

APPROVED

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
October 17, 2013**

**MEMBERS IN**

**ATTENDANCE:** Alan Maciejewski, Chairman  
Mark Robertson  
Mark Swomley  
Charles Wurster  
Charles Stuhre

**ALSO IN**

**ATTENDANCE:** Tricia Lang, Zoning Officer  
Angela Liddick, Director of Community Development  
John Luciani, First Capital Engineering  
Seth Springer, Solicitor  
Jean Abrecht, Stenographer

**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. AUGUST 15, 2012**

**MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF AUGUST 15, 2013 AS PRESENTED. MR. ROBERTSON SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. NEW BUSINESS - None**

**4. BRIEFING ITEMS – None**

**5. ACTION ITEMS**

**A. LD-05-18 – Market Street Commons**

Attorney Stacy MacNeal  
Timothy Pasch, Owner

Project Narrative: The property is located at 93-99 Theatre Lane. This plan was presented to the Township as a “Revised Final” Land Development Plan consisting of a single plan sheet labeled Sheet 1 of 16 with a last revision date of 09/19/13. The intended purpose of the plan is to remove the access from lot #8 to Commons Drive as shown on previously recorded plans. However, there are no notes on the plan that are consistent with that intent and insufficient plan information to approve such a proposal.

Plan Background: This project is presented as an action item for the revised final land development plan. The property owner has determined that he no longer wishes to provide access from Lot #8 to Commons Drive as shown on previously recorded plans. The BOS was asked to approve this requested change at their meeting on August 22, 2013. They requested that the proposal follow the normal plan approval process. After discussing the concept of revising the proposal to establish an emergency only access from the lot to Commons Drive, this idea was ultimately discarded to pursue the elimination of any access to this property.

The information presented to the Commission members documented the full extent of the information provided to obtain the desired plan approval. While much of this information focuses on a legal premise that the plan approved in 2004 is still in effect, staff had focused solely on this proposal's consistency with the plan criteria associated with the adopted Subdivision and Land Development Plan. Counsel for the property owner has been advised that the Commission cannot make a legal decision on the project.

The Applicant is requesting a recommendation of approval from the Planning Commission to the Springettsbury Township Board of Supervisors with the following outstanding items:

See attached commentary.

Attorney MacNeal stated she and Mr. Pasch spoke with the BOS about this plan approximately a month ago. She noted the project consists of numerous plans that have been presented over the course of the past 10 years. The first plan was done in conjunction with a subdivision land development plan in 2003, which included Cinema Drive and the Eastern Boulevard extension to Market Street. Approval was given for those lots ready for land development. It also included the Turkey Hill Convenience Store. One of the lots approved for land development at that time was Lot #8, as shown in the corner of the property along Eastern Boulevard. It was intended for office use for four separate office buildings and is the subdivision portion of that plan. This was done under the old ordinances and most of these lots had just one ingress and egress out onto Cinema Drive. Not long after Mr. Pasch purchased additional land adjacent to the site and Hoss's. This plan allowed Mr. Pasch to subdivide off of the Hoss's property to the south. The plan included the land and created three lots, and also included the development of Commons Drive.

Attorney MacNeal reviewed the history of the property and the acquisition of the various parcels and lots that were acquired by Mr. Pasch. She noted Stony Brooke Gardens, the senior living center at the corner of Cinema Drive, was developed in 2006. She referred to the plan with Lot #8 noting it shows a potential connection from Lot #8 onto Commons Drive. She indicated that Mr. Pasch anticipated a connection from Lot 8 to Commons Drive and included it on the plan, which was subsequently approved. In 2009 Mr. Pasch presented plans for the Market Street Commons Add-On lot. Attorney MacNeal presented the overall preliminary site plan for the Market Street Commons Add-On Lots that was initially approved by the Board. She also pointed out that this plan shows the Hoss's land which was not part of the Hoss's plan at Eastern Boulevard, but was for land development of the property consisting of Town Homes, a mini storage and a commercial highway development.

Attorney MacNeal explained after that plan was approved, the Holiday Inn Express plan came in. In conjunction with that plan there was a revision presented to the Market Street Commons Add-On Lots plan referred to as the Revised Preliminary Plan for Market Street Commons Add-On Lots. The reason for the revision was to accommodate the change in the footprint as a result of storm water facilities which was on the 2003 plan. One of the Hoss's lots was changed and the commercial development was taken away which was turned into storm water resulting in the access that was to Holiday Inn in the back being removed.

Attorney MacNeal stated that during 2009 and 2010 –a final Market Street Commons Add-On Lots plan was submitted and approved during 2012. She reviewed the changes that occurred since that approval in 2012, noting the current issue occurred when Stony Brooke was built in this area and was built higher than anticipated, resulting in Lot #8 also built up a higher than anticipated, along with Commons Drive. She noted a waiver is recorded in the minutes on this plan relating to the elevation of the roadway and flood plain so there were concerns at that time. Some onsite changes were made and the elevations were increased.

Mr. Pasch noted as work progresses on Commons Drive, they realized this access is not going to work. The elevation between Commons Drive and Lot 8 are finished and the parking lot is already there. In addition, the storm water facilities are already installed. Attorney MacNeal indicated they went before the Board of Supervisors at the end of August to discuss options. The Board of Supervisors referred them to the Township Staff and also to the Fire Company. Upon discussion with Staff, Mr. Pasch indicated they could do an emergency access at the location, however, Staff determined that was not acceptable. Mr. Pasch indicated he was initially unaware there was an issue with the elevation and the grade at the site, until it was pointed out to him. He also noted he discussed the concerns with Mr. Eckert from the fire company.

Mr. Luciani indicated they met with the fire department and although the fire chief did not want to weigh in on the issue, he did say that if there is an event at that location, getting cars out of the parking lot with one access would be a concern.

Attorney MacNeal clarified they could do a regular access at 10%. If they go to an emergency access they would continue the roadway instead of doing a traditional access with the curbs etc. They would also put in a sidewalk and a grass strip that shortens the amount of pavement used for the access drive which increases the slope to 14%.

