

APPROVED

SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
JANUARY 19, 2023

MEMBERS IN

ATTENDANCE: Mark Robertson, Vice-Chairman
Paula Musselman
Charles Stuhre
James Tanzola

NOT PRESENT: Tim Staub, Chairman

ALSO IN

ATTENDANCE: Randall Heilman, Director of Community Development
John Luciani, Township Engineer/Deputy Zoning Officer
Doug Myers, Solicitor
Abby Gibb, Communications Manager
Jill Trostle, Stenographer

1. CALL TO ORDER

A. Pledge of Allegiance

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

2. ACTION ON THE MINUTES

A. DECEMBER 15, 2022

The minutes of December 15, 2022 were amended to reflect Charles Rausch attended as Solicitor in place of Doug Myers. **MR. STUHRE MOVED TO ACCEPT THE MINUTES AS AMENDED, SECONDED BY MR. TANZOLA. MOTION UNANIMOUSLY CARRIED.**

REORGANIZATION: Mr. Heilman requested that Reorganization of the Planning Commission be added to the agenda. Mr. Robertson agreed to add it as the last item of business.

3. ACTION ITEM

A. SD-2022-0005 - Final Minor Subdivision Plan - Richard B. & Donna K. Schiding and John D. & Dianne G. Sarver

Mr. Randall Heilman provided a brief overview of the plan, noting it is a lot-add-on plan or minor subdivision plan under the subdivision land development ordinance. Mr. Schiding is providing 3.81 acres of land from his lot to his daughter and son-in-law's acreage, reducing lot 1, which fronts on Mt. Zion Road, to 13.13 acres and increases Lot 2 to a total of 15.06 acres. Minor subdivision is permitted in the Township as a waiver request to the Board of Supervisors.

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Jake Hebel and Lee Faircloth, Gordon L. Brown Associates

Mr. Jake Hebel of Gordon L Brown Associates addressed comments submitted by Mr. Luciani, the Township Engineer.

1. The required signatures will be provided
2. A maintenance agreement for the stormwater pipe which is entering the property from the subdivision to the north will be provided
3. Missing property corners will be set
4. All easements are shown on the plan
5. The right-of-way for Colonial Farm Lane was added. No maintenance agreement was found for the right-of-way.
6. A closure report was attached to the response submitted, and the plan has been revised to show the lot lines properly close.

In addition, Mr. Hebel noted that the UPI table will be corrected. The low density residual zone was added to the north. Geometry was added to the right-of-way on Mt. Zion Road.

Mr. Heilman noted that the plan distributed to the Planning Commission members for this meeting does not reflect the updates provided by Mr. Hebel, as they were just received the day before this meeting.

Ms. Musselman inquired about the need for a maintenance agreement. Mr. Hebel researched the existence of a maintenance agreement through the courthouse and did not find one. Mr. Schiding, the applicant, confirmed he is not aware of the existence of any maintenance agreement in the 53 years he has lived on the property. There are five properties that use Colonial Farm Lane. When maintenance is required, all five landowners share this responsibility, but there is no formal agreement.

Mr. Luciani reported he met with Mr. Schiding to discuss how to approach the subdivision. Mr. Luciani stated it would be in Mr. Schiding's best interest to develop a maintenance agreement for the right-of-way for clarity and prevention of future disputes that could occur as a result of changes in land ownership. In addition, combination of the lots will require new legal descriptions, new UPI #'s and new deeds provided through the Recorder's office. Mr. Luciani referenced another 40 ft. wide access easement., Plan SS-921 Mr. Schiding responded that the access easement was used by Dr. Mitrick to get in and out quickly during emergencies while he was still practicing. Mr. Schiding stated the easement now has a four foot deep creek running through it and is no longer usable. He will contact Dr. Mitrick to confirm the access easement is no longer needed so that it can be removed from the subdivision plan.

Solicitor Myers recommended that the Planning Commission set a condition that all parties using the right-of-way sign the maintenance agreement prior to final approval. Mr. Myers noted as an alternative, Mr. Schiding and his daughter and son-in-law could sign an agreement that indicates they are responsible for all maintenance, and all landowners using the right-of-way will continue to have right-of-way without obligation to maintain it.

Mr. Robertson stated the maintenance agreement would ensure the road remains accessible to emergency services, and should be in perpetuity to obligate responsibility by all future landowners.

Solicitor Myers stated the recommendation should note when lot 1A is transferred and adjoined to lot 2, new legal descriptions and two confirmatory deeds will need to be recorded to show a clear chain of title.

4. MODIFICATION/WAIVER RECOMMENDATIONS

Mr. Robertson entertained a motion for modifications/waivers and conditions.

