

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
MAY 15, 2014**

MEMBERS IN

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

ALSO IN

ATTENDANCE: Trisha Lang, Director of Community Development
John Luciani, First Capital Engineering
Seth Springer, Solicitor
Sue Sipe, 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. MARCH 20, 2014

MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF MARCH 20, 2014 AS PRESENTED. MR. WURSTER SECONDED. MOTION UNANIMOUSLY CARRIED.

B. APRIL 17, 2014

MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF APRIL 17, 2014 AS AMENDED. MR. WURSTER SECONDED. MOTION UNANIMOUSLY CARRIED.

3. NEW BUSINESS – None

4. BRIEFING ITEMS

A. LD-13-03 – First Capital Federal Credit Union

Jim Barnes, James R. Holley & Associates

Project Narrative: This land development plan proposes the construction of a new 3,680 square foot credit union branch office with three drive-through lanes in addition to a drive-up ATM on this now-vacant site. The construction represents the relocation of the same operation from an existing Springettsbury Township location.

Plan Background: This project is presented as a briefing item. The Commission previously reviewed the proposal for Conditional Use approval at their meeting on April 17, 2014. The applicant has revised the land development plan to address the changes established through the zoning approval process. However, the only storm water management review to date was performed on the plan submitted in October 2013. Comments related to that iteration of the plan are included below.

Staff anticipates that once the applicant has addressed the items below, the Commission will have the information necessary to make a recommendation to the Board of Supervisors:

ADMINISTRATIVE ISSUES

1. SALDO (§289-12.C) Final plans; procedure. Applicant shall provide a cost estimate for erosion controls, stormwater management facilities, as-built record documents, and proposed curbing to establish the financial surety necessary for the construction of all required improvements.
2. SALDO (§289-12.L) Final Plans; procedure. Applicant shall pay to have the plan recorded in the Office of the Recorder of Deeds of York County within 90 days of plan approval.
3. SALDO (§289-12.M) Applicant shall provide all information and revisions to comply with the conditions of approval established by the Board of Supervisors prior to recording the plan.
4. SALDO (§289-14.B.3) Final Plans; specifications. Applicant shall execute all certificates, affidavits, endorsements or dedications, as may be required
5. SALDO (§289-35.E.2.) Landscaping and buffer yards. Applicant shall make arrangements acceptable to the Township for the property's long-term landscape maintenance.
6. SALDO (§289-35.E.3.) Landscaping and buffer yards. Applicant shall provide escrow funds for the maintenance and/or replacement of the proposed vegetation for an 18-month period after installation.
7. Complete plan notes #8 and #18 with the applicable information.
8. SALDO (289-13.A.8) Final plans; specifications. Applicant shall revise the parking information to identify that 17, not 18 spaces are provided.
9. SALDO (289-11.B.21) Preliminary plans; specifications. Applicant shall label the proposed crosswalk that runs from the north side to the south side of Eastern Boulevard.
10. SALDO (289-11.B.21) Preliminary plans; specifications. Applicant shall revise the legend to identify the meaning of the dot pattern along the northern property boundary on sheet 4 of 9 and along the entire southern property boundary on sheet 5 of 9.

DESIGN ISSUES

11. SALDO (289-11.B.19) Preliminary plans, specifications. The existing conditions plan, sheet 3 of 9, should be updated to reflect the current site conditions.
12. ZONING (325-206.A.1.a) Off-street parking. Applicant shall provide sufficient detail on sheet 8 of 9 to indicate that the plant material placed along northern boundary line meets the minimum height (4') required.