Ms. Lang clarified that Lot 8 has no access to a street. Vehicles must travel across Lot 9 and Lot 7 to reach Cinema Drive. She noted the original subdivision plan created an easement over the access drive so that Lot 8 could go across Lot 9 and Lot 7 to get out.

Ms. Lang stated the plan has been revised many times since then. She noted it was a single plan that was subdivision and land development - every lot had a specific use identified, specified parking, a specific footprint and traffic identified by a traffic impact study. She stated very few of the lots have been developed the way they were approved and every subsequent lot that has changed nullifies the preliminary plan and changes it according to the development that has been approved by the BOS.

Chairman Maciejewski stated that the issues and concerns presented are not in the purview of the Planning Commission since they are legal matters requiring legal interpretations. It was decided that a sound determination could not be made at this time based on the presentation and discussion. He recommended that the matter of whether the access road is required or mandated be legally researched and represented at a future meeting. He called for a motion.

**MR. SWOMLEY MADE A MOTION TO TABLE THE MARKET STREET COMMONS REVISED PLAN UNTIL SUCH TIME AS A FINAL LEGAL DECISION HAS BEEN DETERMINED. MR. WURSTER SECONDED. MOTION UNANIMOUSLY PASSED.**

**B. LD-13-02 Integrity Bank - 2700 E. Market Street**

Project Narrative: This land development plan proposes to construct a stand-alone branch of Integrity Bank. This will be a 3,900 square foot building with two drive-through lanes. Access to the facility will be off E. Market Street as well as from Northern Way. The proposed use is permitted through the conditional use approval process. Although the project has not yet been reviewed by the Commission to evaluate its consistency with the conditional use design standards identified in Section 208 of the Zoning Ordinance, the 90-day time frame for the Township to take action on the Final Land Development Plan, which was submitted on August 22, 2013, will expire prior to the next Commission meeting.

Plan Background: This project is presented as an action item for the final plan.

Due to the incompleteness of the plan submission, the Township is recommending the following actions on the Applicant's request for waivers:

1. SALDO (289-10) Preliminary plans; procedure. Applicant is requesting to waive the requirement of submitting a preliminary plan. Staff recommends postponing this waiver request.
2. SALDO (289-13.A) Final plans; specifications. Applicant is requesting to submit the plan at a scale of 20 feet to the inch. Staff recommends postponing this waiver request.
3. SALDO (289-32.A) Sidewalks; Applicant is requesting a waiver from the requirement to install sidewalk on both sides of all streets. Staff recommends disapproval of this waiver request.
4. SWMO (281-12.A.2.b) Modeling Existing Impervious Area; applicant is requesting recognition that the entire site is currently impervious. Staff recommends postponing this waiver request.
5. (SALDO) (289-41.J.3.d) Access Drives: Applicant is requesting a waiver from the restriction that only permits access drives to cross a street right-of-way line within 20' of a lot line. Staff recommends conditional approval with regard to this waiver request.

The applicant was not in attendance. Ms. Lang stated the plan is presented since it is at the 90-day threshold. She noted the applicant was asked to provide a time extension and they refused.

Mr. Luciani stated this is a very challenging parcel. One of the major challenges is a 10 ft. wide by 7 ft. high pipe underneath their site. The owner realized as they proceeded with the project there are certain things they are probably not going to be able to accomplish.

Mr. Luciani also noted that the owner wants to eliminate the current sidewalk on Northern Way going from Market Street down to the property. Mr. Luciani informed the owner that eliminating the sidewalk is contrary to the concept of the Town Center Overlay specifications in that area.

Ms. Lang stated they contacted the consultant to determine the intent of the owner who indicated he was waiting for his client to give him permission for the time extension which he did not receive.

Chairman Maciejewski asked if there was anyone in attendance who had an interest in the plan. Hearing none, he called for a motion.

**MR. SWOMLEY MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-13-02, INTEGRITY BANK, TO RECOMMEND THE FOLLOWING ACTIONS ON THE REQUESTED WAIVERS:**

1. SALDO (289-32.A) INSTALLATION OF SIDEWALK. DISAPPROVAL
2. SALDO (289-41.J.3.D) ACCESS DRIVE LOCATION. CONDITIONAL APPROVAL. CONDITIONED ON INSTALLATION OF THE REQUIRED PEDESTRIAN ACCOMMODATIONS FROM THE EDGE OF THE ACCESS DRIVE TO THE INTERSECTION OF NORTHERN WAY AND EAST MARKET STREET.
3. SALDO (289-11.A) PRELIMINARY PLAN. POSTPONEMENT.

4. **SALDO (289.13.A) FINAL PLAN SCALE. POSTPONEMENT.**
5. **SWMO (281.12.A.2B) MODELING OF EXISTING IMPERVIOUS AREA. POSTPONEMENT.**

**MR. STURHRE SECONDED. MOTION UNANIMOUSLY PASSED.**

**MR. SWOMLEY MOVED WITH REFERENCE TO FINAL LAND DEVELOPMENT PLAN LD-13-02, INTEGRITY BANK, TO RECOMMEND DISAPPROVAL OF THE FINAL PLAN DUE TO THE PROJECT'S FAILURE TO COMPLY WITH THE FOLLOWING REGULATIONS:**

