

Waivers:

- 1.) Design Criteria - Loading Ratios (281-15.C.3.a & .b) The loading ratio describes the ratio of impervious drainage area to infiltration area, or the ratio of total drainage area to infiltration area.
- 2.) Preliminary Plan Requirements (289-10) The ordinance requires that a preliminary plan be submitted when a PennDOT HOP is required, there are improvements proposed for dedication to the Township, when recreation land is to be dedicated, when on-lot sewer or water will be used, or when the project has multiple phases. The applicant has requested a waiver of this section due to the project size.
- 3.) Final Plan - Specifications (289-13.A) The final plan shall be drawn in ink on Mylar sheets (sheet size 24 inches by 36 inches) at a scale of either 50 feet to the inch or 100 feet to the inch and shall be submitted electronically in a PDF format

Mr. Smith indicated the project is located at 998 Russel Street at the location of Rt. 83. He pointed out the existing building on the plan, noting the property is approximately 4-1/2 acres located in the R-7 residential zoning district. This use is not permitted by ordinance so they are viewing it as an expansion of a non-conforming use. They can expand the building up to 50%. There is approximately 18% building expansion proposed as part of the plan, with 58 existing parking spaces. Mr. Smith pointed out the location and the loading dock by Route 83. There is an existing storm water basin located in that area. He noted this is an existing 50 bed skilled nursing care rehabilitation center. There are 7 apartments used on the second floor of the

building. The project will not expand the number of beds or apartments, but will simply be a re-allocation of existing space. Mr. Smith pointed out the two locations on the drawing which totals approximately 7,000 sq. ft. He noted there is a proposed minor building addition within the court yard. At the entrance there is an old porte-cochere that will be replaced and expanded as part of the project. There are approximately eight new parking spaces proposed in that location. The storm water will be managed by a detention basin which is an expansion of the existing basin. The storm water runoff patterns will remain the same. There is an existing sewer lateral that connects to a main located on the north side which will be retained. The water connection is at Russell Street.

Discussion was held regarding the description of the use which was noted as a church. Mr. Smith stated discussion was held with Staff on how to define the use, which he noted as a rehabilitation center it is more of a skilled care type of use. He explained in trying to determine where it fits in, it was determined the church use was appropriate at the time. He noted they still meet the parking criteria and the maximum impervious coverage which is the same requirement. The setbacks are somewhat less so they were agreeable with defining it as a skilled care facility. Mr. Luciani concurred.

Mr. Smith was asked to explain the extensiveness of this project in terms of stormwater. Mr. Smith pointed out the existing storm water basin and the plan. He noted they are proposing not only expanding it, but providing approximately two feet of amended soils in the bottom of the basin. He noted there will be a seed mix proposed which will meet the township requirements and NPDES requirements. He explained the amended soils act as water quality measures. Mr. Smith indicated the existing detention basin comes out in a small pipe with no daylighting. What they are proposing instead is a discharge that goes into a bermed area, so the storm water would come out over top, over flow the berm and flow in a northwest direction towards the culvert. He noted the drainage pattern is the same, they are trying to improve the discharge condition by proposing a level spreader in that location.

Mr. Smith stated the geology testing did not produce much infiltration rate. He noted that rather than forcing infiltration DEP looks at two methods from a NPDES standpoint of how storm water is handled; either infiltrate storm water or provide water quality. They are going the water quality route because the infiltration rates are poor. This is why they are providing the amended soils with void space in the soils and doing calculations in that way to meet the NPDES requirements, as well as township requirements and rate requirements.

Concern was expressed with drainage down to the corner affecting adjacent property owners with water going over the boundary. Mr. Smith pointed out the topography which showed the direction of the flow verifying it does not cross over a property line. He noted they are trying to get it back to more of a sheet flow condition in that location. He noted floor rate coming out of the detention basin is very minimal. .

The following items were noted:

- Confirmed that fire service access to the existing building is still from the side street.
- Future improvements on Rt. 83 with a sound wall. Mr. Smith noted they are aware of the PennDOT improvements and are showing it on the drawing.
- There is no outdoor fencing proposed.

