

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
JUNE 21, 2018**

MEMBERS IN

ATTENDANCE: Tim Staub, Chairman
Mark Robertson
Charles Stuhre
Paula Musselman
James Tanzola

ALSO IN

ATTENDANCE: John Luciani, First Capital Engineering
Jessica Fieldhouse, Community Development Director
Raphael Caloia, Assistant Planner
Charles Rausch, Solicitor
Sue Sipe, Stenographer

1. CALL TO ORDER:

A. Pledge of Allegiance

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

2. ACTION ON THE MINUTES

A. MAY 17, 2018

MR. TANZOLA MOVED FOR APPROVAL OF THE MEETING MINUTES OF MAY 17, 2018 AS PRESENTED. MR. STUHRE SECONDED. MOTION UNANIMOUSLY CARRIED.

BRIEFING ITEMS

A. SD-18-04 Preliminary/Final Springettsbury Fire House

Ms. Fieldhouse indicated they are formally subdividing the lot that houses the firehouse, originally owned by YAUFRR. The Township paid for the building and a deed received from Solicitor Rausch indicated it is now owned by the Township. In addition there is a pond owned by Mr. Pasch. The Township was paying a monthly fee to Mr. Pasch for discharging stormwater and for maintenance. The plan is to combine the fire station residual parcels. Also included is a parcel of ground on the east side of Commons Drive, which is taking two tracts to one tract, separated by Commons Drive on both sides.

Ms. Fieldhouse indicated Staff recommended minimal modifications to be requested, i.e., waiver for traffic study and identify any monuments to be installed.

In response to a question regarding the triangular piece of ground, Ms. Fieldhouse noted when a developer comes in across the street; it would be an opportunity for them to gain that piece of land which would increase their amount of lot area and impervious coverage. Currently it is owned by the Township.

A question was raised regarding the waiver for street light requirement. It was noted streetlights were placed every 200 ft. along one side of Commons Drive.

MR. ROBERTSON MADE A MOTION TO MOVE SD-18-04 PRELIMINARY/FINAL SPRINGETTSBURY FIRE HOUSE FROM A BRIEFING ITEM TO AN ACTION ITEM. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.

Chairman Staub asked if there was anyone in attendance who wished to speak for or against the applicant.

**MR. ROBERTSON MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL FOR SD-18-04 PRELIMINARY/FINAL SPRINGETTSBURY FIRE HOUSE WITH THE FOLLOWING WAIVERS AS LISTED ON THE PLAN SUMMARY:
S.289-21 TRAFFIC IMPACT STUDY
S.289-10 PRELIMINARY PLAN
S.289-13.A PLAN SCALE
S.289-36 STREETLIGHTS
SECONDED BY MR. TANZOLA. MOTION UNANIMOUSLY PASSED.**

3. ACTION ITEMS

A SD-18-02 Boltersdorf Subdivision

Eric Johnston
Alan & Vicky Boltersdorf

Mr. Johnston indicated since the briefing they met with Staff regarding width in slope and he provided photos of the existing conditions. He noted they also took measurements longitudinally along the direction of travel which is flat along their frontage of .4% slope. He indicated there is a small crown on the road on the other side where they are subdividing. On their side it is only .4% so they don't have the 3" crown. On their original waiver request they are proposing the subdivision on one new building lot. They are asking for a waiver for 3 feet of widening placement of curb and placement of sidewalk along their frontage. He went over the waivers and the First Capital Engineering letter and is asking for a conditional recommendation for approval to go on to the Board of Supervisors.

Ms. Fieldhouse noted what was discussed during the staff meeting they were in favor of a total waiver of streetlights due to the lack of streetlights in the area and adding one or two would be more of a nuisance than anything else.

Mr. Johnston stated they are proposing one driveway light for the entry driveway with a standard post light. It was noted the driveway has a 50 ft. right of way which is being rededicated and

would be sufficient to correct the longitudinal slope on the roadway.

Chairman Staub asked if there was anyone in attendance who wished to speak for or against the applicant.

MR. TANZOLA MOVED IN THE CASE OF SD-18-02 BOLTERS DORF SUBDIVISION TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS WITH THE FOLLOWING WAIVERS:

S.289-10 PRELIMINARY PLAN

S.289-21 TRAFFIC STUDY

S.289-27 STREETS AND APRONS

S.289-31 CURBS

S.289-32 SIDEWALKS

S.289-36 STREET LIGHTS

S.289-41.H CROWN

ALSO TO INCLUDE ANY OUTSTANDING COMMENTS FROM THE TOWNSHIP ENGINEER'S LETTER OF MAY 7, 2018 PROVIDING INFORMATION TO SHOW HOW TRAFFIC WILL BE MAINTAINED ALONG DEININGER ROAD DURING CONSTRUCTION OF THE SEWER LINE.

SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.

B. LD-18-02 Apple Nissan – 1510 Whiteford Road

Dan Creep, Project Manager with Warehouse

Att. Craig Sharnetzka

Joe Clark, General Counsel, Apple Nissan

Ms. Fieldhouse provided the status of the plan and what action is needed for the Planning Commission. She noted at the April meeting the Planning Commission recommended approval of all of the waivers including the stormwater management waiver to the Board of Supervisors. The plan went to the Board of Supervisors on April 26 at which time they approved all of the waivers except for the stormwater management waiver. Their request for the applicant was to re-review with the township engineer to work out some type of stormwater management facilities and represent to the Board. She noted Apple Nissan is looking for a recommendation on the plan itself because stormwater management is still outstanding as delineated in the township engineer's letter of June 12, 2018. She indicated if the applicant is successful in arguing their waiver request of stormwater management, those comments go away. If they are not successful in arguing their waiver to the Board of Supervisors, then the comments still stand and they will be required to make major improvements to the plan which will come back to the Planning Commission.

Mr. Creep indicated they are seeking a recommendation of land development plan for Apple Nissan renovation-expansion project. Plan Sheet LD-4 explains the improvements which entails three small additions and expanding the current facility by 1800 sq. ft. The other improvements entail adjusting some of the parking lot to accommodate the expansion of the dealership. With the parking improvements they are proposing adding interior landscaping and reducing the amount of impervious area by approximately 1400 sq. ft. He noted they have addressed the township staff comments. They received the County Conservation District approval. The only outstanding comments are the township engineer's dealing with stormwater for which they are requesting a waiver.

Ms. Fieldhouse indicated it was important to note there is an additional water quality feature that has been added to the plan which is a 2800 sq. ft. water quality feature.

It was noted the creation of the rain garden provides some volume control. Mr. Creep pointed out the site is challenging to implement any stormwater management with the easements and the streams traversing through the property. He pointed out the area they found which they could possibly utilize. This would entail excavation of 18 inches of material. The soil and wet tolerant plants would provide a water quality benefit and also provide some type of volume control.

Mr. Luciani pointed out they are not obligated to implement that plan. They have a 5-acre site, part of which is paved. Although they have challenges they are only managing 3% of the site.

Ms. Fieldhouse indicated the site overall has approximately 3.5 acres (146,000 sq. ft.) of impervious coverage. She noted Apple Nissan is not proposing a new facility – they are not building a new building. They are not adding any additional impervious coverage. They are actually taking impervious coverage away. Their overall change to the site is an additional 1800 sq. ft. of building and they are taking away 1400 sq. ft. of impervious coverage. From a planning perspective there is issue with the Township exacting improvements that are not in line with the actual proposal. The other item is because the developer is only adding 2800 sq. ft. of additional building, which is a 13.5% increase in the building area. There are multiple non-conformities with this lot because the development was done in 1988. Per the zoning ordinance there are allocations in the regulations for non-conforming lots and uses. Ms. Fieldhouse indicated she does not believe as zoning officer they would be required to pave anything or bring this site up to complete conformance with the zoning ordinance because they are not tripping the level of expansion. She further noted she agrees with the concerns about stormwater management in the township but from a planning perspective did not see where this is an appropriate exaction for this particular development.

Ms. Fieldhouse further explained in the zoning ordinance if the stormwater ordinance does not have any allegations for non-conformities. She noted there are no non-conforming regulations for subdivision and land development for storm water management. She pointed out there is a tributary here which is a valuable natural water resource, and they are already making the situation better by adding a water quality feature and by decreasing the amount of impervious coverage.

Att. Sharnetzka stated they understand the requirements for the stormwater management ordinance. He indicated they were not in agreement with the numbers in the engineer's report and not in agreement with the decision they have not done enough. He pointed out the Planning Commission has already approved their stormwater management waiver. Consequently, he believed it was a non-issue for this Board from a legal standpoint and they would need to provide the Board of Supervisors with a decision based on whether the applicant did enough pursuant to their comments based on the percentages

Upon further discussion, the Planning Commission agreed based on the previously recommended waiver they were satisfied with the plan.