1. **ZONING 325-155; LIGHT AND GLARE. THE REQUIRED PHOTOMETRIC PLAN IS NOT CONSISTENT WITH THE FOOTCANDLE REQUIREMENTS.**
2. **ZONING 325-200.B.1. CONDITIONAL USE DESIGN STANDARDS; PEDESTRIAN ACCESS. THE PROPOSAL SHOWS NO ACCOMMODATION FOR PEDESTRIANS TO ACCESS THE BUILDING.**
3. **ZONING 325-200.B.2. CONDITIONAL USE DESIGN STANDARDS; PEDESTRIAN ACCESS. THE PROPOSAL SHOWS NO ACCOMMODATION FOR PEDESTRIANS UTILIZING THE REAR PARKING SPACES.**
4. **ZONING 325-200.C. CONDITIONAL USE DESIGN STANDARDS; REFUSE AREAS. THE PROPOSAL DOES NOT CONFORM TO THE REQUIREMENT THAT OUTDOOR REFUSE AREAS BE DESIGNED IN A MANNER THAT IS ARCHITECTURALLY COMPATIBLE WITH THE BUILDING.**
5. **ZONING 325-200.D. CONDITIONAL USE DESIGN STANDARDS; SCREENING. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO PROPERLY ADDRESS THIS REQUIREMENT.**
6. **ZONING 325-200.E. CONDITIONAL USE DESIGN STANDARDS; SIGNS. THE PROPOSAL SUBMITTED DOES NOT IDENTIFY COMPLIANCE WITH THESE CRITERIA.**
7. **ZONING 325-200.F. CONDITIONAL USE DESIGN STANDARDS; EXTERIOR LIGHTING. THE PROPOSAL SUBMITTED DOES NOT IDENTIFY COMPLIANCE WITH THE REQUIRED CRITERIA FOR EXTERIOR LIGHTING ON THE SITE.**
8. **ZONING 325-200.G.2. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING BUILDING ELEVATIONS.**
9. **ZONING 325-200.G.3. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING BUILDING TRANSPARENCY.**
10. **ZONING 325-200.G.4.A. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING ARCHITECTURAL DETAILS.**
11. **ZONING 325-200.G.4.B. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING ARCHITECTURAL DETAIL REGARDING ARCHITECTURAL DETAILS.**
12. **ZONING 325-200.G.4.C. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING ARCHITECTURAL DETAILS.**
13. **ZONING 325-200.G.4.D. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED**

**SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING ARCHITECTURAL DETAILS REGARDING ARCHITECTURAL DETAILS.**

- 14. ZONING 325-200.G.4.E. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING ARCHITECTURAL DETAILS.**
- 15. ZONING 325-200.G.4.F. CONDITIONAL USE DESIGN STANDARDS; DESIGN STANDARDS FOR NEW DEVELOPMENT. THE APPLICANT HAS NOT SUBMITTED SUFFICIENT INFORMATION TO DETERMINE IF THE PROPOSAL COMPLIES WITH THESE CRITERIA REGARDING ARCHITECTURAL DETAILS.**
- 16. ZONING 325-201. NETWORK OF CIRCULATION SYSTEMS. THE PROPOSAL SUBMITTED WAS NOT DESIGNED IN COMPLIANCE WITH THESE CRITERIA REGARDING THE TOWN CENTER PLAN'S CONCEPTUAL LOCATION OF NEW STREETS AND TRAILS.**
- 17. ZONING 325-202.A.3. CIRCULATION STANDARDS. THIS PROPOSAL DOES NOT COMPLY WITH THE REQUIREMENT FOR SIDEWALKS TO BE PROVIDED ALONG EXISTING STREETS TO CONNECT THE T-C TO EXISTING AND/OR FUTURE DEVELOPMENT ADJACENT TO THE T-C, AND THAT EXISTING PEDESTRIAN ROUTES BE RETAINED AND ENHANCED.**
- 18. ZONING 325-202.A.4. CIRCULATION STANDARDS; PEDESTRIAN CIRCULATION. THIS PROPOSAL DOES NOT PROVIDE THE REQUIRED SIDEWALK SEPARATED BY A PLANTING STRIP LESS THAN FIVE FEET WIDE.**
- 19. ZONING 325-202.A.6 CIRCULATION STANDARDS; PEDESTRIAN CIRCULATION. THIS PROPOSAL DOES NOT DEPICT A LOCATION OF THE REQUIRED MULTI-USE PATH.**
- 20. ZONING 325-202.C. CIRCULATION STANDARDS; VEHICULAR CIRCULATION. THIS PROPOSAL DOES NOT COMPLY WITH THE REQUIREMENT THAT MOTOR VEHICLE CIRCULATION BE DESIGNED TO MINIMIZE CONFLICTS WITH PEDESTRIANS AND BICYCLES.**
- 21. ZONING 325-204. PUBLIC PLAZAS. THIS PROPOSAL DOES NOT INCLUDE THE REQUIREMENT TO PROVIDE A PUBLIC PLAZA.**
- 22. ZONING 325-205.A. STREETScape ELEMENTS; PEDESTRIAN SCALE STREETLIGHTS. THIS PROPOSAL DOES NOT COMPLY WITH THE REQUIREMENT TO INSTALL PEDESTRIAN SCALE STREETLIGHTS ALONG ALL STREETS, PLACED BETWEEN 60 FT. TO 100 FT. APART.**
- 23. ZONING 325-205.B. STREETScape ELEMENTS; BENCHES. THIS PROPOSAL DOES NOT COMPLY WITH THE REQUIREMENT TO PROVIDE A BENCH ALONG ALL STREETS AT AN INTERVAL OF ONE BENCH PER 200 FT. DETAILS OF THE REQUIRED BENCH ARE ALSO REQUIRED TO BE SUBMITTED.**
- 24. ZONING 325-205.C.1. STREETScape ELEMENTS; STREET TREES. THIS PROPOSAL DOES NOT INCLUDE THE REQUIREMENT FOR A TOTAL OF SIX STREET TREES.**
- 25. ZONING 325-206.A.1. OFF STREET PARKING; GENERAL DESIGN REQUIREMENTS. THIS PROPOSAL DOES NOT PROVIDE THE MINIMUM THREE FOOT WIDE PLANTING BUFFER AROUND THE PERIMETER OF ALL SURFACE PARKING LOTS.**
- 26. ZONING 325-206.B. OFF STREET PARKING; ACCESS. THIS PROPOSAL EXCEEDS THE MAXIMUM 24 FOOT WIDTH WITH MINIMAL TURNING RADIUS.**
- 27. ZONING 325-207.A. APPLICATION PROCEDURE; FORMAL APPLICATIONS. THIS PROPOSAL DOES NOT INCLUDE THE CORRECT STREETLIGHTS REQUIRED TO BE IN COMPLIANCE WITH THE SALDO AND/OR CONSTRUCTION AND ENGINEERING SPECIFICATIONS.**

