

APPROVED

**SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
MAY 16, 2013**

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Angela Liddick, Deputy Zoning Officer  
John Luciani, First Capital Engineering  
Seth Springer, Solicitor  
Jean Abregh, Stenographer

**NOT PRESENT:** Charles Wurster

**1. CALL TO ORDER:**

**A. Pledge of Allegiance**

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

**2. ACTION ON THE MINUTES**

**A. APRIL 18, 2013**

**MR. SWOMLEY MOVED FOR APPROVAL OF THE MEETING MINUTES OF APRIL 18, 2012 AS PRESENTED. MR. STUHRE SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. NEW BUSINESS**

**4. SKETCH PLAN PRESENTATION**

B-Way Project LD-12-01 Sidewalk Issue

Robert Sandmeyer, Site Design Concepts  
Frank Herring, Project Manager

Mr. Sandmeyer provided information on their plan for the steep slope issue relating to the sidewalk. He noted they presented the B-Way project last year for land development, which is currently under construction. Mr. Sandmeyer stated the plan shows the proposed linear sidewalk due to the existing trees that are along both sides of the street. He noted the Ordinance requires a 4 foot grass strip along the 4 foot sidewalk. The street trees are 10 feet away from the curb, which means if they install the sidewalks at the required distances and measurements, it will be against the trees which would kill the trees. Mr. Sandmeyer stated they have come up with an alternate plan to circumvent the issue. Previously they had requested a waiver to do a curved sidewalk for reasons of snow plowing and avoiding pedestrians along the side of a major road. The waiver was subsequently denied. Consequently B-Way relooked at the site topography and determined the sidewalk would have to go next to the building almost down into the parking lot due to the slopes and the trees. This would create a safety and liability issue. Mr. Sandmeyer indicated what they are proposing to alleviate the situation by removing the existing trees along the street

and putting in the 4 foot grass strip and 4 foot sidewalk. They would then replace the existing street trees with the landscape plan already in place and add those street trees that are removed onto that plan.

Mr. Sandmeyer stated they evaluated other alternatives to try to move the sidewalks around the trees but because of the canopies of trees they cannot get within an adequate distance to save those trees in that area. They also reviewed it from the ADA requirements.

Mr. Sandmeyer showed photos of the area to illustrate the limited space and the steep slope.

The Board recommended that the applicant file a plan with the township engineer for review.

## **5. BRIEFING ITEMS**

### **A. SD-13-02 – Tanzola SD**

#### James Tanzola

**Project Narrative:** This plan is proposing a reverse subdivision of two parcels of land. The Tanzola's own both parcels. The first lot houses an existing dwelling and farm buildings and is also used as farmland. The second lot is vacant. This plan would combine the two lots.

**Plan Background:** This project is presented as a briefing item for the preliminary/final plan. Plan may be moved to action if the Planning Commission sees fit.

The Applicant is requesting a recommendation of approval from the Planning Commission to the Springettsbury Township Board of Supervisors for the following waiver:

1. SALDO (289-14) Minor subdivision waiver. The applicant is requesting a waiver for the minor subdivision as the subdivision creates no additional lots or buildings.

The following outstanding items may be considered conditions of approval:

1. ZONING (325-193.D.1) Applicant shall provide a note on the plan stating "Any nonconforming structure that has been damaged or destroyed by fire, windstorm, lightning or by any other means to an extent of less than 75% of its market value for tax assessment purposes may be reconstructed to its original height, area and volume. Any structure damaged to an extent 75% or greater of its market value for tax purposes shall not be repaired, reconstructed or used except in strict conformity with this chapter."
1. SALDO (289-12.A) Applicant shall submit plans in pdf format.
2. SALDO (289-12.A.5.a) Applicant shall address YCPC comments, once received.
3. SALDO (289-13.A.9) Applicant shall provide a complete street layout at a scale of 1"=800' in addition to the location map on the plans.
4. SALDO (289-14.B.1) Applicant shall provide all utilities including sewer, water, gas and telephone, if not already shown on the plan.
5. SALDO (289-26) Applicant shall set all remaining property corners. At least two of these shall be concrete; the remaining may be iron pins.
6. General: Applicant shall provide 75 foot clear site triangles at the intersection of Lower Glades Road and Trout Run Road.

Mr. Tanzola indicated they purchased two acres on the east side of their present home at the location of 3009 Trout Run Road, which are approximately 6.9 for a total of approximately 9 acres. They are requesting to make this one parcel.

Mr. Luciani stated that this is eligible for the minor subdivision. He reviewed County comments regarding location of existing utilities, and noted there are no contours on the plan. He discussed with the applicant the location of concrete monuments and adding several monuments. He noted the applicant is

requesting a waiver of the minor subdivision plan since the subdivision creates no additional lots or buildings.

