

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
APRIL 21, 2016**

MEMBERS IN

ATTENDANCE: Alan Maciejewski, Chairman
Charles Stuhre
Tim Staub

ALSO IN

ATTENDANCE: John Luciani, First Capital Engineering and Acting Zoning Office
Christopher King, Solicitor
Sue Sipe, Stenographer

NOT PRESENT:

Mark Robertson
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. MARCH 17, 2016

MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF MARCH 17, 2016 AS CORRECTED. MR. STAUB SECONDED. MOTION UNANIMOUSLY CARRIED.

3. BRIEFING ITEMS

A. SD-16-01 Bensinger Subdivision

Project Narrative: This plan proposes to subdivide an existing parcel near the intersection of Trout Run Road and Lower Glades 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. The applicant is requesting information from the Commission regarding their waivers. Once input from the Commission members is received, a revised plan will be submitted and a full evaluation of the project will be provided by staff for action at the next appropriate Commission meeting.

Clark Craumer, Consultant

Mr. Luciani stated the applicant provided a time extension until June 30 and is seeking direction on the project.

Mr. Craumer stated this subdivision on Trout Run Road was presented two months ago as a briefing item. Discussion at that time was held regarding possible road improvements on Trout Run Road as mentioned in the review letter prepared by Mr. Luciani, Mr. Craumer indicated they are proposing one 10 acre lot to be developed and the other two remaining agricultural. The lot proposed for building will tie into public sewer on Glades Road. They had requested a waiver for the road improvements, however, before proceeding with any additional changes to the plan, they wanted to understand the position of the Planning Commission relating to road improvements on Trout Run Road and also their waiver request. Mr. Craumer explained their position on the road improvements, specifically as it relates to widening Trout Run Road, noting that it would require moving utility poles and potentially would increase vehicles speeding in that area.

Discussion was held regarding the applicant's obligation to conform to the Township standards for road improvements. It was pointed out that the basis of the waiver request cannot be attributed to financial hardship. It was noted that the Township is planning on improving Trout Run Road in the future and they are evaluating alternatives for the reclamation. Concern was expressed to assure all parties are treated equally to avoid setting a precedence. Mr. Luciani stated because the applicant owns the properties on both sides of the road they have the option to offer the right of way which is 33 ft.

Mr. Craumer indicated all the properties along Trout Run Road are existing homes, garages and barns near the road and there would be no further development.

Mitzi Bensinger – 3021 Trout Run Road

Ms. Bensinger confirmed she is the owner of the property being presented. She introduced Mr. Brady Barns who is purchasing the 10 acres from her. Ms. Bensinger asked to address the minutes of February 18, 2016 when the case was presented as a briefing item, noting a correction to the first paragraph on page 3, which should state "the land adjacent to the west of Lot 3 has been filed with a conservation easement of approximately 10 acres not 20 as stated. In addition 30 acres (not 38) of her property which is across the road and to the west of Lot #4 has a conservation easement on it.

She pointed out those minutes also correctly reflect that Kristen Denne, Township Manager provided traffic counts for Trout Run Road, noting over a 3 day period from 7/21/15 to 7/23/15 there was an average of 260 cars which ranged from 75 to 93 vehicles each day.

In regards to the preservation issue, Ms. Bensinger stated that commitment to land preservation has been long and solid for many years. The restrictions for conservation easements that have been mentioned are in several cases in perpetuity - legal binding easements that cannot be changed. She noted the property in question which is bordered on the west by these 10 acres has a permanent conservation easement on it. Also, 30 acres to the north and other acreage to the south and east have protective covenants in the deeds that prevent any further subdivision on those properties until the year 2033. She provided photos of the areas in question, pointing out the 2,500 ft. which would be required to have the improvements, with 1,000 ft on one side and 1,500 ft. on the other side. Ms. Bensinger stated this is property she owns which is part of the large parcel they are proposing to subdivide. She also indicated from one of those angles the 28-

29 acre piece that Mr. Craumer mentioned is one of the lots that would result. She noted she had conversation with the Farm and Natural Lands Trust to add another permanent conservation easement on that property. That would in essence cover the 1,500 ft. on the north side of Trout Run Road that would be required to widen. So a permanent conservation easement is that in perpetuity it cannot be changed and if sold she would not be allowed to have any other buildings.