STORM WATER MANAGEMENT ISSUES

13. What is the nature of the underlying lithology? Karst geology may preclude the installation of an infiltration facility.
14. Please verify the C-Factors used for the analyses. The assumed C-Factor for the predevelopment was indicated as 0.20 then 0.25 was used for all computations. Revise as necessary.
15. (§281-10.M) The design storm volumes and precipitation intensities to be used in the analysis of discharge or runoff shall be obtained from the Precipitation-Frequency Atlas of the United States, NOAA Atlas 14. NOAA Atlas 14 can be accessed at: <http://hdsc.nws.noaa.gov/hdsc/pfds/>. Please revise your discharge and runoff computations per the ordinance.
16. (§281-12.A.2.b) One Hundred Percent of the existing impervious area of a project site, when present, shall be considered meadow for modeling of the existing conditions.
17. (§281-15.A.3) The intensity used on the Storm Sewer Computations (page 39) is taken from the NOAA depth table instead of the NOAA intensity table. The inlets are likely adequate but the computations are incorrect. Please revise the computations using the intensity of 5-minute concentration time for the 10-year return period as per the ordinance.
18. (§281-15.C.5) Drawdown time must be considered. In general, infiltration BMP's should be designed so that the completely empty within 72 hours. Please provide a drawdown time computation.
19. (§281-16.D.3.1) All stormwater plans shall include the locations of all the easements related to the proposed stormwater BMP's, such as access to PCSM BMP's and conservation easements.
20. (§281-16.D.4.a.4) Please include a schedule for the installation of the control measures and devices. In all cases the proposed stormwater control devices must be completed prior to the creation of additional impervious area.

21. (§281-16.D.6) A maintenance program for all stormwater management facilities must be included. This program must include the ownership of the facilities and detail the financial responsibility for any required maintenance and shall comply with the requirements of Article V of this chapter. Provisions for permanent access or maintenance easements for all physical SWM BMP's, such as infiltration structures, as necessary to implement the operation and maintenance (O&M) plan. Include recording information for this agreement in note #13.

TRAFFIC ISSUES

22. Information currently under review by the Township's Engineer.

Mr. Barnes stated the plan is the same one reviewed when the conditional use went through. They added another street light as was recommended by the Planning Commission. He also noted street trees along Eastern Boulevard have been shifted out of the sanitary sewer right-of-way.

The environmental impact study was submitted with the application.

In regards to storm water management, Mr. Barnes noted that there are some outstanding comments from the Township Engineer to be addressed.

It was noted the initial submittal proposed a bike lane which has been eliminated since the addition of wider sidewalks. A crosswalk was added to allow traffic to travel from the northeast corner to the southwest corner. As part of the traffic study there is a note on the traffic plan signed by the Township that any changes to the intersection will require a reissued traffic signal permit from the applicant.

It was noted the NPC date was extended to August 28.

B. LD-14-02 Nello Tire

Robert Sandmeyer, Site Design Concepts

Project Narrative: This plan involves the redevelopment of the Nello Tire parcel resulting from PaDOT's "take" of a significant portion of the site to complete the I-83 Exit 18 interchange improvements. The applicant must reconfigure the existing uses on the site in order to accommodate the operation in a smaller area. The building square footage will change from the existing 11,680 square feet to the proposed 14,931 square feet.

Plan Background: This project has obtained zoning approval. A final land development plan for the site is now presented for the Commission's consideration. This is the first review of the land development plan for the project however, based on the previous review for Conditional Use approval, the Commission may be prepared to make a recommendation at this time. If so, the following plan review information is provided:

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

1. SALDO ARTICLE IV Sections 289-15 through 289-24. Environmental Impact Studies. The ordinance requires the preparation of a study that evaluates steep slope impacts, wetlands impacts, hydrological impacts, historic resource impacts, archaeological resource impacts, traffic impacts, public facilities and services impacts, an environmental condition assessment, and a feasibility report on sewer and water facilities.
The applicant has requested relief from these standards due to the nature of the project which involves redevelopment on the existing site. This site does not contain any steep slopes, wetlands, or historic or archaeological resources. In addition, it will not utilize on-lot sewer or water nor will the project increase the demand for public facilities or services. It is noted that an abbreviated

traffic study was performed; revealing no change in the type or amount of traffic accessing the site. As a result, staff sees no detriment to granting the requested waiver.

2. SALDO ARTICLE III Section 289-11.A Preliminary Plans; specifications. The ordinance requires that a preliminary plan be submitted for any subdivision or land development proposal that involves one or more of a set of seven criteria.

The applicant is subject to this requirement due to the desired change to the access from the site onto Camp Betty Washington Road which involves obtaining a PennDOT highway occupancy permit. This issue was previously evaluated during the Conditional Use approval process and therefore, the additional time provided by following the preliminary plan approval process is likely not needed. As a result, staff sees no detriment to granting the requested waiver.