MR. TANZOLA RECOMMENDED THAT THE PLANNING COMMISSION MOVE SD-2022-0005 MINOR SUBDIVISION PLAN TO AN ACTION ITEM WITH THE FOLLOWING MODIFICATIONS/WAIVERS AS STATED IN THE LETTER, AND CONDITIONS ESTABLISHED BY THE PLANNING COMMISSION THIS EVENING:

Waiver:

- 1. §289-14 Minor Subdivision Waiver: The applicant cites no new development is proposed by the subdivision, only revision to abutting property lines; thereby, a minor subdivision is warranted. This comment will remain open until the Board of Supervisors has rendered a decision.**

Land Development Standards:

- 1. §289-13.A(5): Name, seal and signature of the registered surveyor certifying to the accuracy of any lines or monuments indicating the location of property and/or certification by registered professional engineer as required by Pennsylvania statute.**
- 2. §289-14.B(1): The location of all existing buildings, sewers, water mains, culverts, petroleum lines, telephone and electrical lines, gas lines, fire hydrants and other man-made structures.**
- 3. §289-26.C: Removal. Any monuments that are removed must be replaced by a registered engineer or surveyor at the expense of the person removing them.**
- 4. Proposed Lot 1A and Lot 2 combination will require a new legal description as part of the revised deed and a new UPI # will be provided by the York County Recorder of Deeds. Lot 1 will also require a new legal description as part of the revised deed and a new UPI # will be provided by the York County Recorder of Deeds.**
- 5. Provide the right-of-way and cartway widths of Colonial Farm Lane. Identify existing easements or setbacks for the parcels on the sheet set.**
- 6. Reconfigured lot 1 has an incorrect bearing and even when corrected, does not close within the required lot survey lines. Update the plan to show proper closure of Lot 1 survey lines.**

Conditions established by the Planning Committee:

7. **Establish and provide a written and signed roadway maintenance agreement among all adjoining landowners.**
8. **Extinguish the Mitrick access easement (if no longer needed)**

MR. STUHRE SECONDED THE MOTION. THE MOTION UNANIMOUSLY PASSED.

Mr. Heilman plans to add SD-2022-0005 to the next Board of Supervisors meeting; however, it can be moved to the second meeting in February if more time is needed by the applicant to meet all requirements and conditions. He will also speak with the Board of Supervisors to determine whether or not the maintenance agreement will be required before the case is presented to them for action.

In regard to the access easement, Solicitor Myers recommended a simple termination of right-of-way agreement citing what exists and what is being extinguished with a legal description of it, signed by Dr. Mitrick and filed with the Recorder of Deeds. If Dr. Mitrick wishes to maintain access, then the easement stays on the plan. Mr. Luciani noted that the Planning Commission is not mandating the easement be removed, but if the applicant wishes to unencumber the land, the recommended action should be taken.

Mr. Tanzola stated that the Planning Commission makes recommendations to the Board of Supervisors, but the Board of Supervisors can choose whether or not to mandate recommendations of the Planning Commission.

5. INFORMATIONAL - None

6. NEW BUSINESS

REORGANIZATION

Mr. Robertson entertained a motion for reorganization. **MR. STUHRE RECOMMENDED THE REORGANIZATION OF THE PLANNING COMMISSION TO REMAIN THE SAME AS LAST YEAR WITH THE FOLLOWING SLATE OF OFFICERS FOR 2023:**

Tim Staub, Chairman
Mark Robertson, Vice Chairman
Charles Stuhre, Secretary

MS. MUSSELMAN SECONDED THE MOTION. MOTION UNANIMOUSLY PASSED.

7. OTHER BUSINESS

UPDATE ON COMPREHENSIVE PLANNING STEERING COMMITTEE

Mr. Heilman provided a report of the kick-off meeting of the Comprehensive Planning Steering Committee held January 11, 2023. The consultant provided a Powerpoint presentation to review how

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the process will move forward over the next 21-24 months. The process will include the concurrent review of the following: Comprehensive Plan Update, Zoning Ordinance Update and Subdivision and Land Development Ordinance Update. The Committee is composed of one member from the Zoning Hearing Board, one member from the Parks and Recreation Board, two members from the Board of Supervisors, two members from the Planning Commission and one from the Historic Preservation Committee. Mr. Heilman stated there will be public meetings, public hearings, and a survey will go out to provide many opportunities for feedback and input. Mr. Heilman noted public participation and buy-in will be important to the process to ensure the best comprehensive plan possible and to more effectively implement the Township's plans and ordinances into the future.

Mr. Tanzola shared that the consultant is willing to interview Township stakeholders that may be interested in providing input. Names of interested individuals should be given to Mr. Heilman, Mr. Tanzola or Mr. Stuhre. Mr. Tanzola noted an economic planner and traffic engineer also serve on the committee.

Mr. Stuhre provided a report of the Township tour, which was attended by the consultant and three of her associates, to view how the Township has grown, to highlight both the good and bad that has occurred since the last comprehensive planning process, as well as raise the issues that keep presenting themselves due to conflicts with current ordinances.

The next Steering Committee is scheduled for April.

8. ADJOURNMENT

VICE-CHAIRMAN ROBERTSON ADJOURNED THE MEETING AT 6:52 P.M.

Respectfully submitted,

Secretary
/jht