

APPROVED

**SPRINGETTSBURY TOWNSHIP
PLANNING COMMISSION
OCTOBER 17, 2019**

MEMBERS IN

ATTENDANCE: Mark Robertson, Vice Chairman
Charles Stuhre
James Tanzola

NOT PRESENT: Tim Staub, Chairman
Paula Musselman

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

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. SEPTEMBER 19, 2019

MR. STUHRE MOVED FOR APPROVAL OF THE MEETING MINUTES OF SEPTEMBER 19, 2019 AS PRESENTED. MR. TANZOLA SECONDED. MOTION UNANIMOUSLY CARRIED.

3. NEW BUSINESS

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

Att. Alex Snyder, Barley, Snyder

Ben Chirox, True Commercial

Kathryn Speltz, WP Carey

Att. Snyder indicated they are requesting consideration of the text amendment that would permit an adaptive reuse of the Bon-Ton building for mini-storage which would be enclosed in the building.

Ms. Speltz stated her company, W. P. Carey, owns the Bon-Ton property. She noted W.P. Carey is a publicly traded real estate investment trust with 140 million square feet of assets throughout the U.S. She noted they own approximately 115 self-storage properties and have experience with redevelopments.

Mr. Chirox stated his company, True Commercial, handled the York Galleria Mall redevelopment specifically the major box anchor stores for W.P. Carey and CDL, the current mall owner. They took a unique approach to the overall redevelopment of the mall in the last 18 to 24 months focusing on the addition of the casino, as well as Gold's Gym which recently was added to the mall as a high traffic generator. He noted they considered many options for the Bon-Ton space, including entertainment, office and medical. The area is approximately 131,000 square feet on 7½ acres, with a two level building that has access to both levels at grade from different points of the site. He noted the self storage use should help to maintain the existing value of the structure. It adaptively re-uses that structure but has one of the lowest parking requirements of any other uses.

Mr. Chirox stated they have been engaged with more than one user and have produced a market study that indicated there is additional absorption to be had for self-storage square footage based on the national per capita rate. He noted this project would bring a new type of product with a higher end product. There would be no need for traditional screening, since the building is entirely enclosed with no windows.

Att. Snyder described their request in regards to the text amendment. He noted mini-storage is permitted in a commercial-highway district, however, the overlay indicates that mini-storage is not permitted. They are trying to find a new use that is the adaptive re-use of large box stores which are 50,000 square feet and above. He provided a depiction of what the space would look like. He noted they are proposing no outdoor storage of RV's and boats. However, there is potential for allowing a rental of trucks or trailers which is not permitted for the other type of mini-storage in the commercial highway district. He asked in consideration of the adoption of a special exception that the criteria for the rental agency included.

Ms. Fieldhouse indicated they will be seeking formal recommendations for the Board of Supervisors in November. She noted in her briefing she attempted to formulate a discussion on the points identified.

The following points were discussed:

- Screening for the rental trucks -
Ms. Speltz indicated for a property this size she would not anticipate a need for more than 3-4 trucks which could be shielded.
- Will this be a business independent of the mini storage?
It will be subordinate to the principal use and the number of vehicles will be limited.
- Fire suppression -
Staff is recommending a revision to the Uniform Construction Code section of the ordinance to require specific fire laws where the storage is going to connect to the overall building.

Att. Snyder indicated there is a potential buyer and they are hopeful if this is approved the project would be accomplished in the near future.

4. BRIEFING ITEMS

A. LD-2019-05 Rutter's Store Expansion #57

Eric Thomas

Ms. Fieldhouse stated this is an expansion to the Rutter's Store at 1450 Mt. Zion Road to add beer coolers and seating necessary to apply for the liquor license permit to allow them to sell beer and wine. This is a 2,070 sq. ft. addition.

Mr. Thomas stated part of the requirements for the liquor license is to have 30 seats to classify as a restaurant area. They will be adding new bathrooms, the seating area and walk-in cooler for the beer sales. This will be an expansion 30 ft. off the back of the building. The intent is to remove some of the excess parking in the rear to balance out the impervious coverage on the site. They will be updating the dumpster enclosure to replace the arborvitae screen, since the plants have died. He noted they are eliminating 8 spaces on the one back and 10 on the other side. He noted they still will meet parking standards.

It was noted that Staff is requesting the Board of Supervisors to approve a fee in lieu of construction of improvements, since the Township is creating a corridor improvement plan on Mt. Zion Road.

Discussion was held regarding the recommendation of Staff to have the applicant consider a basin retrofit rather than a full waiver of stormwater management.

B. LD-2019-06 Stonewood Logistics Center - 125 Stonewood Road

Tom Englerth, Site Design Concepts

Jerry Watson

Ms. Fieldhouse stated this parcel sits on 11 acre owned by Penna Perlite, which is an industrial processing of perlite prepared for distribution. The applicant is proposing a 225,000 sq. ft. manufacturing flex space. They will be building a shell and then later on have a tenant to do a fit-out to suit their needs.