28. **ZONING 325-207.C.I. APPLICATION PROCEDURE; FORMAL APPLICATIONS. MULTIPLE ISSUES WITH REGARD TO THE REQUIRED TRAFFIC IMPACT STUDY'S CONSISTENCY WITH THE REQUIREMENTS OF THE SALDO HAVE NOT BEEN ADDRESSED.**
29. **SALDO 289-12.A.5.A. FINAL PLANS; PROCEDURE. THE APPLICANT HAS NOT PROVIDED DOCUMENTATION REGARDING THE SUBMISSION OF PLANS TO YCPC AND YCCD.**
30. **SALDO 289-12.A.5.D FINAL PLANS; PROCEDURE. THE APPLICANT HAS NOT PROVIDED DOCUMENTATION THAT PLANS HAVE BEEN SUBMITTED TO ALL AFFECTED PUBLIC UTILITIES.**
31. **SALDO 289-12.C. FINAL PLANS; PROCEDURE. THE APPLICANT HAS NOT PROVIDED A FINANCIAL SECURITY ESTIMATE.**
32. **SALDO 289-13.B.6. FINAL PLANS; SPECIFICATIONS. REQUIRED SEALS, SIGNATURES OR CERTIFICATIONS HAVE NOT BEEN PROVIDED.**
33. **SALDO 289-13.A.8 FINAL PLANS; SPECIFICATIONS. THE PLAN DOES NOT SHOW THE LOCATION OF THE ZONING BOUNDARY LINE.**
34. **SALDO 289-13.A.17. FINAL PLANS; SPECIFICATIONS. THE GRADING & UTILITIES PLAN DOES NOT PROVIDE THE ALIGNMENT STATIONING FOR THE DRIVEWAY PROFILES.**
35. **SALDO 289-13.A.18 FINAL PLANS; SPECIFICATIONS. THE PLAN DOES NOT PROVIDE A PARCEL IDENTIFICATION TABLE ON THE COVER SHEET.**
36. **SALDO 289-13.B.4 FINAL PLANS; SPECIFICATIONS. THE SANITARY SEWER LATERAL HAS NOT BEEN PROVIDED AND THE SIZE OF THE WATER MAIN HAS NOT BEEN IDENTIFIED.**
37. **SALDO 289-13.B.4. FINAL PLANS; SPECIFICATIONS. THE LOCATION AND METHOD OF PROVIDING STREET LIGHTING HAS NOT BEEN PROVIDED IN ACCORDANCE WITH THE APPLICABLE ZONING REQUIREMENTS.**
38. **SALDO 289-15.A. ENVIRONMENTAL IMPACT STUDIES REQUIRED. THE APPLICANT HAS NOT SUBMITTED COPIES OF THE IMPACT STUDIES AS REQUIRED BY 289-15 THROUGH 289-23.**
39. **SALDO 289-23.A. ENVIRONMENTAL IMPACT STUDIES REQUIRED. DOCUMENTATION OF THE PRESENCE OF KNOWN OR SUSPECTED HAZARDOUS MATERIALS OR CONTAMINATED SOILS HAS NOT BEEN PROVIDED. NOR HAS A STATEMENT THAT NONE EXIST. SHEET #2 OF #11 NOTES THAT TWO MONITORING WELLS EXIST.**
40. **SALDO 289-23.B. ENVIRONMENTAL IMPACT STUDIES REQUIRED. THE APPLICANT HAS NOT PROVIDED IDENTIFICATION OF WHAT CONTAMINANTS EXIST, HOW THEY WILL IMPACT NEIGHBORING PROPERTIES NOR A DETAILED STATEMENT REGARDING HOW ANY CONTAMINANTS OR HAZARDOUS MATERIALS WILL BE REMOVED AND DISPOSED OF. IF THEY WILL REMAIN ON SITE, APPLICANT MUST IDENTIFY HOW CURRENT AND FUTURE PROPERTY OWNERS WILL BE PROTECTED.**
41. **SALDO 289-22. PUBLIC FACILITIES AND SERVICES IMPACT STUDIES. TRUCK TURNING TEMPLATES WERE NOT PROVIDED.**
42. **SALDO 289-32.A. SIDEWALKS. THE REQUIRED SIDEWALK AND GRASS STRIP ALONG NORTHERN WAY HAS NOT BEEN PROVIDED.**
43. **SALDO 289-34 FIRE HYDRANTS. THE PLAN DOES NOT DELINEATE THE LOCATION OF ANY FIRE HYDRANTS.**
44. **SALDO 289-35.C. LANDSCAPING AND BUFFER YARDS. THIS PLAN DOES NOT INCLUDE THE REQUIRED TYPE II BUFFER YARD.**