- The buffer requirement will be an additional waiver request and will be submitted to the township. Mr. Luciani pointed out the ordinance requires buffering from an arterial roads collector. He also noted they will need to take into consideration the addition of the sound wall. Mr. Smith stated the ordinance requires buffering along two different zoning districts. The line to the south is in the mixed use zoning district at the location of the Kmart. The other requirement is the supervisors may require additional buffering along uses that are different, i.e., a commercial use vs. a residential use. He noted several issues they are dealing with, one of which is along the southern boundary line where there is a water line that runs through the property along with a gas line and existing parking. They are not proposing a buffer along that area since it would not be rational along the Kmart and as well are restricted by the utilities located there. In reference to the sound wall along Rt. 83, Mr. Smith indicated that should take care of the buffering requirement. He also noted there are residential properties in this location with a neighborhood to the north. There is a significant tree line that occurs along that property boundary. This distance is about 150 ft. from the proposed building addition. What they believe makes sense in this location rather than having this landscaping along this property line, they feel it would be better to put the landscape buffer and screening requirement along South Russell Street to address the building additions and also the close proximity to residential properties.
- Concern about the depth of the detention basin and channel since this is in a residential neighborhood. Mr. Smith stated the detention basin is approximately 4 feet deep and becomes shallower as it flows into the swale. The reason for the swale is to direct run off from the new impervious into this facility. Mr. Luciani indicated the channel which runs down to Mill Creek into a box culvert underneath Rt. 83 approximately 4-5 feet.

Mr. Smith reviewed the waivers:

#1 Preliminary plan - this is to forgo the preliminary plan and final plan process and combine it into one. The criteria that determines when a preliminary plan is needed, such as HOP improvements for dedication to Springettsbury Twp., etc., is not being proposed by his plan. Therefore they are requesting to go through the process one time because it is a minor plan.

#2 Plan scale – the requirement is 50’ or 100’, they are exceeding the requirement and proposing 10”=30 ft. for reasons of clarity and the fact they are making it larger.

#3 and #4 – They are working through these as a part of the storm water comments with township and the conservation district. The first one has to do with the dewatering time. The requirement for the basin to dewater is between 24 and 72 hours. In reviewing the revisions they believe they can meet the requirement.

The loading ratios have to do with the amount of impervious cover relative to the footprint of the detention basin and the actual drainage area. The guideline is 5 to 1 meaning 5 impervious to 1 footprint of the basins and then 8 to 1 for the large drainage area. They are exceeding this ratio with the justification that geology testing was done, and the fact this is only a small drainage area of an acre.

Mr. Smith indicated the landscape buffer as discussed will be submitted as part of the waivers.

#### **4. ACTION ITEMS**

##### **A. LD-14-04 Pleasant Valley Road Tract**

Matthew Creme, Counsel for the Applicant  
Sandy Kime, Engineer  
Nathan Pipitone, President, Wellington Development Group  
Tom Austin, TRG

Project Narrative: This plan proposes to develop four 20 unit apartment buildings and a three store strip mall along with all other site improvements.

Plan Background: Staff has met with the applicant regarding these comments and they wish to have further discussion with the Planning Commission regarding the items.

The plan was last presented to the Planning Commission in July, 2015. The plan has been revised and resubmitted. First Capital Engineering has completed a fifth review of the project. The review of the revised plan has resulted in the following comments:

Waivers:

- 1.) Rate Controls (281-13.B.2) The ordinance requires that the twenty-five-, fifty-, and one-hundred year post-development peak flows must be less than or equal to 50% of the corresponding twenty-five-, fifty-, and one-hundred year predevelopment peak flows. The applicant is proposing that the requirements of this ordinance section apply only to the disturbed area. The areas outside the limit of disturbance are an upland woodland area, a downgradient grass area, and an on-site floodplain.
- 2.) Design Criteria (281-15.B.1.j) The ordinance requires that the maximum permitted side slopes of a stormwater basin be four horizontal to one vertical. The applicant is proposing to utilize retaining walls on 3 sides of the basin in order to accommodate site improvements and associated grading, minimizing woodland disturbance, and provide additional stormwater volume capacity above-ground.
- 3.) Preliminary Plans; Procedure (289-10) The ordinance requires that a preliminary plan be submitted when a PennDOT HOP is required, there are improvements proposed for dedication to the Township, when recreation land is to be dedicated, when on-lot sewer or water will be used, or when the project has multiple phases. The applicant proposes that the preliminary plan processing be waived in order to submit the Land Development plan directly as a final plan as all the necessary reports and studies have been included and the proposed improvements have been designed and engineered so that they may be reviewed per the Final Plan criteria in the SALDO. Additionally, no new streets are being proposed, no offsite easements are necessary, and agency approvals will be provided as part of the plan processing of the plan application.
- 4.) Final Plans; Specifications (289-13) The final plan shall be drawn at a scale of either 50 feet to the inch or 100 feet to the inch. The applicant proposes that the final plans be drawn at a scale of 30 feet to the inch to improve detail and clarity of the plans.
- 5.) Curbing Reveal (289-25) All improvements required by this chapter shall be installed in accordance with Township Construction and Material Specifications, as approved from time to time by resolution of the Board of Supervisors, unless an alternative is directed or approved, in writing, by the Township. All improvements shall further be installed in accordance with the applicable standards, regulations and specification of other governmental agencies having jurisdiction over the project. Developer is requesting relief to install curb with 6 inch reveal instead of the required 8 inch reveal.

