

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
NOVEMBER 21, 2019**

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. OCTOBER 17, 2019

MR. ROBERTSON MOVED FOR APPROVAL OF THE MEETING MINUTES OF OCTOBER 17, 2019 AS AMENDED. MR. TANZOLA SECONDED. MOTION UNANIMOUSLY CARRIED.

3. BRIEFING ITEMS

A. LD-2019-07 - 3750 East Market Street Redevelopment

Kestra Kelly, BL Companies

Ms. Fieldhouse indicated this is a new redevelopment which is currently Haas Architectural Millworks. The applicant is planning to demolish the building and in its place construct a 246,000 sq. ft. warehouse.

Ms. Kelly stated currently there is no end user for the warehouse. She indicated there will be 123 parking spaces with 38 loading docks and 47 trailer spaces. The site is currently in a PADEP Act

2 clean up program from previous industrial users on the site, which includes chemical contamination to be remediated. She noted this will cause constraints related to stormwater since they cannot infiltrate in areas of previous contamination. A portion of the site is within a 100 year floodplain. She noted a HEC-RAS model was done to show their product does not negatively impact the water service elevation. There is a small strip of land along Market Street at Innovation Drive belonging to the adjacent property owner. She noted this project will work to gain an access easement on that property or purchase the strip to be combined into their project. This would provide access onto Innovation Drive for their second driveway entrance.

Ms. Kelly indicated a PennDOT scoping meeting was held on September 25, 2019 and they had no concerns. They will be pursuing the HOP permit process through PennDOT.

It was questioned if the applicant did not obtain access to cross the adjacent land, if a second access point is required. Ms. Kelly indicated they are confident they will be able to work out the access issue. Mr. Luciani concurred. He also noted there is a bridge on the property that could be used for emergency purposes.

Ms. Fieldhouse noted if they could not work it out with Kinsley they can identify the bridge as an emergency access point.

It was discussed if the applicant purchases the strip of land they would do a subdivision to go along with the project.

Ms. Fieldhouse stated there are several minor waivers as noted by Mr. Luciani:

- Preliminary plan
- Plan scale
- Volume Control
- 8" Curb

B. SD-2019-07 - Minor Subdivision Plan for Michael and Faye Quigley

Grant Anderson, Site Design Concepts

Ms. Fieldhouse provided the adequacy letter from the township engineer for the minor subdivision. She noted the plan is ready to be moved on to an Action Item and approved. There are no additional outstanding comments to be addressed. The site is located at 2680 Sheridan Road.

Mr. Anderson indicated he is representing the applicants. He provided photos of their primary residence and the property behind the house. He noted the concept of the plan is to consolidate the two into 1.6-½ acre parcel. There is no development proposed. They are requesting a minor subdivision plan waiver.

MR. TANZOLA MADE A MOTION TO MOVE SD-2019-07 TO AN ACTION ITEM. SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.

MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE MINOR SUBDIVISION PLAN FOR SD-2019-07 MICHAEL AND FAYE QUIGLEY ALONG WITH THE WAIVERS FOR MINOR SUBDIVISION AND CONCRETE MONUMENTS. SECONDED BY MR. TANZOLA. MOTION UNANIMOUSLY PASSED.

4. ACTION ITEMS

A. LD-2019-02 East York Apartments - N. Northern Way

Joshua George, Secary, Snyder & Associates

Ms. Fieldhouse indicated she provided a detailed staff briefing to the Planning Commission with regards to the outstanding items remaining in the township engineer's letter. From Staff's perspective the outstanding items that need to be discussed including the stormwater issue presented at the last meeting are still outstanding. In addition, the applicant is proposing a blanket easement so Township may have access to the site for stormwater inspections as opposed to individual easements for the underground stormwater detention facilities. Also, the Township is asking for a note to be added to the cover sheet indicating all construction to meet Township C&M specifications.

Ms. Fieldhouse noted those comments were broken out on the township engineer's review letter that deal with waivers and also those that are appropriate for setting conditions, i.e., signatures, NPDES permit and a recreation fee.

Mr. George stated they are in agreement with Staff review and the conditions, which were outlined - #5, 7, 14, 34 and 39. They are asking for the Planning Commission's recommendation for approval to the Board of Supervisors.

Mr. Robertson asked why there are power lines running through the middle of two apartment buildings, instead of being underground or going around the buildings.

Mr. George stated their situation is that Met Ed determines where the lines should go so they do not have the answer yet.

Ms. Fieldhouse indicated that decision will not be made for awhile. Met Ed has a backlog so they are delayed. She noted Staff is comfortable coordinating finalization of the utility infrastructure and if it does necessitate changes to the plan, that would be circulated to the township engineer and others to assure those approvals are received.

It was also noted a storm drain is close to the foundation of one of the buildings, which is a potential for possible sinkholes and other problems.

Mr. George clarified it is actually a sanitary sewer pipe and the quantities of water are significantly less. He further noted the sanitary sewer and the water are both in general proximity to each other and they can change the location. He indicated that it is a private sanitary sewer lateral that is owned and maintained by the developer and not by the Township.

Mr. Robertson commented in looking at stormwater in the surrounding properties, he noticed during a recent storm a significant amount of flooding in that area. He noted the stormwater around the applicant's property sheets into the storm drain along with the other properties. This has been occurring for many years. He referred to the photo of the 12" pipe.

Ms. Fieldhouse provided video taken on the day of the storm.

Mr. Robertson was concerned if the 12” pipe was not cleaned out it would inhibit the water flow. He was concerned with the development of impervious surface all the water must be controlled somehow.

Ms. Fieldhouse indicated the applicant is proposing to manage all the stormwater they are creating with the addition of the impervious coverage. Discussion was held as to the water coming off of the lot behind them via a 10 foot easement - is it a natural drainage flow and is it the responsibility of the applicant.