45. SALDO 289-36. STREETLIGHTS. THE REQUIRED STREET LIGHTS HAVE NOT BEEN PROVIDED.
46. SALDO 289-41.J.7.B. PROPOSED STREET SYSTEM. THE PLAN DOES NOT PROVIDE ADEQUATE THROAT LENGTH FOR THE ACCESS DRIVE ENTRANCE FROM E. MARKET STREET.
47. SALDO 289-42.B. OBSTRUCTIONS TO VISION. THE REQUIRED 150 FT. CLEAR SITE TRIANGLE HAS NOT BEEN PROVIDED.
48. STORMWATER 281-15.B.1.B DESIGN CRITERIA; STORMWATER MANAGEMENT FACILITIES. THE PRE-DEVELOPMENT HYDROCAD CALCULATIONS DO NOT UTILIZE C-0.20 FOR "MEADOW" AS SPECIFIED.
49. STORMWATER 281-15.B.1.C. DESIGN CRITERIA; STORMWATER MANAGEMENT FACILITIES. THE POST-DEVELOPMENT HYDROCAD CALCULATIONS DO NOT PROVIDE JUSTIFICATION FOR THE USE OF VARYING STORM DURATIONS AND RAINFALL INTENSITIES.
50. STORMWATER 281-16.D.2.B. PLAN REQUIREMENTS. POST-DEVELOPMENT D.A. EXHIBIT IS MISSING THE OS-2 INLET DRAINAGE AREA BOUNDARY.
51. STORMWATER 281-16.D.3.O. PLAN REQUIREMENTS. THE PROPOSAL DOES NOT INCLUDE TOPOGRAPHY TO JUSTIFY THE FLOW FOR THE OFF-SITE DRAINAGE AREA TO INLET I-3.
52. STORMWATER 281-16.D.4.A.4. PLAN REQUIREMENTS. THE INSTALLATION SEQUENCE FOR THE SUBSURFACE SWM BMP'S IS NOT PROVIDED ON THE PLANS.
53. STORMWATER 281-16.D.5.A.1. PLAN REQUIREMENTS. ALL PROPOSED STORM SEWER HAS NOT BEEN LABELED. THE GRADING & UTILITY PLAN DOES NOT INCLUDE INFORMATION ON PIPE SIZE, LENGTH, SLOPE OR MATERIAL.
54. STORMWATER 281-16.5.A.1. PLAN REQUIREMENTS. THE GRADING AND UTILITIES PLAN DOES NOT INCLUDE A TABLE LISTING THE TYPE OF INLET, INVERTS, RIMES, ETC., FOR THE PROPOSED INLETS AND OUTLET STRUCTURES.
55. STORMWATER 281-16.5.A.2. PLAN REQUIREMENTS. ALL UTILITY CROSSINGS ARE NOT SHOWN ON THE STORM SEWER PROFILES. INLET BOX TYPE, TYPE 'C' OR TYPE 'M', IS NOT PROVIDED ON THE SEWER PROFILES.
56. STORMWATER 281-16.5.B. PLAN REQUIREMENTS. 100-YEAR HYDRAULIC GRADE LINE CALCULATIONS FOR THE STORM SEWER WITH THE 100-YEAR WATER SURFACE ELEVATION IN THE SUBSURFACE FACILITIES HAS NOT BEEN PROVIDED.
57. STORMWATER 281-16.5.B. PLAN REQUIREMENTS. STORM SEWER CONVEYANCE CALCULATIONS FOR OS-1 & OS2 ARE INCORRECT AND MUST BE REVISED.
58. STORMWATER 281-16.D.7. PLAN REQUIREMENTS. SIGNATURE BLOCK FOR THE MUNICIPALITY WAS NOT PROVIDED.
59. STORMWATER 281-24.F. RESPONSIBILITIES OF DEVELOPERS AND LANDOWNERS. A REQUIRED OPERATION AND MAINTENANCE AGREEMENT FOR THE STORM WATER INFRASTRUCTURE HAS NOT BEEN PROVIDED.
60. STORMWATER 281-5. THE STRUCTURAL INTEGRITY OF THE EXISTING ARCH CULVERT, ANALYSIS THAT VERIFIES THE CONVEYANCE CAPACITY OF THE PROPOSED CONCRETE BOX CULVERT, SHOP DRAWINGS FOR THE CONCRETE CULVERT REPLACEMENT, WERE ALL NOT PROVIDED.
61. C&M. DWG. 2525-1. THE CONTROL JOINT SPACING MUST BE IDENTIFIED AS FIVE FEET.
62. C&M. DWG. 5178-A. THE SANITARY SEWER TRENCH DETAIL DOES NOT IDENTIFY THE SIX INCH MINIMUM STONE BELOW THE SANITARY PIPE.
63. A DETAIL FOR THE TRASH RACK REFERENCED ON THE STORMWATER OUTLET HAS NOT BEEN PROVIDED.

- 64. THE EXISTING LANDSCAPING/TREES AND BUILDING SIGN AT THE INTERSECTION ARE NOT SHOWN ON THE PLAN.**
- 65. THE 13 PARKING SPACES DEPICTED ALONG THE SOUTHERN BOUNDARY OF THE SITE DO NOT MATCH THE EXISTING CONDITIONS.**
- 66. THE EXISTING MET-ED. POLE LOCATED TO THE EAST OF THE EXISTING BUILDING IS NOT SHOWN TO BE REMOVED OR RELOCATED.**
- 67. A SEPARATE DEMO PLAN WAS NOT SUBMITTED.**
- 68. ACCURATE LOCATION OF THE EXISTING CULVERT WAS NOT PROVIDED.**

**MR. ROBERTSON SECONDED. MOTION UNANIMOUSLY PASSED.**

**C. LD-08-12 Yale Electric**

Project Narrative: This plan is proposing a new commercial facility to sell and supply wholesale electrical items to mostly local contractors. The proposed building will be approximately 20,000-sf and will include storage, office and retail space. The 6.5-acre parcel is configured with a pan handle and is unique due to its on-site constraints of sanitary sewer easements, meandering unnamed tributary, storm water easements and approximately 917 feet of road frontage along Industrial Highway and 64 feet of road frontage along Memory Lane; 35-parking spaces are proposed to be constructed along with 15 additional spaces that will be required at a later date.

Plan Background: The plan is presented to provide a recap of the actions taken on the Preliminary Plan and associated waivers when it was presented for action in 2009. This proposal was received by the Township on August 25, 2008. The Planning Commission was briefed at their regular meeting on September 18, 2008. Waivers were considered at the October 16, 2008 meeting but were not acted upon. No zoning variances were required. After the Commission's recommendation in 2009, the project never moved forward for action by the Board of Supervisors. Since 2009, we have accepted four years' worth of time extensions for this plan. After the last time extension was granted, the Township sent notice to the applicant that we are not interested in accepting additional time to act on this proposal. The applicant was asked to consider whether they wished to withdraw the plan or wished to move forward with the project as submitted in 2008, and was requested to contact the Township prior to the newly established deadline for action. No contact has been made with either our office or the consultant for the project. Efforts to contact the property owners since the notice was sent have been unsuccessful. In order to avoid a deemed approval of this project, staff would like to follow through with the appropriate review and approval process. We are asking the Commission to acknowledge their previous recommendation; after which the project will be taken to the Board of Supervisors for action.

