

**APPROVED  
SPRINGETTSBURY TOWNSHIP  
PLANNING COMMISSION  
JUNE 18, 2015**

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** Trisha Lang, Director of Community Development  
John Luciani, First Capital Engineering  
Christopher King, Solicitor  
Sue Sipe, Stenographer

**NOT PRESENT:** Mark Swomley

**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. MAY 21, 2015**

**MR. WURSTER MOVED FOR APPROVAL OF THE MEETING MINUTES OF MAY 21, 2015 AS PRESENTED. MR. STUHRE SECONDED. MOTION UNANIMOUSLY CARRIED.**

**3. BRIEFING ITEMS**

**A. SK-15-02 2900-2960 Whiteford Road**

Rick Castranio

Project Narrative: This plan proposes the subdivision of an existing 4.18 acre developed parcel into three separate lots. Each lot will contain one of the existing structures on the site. While the proposed property lines respect the individual structures, all of the existing shared infrastructure (lighting, parking, storm water management, and access) will indiscriminately cross the proposed boundaries.

Plan Background: Staff has discussed the proposal with the applicant who has identified that the proposed lots will meet the minimum requirements for lot size, lot width, off-street parking, and landscaping. However, the plan information provided does not identify the location or type of landscaping on the site nor does it clearly define areas of pervious and impervious coverage to verify that the proposal is in compliance with these criteria. The location of required buffer yards for the off-street parking will need to be identified as will the location, type, and intensity of existing/proposed lighting due to the potential for lighting to “spillover” across the proposed property lines. The subdivision assumes the use of Route 30 as the street frontage for proposed Lot #1. As a result, the front yard setback is, at a minimum, 60% of the

right-of-way width of Route 30 or 96'. This places the existing structure on Lot #1 within this setback and a variance will be required. The Applicant is requesting feedback from the Planning Commission prior to submitting the project as a final plan. No action is required at this time.

Mr. Castranio stated he is representing the applicant Whiteford Road LLC and indicated they are seeking the subdivision for the existing Susquehanna Bank and two other buildings on the site. They would like to subdivide so each building will be on its own property. He noted they will also be seeking a variance from the Zoning Hearing Board. One of the buildings included is Lumber Liquidator and the other building is vacant.

It was noted that a traffic signal is warranted at Whiteford Road and the entrance to the bank. It was noted their agreement will provide funding for the traffic signal.

Ms. Lang indicated cross easements will be required since the parking access is not clean with the property lines including maintenance of stormwater so they will need to determine how that will affect potential future owners. She further noted in terms of minimum number of parking spaces and cross easements each lot has sufficient parking without borrowing from a different lot.

Mr. Castranio stated they plan to meet the rezoning except for the setbacks in the parking and impervious vegetative coverage.

#### **4. ACTION ITEMS**

##### **A. LD-15-01 First Baptist Church LDP**

###### Jim Barnes, James Holley & Associates

Project Narrative: This plan proposes to create a 6,000 square foot expansion for the existing church located on Druck Valley Road. This expanded area will be a multi-purpose space to accommodate social functions for the congregation.

Plan Background: This plan was presented to the Commission members as a briefing item at their meeting on May 21, 2015. Based on discussion at that meeting, the applicant has made revisions to the plan information and submitted modification requests related to the provision of curbing and the performance of a traffic study. A complete review including recommended conditions of approval was provided to all Commission members.

Mr. Barnes stated the obstruction to the site line to the east was a blue spruce on the adjacent neighbor's property which has been removed. In regards to the site line distances required there is no construction as far as vegetation goes. Relating to the slopes, Mr. Barnes indicated he provided information in the packet that shows what the site looked like prior to the church being built. He also showed where the current steep slopes are on the property based on 15%. He noted there is question as to whether or not the slopes that were manmade as part of the church's construction should be defined as steep slopes by the Ordinance. Mr. Barnes stated the Ordinance allows for slopes at 3-1 so there seems to be a disconnect between what the Ordinance allows an individual property owner to do and then when they do the 3-1 slopes that automatically falls into a steep slope overlay district. He thought it should be observed from the standpoint as to the intent of the Ordinance which was to protect those slopes. Mr. Barnes further stated the slopes that existed prior to development were protected because they were not disturbed. He reiterated they have an approved E&S plan which shows that during construction those slopes would be a threat as far as final cover.