- 6.) Emergency Generator for Pump Station (289-25) All improvements required by this chapter shall be installed in accordance with Township Construction and Material Specifications, as approved from time to time by resolution of the Board of Supervisors, unless an alternative is directed or approved, in writing, by the Township. All improvements shall further be installed in accordance with the applicable standards, regulations and specification of other governmental agencies having jurisdiction over the project. Developer is requesting relief from the C&M Specification Section 1.06 requirement to provide an automatic transfer switch and standby emergency generator.
- 7.) Streets and Aprons (289-27.C) The ordinance requires that all driveway and access drive entrances or aprons within the street right-of-way shall be surfaced to their full width, the type of surface to be concrete as specified by the engineering specifications for streets. The applicant proposes that the apron be constructed of bituminous paving instead of concrete.
- 8.) Street Separation Distance (289-41.F.3) To the fullest extent possible, intersections with arterial streets shall be located not less than 800 feet apart, measured from center line to center line.
- 9.) Access Drive Width (289-41.J.1) The ordinance requires that access drives have a minimum width of 10 feet and a maximum width of 35 feet. The applicant proposes to provide a driveway 41 feet wide in order to accommodate an ingress lane, dual egress lanes, and a 5 foot wide concrete island that must be provided per Township requirements.
- 10.) Obstructions to Vision (289-42) The ordinance requires that all arterial streets have a clear sight triangle of 150 feet. The applicant is proposed to provide a 75 foot clear sight triangle instead of a 150 foot clear sight triangle. The majority of the traffic is entering the site from Pleasant Valley Road and the secondary access is right-in/right-out only. Additionally, the requirements for a 150 foot clear sight triangle will negatively impact the ability to properly buffer the project site as most of the buffer planting between the road and the loading area on the side of the retail facility would be eliminated.

Attorney Crème stated all representatives are in attendance and available for questions. He noted last month he began with a statement of their efforts to narrow the issues of the plan, which included a meeting with Township Staff led by the township manager and the solicitor. Letters reviewed during that meeting included the solicitor's letter of December 29, 2015 and a letter dated January 29, 2016 reviewed by First Capital. Attorney Crème indicated that Staff provided to them portions of the Planning Commission packets which included the February 18, 2016 Planning Commission summary and an undated list of waivers, conditions and open issues.

Attorney Rausch stated that also included an ELA issued response. Attorney Crème affirmed this was submitted to the Planning Commission members at the last meeting.

Mr. Pipitone introduced himself as the President of Wellington Development Group and Chief Financial Officer of Wellington Construction Company. He stated he is a professional developer with 44 years of experience. He noted he came into the project in 2012 and was retained by Pleasant Valley because they felt they were not able to have a plan for this property proceed in an expedient manner.

Mr. Pipitone stated in late 2006 Pleasant Valley had negotiated with the York Christian Church in a purchase/swap situation for a property adjacent to this in return for purchase of this property. He noted that shortly before Pleasant Valley settled on the property, High Industries provided them with a letter of intent to purchase the property for the purpose of construction of a hotel complex.

Pleasant Valley Associates and VanGuard Development Group met with the township manager and it was determined a hotel would not be suitable at that location. Mr. Horst settled the property and came forth with a sketch plan designed by Pioneer Engineering to develop the property with commercial buildings. Through several meetings with the township staff, it was determined an all commercial plan would not be satisfactory for this site. Mr. Pipitone noted at that time he reviewed the plan with ideas of constructing apartments on the project with commercial/retail space. Mr. Pipitone indicated he then approached Pioneer Engineering, the engineer for the project to conduct an informal review to determine if there were any zoning issues. He noted that Pleasant Valley had obtained a variance on steep slope ordinances behind the property, which they obtained not knowing these steep slopes were created. Mr. Pipitone indicated he was concerned about the stream running through the property, as well as a large 12” gas line on the side of the property and a gas line across the front of the property on Pleasant Valley Road. In a meeting with the gas company it was determined these two lines could not be touched because of the danger working with the lines. In 2013 he met with Pioneer Engineering and the township staff to discuss multiple items and left the meeting with an understanding they were going to move some of the buildings around and determine how to arrive at the density for the property. Ms. Lang, Director of Community Development provided Attorney Crème with a formula to be used in order to arrive at the density on the property. Although, they had already filed to go before the Zoning Hearing Board, they withdrew the zoning application and redesigned the project based in accordance with that determination. Mr. Pipitone indicated he terminated the contract with Pioneer Engineering because he determined they did not have the staff to devote to the project. He then hired the ELA Group, Pleasant Valley Associates, Keith Heigel, a sewer engineer to round out the team.