The Applicant has requested the following Waivers:

- 1. SALDO (§289-31.) Curbs and gutters.
- 2. SALDO (§289-32.) Sidewalks.
- 3. SALDO (§289-35.) Landscape and buffer yards.

The following outstanding items may be Conditions:

- 1. ZONING (§325-43.C.) Coverage. Not less than 15% of the lot shall be landscaped with a vegetative material. This landscaping shall include shrubs, ornamental trees and shade trees to be placed to enhance the appearance of the building and parking area.  
Applicant shall demonstrate on the plans how they are meeting the requirements of this section.

2. ZONING (§325-115.B.1) An agreement on a form furnished by the Township shall be submitted setting forth the proposed initial parking.  
Applicant shall provide an agreement form for the proposed initial parking.
3. ZONING (§325-115.B.2) Land developer shall include language on the plan to indicate the existence of this agreement.  
Applicant shall provide language indicating existence of initial parking agreement on cover sheet.
4. ZONING (§325-115.B.4) The residual (one minus intensity factor) parking must be shown on the plan as a note that shall be binding on all heirs, owners, successors in title, etc., as a recordable instrument, indication that upon six-month notice the owner shall complete the full amount of parking as shown in the recorded layout of the land development plan.  
Applicant shall provide residual parking note on plans.
5. SALDO (§289-11.B.1.) Preliminary plan shall be drawn on Mylar at a scale of not more than 1" = 100'.  
Applicant shall provide final approved plan on Mylar.
6. SALDO (§289-11.B.5.) Name, seal, and signature of PA registered surveyor and/or PE.  
Applicant shall sign and seal plans and reports upon final approval.
7. SALDO (§289-12.K) Developer's agreement needed for the intersection improvements to include pre-emption, battery backup, and generator/utility transfer assembly.
8. STORMWATER (§281-5) The plan and report accompanying all land development and subdivision plans shall be sealed by a professional engineer.  
Applicant shall sign and seal plans and reports upon final approval.
9. STORMWATER (§281-19) Requirement for erosion and sediment controls.  
Applicant shall provide copy of Adequacy Letter from YCCD.
10. STORMWATER (§281-20) Post-construction storm water runoff controls for new development.  
Applicant shall provide documentation from YCCD determination. As an MS4 community, Springettsbury Township will evaluate the plan for PCSWM measures to address water quality if YCCD does not.
11. STORMWATER (§281-5.C) Final Topography. The plan now shows a pedestrian crossing of the unnamed tributary to Mill Creek just upstream of Memory Lane.  
Applicant shall provide a copy of the approved DEP/Corps Joint Permit.
12. Construction & Material Specs: Improvements to Industrial Hwy and Memory Lane signal required per section 02890--- pre-emption, battery backup, generator/utility transfer assembly.  
Applicant shall provide a copy of the PennDOT signal plan.
13. General Comment: Applicant shall address the following regarding vegetated filter strips:
  - 1) the permanent seeding requirements on Sheet C4.00,
  - 2) Note 38 on the Cover Sheet should be repeated on Sheet C4.00,
  - 3) Clarify the lawn seeding shown in the Table on Sheet C7.00 to be used for the filter strips and show on Sheet C4.00.

The applicant was not in attendance. Ms. Lang stated this project has been on record for the last 4 years with time extensions granted every 90 days. The applicant has been asked to make a decision on whether they want to move forward with the plan. She noted it was conditionally approved by the Planning Commission in 2008, but was never moved forward for final action. Although they had a discussion with the consultant they were not able to reach the property owner. Ms. Lang indicated that shortly before this meeting, she received an email from the consultant indicating the applicant acknowledges the owners desire to see the project move forward as proposed. Consequently, they are requesting to have the Planning Commission reaffirm the conditional approval and then forward onto the Board. This action will enable the plan to be in effect for five years without action on it every ninety days.

Chairman Maciejewski asked if there was anyone in attendance who had an interest in the plan. Hearing none, he called for a motion.

Discussion was held regarding the decision on Waiver #1. It was noted the waivers were taken from the action of February 19, 2009 and has not changed.

**MR. WURSTER MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-12, YALE ELECTRIC, TO RECOMMEND AND REAFFIRM THE PREVIOUSLY APPROVED WAIVERS OF THE PRELIMINARY PLAN TO THE TOWNSHIP BOARD OF SUPERVISORS:**

1. **SALDO (§289-31.) CURBS AND GUTTERS.  
APPLICANT SHALL NOT INSTALL CONCRETE CURBING DIRECTLY OVER THE EXISTING CULVERT SPAN LENGTH, ONLY ON MEMORY LANE.**
2. **SALDO (§289-32.) SIDEWALKS.  
APPLICANT SHALL NOT INSTALL 45-FEET OF CONCRETE SIDEWALK NEAR THE EXISTING CULVERT ON MEMORY LANE. A PEDESTRIAN BRIDGE CROSSING WILL BE INSTALLED TO THE EAST TO PROVIDE CONTINUITY FOR BOTH SIDES OF THE STREAM IN LIEU OF SIDEWALKS.**
3. **SALDO (§289-32.) SIDEWALKS.  
APPLICANT SHALL MODIFY THE GRASS STRIP FROM 4-FEET TO LESS THAN 1-FOOT TO AVOID THE EXISTING GUIDE RAIL NORTH OF THE CULVERT.**
4. **SALDO (289-35.) LANDSCAPE AND BUFFERS YARDS.  
APPLICANT SHALL INSTALL ONLY A BUFFER YARD ALONG THE FRONTAGE OF INDUSTRIAL HIGHWAY SHARED WITH THE PROPOSED BUILDING.**

**SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.**

**MR WURSTER MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-12, YALE ELECTRIC, TO RECOMMEND AND REAFFIRM APPROVAL OF THE PRELIMINARY PLAN TO THE TOWNSHIP BOARD OF SUPERVISORS WITH THE FOLLOWING CONDITIONS:**

1. **SALDO (§289-11.B) PRELIMINARY PLAN; SPECIFICATIONS: MYLAR.  
APPLICANT SHALL PROVIDE FINAL PLANS ON MYLAR MATERIAL AND ALSO PROVIDE A PDF ELECTRONIC COPY OF THE RECORDED PLAN.**
2. **SALDO (§289-12.C.) FINAL PLANS PROCEDURE: GUARANTEE.**

**BEFORE THE RECORDING OF AN APPROVED FINAL PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE AS PROVIDED IN SALDO (§289-38), PERFORMANCE REQUIREMENTS.**

3. **SALDO (§289-68.E) FEES. ALL ENGINEERING, LEGAL, RECREATION OR ADMINISTRATIVE COSTS WILL BE PAID PRIOR TO RECORDING OF THE FINAL PLAN.**
4. **SALDO (289-11.B) PRELIMINARY PLAN SPECIFICATIONS: SURVEYOR CERTIFICATION. APPLICANT SHALL PROVIDE THE SIGNATURE OF A SURVEYOR, PROFESSIONAL SEAL AND DATE.**
5. **SALDO (§289-12.K) DEVELOPMENT AGREEMENT. DEVELOPMENT AGREEMENT TO BE FINALIZED BETWEEN THE APPLICANT AND TOWNSHIP TO INCLUDE PRE-EMPTION, BATTERY BACKUP AND GENERATOR/UTILITY TRANSFER ASSEMBLY**
6. **ZONING (§325-43.C.) COMMERCIAL-HIGHWAY ZONING DISTRICT: MIN. LANDSCAPE COVERAGE. NOT LESS THAN 15% OF THE LOT SHALL BE LANDSCAPED WITH A VEGETATIVE MATERIAL. THIS LANDSCAPING SHALL INCLUDE SHRUBS, ORNAMENTAL TREES AND SHADE TREES TO BE PLACED TO ENHANCE THE APPEARANCE OF THE BUILDING AND PARKING AREA. APPLICANT SHALL DEMONSTRATE ON THE PLANS HOW THEY ARE MEETING THE 15% MINIMUM REQUIREMENTS FOR LANDSCAPING.**
7. **ZONING (§325-115.B) ADJUSTED REQUIRED PARKING: PARKING AGREEMENT FOR FUTURE SPACES. APPLICANT SHALL PROVIDE A PARKING AGREEMENT AND ADD A NOTE ON THE PLAN FOR FUTURE SPACES TO BE INSTALLED.**
8. **STORMWATER (§281-5) PLAN AND REPORT REQUIREMENTS. APPLICANT SHALL PROVIDE A PROFESSIONAL ENGINEER SIGNATURE ON THE STORMWATER PLAN AND REPORT.**
9. **STORMWATER (§281-19) REQUIREMENT FOR EROSION AND SEDIMENT CONTROLS. APPLICANT SHALL:**
  - a. **OBTAIN LETTER OF ADEQUACY FROM YCCD APPROVAL OF THE E&S PLANS.**
  - b. **OBTAIN NPDES APPROVAL FROM PA DEP.**
  - c. **OBTAIN APPROVAL FROM USACOE/ PADEP JOINT PERMIT.**
10. **STORMWATER (281-20) POST-CONSTRUCTION STORMWATER RUNOFF CONTROLS FOR NEW DEVELOPMENT. APPLICANT SHALL PROVIDE DOCUMENTATION FROM YCCD DETERMINATION. AS AN MS4 COMMUNITY, SPRINGGETTSBURY TOWNSHIP WILL EVALUATE THE PLAN FOR PCSWM MEASURES TO ADDRESS WATER QUALITY IF YCCD DOES NOT.**
11. **APPLICANT SHALL ADDRESS THE FOLLOWING REGARDING VEGETATED FILTER STRIPS:**
  - a. **THE PERMANENT SEEDING REQUIREMENTS ON SHEET C4.00.**
  - b. **NOTE 38 ON THE COVER SHEET SHOULD BE REPEATED ON SHEET C4.00.**

- c. **CLARIFY THE LAWN SEEDING SHOWN IN THE TABLE ON SHEET C7.00 TO BE USED FOR THE FILTER STRIPS AND SHOW ON SHEET C4.00.**

**12. APPLICANT SHALL OBTAIN A PENNDOT HOP.**

**SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.**

**7. OLD BUSINESS – None**

**8. OTHER BUSINESS**

**A. Update on Triplet Springs (SD-07-06)**

Project Narrative: The purpose of this briefing is to provide an update on the Triplet Springs subdivision plan. This plan was originally submitted on June 25, 2007. This plan was submitted prior to the adoption of our current zoning ordinance, so it is being reviewed under our previous ordinances. The property on which this proposed subdivision is located, is situated behind what is now the Metso Minerals office building. It consists of approximately 85 acres of undeveloped land, proposing to be subdivided to create an active adult community.

At the time of submission, the applicant was fully prepared to move forward with all required approvals for this plan; however, soon after submission, the housing market took a downhill turn, which required the applicant to put the plan on hold until a later date. This plan has in turn, received time extensions since October of 2007.

Most recently, staff met with the developers (Kinsley Construction & LSC Design) on Tuesday, October 1, 2013, to discuss where this project stands. Staff was informed that they wish to again begin to pursue approvals for the subdivision plan. This will include a current marketing analysis to show where the housing market currently stands, for which they will likely require more time. An update on the status of this plan will also be placed on the Board's agenda for their October 24, 2013 meeting, to include a request for action on the following recommended waivers.