Ms. Lang pointed out the first paragraph of the document contains a definition of steep slope in the Ordinance which allows steep slopes at 15% as defined on the USGS topo map or in the field. She indicated the question becomes because they are steep slopes whether they do fall under the steep slope overlay zoning district. In defining that district the ordinance says only that it is delineated and defined as being a 15% or greater slope on the appropriate USGS topo map but the regional base map series of 1977 does not say anything about looking at the site today or in the interim, She indicated that what is shown on the maps is the basis for the delineation of the overlay district. In this situation it is possible to have steep slopes on a property and not be subject to the steep slope overlay zoning district requirements.

Mr. Barnes pointed out that Exhibit A illustrates what the site showed when they started in 2000 and there are no steep slopes in that location. He stated what is there currently is the result of construction and improvements that were made after the first land development plan was approved. They are not considered natural but would be manmade steep slopes which do not exhibit some of the issues that a natural steep slope or conservation area would have in terms of wildlife or vegetation or any of those features that the district tries to protect.

Mr. Luciani stated that he agreed, noting the challenge is the USGS map shows a difference of a steep slope and a non- steep slope, so it is difficult to determine. The reason he identified it a steep slope as shown in Exhibit A was due to the steep slopes shown at the edge of the property. In addition, Exhibit B underneath the church addition is shaded as steep slope. The question was discussed as to whether they need to go before the Zoning Hearing Board to arrive at a solution and a common agreement.

Discussion was held as to what the result of the slope would be after the proposed construction. Mr. Barnes stated there would be a steep slope but it would be pushed further to the east since it will be there to accommodate the grade change from the front of the church or the south side/rear side and would be the same square footage as it is currently.

Discussion was held regarding the applicant's requested waivers which include:

- SALDO (§289-21) Traffic Impact Studies - -. It was noted the original traffic study included this expansion taking into account 6850 sq. ft. addition and this addition is 6000 sq. ft. so the actual addition proposed is less than what was in the original traffic study. Included with the waiver request was the outline of what functions the church has on a weekly basis and then special functions they have throughout the year.
- SALDO (§289-31.a) Curbs and §289-32.A Sidewalks - Modification request with a 6 month note on plan.

Mr. Barnes confirmed with regard to the monuments, all corners were set when the original plan was done. The plan shows all iron pins as indicated are set on the plan.

Mr. Luciani indicated the stormwater has been remediated in the seepage pit.

Mr. Barnes noted there is no change to parking. The 6000 sq. ft. area requires an additional 29 spaces – they have 108 spaces.

The waiver for preliminary plan was removed since it is not needed.

Chairman Maciejewski asked if there was anyone in attendance who had an interest in the plan. There was no public comment.

Further discussion was held regarding the steep slope issue and it was determined to acknowledge what was granted in 2000.

**MR. WURSTER MOVED WITH REFERENCE TO LD-15-01 FIRST BAPTIST CHURCH LAND DEVELOPMENT PLAN TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE FOLLOWING WAIVERS:**

- **SALDO §289-21 TRAFFIC IMPACT STUDIES**
- **SALDO §289-31.A CURBS AND §289-32.A SIDEWALKS - MODIFICATION REQUEST WITH A 6 MONTH NOTE ON PLAN.**

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

**MR. WURSTER MOVED WITH REFERENCE TO LD-15-01 FIRST BAPTIST CHURCH LAND DEVELOPMENT PLAN TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE PLAN AS SUBMITTED WITH THE PREVIOUS WAIVERS AND FOLLOWING CONDITIONS:**

- **SALDO §289-26A – MONUMENTS - INCLUDE LOCATION OF FACILITY EASEMENTS PER THE O&M AGREEMENT ON THE PLAN TO CONFIRM THAT THE PROPERTY CORNERS ARE MARKED FOR MONUMENTS**
- **SALDO §289-41.A.4 – PROPOSED STREET SYSTEM - COMPLETION OF FORM M-950S**
- **SALDO §289-42.A AND B – OBSTRUCTIONS TO VISION - CLEAR SIGHT TRIANGLES TO BE SHOWN ON THE DRAWING**
- **SEALS AND SIGNATURES REQUIRED ON THE PLAN.**

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

It was noted that Comments 8, 9 and 10 on the Township Engineer’s report relating to steep slope impact studies and zoning overlay were removed since they were determined to not be applicable.