After a number of meetings with township staff they filed their plan. They received a review from the township engineer, Mr. Luciani and subsequent meetings were held. Mr. Pipitone stated they have voiced their objection relating to the issue that the township engineer’s review did not acknowledge their comments to his review and they received a brand new review of the entire plan with new comments. They felt this was unfair and not in keeping with the PA Municipalities Planning Code Authorities Act.

Mark Horst, VanGuard Development Group – presented and explained the conceptual for the development, pointing out the proposed commercial retail area and the apartments. He noted there are four apartment buildings, three story walk up apartments, with 80 total units. Mr. Horst identified the individual building types that are being proposed. Apartment A may be considered to add a community center in that building. He also pointed out the buildings identified as Apartment B, C and D.

Mr. Horst responded to the following questions:

- Type of construction materials, Mr. Horst indicated the apartments would be wood framed with standard asphalt shingles. He noted the buildings will have a considerable amount of stone as well as two different types of siding - some vertical and some standard horizontal siding. They will also have vinyl siding.
- All buildings will be sprinklered.
- Color scheme depicted is one of the options; however, they have not yet committed to a

specific color scheme.

- In the design of the stairwells, they will be cautious not to create any dark corners which could become a safety concern.
- Lighting and landscaping as shown on the plan will not be exactly as depicted.
- The commercial buildings as depicted on the plan. There will be three separate entrances.
- Utilities will mostly likely be placed on the roof with the parapet built high enough to conceal them.
- Density factors were provided by the Township's former Community Development Coordinator and the plan does show all the density factors on the front page per the Township's agreement upon withdrawing the second plan. The 80 units are broken down into 20 one bedrooms, 39 two bedrooms and 21 three bedrooms for a density factor of 241.
- Mr. Horst stated they are planning to build two of the apartment buildings first and then when they are leased will begin construction on the other two buildings.
- The emergency access will remain a right turn coming off Mt. Zion Road.

Mr. Pipitone stated the additional parking proposed for the church has been approved and is under construction.

In response to a question regarding the ownership of the church parking lot as to where it would be a leased item from their facility, Mr. Pipitone responded it will be a single entity that will own the entire property. He noted there is an easement that allows the church to enter, occupy and use that portion of the property for parking.

Discussion was held regarding the proposed storm water basins with the block. Mr. Pipitone pointed out the storm water basin and fence on the plan, indicating the location of a storm water basin that has been of issue. He indicated they will present photos of basins in other regions with a similar slope and are proposing a sound basin currently in use.

Mr. Kime reviewed the plan and provided a summary of some of the supporting documents previously provided to the Township. He explained the existing conditions of the site, noting it is an eight acre property with Mt. Zion Road to the east and Pleasant Valley Road to the south. The York Christian Church property is to the west and is currently under development. There is a wooded area along the north and a residential zoned area to the north. He pointed out the location of the foundation of the old church which is still on the site and the existing parking lot. A Quonset hut was there at one time when the survey was done but no longer exists, except for a concrete foundation. There was a question regarding fill that was placed on the site since the survey was done. The survey was upgraded and that area fill is shown on the plan. He noted there is a stream cutting diagonally through the site. About 25% of the site is to the east/southeast of the stream and the rest is to the northwest. Mr. Kime reiterated the location of the gas lines, noting the gas line at the west property line and two gas lines in the frontage, with 3 inch pipe and 12 inch pipe. Steep slopes were identified on the property and the soils are identified.

Mr. Kime provided a rendering similar to the original submission which has been updated to show relocation of the street lights to be within the street right of way. He noted that is the only difference between this plan and the last submission. Mr. Kime indicated the primary entrance is off of Pleasant Valley Road on top of the location of the existing driveway which served the church. There was a question as to why it was located there and not further away from the intersection. Mr. Kime explained further away from the current location there is a steep grade and the gas company has prohibited fill in that area as well as driveways across at the same

location. Mr. Kime noted they have one lane going in and two lanes going out with one dedicated to a left turn and one dedicated to a right turn. It was also noted they have a letter agreement with the gas company requiring them to submit an application with specifications in monitoring and inspections requirements.

Mr. Kime pointed out on the plan the current emergency access which will link from the new parking lot over to the existing drive at this location. Once the site is developed they will have a looped emergency access around the upper end of the Building B. On the east side of the stream there are three buildings, each one is 3,000 sq. ft., with a maximum of 9000 sq. ft, which will be three separate units. Two are shown as retail, one is shown as office. He noted a setback issue for retail use will require additional zoning approvals. The second access off Pleasant Valley Road would be a right-in/right-out. There is adequate parking for the three commercial uses at that site. Stormwater is handled with a small facility and a larger facility at the center and there are a series of underground facilities both under the main parking both under the parking lot for the commercial.