Ms. Bensinger cited examples of why widening that section of the road would be prohibitive. She noted that Lower Glades Road was resurfaced 5 years ago, but was not widened because the properties were too close to the road. She noted the same situation for Trout Run Road, stating although financial hardship was not a factor, if the Township were to widen it to standards, it would require removing a farm building, two barns across the road as well as other buildings located on adjacent properties. In addition there are many utility poles on that road. Ms. Bensinger indicated she with Met Ed and Verizon for a site consult and presented a letter from Verizon which indicated relocating the utility poles would be at a cost of \$28,567. Met Ed quoted \$20-25,000 to replace poles. She would also need to remove a large tree at a cost of \$4,000. As well, there is a culvert at each end of the 2,500 ft. that would have to be replaced.

The Planning Commission reiterated the responsibility of the applicant to be in compliance with road improvements for Trout Run Road. It was noted that part of the issue is the Township requires right of way in addition to road improvements. The applicant was advised to consider granting the Township right of way on the section of the roadway which would allow the Township to work with the engineer for road improvements not including road widening on that parcel of road, and also make a contribution to those road improvements.

Ms. Bensinger agreed with granting a right of way of 50 ft.

Chairman Maciejewski stated their recommendation would include the right of way, no widening of the road, but a contribution to the road improvement which would be worked out as a side agreement with the Township.

Mr. Luciani stated the applicant would need to provide a developer's agreement that would be added to the plan in addition to a recreation fee of \$1,700,

Ms. Bensinger indicated she would agree to grant the 50 ft. right of way but would need some time to determine a monetary contribution towards road improvements.

Chairman Maciejewski stated the applicant has 30 days to work out what they determine would be an equitable contribution and to represent with the waiver request specifically illustrating the right of way.

4. ACTION ITEMS

A. SD-16-02 Saxe Subdivision

Jim Barnes, James Holley & Associates

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 Memory Lane Extended because sidewalk along Ridgewood Road 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 this is a 3 lot subdivision which encompasses the property at the southeast corner of Ridgewood Road and Memory Lane Extended. He noted they discussed Mr. Luciani's letter of April 6, 2016 at Staff meeting last week and reviewed the outstanding items.

Mr. Barnes indicated they will submit the Erosion and Sedimentation Control Plan for the proposed storm water improvements for the two lots that will have buildings added. Although they do not know what will be built on those lots, they are showing the improvements for the maximum building envelope and the storm water management requirements in order to assure the largest house built could be handled by the stormwater ordinance.

Water and sewer facilities plan – Mr. Barnes confirmed they did receive sewage planning approval by DEP and he provided Mr. Luciani with a copy of the water availability letter from the York Water Company.

Mr. Barnes noted they will indicate placement of two additional concrete monuments. The iron pins were set today so they still have two monuments to be set.

Mr. Barnes noted they will obtain a cost estimate for the public improvements for stormwater management, erosion control, plantings along Memory Lane Ext. and sewer laterals for the two new building lots.

In regards to street widths, Mr. Barnes indicated that traffic counts for Ridgewood Road is 660 vehicles a day and Memory Lane Extended which is 1,250 vehicles a day. Mr. Barnes noted they are showing additional right of way along Memory Lane to go from 25 ft. to 30 ft. The street classification for a collector street requires plantings based on the buffer yard as noted in the streetscape portion of the ordinance. Mr. Barnes stated they are asking for a modification to the buffer yard plant requirements because of the fact the only location to put the storm water management facility is on the corner lot along Memory Lane. He noted the Township requested an additional 10 ft. of sanitary sewer easement that extends from Memory Lane through the back of the properties. He indicated they are restricted with the constraint of the easements which cannot be planted in addition to the stormwater management facility. They are requesting a reduced number of plants, but are adding the plantings along the street.