**B. SD-15-01 York Container Minor Subdivision**

David Koratich, LSC Design

Project Narrative: This plan proposes to consolidate the landholdings of York Container Company into a single parcel containing 31.40 AC. The vacant parcels (18, 18A) are already owned by York Container Company. The proposed consolidation of these parcels into a single lot would allow the company to evaluate expansion alternatives for their current operation.

Plan Background: This proposal was presented to the Commission at its meeting on May 21, 2015. Based on discussion at that meeting and the review of comments from the Township’s Engineer, the applicant has revised the plan information. The project includes requests for four waivers from the Subdivision and Land Development Ordinance including street lights, buffer yards and plan scale.

The Township recommends the following actions on the Applicant’s request for waivers:

1. SALDO (289-36) Streetlights. Applicant is requesting to waive the requirement to provide streetlights based on the existing illumination at the site. Staff recommends approval of this waiver request. The lighting standards found in 325-92. Design Standards. Lighting guidelines would also be applicable to any future development of the site should the property be rezoned as requested.
2. SALDO (289-13.A) Final plans; specifications. Applicant is requesting to submit the plan at a scale of 80 feet to the inch. Staff recommends approval of this waiver request.
3. (SALDO) (289-44.D) Lots; Double Frontage. Applicant is requesting a waiver from the regulation that prohibits double frontage lots. Staff recommends that this waiver request be disregarded. The definition of double frontage speaks to two parallel or approximately parallel streets. Mount Zion Road and E. Market Streets are perpendicular and therefore, although the lot has access to more than one street, it is not a “double frontage lot” by definition.

4. SALDO 289-35.C. Landscaping and buffer yards: Applicant is requesting to delay the installation of any required buffer yard until such time as development occurs on the newly created lot. Staff recommends approval with regard to this waiver request. The landscaping standards found in 325-92. Design Standards. D. Landscaping (1-9) would be applicable to any future development of the site should the property be rezoned as requested.

Administrative Issues

1. SALDO (§289-14) Final Plans; specifications. (B.3) Applicant shall execute all certificates, affidavits, endorsements or dedications, as may be required. All signatures must post-date the last revision to the plan. Complete plan note #5 with the appropriate information.
2. SALDO §289-13.A. Once plans receive final approval, submit on Mylar as well as in pdf.
3. SALDO (§289-12) Final plans; procedure.
  - (L) 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.
  - (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. Ensure that all plan information reflects the zoning regulations at time of recording. Should the Board not act to rezone the acreage as requested, the zoning data would need to be adjusted accordingly. Should the rezoning be approved, the applicable setbacks from the adjacent R-1 zoned land should be provided.

Mr. Koratich indicated the plan is a lot consolidation plan to combine 3 lots into one tract of land which is 3½ acres. He reviewed the waivers indicating that #3 - §289-44.D for double frontage has been removed. Ms. Lang clarified that is because the definition of double frontage assumes parallel streets and these are perpendicular.

It was stated that County Comments must be noted on the plan.

Mr. Koratich noted in regards to the lots to be combined, the main lot is zoned R-1 and the bulk area requirements specific to this plan assumes that the rezoning occurred.

Ms. Lang stated Administrative Issue, #4 on the plan review recommends the applicant insure these run a parallel tract, and it assumes this is not R-1. In that case there would not be any buffering if it remains R-1 so what is on the plan is dependent on the outcome of the zoning request.

Discussion was held regarding the connection at the back end of the tract which allows access to Concord Road, as to whether there is an easement agreement for the access. Mr. Koratich stated there is a signed agreement with both parties but was not recorded. Attorney King recommended a copy of the signed agreement be submitted to the Township. Mr. Koratich stated he would provide a copy.

