

MINUTES
WEST MANHEIM TOWNSHIP
PLANNING COMMISSION MEETING
THURSDAY, MARCH 20, 2008

ITEM NO. 1 Meeting Called to Order

The regular meeting of the West Manheim Township Planning Commission was called to order at 6:00 p.m., by Chairman Darrell Raubenstine, followed by the Pledge of Allegiance.

ITEM NO. 2 Roll Call

The roll was called, and the following Commission Members were present: Chairman Darrell Raubenstine, Keith Fralic, Jim Myers, Ed Allison and Andrew Hoffman. The following Commission members were absent: Scott Barnhart and Frank Morrison. Also present were Andy Richardson, Township Manager; Mike Knouse, C.S. Davidson; and Linus Fenicle, Reager & Adler, PC.

ITEM NO. 3 Approval of Minutes

In reference to the February 20, 2008 minutes, Jim Myers noted that on page 5 of 7, he would like to clarify the section where he indicated the preferred fence height to be 3 feet up to the property line. He said for clarification, he would like the correction to read, the fence to be 3 feet high, and up to the property line. With the following corrections, Jim Myers made a motion to approve the minutes from the February 21, 2008 Planning Commission meeting, seconded by Andy Hoffman. ***The motion carried.***

ITEM NO. 4 Correspondence

The following correspondences were received:

- 1). Letter from James Piet dated March 17, 2008 on The Werner Properties (Preserve at Codorus Creek IV) stating that the engineering will be continuing under the Sharrah Design Group, Inc., and a request for an extension review date to July 4, 2008.
- 2). Letter from Chester B. & Margie M. Utz of 93 Utz Drive requesting that a 10 acre parcel of agricultural land be removed from Ag-Security.
- 3). Extension letters dated March from Hanover Land Services for New Age Associates-Giant, Joshua Hill, Warner Farm, James Horak, and John & Martha Halter.

ITEM NO. 5 Visitors

Chairman Darrell Raubenstein asked if there were any visitors present that wished to address the Commission, and received no reply.

ITEM NO. 6 Public Comment – Items Not Listed on Agenda

Gerald Funks, GHI, representing Southpointe Phase III said he was working with the lawyer for Ryan Homes regarding the new homeowners association for phase three. They noticed that one of the lots was the same number as the pump station which is lot 326. He said any other lot it would not have been an issue, but that lot is noted in correspondence as well as included in the original homeowners association. He said to avoid issues in the future they assigned a new number, changing lot 326 to 333 on the Phase III Parcel I plan. The pump station lot # will remain

Keith Fralic made a motion to recommend approval to the Board of Supervisors for lot renumbering of Southpointe Phase III Lot 326, seconded by Jim Myers. ***The motion carried.***

ITEM NO. 7 Emergency Services Group Report

Mike Hampton was not present to report on Emergency Services comments; however, comments for Chester and Margie Utz, 401 Fairview Drive, and Homestead Acres were provided to the Planning Commission for review.

ITEM NO. 8 Report from Zoning/Hearing Board

- A. Glenn Auchey, Jr.- 401 Fairview Dr. Final Subdivision - Public Hearing March 18, 2008 Application for a Conditional Use Special Exception for one new single family residential dwelling unit that will use an on-lot septic system.

Andy Richardson, Township Manager, said the application for Glen Auchey, Jr. was approved by the Board of Supervisors at the public hearing on March 18, 2008.

- B. Andy Bealing - 109 Arwco Drive –Public Hearing March 18, 2008 - Application for a request to rezone a portion of land located at 93 Utz Drive from its current agricultural zoning to residential zoning.

Andy Richardson, Township Manager, said the application for Glen Auchey, Jr. was approved by the Board of Supervisors at the public hearing on March 18, 2008.

ITEM NO. 9 Old Business

- A. John H. & Martha E. Halter – Westminster Rd. & Fairview Dr.-4 Lot Final Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. The motion carried.