Mr. Luciani indicated they have reviewed the stormwater for the additional two dwellings. A condition would be placed for the applicant to provide the E&S plan.

Mr. Barnes indicated they are also requesting waivers for the plan scale, curbs & gutters, sidewalks and street lights in addition to the modification to the buffer yards and a waiver for the street width on Memory Lane.

It was noted that the modification request for installation of concrete curb along existing road frontages is subject to the inclusion of the six month note.

Discussion was held regarding the waiver for the street lights. In terms of safety, it was determined that it is important to have street lights in that area.

MR. STUHRE MOVED TO RECOMMEND DENIAL OF THE WAIVER REQUEST FOR §289.36 STREETLIGHTS. SECONDED BY MR. STAUB. MOTION UNANIMOUSLY PASSED.

MR. STAUB MOVED TO RECOMMEND APPROVAL FOR 289.31.A. CURBS AND GUTTERS - MODIFICATION REQUEST FOR INSTALLATION OF CONCRETE CURBS ALONG THE EXISTING ROAD FRONTAGE SUBJECT TO INCLUSION OF A SIX MONTH CERTIFIED NOTATION TO BE SHOWN ON THE PLAN. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.

MR. STAUB MOVED TO RECOMMEND APPROVAL FOR §289.32.B.2 MODIFICATION REQUEST FOR INSTALLATION OF CONCRETE CURB ALONG EXISTING ROAD FRONTAGES, CONDITIONED UPON ADDING A SIX MONTH NOTE ON THE PLAN. MR. STUHRE SECONDED. MOTION UNANIMOUSLY PASSED.

MR. STAUB MOVED TO RECOMMEND APPROVAL FOR WAIVER REQUEST §289.13.A PLAN SCALE. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.

MR. STUHRE MOVED TO RECOMMEND APPROVAL FOR WAIVER 289.35.D BUFFER YARD TO ALLOW A LESSER NUMBER OF PLANTS FOR THE STREETScape BUFFER YARD DUE TO CONSTRAINTS OF STORMWATER MANAGEMENT FACILITY. SECONDED BY MR. STAUB. MOTION UNANIMOUSLY PASSED.

MR. STUHRE MOVED TO RECOMMEND APPROVAL FOR WAIVER §289.41.C.1 TO ALLOW THE STREET WIDTH TO REMAIN THE CURRENT 28 FT. SECONDED BY MR. STAUB. MOTION UNANIMOUSLY PASSED.

MR. STUHRE MOVED TO RECOMMEND TO THE TOWNSHIP BOARD OF SUPERVISORS APPROVAL FOR SUBDIVISION 16-02 SAXE SUBDIVISION WITH THE FOLLOWING CONDITIONS IN ACCORDANCE WITH THE TOWNSHIP ENGINEER'S LETTER OF APRIL 6, 2016.

- **PRELIMINARY PLANS - SUBMITTAL OF THE EROSION AND SEDIMENTATION PLAN.**
- **MONUMENTS**
- **COST ESTIMATION FOR IMPROVEMENTS**

MR. STAUB SECONDED. MOTION UNANIMOUSLY PASSED.

Mr. Luciani noted the plan will expire May 3, 2016, Mr. Barnes indicated they would agree to a 30 day time extension. Mr. Barnes will submit the official form.

B. LD-15-04 First Post Restaurant – Parking Lot

Casey Deller, C.S. Davidson

Project Narrative: This plan proposes to expand the size of the existing parking lot. An existing graveled area will be paved with bituminous asphalt.

Plan Background: The plan was first presented to the Planning Commission on December 17, 2015. The plan was revised and resubmitted to address the regulations. First Capital Engineering has completed a second review of the project. Review of the revised plan has resulted in the following comments:

Waivers:

- 1.) 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.
- 2.) 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.
- 3.) 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 Davies Drive because sidewalk along Davies Drive would not presently connect to any existing sidewalk network.