3. SALDO Section 289-31.A Curbs and gutters. The ordinance specifies that curbs shall be the concrete vertical type.

The applicant is requesting relief from this standard in order to replace existing bituminous curbing within the site. Because this section of the ordinance provides specific reference to installation of curbing along streets in subdivisions and land developments, it is not clear that curbing within the site must meet this specification. The applicant is requested to provide an exhibit to accompany this request that demonstrates what portion of the curbing they wish this modification to apply. It is noted that the installation of new curbing associated with the relocated/re-designed access from Camp Betty Washington Road is NOT included in staff's recommendation to approve the requested relief.

4. SWMO ARTICLE I Section 281-5 Applicability. The ordinance identifies that all regulated activities and all activities that may affect stormwater runoff, including land development and earth disturbance activity are subject to regulation by the provisions of Chapter 281.

The applicant has requested relief from these requirements based on their arrangement with PennDOT to incorporate storm water from the site into the design for stormwater management associated with the Ramp K construction of the I-83 project. Information provided by Erdman Anthony, design engineers for this construction, indicate that "proposed pavement and roadway drainage facilities associated with the development of Ramp K will convey Nello Tire's offsite runoff to a proposed stormwater basin, BMP K1, located within the PennDOT right-of-way." The narrative including this statement is provided for consideration by the Commission. Based on the alternative proposed, staff sees no detriment to granting the requested waiver.

The following outstanding items may be considered conditions of approval:

ADMINISTRATIVE ISSUES

1. SALDO (§289-12.A.2.g) Final plans; procedure. Applicant shall submit a letter stating that a sediment and erosion control plan has been filed with York County.
2. SALDO (§289-12.A.5.a) Final plans; procedure. Applicant shall provide evidence of submitting plans to York County Planning Commission for review.
3. SALDO (§289-12.C) Final plans; procedure. Applicant shall provide financial security estimate to be reviewed for the required guarantee for completion of the proposed improvements and provide the required surety.
4. SALDO (§289-12.L) Final Plans; procedure. Applicant shall pay to have the plan recorded in the Office of the Recorder of Deeds of York County within 90 days of plan approval.
5. SALDO (§289-12.M) Applicant shall provide all information and revisions to comply with the conditions of approval established by the Board of Supervisors prior to recording the plan.
6. SALDO (§289-35.E.2.) Landscaping and buffer yards. Applicant shall make arrangements acceptable to the Township for the property's long-term landscape maintenance.
7. SALDO (§289-35.E.3.) Landscaping and buffer yards. Applicant shall provide escrow funds for the maintenance and/or replacement of the proposed vegetation for an 18-month period after installation.
8. SALDO (289.13.A) Final plans; specifications. Applicant shall submit the plan on Mylar for recording in addition to submitting a pdf of the approved plan.
9. SALDO (289-41) Proposed street system. Applicant shall provide a copy of the approval of the HOP by PaDOT. This should document compliance with both safe stopping site distance and the throat length requirements found in Chapter 289, section 41.J.7.

DESIGN ISSUES

10. ZONING (325-205.C.2) Streetscape elements. Identify the location of the required 75' clear sight triangle to demonstrate that it does not conflict with the proposed buffer planting along Camp Betty Washington Road.
11. SALDO (289-26) Monuments. Monuments shall be set at all proposed property corners.
12. SALDO (289.48.A) Utility easements. Provide an easement for the roof drain pipe that will connect to the inlet to be installed by PaDOT. Easements must be a minimum of 15' in width.
13. SALDO (289.48.A) Utility Easements. If the location of the access easement to the sewer is known, an easement shall also be provided to document the location within the site.

Mr. Sandmeyer stated this project is presented due to the taking of land by PennDOT for the new intersection to be built at Mt. Rose Avenue. He stated the conditional use approval was approved last month by the Board of Supervisors with no conditions. They are now presenting the land development for approval due to the diminimus items that need to be accomplished for the plan, the majority of which are administrative and follow the approval of the plan. Mr. Sandmeyer indicated they are asking for five waivers as identified on the plan summary. He also noted the conditional use has not changed from the previous plan.

It was noted there is an additional waiver necessary for graphic scale which was not included on the plan summary. Mr. Sandmeyer stated the ordinance requires 1-50 or 1-100 and they are asking for a waiver to use 1-40 and 1-20.

Mr. Luciani pointed out an additional waiver they will need in regards to the traffic study relating to trips going in and out exceeding 250 average daily trips. The ordinance requires two ways in and out so a waiver will be necessary.