It was noted that signage for the site would be dealt with as a separate issue.

In answer to a question as to the location of the rental office, Mr. Henise stated it will be located in Building A and pointed out the proposed location on the plan. He noted the reason they selected that location is because it is the most visible building when entering the site. There will be signage and it will be aseptically different from the remainder of that building. In addition, the maintenance office would be in that location.

Mr. Pipitone indicated they are also proposing to keep an emergency generator in that facility. He indicated there is one building that has a sewer grinder pump – pump station and in the event of a power failure they need to have it operating to pump the sewer.

Mr. Kime stated they submitted an environmental impact study, initial preliminary concept plans, a traffic impact study, retaining wall designs and the updated post construction storm water management report. He noted they rescinded one waiver request in September 2015. Mr. Kime also indicated sewage pump station design calculations were submitted, as well as a flood study and various waiver requests in May 2015. He noted these have been modified with the last submission. A new wetland investigation was done in January 2016. Mr. Kime stated they have a draft of the owner and maintenance agreement for stormwater. As previously noted they also have the Columbia Gas agreement. They have a draft indemnification agreement related to the facilities that needs to be submitted for the highway permits on behalf of the Township. There was an opinion of probable costs submitted in January 2016. They have some buoyancy calculations and provided the minutes of the July 2015 meeting of the Township Parks and Recreation Commission regarding the fee in lieu of park land dedication.

Discussion was held regard the applicant's traffic engineer's recommendations. Mr. Henise referred to Sheet Plan 5.1 in the plan set which he explained shows the changes in the line striping on Pleasant Valley Road. He noted there is a proposed access drive on Pleasant Valley Road with one ingress lane and two egress lanes – one for right turns out and one for left turns out. There is also a right in/right out driveway off Mt. Zion Road. A traffic impact study was prepared which reviewed the intersections of those two driveways as well as the intersection of Pleasant Valley Road, Mt. Zion Road, Whiteford Road and the Rt. 30 westbound off-ramp. The recommendations resulting from that study showed that the east bound left turn lane on Pleasant Valley Road is currently 75 ft. long. The projected queue without the development is 150 ft. indicated that turn lane is currently insufficient and with the development that queue would

extend to 175 ft. Mr. Henise stated that was the reason for the recommendation of the restriping of the current left turn lane into the Sincerely Yours personal care home. Currently the left turn lane is back-to-back with the existing left turn lane on Pleasant Valley Road at the traffic signal. Currently the traffic would be queuing into the area where the westbound left turn lane is at the personal care home. Mr. Henise stated it was their recommendation to restripe the west bound left turn lane to a 2 way left turn lane so that it could be used by traffic going in both directions. Along with that they also performed a traffic count at the driveway intersection and found that in the AM peak there was one left turn into that driveway. In the PM peak there were two left turns into the driveway and the Saturday peak there were two left turns. Those findings determined it is not close to meeting warrants for a dedicated left turn lane, therefore, restriping at that location as a two way left turn lane was determined to be the best use of that space. Mr. Henise confirmed the personal care facility was open during the traffic counts.

Mr. Kime confirmed the calculations were submitted to the Township.

Discussion was held in regards to potential impact to the signalization at the intersection of Mt. Zion and Pleasant Valley Road which would require an upgrade. Mr. Henise stated they determined that other than timing changes no other modifications would be necessary.

Mr. Henise was asked what level of service was determined for the intersection. He indicated it will be a level of service C during the AM/PM and Saturday peak hours. North/South would be level of service B with the exception of southbound on a Saturday which would be a level of service C.

Concern was expressed by the Board regrading traffic observed moving southbound on Mt. Zion Road on the hill.

Mr. Pipitone stated in regards to redoing the signalization there is a contract already in place with PennDOT which has not yet been finalized.

Ms. Denne, Township Manager explained that currently PennDOT is conducting a study on pre-emptive testing for this area, which is a hybrid for the adaptive signalization plan. She noted it is not anticipated until 2018.

Mr. Henise reiterated what they are proposing will mitigate the impacts to the development based on PennDOT's criteria.

A question was raised concern ADA requirements as a part of the study. Attorney Crème stated they have ADA compliant accesses on the three quadrants. For the other quadrant he indicated the township solicitor has determined they are not required to provide off site improvements.

Attorney King, Township Solicitor confirmed they cannot require the applicant to provide offsite improvements.