Chairman Maciejewski asked if there was anyone in attendance who had an interest in the plan. There was no public comment.

**MR. ROBERTSON MOVED WITH REFERENCE TO SD-15-01 YORK CONTAINER MINOR SUBDIVISION TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE WAIVERS AS LISTED ON THE PLAN SUMMARY AND AS STATED IN THESE MINUTES - #1, #2 AND #4. (#3 WAS REMOVED).**

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

**MR. ROBERTSON MOVED WITH REFERENCE TO SD-15-01 YORK CONTAINER MINOR SUBDIVISION TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS ON THE ADMINISTRATIVE ISSUES ADDRESSED IN THE PLAN SUMMARY AND AS STATED IN**

**THESE MINUTES, WITH THE ADDITION FOR YORK CONTAINER TO PROVIDE A COPY OF THE SIGNED AGREEMENT FOR THE CROSS EASEMENT AGREEMENT AND ALSO TO INCLUDE COMMENTS FROM THE YORK COUNTY PLANNING COMMISSION ON THE PLAN. SECONDED BY MR. WURSTER. MOTION UNANIMOUSLY PASSED.**

**5. WAIVER RECOMMENDATIONS - None**

**6. OLD BUSINESS**

**A. Update from Historic Preservation Committee Chairman – Stephen Smith**

Mr. Smith stated since his previous visit, the surveys were sent out the beginning of May to the list of 101 historic properties in the Township. He noted 53 responses have been received so far through June 15. The responses were broken down into 4 different categories, which are being used as a means for information on restrictive covenants.

Mr. Smith also reported that as part of the York County Comprehensive Plan a public survey was done for the York County Historic Preservation Plan. The results were published in April and displayed the responses received from the municipalities. Mr. Smith noted most responses came from Springettsbury Twp. Ms. Lang indicated she requested a break out of the survey results from the Steering Committee.

The next topic Mr. Smith presented was a report on various properties at risk on East Market Street. He provided information on the Bloomingdale property at 3405 East Market Street, which was presented at a Board of Supervisors meeting. He noted this type of information would be provided for the various properties along East Market Street which have been valued by the Township as historic properties.

Discussion was held regarding the 90 day delayed demolition period and options as to what would occur during that period.

**7. NEW BUSINESS**

**A. Introduction to Re-Zoning Proposal for York Container**

Dave Koratich, LSC Design

Ms. Lang stated her memorandum issued June 12, 2015 indicates the existing Flexible Development (FD) parcel as having 12 acres when it should be 19 acres. It is a 31-acre combined parcel with 12 acres consisting as the request for rezoning.

Mr. Koratich stated that of the 31-acre tract 19 acres are zoned FD; 12 acres are zoned R-1 and are comprised of two residential units on one property. Re-zoning those 12 acres would provide York Container flexibility to expand their operations at some future point.

Ms. Lang indicated the proposal has been submitted to the County Planning Commission and is anticipated to be on their agenda for their July 27 meeting.

It was noted there are apartments to the immediate east and a residential home to the west. There is also a small piece of property that is owned by York Container but is zoned General Industrial which is a zone across the street. The zoning boundary looks like it should match the parcel boundary but does not - it is set off by more than 50 feet. It was suggested that this area be rezoned also to avoid spot zoning.

Ms. Lang stated the county expressed concern about the access out to East Market Street and how that might be used in the future, as to whether it is a viable access or too close to the corner. There was also concern about truck turning movements onto Market Street.

It was noted that during the initial presentation from York Container discussion was held concerning residences along Mt. Zion Road and the fact that the frontages of their property was used to widen the intersection. This resulted in the inability to exit onto Mt. Zion Road. The property owners have requested consideration from York Container to allow an access drive along their property.

Ms. Lang pointed out in evaluating the rezoning to take into account that the zoning along both streets is Neighborhood-Commercial and determine the long term vision for the Township depending on what is decided for those areas being considered for re-zoning.