- B. Joshua Hill Farm – Mussleman Rd. - 124 Lot Preliminary Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. **The motion carried.**

- C. The Warner Farm -Randy S. Warner –SE Side Pleasant Hill Rd. - 15 Lot Preliminary Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. **The motion carried.**

- D. Chestnut Hill –Pat Stambaugh- N. Side Fuhrman Mill Rd. / NE Side of Oakwood Dr.17 Lot Preliminary Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. **The motion carried.**

- E. Orchard Estates –Gobrecht- Shorbs Hill Rd. - 56 Lot Preliminary Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. ***The motion carried.***

F. Dwight F. & Pamela D. Myers - NW Corner of Glenville Rd. & Edna Myers Lane- 3 Lot Final Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. ***The motion carried.***

G. Preserve at Codorus Creek IV – Baltimore Pike - 79 Lot Preliminary Plan

Bob Sharrah, Sharrah Design Group, Inc. was present to represent the plan. He said as a result of the comments from the township engineer about the previous designers layout they made revisions to the east side. He showed the location on the map. He said one of the suggestions from the engineer was to connect the road to Pleasant Hill Road to eliminate the bad intersection on Rt. 94. He showed how this was demonstrated on the land as shown on the plan provided. He said contrary to one plan there is no land left in terms of a right-of-way that has already been platted to construct the road. There is an existing alley that comes down and winds back around which picks up the Becker house. He said the Hinkley house is located on the other side. He said someone needs to make the decision if this is what they really would like to do because it would require taking the land to make the road connection.

Mike Knouse, C.S. Davidson said this was at their direction of trying to facilitate alignment of the roads.

Marty Hill, Woodhaven Building & Development said they were told to do this so that there would be a tie into Pleasant Hill to improve access out onto Baltimore Pike. They have gone as far as they can on their property by providing this information. If they do this is it going to accomplish anything for the township? In their opinion the only way this would accomplish anything is if the township is prepared to take the land to make the connection. They are happy with what the township wants and they don't have a problem with it, but before they finalize anything they thought it was worthwhile to get direction.

Chairman Darrell Raubenstine asked if this is feasibly possible from an engineering perspective.

Bob Sharrah, Sharrah Design Group said yes it can be done but there is no existing right-of-way to achieve it inside.

Chairman Darrell Raubenstine said he would like to see the developer approach the homeowners and see if they are willing to make a deal. If not he would suggest that they ask the Board of Supervisors for eminent domain. He said this would be his suggestion to the Planning Commission.

Marty Hill, Woodhaven Building & Development said they are willing to approach the homeowners.

Chairman Darrell Raubenstine asked if there were any members of the Planning Commission that did not want this to be done. There were no commission members that were opposed. He said if the homeowners would like to talk to the Planning Commission they would be willing to meet with them.

Bob Sharrah, Sharrah Design Group also showed the location of Baltimore Pike, the new cross intersection and the fire department on the plans. He showed the area for the proposed emergency access that would go up to the paved part that backs up to the fire department. This is adjacent to the sand mounds that would not affect the ball fields. He said this is not a full length street but it is intended for emergency access only.

Raubenstine said a letter of request for an extension of review time has been received.

Jim Myers made a motion to table the Plan, seconded by Ed Allison, including the following conditions: the developer will agree to approach the three homeowners for a deed of right-of-way, schedule a meeting with the fire department to discuss the emergency access and location, and provide to the township a copy of the correspondence from Penn Dot regarding emergency access and the roadway location. ***The motion carried.***

H. Fox Run Village – S & A Homes – Fox Run Rd. - 25 Lot Final Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. ***The motion carried.***

I. Homestead Acres – J.A. Myers – Oakwood Dr. & Valley View Dr.-134 –Lot Preliminary Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. ***The motion carried.***

J. Northfield Joint Venture c/o Michael Roepcke – Phase II – Pumping Station Rd. & East of Baltimore Pike - 52 - Lot Preliminary Subdivision Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. ***The motion carried.***

K. Benrus L. Stambaugh II, et al – 1 Lot Land Development Plan -Brunswick Dr. & Oak Hills Drive

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. ***The motion carried.***

L. James E. Horak & Donald L. Yorlets – Fairview Dr. - 6 Lots – Preliminary Subdivision Plan

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. Darrell Raubenstine and Andy Hoffman were in favor. Keith Fralic abstained. ***The motion carried.***

M. Charles Bowman III, Executor for Charles & Beatty Bowman Estates - Bowan Property – Residential - 2855 Black Rock Road - 3 Add on lots

Chairman Darrell Raubenstine asked for a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Ed Allison. ***The motion carried.***

N. Glenn & Jennifer Auchey - 401 Fairview Drive - 2 Lots - Final Plan

Loss-Stair Civil Engineering representative presented the plan on behalf of the applicant. He said the comments received by C.S. Davidson were being addressed. He said they located the utility items noted in the engineering comments and these items have been included on the plans that were forwarded to C.S. Davidson.

Chairman Darrell Raubenstine asked if the commission could act until approval was received from DEP?