Preliminary reviews were accomplished. The township engineer's comments were noted with no insurmountable items that were identified. Staff has no additional comments.

Mr. Englerth stated the proposed building will be served by water. They are extending Columbia Gas line to the site and also a 350 linear ft. sewer extension on Stonewood Road. The site is south of the railroad tracks past the ESA Metals facility. He noted there is a flood plain on the site. They do meet parking requirements and are providing up to 55 loading docks.

Mr. Luciani noted the applicant has not yet had their PennDOT scoping meeting which is set up for November 6, 2019. He indicated one of the comments discussed is the pump station Corbox, which was dedicated to the Township. He suggested the building has enough room to bring a sewer line out to the roadway to connect resulting in one less gravity connection.

Discussion was held regarding the use of the rail line. Mr. Watson stated they will not be putting in the rail line but if a potential user wants it they will put it in. There is an elevation change which would prevent offloading a rail car.

C. SD-2019-06 Arroyo Subdivision – 101 Lyndhurst & 3204 Eastern Blvd.

Mr. & Mrs. Chevaux

Ms. Fieldhouse stated this is a minor subdivision submitted after the deadline for the September meeting. She noted the plan has been reviewed by Staff and the township engineer. Because of the simplicity of the plan and the fact they have reviewed it several times, Staff is recommending it be moved to an Action Item. She noted the lot at the corner of the property is “L” shaped and they will be cutting off one leg of the “L”, with the property on Eastern Blvd. absorbing it. No new building lots will be created. There are two outstanding comments – one showing the minor subdivision waiver on the cover sheet and fixing a misspelling of Lyndhurst Road.

Mr. Chevaux concurred with Ms. Fieldhouse’s comments.

MR. TANZOLA MADE A MOTION TO MOVE SD-18-05 TO AN ACTION ITEM. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.

MR. TANZOLA MOVED TO RECOMMEND APPROVAL OF THE MINOR SUBDIVISION WAIVER FOR SD-19-05 TO THE BOARD OF SUPERVISORS. SECONDED BY MR. STUHRE. MOTION UNANIMOUSLY PASSED.

5. ACTION ITEMS

A SD-2019-04 Gang Minor Subdivision – 2050 & 2970 Deininger Road

Tom Englerth, Site Design Concepts

Ms. Fieldhouse indicated this project was before the Planning Commission in September. At that time the subdivision waiver was discussed during that meeting. She noted the Planning Commission made a recommendation of approval of the waiver to the Board of Supervisors at their September 26 meeting at which time they did approve the waiver to minor subdivision. What is now before the Planning Commission is approval of the plan. She noted the only outstanding condition was to ensure the existing easements which were recorded for the property are annotated and referenced on the plan.

Mr. Englerth confirmed that has been done. He noted an updated plan was sent to Staff. Ms. Fieldhouse confirmed it was received. He noted a title report was done to assure all the easements were included. Mr. Englerth stated they found an easement for the garage and for the septic system. They did not find an easement for the paved driveway. In discussion with their legal counsel they decided this was an easement by implication or prescriptive easement based on the amount of time it was there. There is a document attached to an easement which is a drawing showing the proposed access easement. He noted they conducted a title search to assure that all easements associated with the property were found.

Mr. Luciani expressed concern with the septic system not on his lot. Mr. Englerth stated the septic system and the garage are existing and recorded. He noted along with that same document is a proposed easement for the driveway. The driveway was not included in the write up of the easement; it was included in the drawing attached to it. He stated at this point his client’s

attorney is making the determination that it is a prescriptive easement because it has been there long enough that no one can shut that down.

Att. Rausch agreed they are showing it on the plan. He noted it has an existing bituminous paved driveway easement by indication. The owner of that land is acknowledging there is an existing easement.

MR. STUHRE MOVED IN THE CASE OF SD-19-04 TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF MINOR SUBDIVISION PLAN FOR PARCEL 134, WITH THE CONDITION THAT ALL APPLICABLE EXISTING EASEMENTS BE SHOWN ON THE PLAN SHEETS. SECONDED BY MR. TANZOLA. MOTION UNANIMOUSLY PASSED.

B. LD-2019-02 East York Apartments

Joshua George, Snyder Secary & Associates

Mr. George stated they presented this project as a briefing for the land development several months ago. They also presented the conditional use application, which was approved by the Board of Supervisors. Since that time they have been working on the land development plans to present at this meeting. He noted they have been reviewed by the township Staff and the township engineer. A review letter was submitted from the township engineer dated October 11, 2019.

Mr. George noted this is a 32-unit apartment complex located at 2810 East Market. It is a 2 acre parcel located behind Wendy's, Arby's and adjacent to the Mister Car Wash property. Access to the site is provided via an existing driveway onto South Northern Way and also the existing shared driveway onto East Market Street. The proposed development includes 64 parking spaces for the 32 apartments per the zoning requirements. All access is from the existing internal access drives. There are no changes to the access drives onto Northern Way or on to East Market Street.