Discussion was held regarding stormwater. Concern was expressed by the Board in regards to the applicant's request for a waiver to not meet the township ordinance for stormwater in light of water observed coming down Mt. Zion Road.

Mr. Kime stated the grading of the driveway is such that there is a crest next to the entrance with several inlets placed along the street to bring the flow of water into their site, as established based on gutter flow calculations.

He referred to Mr. George Smith, ELA Project Engineer to address storm water issues. Mr. Smith provided an exhibit which he noted is an overview of the site development and explained the red shaded areas are the storm water management facilities provided to accommodate the current township and NPDES requirement. They are a combination of subsurface underground systems with above ground rain garden and BMP type facilities. Based on the size of the site and the build-out of the site it necessitated the number and size of the facilities that are identified.

Mr. Smith stated the specific requirement of the township for the waiver being requested for 281-13.B.2 Rate Control relates to reducing the 25, 50 and 100 year storms by 50% for rate control. Their intent is to reduce the disturbed areas by 50%. The specific waiver request is not to consider the undisturbed areas on the site as part of the required storm water reduction. There are 3 areas identified:

- The woodland area to the north, which they want to maintain as a natural buffer absorption function as well as a natural storm water facility;
- The lower grass area which is traversed by the gas main and the restricted covenants, which do not permit storm water facilities or grading beyond their approval.
- The third area of the non-disturbed area is the 100 year flood plain. Besides a proposed culvert crossing to line the two sides of the sites, it is not proposed or appropriate to provide 50% reduction in that area.

Mr. Smith indicated these three areas total approximately 1.2 acres of the overall site of 8 acres. He noted the ordinance requires managing the 50% reduction for the site area, identified as a regulated area. The regulated area definition identifies disturbed areas associated with the project improvements. Mr. Smith stated it is their professional opinion that the 50% reduction as presented and documented meets the township ordinance.

Attorney Crème indicated they have not yet submitted their HOP, since the traffic impact study needs to be processed before they can submit the application.

Mr. Smith stated they have utilized the 100 year flood plain prep prepared by Pioneer management, the original consultant on previous land development. He noted their improvements are respectful of the flood plain with the understanding that the overtopping does come onto their site and is conveyed through the 100 year flood plain corridor. He also noted they are proposing to extending the existing culvert to accommodate the roadway widening and sidewalk improvements.

Discussion was held regarding the sloping of the basin. Mr. Smith indicated there is one specific basin the requested waiver modification is proposed for –Infiltration #4. He noted the ordinance requirement is a 4-1 maximum side slope of the basin. The side slope on the upper portion of the basin has been modified to be respectful of that 4-1. The rest of the perimeter of the basin is proposed to be retained by a retaining wall. The retaining wall allows for appropriate design of that basin as well as providing appropriate hydrologic characteristic of the basin. The use of the wall was previously identified it is a very standard construction for this type of facility in an urban environment, Mr. Smith stated the waiver modifications request is proposed for the use of retaining walls in this infiltration #4 basin. There is a proposed access discouragement fencing around the entire perimeter of the basins. The fence is a metal decorative 4 ft. high fence with 4 inch maximum spacing to address safety concerns by limiting access to this basin. Mr. Smith noted the basin is infiltrating so there is a component to the bottom that will infiltrate. There is back up under drain and emergency overflow. He determined it will be less than 48 hours in which water will be retained in this basin. Mr. Kime further noted from the top of the wall it is

between 6½ ft.

Mr. Luciani pointed out the basin IF-8 located north of the proposed retail commercial building also has 3 to 1 slopes which would require a waiver. Mr. Kime indicated they will confirm this and make the necessary modifications and revisions it requires.

It was noted this would be a condition to modify the slope on IF-8 to meet the township ordinance.

Keith Heigel with Light-Heigel Associates indicated they provided the design calculations for the retaining wall and confirmed it meets applicable code. It was confirmed that the maintenance of the facilities will remain the responsibility of the developer.

Matt Carol with ESC Mid-Atlantic, Geo Technical Engineer indicated he is performing work as a sub-consultant to the project. He provided information on the site characterization exploration program along with their field technician. Mr. Carol explained that site characterization involves a review of geologic soil reports in addition to the field exploration. He indicated that infiltration tests for the storm water include assessing soil type, soil deposition, characteristics for bedrock and any signs of weathering, softening, piping, fracturing, etc. In this case he noted they performed the testing in general accordance with the PA BMP manual in terms of locations, numbers, testing methodology and recorded the infiltration rates used in the design by ELA. The rates were variable and there was some infiltration recorded; however, he did not find any signs in the test pits explored of anything of concern relative to subsidence or atypical to that effect.