Mr. Deller indicated they presented the plan in January as a briefing item to review their proposal to enlarge the parking lot. He provided the existing conditions plan explaining the location of the restaurant in comparison to the existing parking and driveways. Currently there are 58 parking spaces. He noted a creek with a small bridge which comes across the existing parking lot. Mr. Deller presented the proposed layout with an additional 38 parking spaces for a total of 96. He pointed out the location of the building and the creek with the parking lot. They are proposing to add on to a section of paving that formerly was a residence on the property. Access to the parking area will remain the same with the existing driveway coming off Davies Drives. Mr. Deller noted there is an existing wooded area and they will use the existing trees.

Since January they have met with Township staff to work through comments from the Township engineer. One of the comments in regards to the zoning ordinance was that the parking lot proposed is not on the same property as the principal use. They presented that issue to the Zoning Hearing Board and received a special exception to build the parking lot serving the principal use on this tract with the condition to add wording to the plan stating the two physical improvements, the building and the parking lot, cannot be separated by sale or by transfer or any other subdivision. Mr. Deller indicated that condition was added to the cover sheet of the plan.

Mr. Deller indicated the items noted in Mr. Luciani's comment letter dated April 15 have been addressed with the exception of several administrative conditions that go along with the plan and several waiver requests.

Discussion was held regarding the access to the second parking lot relating to the location of where the current existing driveway is located near the Food Lion driveway. Mr. Luciani confirmed that in reviewing Sheet C-2 which identifies the location, it was acceptable.

Discussion was held regarding the buffer yards. Mr. Deller stated they are challenged with the existing conditions, based on the zoning district for the property, the use and the neighboring use. He noted they are required to provide buffer landscape screen along Davies Drive and because this use is a residential neighborhood, a commercial use would require to have screening between the two. They would not be able to put any landscaping into the sanitary sewer easement that bisects the property or in the right of way. Mr. Deller pointed out on the drawing the areas where they are planning to add screening off the parking lot from the street. He referred to the area where there is a dense wooded area, noting they are requesting a waiver to use the existing tree canopy as a buffer yard.

Mr. Deller provided photos showing the location of the property line delineated by an iron pin and a stone wall approximately 24-30 inches tall. He pointed out the existing tree canopy that runs along the property consisting of slender pine trees which provide screening, and there is also a shed/garage on the property. He noted there is a gap which is by the residence with the existing parking lot and they are proposing to plant eight pine trees in that area in order to better screen the house from the parking lot on that side.

Mr. Deller indicated the lighting plan was emailed to Mr. Luciani who confirmed it was reviewed.

Discussion was held regarding stormwater as it relates to the waiver for curbing. Mr. Luciani indicated they did some perc tests which were reviewed and he is satisfied with what they can do, in light of the flood plains and clay soil. In regards to curbing, Mr. Deller stated they are asking for several waivers. He noted everything offsite from the railroad tracks drains down into the site and there is no way to bypass it. The water as it comes into the site sheet flows across the parking lot and there are small berms that will pick up the water in an infiltration trench along the edges of the parking stalls. As it goes into the infiltration systems the perforated pipe will drain it back to the underground stormwater detention. Mr. Deller stated they will also comply with all water quality measures necessary by treating it in this fashion and each of the islands will have six inches to a foot of depression so that water can get in there.

Mr. Deller indicated the waiver request for §289-12.A.2 relates to final plan requirements and addresses the traffic impact study. He noted the traffic pattern in that area was recently studied with the Market Street improvements, and they are not changing the way vehicles come in or out of the site.

Discussion was held regarding the driveway to the east which is currently both a left and right out. It was recommended reducing the access to a right out only since it would be a difficult left hand turn because of the timing at the light at Turkey Hill. Mr. Deller agreed they could add a sign and refresh the right turn only arrow line painting on the asphalt.

Mr. Deller stated the second waiver is §289-13.A which relates to the final plan requirement and also to the property line surveys showing all setting monuments in all of the corners. He noted for this project they did not do a property line survey. They found corners that were close by the parking lot at the edge of the stone wall. He stated they know where the property line is and are not proposing any work or any improvements that will be in conflict with any of the property lines. They are requesting a waiver of performing a property line survey and the subsequent plan requirements that accompany showing all property lines corners as surveyed and setting monuments in each of the corners.