Plan Background: The following variances were approved by the Zoning Hearing Board as case #Z-07-10 at their July 5, 2007 meeting:

1. 325-113.D.2 – Variance granted that a residential open space development be interpreted to mean that 50% reduction of the R-3 20,000 sq.ft. lot requirement be allowed for a single family detached dwelling, and that 50% reduction of the R-2 12,500 sq. ft. requirement be specifically allowed for the single family detached dwelling, such that in R-2 the minimum lot size will be 6,250 sq.ft.
2. 325-117 – Variance granted to permit a 45 ft. minimum lot width within this development at the setback and street frontage, which was acceptable to the applicant.
3. 325-113.D.3 – Variance to allow a projection of an open air unenclosed front porch into the 25 ft. setback to a maximum of 10 feet, as accepted by the applicant.

The following waivers were recommended for approval by the Planning Commission at their March 18, 2010 meeting:

1. 289-23.A – Waiver to increase the standard four (4) ft. grass strip between the curb and sidewalk to 6 ft. 4 in.

2. 289-26A – Waiver to allow the street trees to be planted between the curb and sidewalk instead of the front yard.
3. 289-32.A.5 – Waiver to allow a limited number of residential lots to have direct access onto Alcott Road. (amended by PC to include statement that the developer shall undertake all efforts as possible to align driveways of five lots on Alcott Road.)
4. 289-32.A.6 – Waiver to allow the construction of a private on-way street which is 18’ wide and less than 25’ in length as measured in accordance with the ordinance. (amended by PC that this waiver is referenced specifically to street H exclusively, with appropriate signage to indicate one way flow.)
5. 289-32.F – Waiver to allow the use of roundabouts as shown on the plan.
6. 289-32.F.4 – Waiver to allow street intersections less than 600 ft. apart.
7. 289-32.J.2 – Waiver to allow the construction of a cul-de-sac with an interior landscape island as detailed on the plans.
8. 289-32.J.7 – Waiver to allow the construction of a cul-de-sac with a length of 238 ft. +/- as measured in accordance with the ordinance.
9. 281-7.G – Waiver to allow the storm water management facilities to be constructed with a vegetated bottom slope of less than 4%.

\*The PC noted in their action that these plan waivers are conditioned upon the results of a satisfactory traffic study.

Ms. Lang stated time extensions have been granted on this plan since 2007. She noted they recently met with the applicant to determine their intent for the project. The owner has decided they would like to move forward with the project. Ms. Lang indicated that although the plan has not come up for action the waivers were acted upon by the Planning Commission. She noted the applicant has now requested that it be re-presented and submitted to the Board of Supervisors.

It was noted the applicant will need to update their storm water plan to current standards, as well as update their traffic study. It was also noted that the plan waivers previously granted were conditioned on the applicant providing a satisfactory traffic study. Ms. Lang noted the applicant has stated they are prepared to accept the conditions previously granted.

**MR. SWOMLEY MOVED WITH REFERENCE TO SD-07-06 TRIPLETT SPRINGS, TO REAFFIRM THE RECOMMENDATION FOR APPROVAL TO THE TOWNSHIP BOARD OF SUPERVISORS FOR THE WAIVERS LISTED WITH THE ADDITION OF A NOTE SPECIFYING THESE PLAN WAIVERS ARE CONDITIONED UPON THE APPLICANT PROVIDING A SATISFACTORY TRAFFIC STUDY.**

1. **289-23.A – WAIVER TO INCREASE THE STANDARD FOUR (4) FT. GRASS STRIP BETWEEN THE CURB AND SIDEWALK TO 6 FT. 4 IN.**
2. **289-26A – WAIVER TO ALLOW THE STREET TREES TO BE PLANTED BETWEEN THE CURB AND SIDEWALK INSTEAD OF THE FRONT YARD.**
3. **289-32.A.5 – WAIVER TO ALLOW A LIMITED NUMBER OF RESIDENTIAL LOTS TO HAVE DIRECT ACCESS ONTO ALCOTT ROAD. (AMENDED BY PC TO INCLUDE STATEMENT THAT THE DEVELOPER SHALL UNDERTAKE ALL EFFORTS AS POSSIBLE TO ALIGN DRIVEWAYS OF FIVE LOTS ON ALCOTT ROAD.)**
4. **289-32.A.6 – WAIVER TO ALLOW THE CONSTRUCTION OF A PRIVATE ONE-WAY STREET WHICH IS 18’ WIDE AND LESS THAN 25’ IN LENGTH AS MEASURED IN ACCORDANCE WITH THE ORDINANCE. (AMENDED BY PC THAT THIS WAIVER IS REFERENCED SPECIFICALLY TO STREET H EXCLUSIVELY, WITH APPROPRIATE SIGNAGE TO INDICATE ONE WAY FLOW.)**
5. **289-32.F – WAIVER TO ALLOW THE USE OF ROUNDABOUTS AS SHOWN ON THE PLAN.**

6. **289-32.F.4 – WAIVER TO ALLOW STREET INTERSECTIONS LESS THAN 600 FT. APART.**
7. **289-32.J.2 – WAIVER TO ALLOW THE CONSTRUCTION OF A CUL-DE-SAC WITH AN INTERIOR LANDSCAPE ISLAND AS DETAILED ON THE PLANS.**
8. **289-32.J.7 – WAIVER TO ALLOW THE CONSTRUCTION OF A CUL-DE-SAC WITH A LENGTH OF 238 FT. +/- AS MEASURED IN ACCORDANCE WITH THE ORDINANCE.**
9. **281-7.G – WAIVER TO ALLOW THE STORMWATER MANAGEMENT FACILITIES TO BE CONSTRUCTED WITH A VEGETATED BOTTOM SLOPE OF LESS THAN 4%.**

**MR. WURSTER SECONDED. MOTION UNANIMOUSLY PASSED.**

**9. ADJOURNMENT**

**CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 7:40 P.M.**

Respectfully submitted,

Secretary  
/ses