Discussion was held regarding the waiver of curbs and gutters, §289-31. It was noted there is a zoning requirement that all parking lots must be curbed. The entire parking lot of the site is not curbed, only a portion of it. Ms. Lang stated they are installing the concrete vertical curbs at the new entrance-way off Camp Betty Washington Road, but the existing curb system within the existing parking lot is bituminous. The applicant wants to keep it the same and not install one segment of vertical concrete curb since that is what is required. This is just one portion of the parking lot not necessarily the entire site.

Mr. Sandmeyer indicated it is a modification because they are keeping the majority of the parking lot as it is currently and doing a basic overlay for the entire property. He noted they have some bituminous in the rear of the property which they will improve. In addition, they are adding curb along the PennDOT access entrance to the driveway and will have a concrete curb in front of the parking spaces which are in front of the building. Mr. Sandmeyer pointed out the location on the map.

Mr. Sandmeyer stated the capture drain for the storm water runoff will be put in by PennDOT whenever they get to that portion of the project. However, it will continue to flow across the site in that direction. Currently it flows down the hill.

It was noted this would be a modification waiver from the terminus of the concrete curbing at the northeast corner to southwest corner of the property. It was recommended the applicant provide an exhibit to illustrate the bituminous curbing.

Mr. Sandmeyer stated the land has already been acquired by PennDOT and it is in their name. He noted the storm water agreement with PennDOT was submitted to the Township.

In regards to buffering Mr. Sandmeyer noted this was covered in the conditional use application. There was an issue with modification since they are unable to place all the plants needed in that buffer area.

Ms. Lang added there were four modifications associated with conditional use and which were recommended for approval and the Board of Supervisors accepted those modifications. This is reflected on the current plan.

Relating to the rendering of the proposed building, Mr. Sandmeyer stated the materials of the building are on the drawings and the color rendering would specifically state what that is. He noted this will be a modern type facility with brushed aluminum windows. Ms. Lang stated there was a set of colored detailed elevations that were part of the conditional use application. Mr. Sandmeyer acknowledged they will include the colored version part of the package going to the Board of Supervisors.

Ms. Lang stated one of the design issues is the clear sight triangle and the easement for the roof drain which have been added to the plan since the copies were distributed. Item #13 refers to an access easement to the Township sewer main. She noted that is currently in negotiations and therefore not identified on the plan at this time. They have not come to an agreement about the location or funds.

Mr. Sandmeyer confirmed the letter for the York County Conservation District was submitted two weeks ago.

Lighting has been addressed and is on the plan.

It was noted as PennDOT acquires their property a new legal description would need to be prepared and recorded for the new lot. Mr. Sandmeyer stated PennDOT prepares all the deeds and documents for property they are taking and for the properties they leave behind. He did not know when that will occur. Currently they have a recorded deed of taking.

It was noted in the comments that PennDOT does not monument any of their right-of-ways and this will be the responsibility of the applicant.

Mr. Sandmeyer noted that York Water Company will be extending the water main all the way to the end of their property and will also serve the residential neighbor. They will place a fire hydrant on their property. This is noted on the plan.

Mr. Sandmeyer stated the HOP drawings were submitted to PennDOT two weeks ago and they are waiting to hear back from them.

Mr. Sandmeyer reiterated the urgency in time to be considered for a conditional approval due to the diminimus nature of the outstanding items. He noted the times limits have been set by PennDOT for removal of the buildings on this project. This also affects the current business owner of the property and provides a tight time frame to get the plan approved and recorded, as well as begin building construction.

Discussion was held with Attorney Springer regarding the advocacy of moving forward with action due to the request for the additional waivers not yet filed. Attorney Springer indicated it is acceptable as long as there is a consensus of the Planning Commission, and the waivers are filed in an expedient manner. Also that it will go to the BOS with the understanding it is a conditional waiver.

Mr. Sandmeyer confirmed they will include the waiver on the drawing and also with the revision submittal that goes to the BOS.

It is Section 6 of the Ordinance §289-41.J.8 proposed street systems. Cul-de-sacs, loop streets, whether existing or proposed shall provide access to not more than 25 dwelling units or in the case of non-residential development, 250 average daily vehicle trips based on ITE.

MR. WURSTER MADE A MOTION TO MOVE LD-14-02 NELLO TIRE FROM A BRIEFING ITEM TO AN ACTION ITEM. SECONDED BY MR. SWOMLEY. MOTION UNANIMOUSLY PASSED.