MR. ROBERTSON MOVED IN THE CASE OF LD-18-02 APPLE NISSAN BUILDING EXPANSION FINAL DEVELOPMENT PLAN TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS AS PRESENTED. SECONDED BY MR. TANZOLA. MOTION UNANIMOUSLY PASSED.

4. WAIVER RECOMMENDATIONS - None

6. NEW BUSINESS

A. 3883 East Market Street – Request by Property Owner to be placed in the Flexible Development Overlay

Ms. Fieldhouse indicated there is an option in the zoning ordinance for property owners to request the flexible development overlay on a parcel that would meet the requirements. She noted the owners of the former York Valley Inn site are requesting that the property be placed in the flexible development overlay. The property is already zoned flexible development but when the overlay is applied, it allows multi-family housing to be developed. The property is surrounded by an old core residential neighborhood, which out of everything allowed in the flexible development zone, none would be suitable or appropriate except for multi-family in that area. She provided the definition of the flexible overlay which states the flexible development district is eligible for the overlay. After review by the Planning Commission the Board of Supervisors may elect to apply the flexible development overlay to a parcel or set of contiguous parcels that meets at least of the following criteria:

- A. Any structure or site vacant for one (1) calendar year
- B. An unoccupied structure that has been taxed delinquent for a period of 2 years
- C. Physical condition that has rendered the site a public nuisance
- D. A vacant or unimproved tract in a predominantly build up area which by reason of neglect or lack of maintenance has become has become for the accumulation of trash and debris, or a haven for rodents and vermin.

Ms. Fieldhouse noted in speaking with the owner of the site they are considering multi-family residential development. She noted in 2010 the owners approached the Township with their legal counsel and requested the Township modify the flexible development overlay. Previous to this the flexible development was not an option to provide the overlay in the flexible development district. That was changed as a result of their request.

MR. TANZOLA MOVED TO RECOMMEND THE FLEXIBLE DEVELOPMENT OVERLAY BE APPLIED TO THE TRACT OF LAND AT 3883 EAST MARKET STREET. SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.

B. York County Meeting on Pleasant Acres Bridge

Ms. Fieldhouse indicated it was determined the Pleasant Acres road bridge is functionally and structurally obsolete. The County has eight different options, ranging from \$800,000 to \$8,000,000, for what to do with this bridge. Potentially it needs to be closed, which would create an access issue. The meeting is to obtain resident feedback. Proposals for the bridge include fixing the bridge, fixing the bridge and doing the Davies Drive connection, get rid of the bridge and just do the Davies Drive connection, or build a new bridge. She noted from a separate respect, the Township is attempting to coordinate with the county and the PUC to start getting back on track with pursuing the Davies Drive connection. The outcome of the Pleasant Acres road bridge is important for whatever happens with Davies Drive.

Ms. Fieldhouse noted the meeting will be held at Central High School on June 27, 2018 at 6:00 PM.

5. OLD BUSINESS

A. Update on Comp Plan

Ms. Fieldhouse indicated they received a Scope of Services from McMahon, which will be going before the Board next Thursday for transportation planning. She noted Staff will coordinate the remainder of the updates for land use, housing, etc. Staff will work with the Planning Commission and with the Steering Committee to get those sections updated and then they will mold the update around the transportation plan.

A question was raised as to whether the school districts and sewer/water infrastructure can handle development of that magnitude. It was noted the water is served by York Water and there is no capacity issue at the sewer plant. The school district and their capacity are not the township's mandate.

B. Casino Update

Ms. Fieldhouse stated Penn National is still in the process of evaluating potential sites in Springettsbury, Hellam and Shrewsbury Townships. Staff met with the Penn National Gaming associates and their consultants to discuss the building permit review process for tenant fit at the Galleria Mall. Mr. Caloia stated they were looking for information from the building inspectors to determine if the engineering on the weight load for the roof of the building is up to current code. They also wanted to determine if the building inspectors would require them to bring the roof up to current code just for having a tenant fit or if they were okay with the existing engineering. He noted the inspectors indicated they would not require them to bring it up to current code.

Solicitor Rausch indicated a public hearing will be held on July 26 with the Board of Supervisors regarding the zoning text amendment and rezoning Galleria with the Town Center Overlay.

7. ADJOURNMENT

CHAIRMAN STAUB ADJOURNED THE MEETING AT 7:15 P.M.

Respectfully submitted,

Secretary

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