In regards to a question relating to the strength of the soil being adequate for both storm water and the strength of the retaining wall, Mr. Kime indicated the design calculations were provided and certified by a professional engineer.

Review and action was held regarding the waivers:

Waivers:

Rate Controls (281-13.B.2) The ordinance requires that the twenty-five-, fifty-, and one-hundred year post-development peak flows must be less than or equal to 50% of the corresponding twenty-five-, fifty-, and one-hundred year predevelopment peak flows. The applicant is proposing that the requirements of this ordinance section apply only to the disturbed area. The areas outside the limit of disturbance are an upland woodland area, a downgradient grass area, and an on-site floodplain.

**MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE TOWNSHIP BOARD OF SUPERVISORS FOR WAIVER REQUEST RATE CONTROLS (281-13.B.2), MEETING THE DISTURBED AREAS. MR. STUHRE SECONDED. MOTION UNANIMOUSLY PASSED.**

Design Criteria (281-15.B.1.j) The ordinance requires that the maximum permitted side slopes of a stormwater basin be four horizontal to one vertical. The applicant is proposing to utilize retaining walls on 3 sides of the basin in order to accommodate site improvements and associated grading, minimizing woodland disturbance, and provide additional stormwater volume capacity above-ground.

**MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE TOWNSHIP**

**BOARD OF SUPERVISORS FOR WAIVER REQUEST DESIGN CRITERIA (281-15.B.1.J) FOR BASIN IF-4 WITH THE FOLLOWING CONDITIONS:**

- **A 4 FT. FENCE SETBACK 3 FT. FROM THE EDGE OF THE RETAINING WALL WITH APPROPRIATE PLANTINGS TO PREVENT ANYONE CLIMBING THE FENCE.**

**MR. STAUB SECONDED. MOTION UNANIMOUSLY PASSED.**

Final Plans; Specifications (289-13) The final plan shall be drawn at a scale of either 50 feet to the inch or 100 feet to the inch. The applicant proposes that the final plans be drawn at a scale of 30 feet to the inch to improve detail and clarity of the plans.

**MR. STUHRE MOVED TO RECOMMEND APPROVAL TO THE TOWNSHIP BOARD OF SUPERVISORS FOR WAIVER REQUEST FINAL PLANS; SPECIFICATIONS (289-13). MR. ROBERTSON SECONDED. MOTION UNANIMOUSLY PASSED.**

Curbing Reveal (289-25) All improvements required by this chapter shall be installed in accordance with Township Construction and Material Specifications, as approved from time to time by resolution of the Board of Supervisors, unless an alternative is directed or approved, in writing, by the Township. All improvements shall further be installed in accordance with the applicable standards, regulations and specification of other governmental agencies having jurisdiction over the project. Developer is requesting relief to install curb with 6 inch reveal instead of the required 8 inch reveal.

**MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE TOWNSHIP BOARD OF SUPRVISORS FOR WAIVER REQUEST MODIFICATION OF THE CURBING REVEAL (289-25) - EXTERNAL CURBING IS ACCEPTABLE AS NOTED ON THE PRINT SD5.0. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.**

Emergency Generator for Pump Station (289-25) All improvements required by this chapter shall be installed in accordance with Township Construction and Material Specifications, as approved from time to time by resolution of the Board of Supervisors, unless an alternative is directed or approved, in writing, by the Township. All improvements shall further be installed in accordance with the applicable standards, regulations and specification of other governmental agencies having jurisdiction over the project. Developer is requesting relief from the C&M Specification Section 1.06 requirement to provide an automatic transfer switch and standby emergency generator.

Attorney Crème stated although there is no waiver request to be acted upon, the developer will revise the submission for the Board of Supervisors to show a permanent connected generator to natural gas.

Attorney King indicated this will be restated and added to the list of conditions because there is no waiver request on the table.

Streets and Aprons (289-27.C) The ordinance requires that all driveway and access drive entrances or aprons within the street right-of-way shall be surfaced to their full width, the type of surface to be concrete as specified by the engineering specifications for streets. The applicant proposes that the apron be constructed of bituminous paving instead of concrete.

**Request withdrawn by the applicant.**

Street Separation Distance (289-41.F.3) To the fullest extent possible, intersections with arterial streets shall be located not less than 800 feet apart, measured from center line to center line.

**MR. ROBERTSON MOVED TO RECOMMEND TO THE TOWNSHIP BOARD OF SUPERVISORS FOR WAIVER OF STREET SEPARATION DISTANCE (289-41.F.3). SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.**

Access Drive Width (289-41.J.1) The ordinance requires that access drives have a minimum width of 10 feet and a maximum width of 35 feet. The applicant proposes to provide a driveway 41 feet wide in order to accommodate an ingress lane, dual egress lanes, and a 5 foot wide concrete island that must be provided per Township requirements.