## **B. Introduction to Re-zoning Proposal for Spring Lane, LLC**

Attorney Jeff Lobach, Barley Snyder

Todd Kurl

George Bullard, Owner Spring Lane, LLC

Ms. Lang stated her memorandum issued June 12, 2015 indicates a request from Spring Lane to obtain rezoning of twelve parcels, approximately 12 acres. The parcels are current zoned Neighborhood-Commercial (N-C). The applicant proposes to have Commercial-Highway (C-H) with the Town Center Overlay applied to the site.

Ms. Lang indicated this proposal has also been submitted to the County Planning Commission and is anticipated to be on their agenda for their July 27 meeting

Mr. Lobach stated the property is at the northeast corner of Mt. Zion Road and East Market Street. The principal use is the Modenaire Motel. The parcels were all consolidated for which they submitted rezoning and are approximately 12 acres. There are 12 different tax parcels with several different owners but Spring Lane is the equitable owner of all those properties. These parcels are within easy walking distance of several multi-family projects one of which is Lafayette Plaza and also Yorkshire House near the York Container site. Right behind to the east of their site is Springetts Manor and Village East to the south. Access to Mt. Zion Road presently is by six separate driveways.

Mr. Lobach stated their request is for a change in zoning so that different uses would be permitted which would be more compatible with the area as it now exists. These would be in compliance with the Ordinance as cited by the Comprehensive Plan. Mr. Lobach stated the zoning of N-C is oriented towards housing and the motel on the site is not a permitted use. He indicated re-zoning to Commercial- Highway zoning will be more orientated towards services, and noted one of the essential elements of their package is combining C-H zone with the Town Center Overlay.

Mr. Lobach noted the two properties the Modenaire Hotel and the Weiser House as being considered for historic preservation. Mr. Lobach stated the developer is interested in working with the Township to preserve the properties. He stated any decision made with respect to any of these buildings time will allow consideration for options to preserve historic features.

Mr. Lobach stated the Modenaire Motel is owned by the entity "Pretty Ink". The other parcel at the eastern southern corner of the property is owned by RFY, LLC.

It was noted in the conceptual plan the applicant has not included development of the gas company

property but questioned if that property would be included in the redevelopment and rezoning request. Mr. Lobach stated that although it is on the concept plan they don't have any ownership interest in that site. However, if the surrounding property was rezoned it should be included so that would not be left as an island.

It was emphasized that traffic concerns in the area are paramount and the Township would be looking for a long term improvement.

Chairman Maciejewski indicated he would allow brief public comment:

Jane Heller

Ms. Heller voiced her concerns citing the outcome of various properties in the area. She asked the applicant to consider incorporating properties of historical value as opposed to tearing them down.

Regan VanDine – 3323 East Market Street

Ms. VanDine stated she and another tenant occupy the small house to the north which was referred to as uninhabitable, noting she has been a tenant there for approximately 20 years. Ms. VanDine pointed out the distinctive features on the property and the uniqueness of the neighborhood. She asked the applicant to consider an innovative way to renovate this area.

Jerry Kammerdiener – 2 Jamison Drive

Mr. Kammerdiener stated he was concerned with how the area in the back of his apartment complex would be developed. He voiced his opinion that another shopping center was not needed in this area.

Beverly Altland - 96 Jamison Drive

Ms. Altland indicated she lives at Springetts Manor and was concerned about what would happen with the development and the contour of that property. She was also concerned about runoff and debris as a result of a steep slope at the end of her drive. She also pointed out that Market Street is part of the historic Lincoln Highway.

Mary Chapman

Ms. Chapman expressed her view that historic preservation is important for the neighborhood and that current property owners need to be kept accountable to maintain the upkeep of their properties.

Terry Downs

Mr. Downs indicated he is a long-time volunteer with the Springettsbury Township Historic Preservation Committee, noting he does the survey work on the properties. He expressed his view that York has much to offer and it would be detrimental to the Township to destroy any of the historic properties in this area. Also expressed the need to recognize the value of the historic buildings and the need to maintain and preserve them.

**8. ADJOURNMENT**

**CHAIRMAN MACIEJEWSKI ADJOURNED THE MEETING AT 8:10 P.M.**

Respectfully submitted,

Secretary

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