MR. ROBERTSON MOVED WITH REFERENCE TO LD-14-02 NELLO TIRE TO RECOMMEND APPROVAL OF WAIVERS 1-4 WITH AN ADDITIONAL WAIVER #5 FOR GRAPHIC SCALE TO USE 1-40 AND 1-20, INSTEAD OF THE REQUIRED 1-50/1-100, AND A CONDITIONAL WAIVER F RELATING TO THE ORDINANCE SECTION 6- §289-41.J.8 STREET SYSTEMS - 250 AVERAGE DAILY TRIPS REQUIRE TWO ENTRANCES IN AND OUT. SECONDED MR. WURSTER. MOTION UNANIMOUSLY PASSED.

MR. ROBERSON MOVED WITH REFERENCE TO LD-14-02 NELLO TIRE TO RECOMMEND APPROVAL OF THE FINAL PLAN WITH CONDITIONS AS WRITTEN ON THE ADMINISTRATIVE ISSUES AND A MODIFICATION WAIVER FROM THE TERMINUS OF THE CONCRETE CURBING AT THE NORTHEAST CORNER TO SOUTHWEST CORNER OF THE PROPERTY. THE APPLICANT SHALL PROVIDE AN EXHIBIT TO ILLUSTRATE THE BITUMINOUS CURBING. ALSO CONDITIONED ON A NEW LEGAL DESCRIPTION N OF THE PROPERTY TO BE PROVIDED BY PENNDOT WHEN AVAILABLE. MR. STURHRE SECONDED. MOTION UNANIMOUSLY PASSED.

C. LD-08-14R Towneplace Suites

Attorney Steve Dzurainin, Wix, Wenger & Weidner Law Firm

A.J. Patel, Principal of the Applicant

Chris Hoover, Hoover Engineering

Mary Sujkowski, Director of Keystone Management, Hotel Manager

Att. Springer recused himself from the presentation stating a conflict of interest since he is involved in a separate case against Mr. Patel.

As a result, no legal counsel was available to hear the case and it was recommended to delay it until the June meeting when alternate Counsel would be available. Att. Dzurainin indicated they are in agreement to wait until the June 19 meeting.

MOTION MADE BY MR. SWOMLEY TO TABLE THE PRESENTATION. MR. WURSTER SECONDED. MOTION UNANIMOUSLY PASSED.

5. ZONING & WAIVER RECOMMENDATIONS

A. East Haymeadow Waiver Request

Jonathan Knepper, 1620 Druck Valley Road

Mr. Knepper indicated he is requesting a waiver for the road frontage requirement. He is proposing to subdivide a new parcel, which requires a certain amount of road frontage. He noted on the plan there is a paved road that adjoins the lot where they are proposing to build a house, which is not a Township maintained road. The paved road is used as their driveway to get to the existing house, also used by another land owner. In addition, Camp Pennwood uses the road to access the camp. There is also a parking lot that will adjoin the newly created lot they would be creating. This is located at the radio tower. Mr. Knepper indicated they believe that road would be sufficient for the road frontage requirement.

Mr. Knepper stated at this time he does not own the lot since they would like to get this resolved before purchasing the land. He also noted the parcel does not exist right now – it would be a combination of two existing parcels that would have to be subdivided.

David Knepper

Mr. Knepper indicated he is the land owner and Jonathan Knepper's father. He noted he owns approximately seven acres of the parcel. The owner of the radio station has expressed a willingness to deed a parcel to Jonathan Knepper as well. Mr. Knepper stated his property was part of a land development plan and purchased from Mr. Jeff Snyder. He is unaware of what the deed restriction requirements were. He does have a right-of-way to access his property.

It was noted that the access to Mr. Knepper's house is a right-of-way through that parking lot. In order for the applicant to proceed with their proposal the Planning Commission would have to grant a right-of-way to access his house via the parking lot without going through what is shown on the plan as a proposed building lot.

Mr. Knepper indicated he did not know who owns and maintains Haymeadow Road.

It was the consensus of the Planning Commission that they could not legally make a recommendation based on the deed restriction tied to the property.

Options for possible recourse were discussed with the applicant.

6. ACTION ITEMS – None

7. OLD BUSINESS - None

8. OTHER BUSINESS – None

9. ADJOURNMENT

CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 7:10 P.M.

Respectfully submitted,

Secretary

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