Mr. George stated there is an easement on the neighboring property which is not being used by the property owner.

Mr. George explained how the stormwater management will work on their site. He indicated they have proposed underground stormwater management facility within the parking lot that picks up the water from the parking lot and the buildings.

It was noted from a safety standpoint the applicant should consider putting a grate in front of the stormwater drain.

Ms. Fieldhouse indicated the Planning Commission will need to provide the Board of Supervisors with a resolution and recommendation with regard to the outstanding items.

Chairman Staub questioned if the applicant will provide a blanket easement for stormwater inspections as opposed to metes and bounds. Mr. George stated that is already on the plan.

A question was raised as to how the underground stormwater basin will be inspected. Mr. George stated there are manhole access points in which a camera is used.

Chairman Staub stated he is of the opinion that anything which affects adjoining property owners it would be their responsibility to take care of their own property with regards to stormwater. Based on the evidence provided by the applicant, he did not foresee a demand of water coming off the adjoining sites onto the applicant’s property. He did not believe a precedence would be set by not allowing the adjoining property owners to require the applicant to provide additional improvements because of the stormwater.

Solicitor Rausch noted from a legal standpoint that one property owner is not responsible to manage the water from an improved property. He stated the adjoining property owners would have to show they have a prescriptive easement with a natural water course and East York Apartments cannot disturb it.

MR. STUHRE MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PLAN AND WAIVERS FOR LD-2019-02 EAST YORK APARTMENTS WITH THE FOLLOWING CONDITIONS:

- **PROVISION OF PERFORMANCE GUARANTEE PRIOR TO THE PLAN RECORDING;**
- **PROVISION OF ALL PLAN, SEALS AND SIGNATURES PRIOR TO PLAN RECORDING;**
- **NPDES PERMIT APPROVAL;**
- **CHANGES TO THE LD PLAN AS A RESULT OF PROPERTY UTILITY PLANNING AND CONSTRUCTION MUST BE APPROVED BY THE TOWNSHIP ENGINEER AND STAFF.**

SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.

Ms. Fieldhouse stated Staff will encapsulate the stormwater discussion noting there is uncertainty as to the amount of water that is created and will flow through this site. It will also be noted this is an issue between two adjoining property owners, and a legal record of easements which would necessitate it to be a natural waterway which was not available at the time of this meeting.

5. WAIVER RECOMMENDATIONS - None

6. OLD BUSINESS

Text Amendment Petition by BT York – Adaptive Reuse to Self-Storage in the Town Center Overlay

Attorney Alex Snyder, Barley-Snyder.

Ms. Fieldhouse indicated in the packets the Planning Commission members received the previous month's Text Amendment and Staff briefing. She provided the updated Text Amendment and reviewed the changes:

Part 1. Section 325-5 - The addition of Adaptive Reuse to Mini Storage Facility; clarified they are dealing only with the interior of the space, limiting it to facilities with 100,000 sq. ft. or more. Any reference to vehicle and trailer rental has been removed, since if it were added that would necessitate adding it as a permitted use in the Commercial-Highway district as well. The screening requirements were also removed since everything will be interior.

Part 2. Section 325-42.A - Adding adaptive reuse to mini storage facility to Commercial-Highway as principal permitted use (38).

(Subject to Section 325-132A) – There will be a corresponding additional section in the supplemental regulations of the zoning ordinance which will require these conditions identified on the second page as 325-132A will need to be met in order for the permit to be granted. The conditions proposed in 325-132A were taken from and modified where appropriate from the special exception and conditional use requirements for the establishment of mini storage facilities that are existing in the ordinance.

Part 3. Section 325-197A.- Will be adding adaptive reuse to mini storage facility as a principal permitted use (8) in the Town Center Overlay. There are seven different uses that are permitted as a principal use and do not need to have a conditional use. Will add (8) to the list of principal permitted use. Staff's reasoning is because this is all inside and not impacting outside then there is no impact to the Town Center Overlay.

Part 4. Section 325-197.D - Will clarify this section of the ordinance that identifies prohibited uses in the Town Center Overlay which currently prohibits self storage of any kind. This clarification will state "except as permitted in Section 325-197.A.(8) specifically to allow adaptive reuse to mini storage in the Town Center Overlay".

Part 5. Article XXVI – The addition of the supplemental regulations; no advertising signs will be permitted on the property other than identifying signs for the storage facility in accordance with the chapter. Ms. Fieldhouse reviewed A through D (1-9) and E.

Part 6. Section 325-176.K.(5) – This is the special exception language for mini-storage. They are modifying that language to also allow the accessory retail sales and box, package supplies and tape.

Attorney Snyder indicated a formal market study was conducted. He noted this will be an enclosed indoor climate controlled storage facility. He noted the flow will be less in terms of traffic and usage than the former Bon-Ton store. They are withdrawing the proposal for an external truck rental facility.

By increasing the size they are not engaging in spot zoning by selecting one facility but also making it larger. They are proposing a 1,000 sq. ft. manager's office to allow customers to sign up for a unit as well as sales of packing tape and boxes.

MR. TANZOLA MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF ORDINANCE NO. 2020 SPRINGETTSBURY TOWNSHIP, YORK COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES, TOWNSHIP OF SPRINGETTSBURY, CHAPTER 325 "ZONING" TO PERMIT ADAPTIVE REUSE TO MINI STORAGE FACILITY AS A USE BY RIGHT IN THE TOWN CENTER OVERLAY AND THE COMMERCIAL HIGHWAY DISTRICT. SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.

7. NEW BUSINESS – None

8. ADJOURNMENT

CHAIRMAN STAUB ADJOURNED THE MEETING AT 7:30 P.M.

Respectfully submitted,

Secretary

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