Discussion was held as to whether the original survey was only for the parking lot and not the remaining property. Mr. Luciani indicated that it is a deed plot. It was recommended that §289-26 Monuments be included.

Mr. Deller referred to two waiver request that are similar §289-32 perimeter sidewalks and §289-36 streetlights. He noted they are proposing sidewalks and streetlights along the section of Davies Drive. As shown on Sheet C-4 the sidewalk extends back to the parking lot to provide greater access both to the public right of way and also to the restaurant. They are also extending street lighting back as far as the parking lot. They are asking for a waiver modification to not install the sidewalk and the street lights for the remainder of the tract going back to the edge of the parking lot to the railroad tract several hundred feet since there is no through traffic. The modification request would have the Township standard six month note listed on the plan.

Mr. Deller stated the waiver for §289-35 refers to the landscaping and the buffer yards. The ordinance does require a waiver in order to count the natural tree canopy and foliage as the landscape screening buffer.

Discussion was held regarding the buffer relating to the density of the current screening at the vicinity of the residence. It was recommended the applicant add additional trees in that area.

MR. STUHRE MOVED IN THE CASE OF LD-15-04 FIRST POST PARKING EXPANSION TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL FOR WAIVERS AS LISTED ON THE PLAN A-G WITH THE MODIFICATION OF C TO ADD §289-26. SECONDED BY MR. STAUB. MOTION UNANIMOUSLY PASSED.

MR. STAUB MOVED IN THE CASE OF LD-15-04 FIRST POST PARKING EXPANSION TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS WITH THE FOLLOWING CONDITIONS:

- **SIGN, NAME, SEAL AND SIGNATURES AND REGISTERED SURVEYOR**
- **BONDING**
- **OPERATIONS AND MAINTENANCE AGREEMENT TO BE RECORDED**
- **NOTARIZED SIGNATURE OF THE OWNER OF THE PARCEL**
- **NO LEFT TURN SIGN ON MARKET STREET AND REFRESH THE RIGHT TURN ONLY ARROW LINE PAINTING ON THE ASPHALT**
- **FIVE ADDITIONAL TREES FOR SCREENING ALONG THE ADJOINING RESIDENTIAL PROPERTY**

MR. STUHRE SECONDED. MOTION UNANIMOUSLY PASSED.

5. WAIVER RECOMMENDATIONS - None

6. **OLD BUSINESS – None**
7. **NEW BUSINESS**
 - A. **Historic Demolition Ordinance – Held for next month**
 - B. **Rezoning of the NE Quadrant of the Intersection of Mt. Zion Road and East Market Street**

Mr. Luciani provided some history on the topic, noting in December of 2015 the Board of Supervisors voted on a rezoning request by a developer at the northeast corner of Mt. Zion Road and East Market Street. Market Street was widened by PennDOT in 2014-2015 and then the Township took on a project to improve traffic flow on Mt. Zion Road and Market by adding a right turn lane and left turn lane. A developer requested a change from the current zoning Neighborhood-Commercial to Commercial-Highway with the Town Center Overlay. Mr. Luciani provided examples of the Town Center Overlay concept and improvements by supporting businesses.

He noted the Board of Supervisors denied that zoning request. In January the Board asked Mr. Luciani to present to the Planning Commission a request to take a comprehensive look at that tract to evaluate the zoning in that area. He noted York County Planning in their review of this site was not supportive of changing it to C-H with the Town Center Overlay.

Discussion was held regarding various options for changing the zoning as explained by Att. King. It was felt that additional direction was needed on what changes were needed and how to achieve them with the possible addition of the Town Center Overlay in that area.

It was suggested to hold a workshop and ask URS to give a presentation to provide insight into ideas and references from other areas. It was determined that two meetings would be held - the first one to discuss and evaluate the situation and the second meeting to invite public comment to hear feedback from the community.

8. ADJOURNMENT

CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 9:00 P.M.