It was noted there is a 75 foot clear sight triangle at the intersection at Glades and Trout Run, which needs to be added to the plan. Discussion was held the fact that the previous owner of the property dedicated 50' from center line, precluding rebuilding in the current right of way. It was noted the applicant is currently in the dedicated right of way and can continue to remain there. However, if the structure would become damaged or destroyed they could not build it back in the same location more than 75%. It was noted the applicant will need to show the existing obstacle on the plan.

**A MOTION WAS MADE BY MR. SWOMLEY TO MOVE THE PLAN TO AN ACTION ITEM. MR. ROBERTSON SECONDED. MOTION CARRIED.**

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

**MR. STUHRE MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-13-02, TANZOLA SD, TO RECOMMEND APPROVAL OF THE PRELIMINARY/FINAL PLAN WITH THE FOLLOWING WAIVER:**

- 1. SALDO (289-14) MINOR SUBDIVISION WAIVER. THE APPLICANT IS REQUESTING A WAIVER FOR THE MINOR SUBDIVISION AS THE SUBDIVISION CREATES NO ADDITIONAL LOTS OR BUILDINGS.**

**MR. SWOMLEY SECONDED. MOTION UNANIMOUSLY PASSED.**

**MR. ROBERTSON MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-13-02, TANZOLA SD, TO RECOMMEND APPROVAL OF THE PRELIMINARY/FINAL PLAN WITH THE FOLLOWING CONDITIONS:**

- 1. ZONING (325-193.D.1) APPLICANT SHALL PROVIDE A NOTE ON THE PLAN STATING "ANY NONCONFORMING STRUCTURE THAT HAS BEEN DAMAGED OR DESTROYED BY FIRE, WINDSTORM, LIGHTNING OR BY ANY OTHER MEANS TO AN EXTENT OF LESS THAN 75% OF ITS MARKET VALUE FOR TAX ASSESSMENT PURPOSES MAY BE RECONSTRUCTED TO ITS ORIGINAL HEIGHT, AREA AND VOLUME. ANY STRUCTURE DAMAGED TO AN EXTENT 75% OR GREATER OF ITS MARKET VALUE FOR TAX PURPOSES SHALL NOT BE REPAIRED, RECONSTRUCTED OR USED EXCEPT IN STRICT CONFORMITY WITH THIS CHAPTER."**
- 7. SALDO (289-12.A) APPLICANT SHALL SUBMIT PLANS IN PDF FORMAT.**
- 8. SALDO (289-13.A.9) APPLICANT SHALL PROVIDE A COMPLETE STREET LAYOUT AT A SCALE OF 1"=800' IN ADDITION TO THE LOCATION MAP ON THE PLANS.**
- 9. SALDO (289-14.B.1) APPLICANT SHALL PROVIDE ALL UTILITIES INCLUDING SEWER, WATER, GAS AND TELEPHONE, IF NOT ALREADY SHOWN ON THE PLAN.**
- 10. SALDO (289-26) APPLICANT SHALL SET ALL REMAINING PROPERTY CORNERS. AT LEAST TWO OF THESE SHALL BE CONCRETE; THE REMAINING MAY BE IRON PINS.**
- 11. GENERAL: APPLICANT SHALL PROVIDE 75 FOOT CLEAR SITE TRIANGLES AT THE INTERSECTION OF LOWER GLADES ROAD AND TROUT RUN ROAD.**

**(Condition #3 as listed on the plan summary was removed).**

**MR. SWOMLEY SECONDED. MOTION UNANIMOUSLY PASSED.**

## 6. ACTION ITEMS

### A. LD-15-01 YAUFRR Fire Station

John Luciani, First Capital Engineering

Project Narrative: The Revised Final Land Development Plan proposes to construct a 12,090 square foot firehouse, 39 parking spaces, access drives, stormwater management, and landscaping. The proposed firehouse will be for the use of emergency personnel and therefore, fundraiser events, which produce high traffic volume, are not anticipated.

Plan Background: Lot #17 was previously designed and approved as storage units by Mr. Pasch as part of the "Lot Add-Ons" for the Market Street Commons project. The plan included stormwater management with infiltration and an offsite master planned basin at the north end of the lot. Sidewalks and driveways were shown on the plan. The Springettsbury Township Volunteer Fire Company Purchased the Lot and the Township will be constructing the new firehouse. Comparing the 2006 plan to the Revised Final Land Development Plan, the following changes are included:

1. A significant reduction in impervious coverage 80% → 50%
2. Two access drives – one requiring a 55 foot drive width to accommodate fire trucks (A waiver of the drive width is being requested)
3. Employee parking for fire company employees
4. No change in sewer flows (The storage units were allocated 1 EDU and the adjoining parcel was a small restaurant with 4 EDUs)
5. No significant change in traffic

Mr. Luciani stated his firm prepared the site plan for the new YAUFRR building which will be owned by Springettsbury Township. It was presented as a briefing item at the last meeting, with color renderings provided. Mr. Luciani stated since their last submission he received County comments from Mike Shaffer.