**MR. STUHRE MOVED TO RECOMMEND TO THE TOWNSHIP BOARD OF SUPERVISORS FOR WAIVER REQUEST ACCESS DRIVE WIDTH 289-41.J.1. MR. ROBERTSON SECONDED. MOTION UNANIMOUSLY PASSED.**

Obstructions to Vision (289-42) The ordinance requires that all arterial streets have a clear sight triangle of 150 feet. The applicant is proposed to provide a 75 foot clear sight triangle instead of a 150 foot clear sight triangle. The majority of the traffic is entering the site from Pleasant Valley Road and the secondary access is right-in/right-out only. Additionally, the requirements for a 150 foot clear sight triangle will negatively impact the ability to properly buffer the project site as most of the buffer planting between the road and the loading area on the side of the retail facility would be eliminated.

**MR. STAUB MOVED TO RECOMMEND APPROVAL TO THE TOWNSHIP BOARD OF SUPERVISORS FOR WAIVER REQUEST OBSTRUCTIONS TO VISION 289-42. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.**

Discussion was held regarding the applicant's waiver request for Preliminary Plans: Procedure. Attorney Crème stated they are not proposing to dedicate any improvements to the township and they are paying a fee in lieu of providing recreation land. He noted this project does not call for on-lot sewer or water and they are not providing multiple phases. The only criteria under the ordinance that is in consideration for this waiver is the HOP from PennDOT. They are requesting that be a condition of the waiver. He noted the HOP is the developer's risk. Attorney Crème indicated they would be willing to provide an indemnification agreement.

A lengthy discussion was held regarding the ramifications of the indemnification agreement. It was noted the indemnification agreement could not be submitted until the applicant has received approval from PennDOT for the HOP.

**MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE SPRINGETTSBURY BOARD OF SUPERVISORS FOR THE WAIVER OF PRELIMINARY PLANS; PROCEDURE (289-10) BASED ON THE APPLICANT'S APPROVAL OF THE PENNDOT HOP. MR. STAUB SECONDED. MOTION UNANIMOUSLY PASSED.**

Discussion was held regarding conditions for approval based on Fifth Plan Review letter.

**Recommended Conditions for Approval**

1. Stormwater O & M Agreement to be executed.  
A draft has been submitted for review.
2. HOP to be submitted and approved by PennDOT for Mt. Zion Road
3. YCCD final approval for E &S/NPDES.
4. Street lights to be moved to within street right-of-way as shown on SD5.0.
5. Payment of recreation fee-in-lieu of dedication of \$132,640.00.
6. Posting of financial security for required improvements based on erosion control approval
7. Plans to be signed and sealed when the plan is recorded.
8. Owner to install street name placards if required by PennDOT.
9. Changes dates per Fifth Review Letter General Comments Nos. 6-10, 12 & 13 to 2000.
10. Revise General Note 2 on Sheet SD 2.0. This has been done.
11. Correct numbering on notes on Plan Sheet SD 2.0.
12. Remove existing conditions on Plan Sheet SD 5.1.
13. Correct overlapping of data on Plan Sheet SD 10.0.
14. Clarify the number of dwelling units in each apartment building. (These are identified as IF4 and IF8 on the plan. This condition was removed.
15. Revise the grading of Basin IF-8 to comply with the 4:1 side slope requirement.
16. Redesign the emergency generator to comply with Township standards.
17. Permanent natural gas emergency generator – complete design reviewed with township engineer.

### **Open Issues**

1. Elimination of west bound left turn lane on Pleasant Valley Road. **REMOVED**
2. Aerator on pump station – Mr. Luciani indicated this refers to the design of the pump station. He noted he will need clarification in regards to Mr. Heigel’s statement “Note - sewage in the wet well may require aeration, if needed to avoid septicity.”
3. Location of dumpster (ZO §325-120(B)). **REMOVED** - Clarification was made on the location of the dumpster as it relates to delineated front yards.

A question was raised concerning adding the name of the nearby property owner on the plan. It was confirmed it has been added.

Confirmation was given that Fire and Police approval was filed as part of the environmental.

**MOTION MADE BY MR. ROBERTSON TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR LD-14-04 PLEASANT VALLEY ROAD TRACT WITH THE CONDITIONS AS SPECIFIED ABOVE. MR. STUHRE SECONDED. MOTION UNANIMOUSLY PASSED.**

**5. WAIVER RECOMMENDATIONS - None**

**6. OLD BUSINESS – None**

**7. NEW BUSINESS – None**

**8. ADJOURNMENT**

**CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 10:25 P.M.**

Respectfully submitted,

Secretary

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