As part of the conditional use approval, Township supervisors granted a waiver of traffic impact study because the proposed project generates a small amount of traffic relative to the existing neighborhood. Stormwater management for the project is provided by an underground seepage facility underneath the proposed parking lot. This discharges to a proposed pipe and then to an existing swale that runs to Northern Way and then to the drainage system adjacent to Northern Way at First Capital Credit Union.

Ms. Fieldhouse stated there are numerous outstanding items. She noted a revised letter was received from First Capital on October 11 but it was too late to put it in the packets. The largest of the outstanding conditions is related to stormwater management, Item #2 of First Capital's revised letter of October 11. She noted the remainder of the stormwater comments can be conditions of approval. Discussion was held regarding the stormwater comment to come up with an agreed upon condition as to how to handle it.

Mr. George indicated Comment #2 concerns the conveyance of water from an offsite property onto their site. In existing conditions there is a 12" drainage pipe on the neighboring property that flows onto their property. There is no easement related to that pipe and they do not know when it was put in and are not aware of any easements that granted the right for them to discharge a pipe onto their property.

Mr. Luciani stated his concern is that the water will be impounded on the upstream area. The water will run down the natural swale and when they develop the property with the public plaza it will create flooding issues.

Attorney Blakely stated when the neighboring property takes the water, diverts and builds it into a pipe and is discharging it that way it changes things. The owner of that property has the responsibility to handle the water discharge when they divert it. He noted the applicant's issue is they would have to take on someone else's water under this theory that is being discharged unnaturally.

Mr. George stated as the plans depict now they are proposing a stormwater collection conveyance system on their property that discharges to the same swale. He pointed out several sections of pipe on the plan to explain how the water will flow. He noted they are proposing to build out the corner to allow their building and sidewalk to be constructed. What is created is a slope and he pointed out the contour lines on the plan which will create the channel where the water is allowed to continue down and flows on the ground overtop of a proposed storm drain pipe and discharges to the existing swale, which goes to a pipe on Northern Way.

Mr. Luciani stated his concern is the pipe is 12 inches and cannot handle that much water. In addition, if the pipe were over capacity, then the water will naturally over top the pipe and flow to the lowest point. He stated the applicant will need to assure the pipe would withstand a 100 year event.

A lengthy discussion ensued.

Ms. Fieldhouse indicated with regards to the remainder of the township engineer's revised letter, more than half of the outstanding conditions were typical conditions associated with approval that Staff will work out with the developer to solidify prior to recording. This includes performance guarantees, signatures, Mylar copies, etc.. She outlined other outstanding comments to be discussed and settled prior to the Board of Supervisors, to include:

- Stormwater Comment #2 which was discussed but not resolved
- SALDO comment 22 in regards to "please label all proposed roof leader pipes in the sanitary sewer profiles".
- #31 under SALDO which refers to easements with a minimum width of 15 feet. The proposed utility pole lines are Met Ed lines which require their easement which prohibit trees. There is an overhead electric line being shown running through the middle of parking lot, where the majority of the streets are required for the size of that parking lot. The township engineer is suggesting that the line be relocated on the west side of the building. Mr. George indicated they will be working with Met Ed who will direct where the line is going to go and what the width of the easement is going to be associated with that line.
- #32 regarding a concern about how close the depth of the sanitary sewer lateral and the location of the footers and foundation for the building. Mr. George stated they are attempting to keep the sewer out of the access drive and are proposing a private lateral. Ms. Fieldhouse indicated this would be acceptable if the structural engineer verifies the proposal and identifies how it will work.

The Planning Commission determined they needed additional time to further discuss and work out the outstanding conditions with the applicant prior to submittal to the Board of Supervisors.

MR. STUHRE MOVED TO TABLE LD-2019-02 EAST YORK APARTMENTS UNTIL THE NEXT MEETING. MR. TANZOLA SECONDED. MOTION UNANIMOUSLY PASSED.

6. WAIVER RECOMMENDATIONS - None

A. Rocky Ridge Park – Waiver of Chapter 289

Jason Wolf, C.S. Davidson

Ms. Fieldhouse stated the Parks and Recreation for the County is proposing to construct a 3700 linear foot trail to run parallel with the existing access drive. The multi-use trail will be paved 8' to 10' and will be offset from the access drive by approximately 30' which will go through an existing wooded area. She noted there are very few improvements necessary associated with this trail, other than the need to make sure the grading and stormwater work, so Staff is suggesting running it as a Level 3 stormwater management review as part of the building permit process. Mr. Wolf is requesting a waiver of land development and subdivision. Mr. Luciani has been reviewing and providing comment relative to the stormwater management.

MR. ROBERTSON MOVED TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE WAIVER FOR LAND DEVELOPMENT AND SUBDIVISION FOR MULTI-USE TRAIL DEVELOPMENT ROCKY RIDGE PARK 2019. SECONDED BY MR. TANZOLA. MOTION UNANIMOUSLY PASSED.

7. OLD BUSINESS – None

8. ADJOURNMENT

VICE CHAIRMAN ROBERTSON ADJOURNED THE MEETING AT 8:35 P.M.

Respectfully submitted,

Secretary

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