Mr. Luciani provided the following information regarding the site:

- All of the corners have been set.
- The site was the former proposed storage units developed by Mr. Pasch, which originally had a single driveway out onto Commons Drive with approximately 80% impervious coverage and a master storm water plan. The proposed fire company has approximately 50% impervious coverage.
- Contours and datum is based on USGS with a bench mark.
- The location of proposed concrete monuments were previously set by the developer.
- Date, seal and signature of the engineer is complete.
- Statement of ownership – the facility is owned by the township so when the board signs the plan the chairman and the manager will sign off on it.
- Required sewage planning –The site currently has 5 EDU's. This facility will only need 1 EDU
- An environmental impact study was done with the storage units at which time the wetlands were delineated.
- Traffic - the fire station will generate moderate traffic,
- Plans showing façade treatment and signing have been provided.
- The Erosion control plan approval was received from Rob Fetter.
- Primary control points and dimensions are on the plan along with the location of concrete monuments.

Landscaping plan - A buffer yard 3 is between the proposed building and the residential dwelling units, which meets the required 5 trees per 100 feet. There is also a berm to direct water around the fire house. The landscape architect has added evergreens due to activity at night.

Mr. Luciani reviewed the waivers as identified on the plan summary.

Discussion was held regarding the intersection and the consideration of emergency signalization on Market Street.

Mr. Holman stated that as work progresses on the project this will be evaluated along with all other safety concerns.

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

**MR. STUHRE MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-13-01, YAUFU FIRE STATION, TO RECOMMEND APPROVAL OF THE FINAL PLAN WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:**

- 1. SALDO § 289-13.A. FINAL PLAN SPECIFICATION: PLAN SCALE OF 50 FEET OR 100 FEET TO THE INCH. PLAN PROPOSES 20 FOOT SCALE.**
- 2. SALDO § 289-31. CURB HEIGHT OF 8 INCHES ALONG PARKING AND ACCESS DRIVES. PLAN PROPOSES CURB HEIGHT OF 6 INCHES.**
- 3. SALDO § 289-41. ACCESS DRIVE WIDTH MAXIMUM 35 FEET. PLAN PROPOSES 55 FOOT ACCESS DRIVE FOR EMERGENCY VEHICLE EXIT FROM THE BUILDING.**

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

**MR. STUHRE MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-13-01, YAUFU FIRE STATION, TO RECOMMEND APPROVAL OF THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:**

- 1. SALDO § 289-11.C.8. PLAN SIGNATURES REQUIRED.**

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

**7. OLD BUSINESS - NONE**

**8. OTHER BUSINESS**

A. Mobile Signage Amendment to Zoning Ordinance

Township Solicitor Springer clarified they are recommending an addition be made to Chapter 220 –9 the Peddling and Soliciting Ordinance to allow for the prohibition of costumed and/or hand held sign solicitation in the public right of way. This would effectuate the ability of the police to enforce. The issue under the Zoning Ordinance is if a citation were issued the individual would have a certain amount of time to aggregate.

A copy of the ordinance was distributed with the addition underlined in 220-9, Sub A – “soliciting shall also include any person in costume and/or person carrying signs for the purpose of commercial advertising’.

Section 2 Certain locations prohibited.

Added Sub C “solicitors in costume and/or carrying or displaying signs for the purpose of commercial advertising shall not occupy any sidewalk, right of way or any part thereof.”

Mr. Springer noted that addressing solicitation by charitable organizations was not included, since it may cause complications in regards to freedom of speech issues, etc. He pointed out an individual is no longer doing something for a commercial purpose when referring to charity soliciting.

It was recommended to revise A and B to stand along, adding the words to:

- A. "A peddler shall not occupy any fixed location .....
- B. "A peddler or solicitor shall not occupy the cartway.....
- C. Remain as is.

For B it was recommended to correct the word "bather" to "barrier".

Chairman Maciejewski called for a motion on a text amendment to Ordinance #2013.

**MR. SWOMLEY MOVED IN REFERENCE TO ORDINANCE NO. 2013 FOR SPRINGETTSBURY TOWNSHIP COUNTY CODE OF ORDINANCES, CHAPTER 220 – PEDDLING AND SOLICITING, TO RECOMMEND APPROVAL WITH THE CHANGES OUTLINED TO THE BOARD OF SUPERVISORS. SECONDED BY MR. ROBERTSON. MOTION UNANIMOUSLY PASSED.**

**9. ADJOURNMENT**

**CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 7:00 P.M.**

Respectfully submitted,

Secretary

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