Linus Fenicle, Solicitor said the commission can recommend approval to the Board of Supervisors subject to any conditions and pending comments received from DEP. Conditions would be DEP approval of the planning module, to place laterals to the street or place security for the laterals in case of public sewer being run, and post security for the installation of the holding tank and pumping in case of malfunction of the on-lot systems.

Chairman Darrell Raubenstine said he would also like to include street widening and curbing on the plans.

Mike Knouse, C.S. Davidson said he will request the four waivers, as indicated on the comment letter, to be included on the plans.

After further discussion with the representative and applicant the planning commission made a motion to table the plan.

Jim Myers made a motion to table the Plan, seconded by Andy Hoffman with the understanding that the applicant will need to address any outstanding conditions and clearly identify any items that need to be included on the plans. ***The motion carried.***

ITEM NO.10 New Business

A. Chester B. & Margie M. Utz - 93 Utz Drive - 4 Lots – Minor Subdivision-Final Plan

- Planning Module – (DEP) Pa Dept. of Environmental Protection

Chairman Darrell Raubenstine asked for a motion to sign the planning module and pass on to the Board of Supervisors.

Andy Hoffman moved to authorize the signature of the Sewage and Planning Module, seconded by Ed Allison. ***The motion carried.***

Doug Barmoy, Hanover Land Services was present to represent the plan. He distributed plans to the commission that addressed comments issued by C.S. Davidson. He said that bonding, modules and agreements need to still be addressed. Comments submitted by C.S. Davidson indicated that the preliminary plan is required for subdivisions that require public improvements. A formal waiver request was to be submitted to the township. They did send a letter to the township to request a waiver for Section 304. He said that the plan does not include public improvements due to the road being a private road.

Chairman Darrell Raubenstine reviewed the comments that were submitted in the packet by Emergency Services.

The Commission discussed the Emergency Services comments as submitted, #3 regarding roadways (driveways) must have an all-weather surface and be able to support imposed loads of up to 75,000 pounds. After further discussion their decision needs to be based on the adopted ordinances for the road load. This information is not included in the appendices for the Uniform Construction Code and the adopted fire code.

The Commission discussed further what the load capability was for the roads as well as the road being prepared with a stone base.

Doug Barmoy said they would contact Mike Hampton and schedule a meeting to discuss the road load.

Andy Bealing verbally agreed to place additional stone in the existing cul-de-sac.

Mike Knouse, C.S. Davidson referenced comments dated February 27, 2008. The plans need to indicate the shared maintenance agreement and planning module number.

The cul-de-sac at the end of the private road should be stoned. It was also recommended that the right-of-way be extended to the property line of lot 4.

Doug Barmoy agreed to include a "snow easement" area on the plans for snow storage.

Andy Bealing verbally agreed to incur some of the additional costs associated with the legal advertising fees.

Ed Allison made a motion for a conditional approval to the Board of Supervisors subject to the following above mentioned third party issues and agreements and recommend that the right-of-way be extended to the property line of lot 4, also including a waiver of the submittal of a preliminary plan, seconded by Jim Myers. Keith Fralic and Darrell Raubenstine was in favor. Andy Hoffman was opposed. ***The motion carried.***

- B. Eric & Lisa Hersh – 441 Sunset Drive – Application for a variance to Well Ordinance (#03-2002) requiring a 30 foot setback to any structure. The noncompliance of the existing well must be approved.

Andy Richardson said the applicant has not paid the required fees, therefore the application will not be considered.

Ed Allison made a motion to table the Plan, seconded by Keith Fralic. ***The motion carried.***

ITEM NO. 11 Signing of Approved Plans

There was no new business to discuss.

ITEM NO. 12 Zoning Officer

- A. S & A Custom Built Homes, Inc. Fuhrman Mill Rd. – Application to request a variance to the required setbacks due to updated wetlands delineation.

Andy Richardson said S & A Custom Built Homes has withdrawn their application.

ITEM NO. 13 Sketch Plans and Other Business

Mike Knouse, C.S. Davidson, reviewed the information he provided to the commission that included a table of contents regarding an ordinance amending ordinance 2-86 dealing with stormwater management; inspections; fees; maintenance of facilities; enforcement and penalties for violations.

ITEM NO. 14 Public Comment

There was no one present from the public to address the Commission.

ITEM NO. 15 Next Meeting

The next Planning Commission meeting is scheduled for Thursday, April 17, 2008 at 6:00PM.

ITEM NO. 16 Adjournment

Adjournment was at 8:45 p.m. in a motion by Keith Fralic, and seconded by Ed Allison.

The motion carried.

RESPECTFULLY SUBMITTED,

LAURA GATELY
RECORDING SECRETARY