

MINUTES  
WEST MANHEIM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
THURSDAY, JUNE 18, 2009

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 Jim Myers, followed by the Pledge of Allegiance.

ITEM NO. 2 Roll Call

The roll was called, and the following Commission Members were present: Chairman, Jim Myers, Darrell Raubenstine, Grant Reichart and Andrew Hoffman. Also present was Mike Knouse, C.S. Davidson.

ITEM NO. 3 Approval of Minutes

Andy Hoffman made a motion to approve the minutes from the May 21, 2009 Planning Commission meeting, seconded by Grant Reichart. ***The motion carried.***

ITEM NO. 4 Correspondence

Jim Myers, Chairman reported that the following correspondences were received:

- 1). Correspondence to Kristeen Hinkley from Woodhaven Building & Development dated June 11, 2009 regarding the acquisition of a portion of 2890 Pleasant Hill Road for Public Road Right-of-way.

ITEM NO. 5 Visitors

Chairman Jim Myers 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

Chairman Jim Myers asked if there were any visitors present that wished to discuss anything specific not on the agenda, and received no reply.

ITEM NO. 7 Emergency Services Group Report

Mike Hampton was not present to report on Emergency Services comments. Comments were submitted to the Planning Commission regarding the final land development plan for Sheetz, Inc.; of Lands of John E. Davis and final subdivision plan for John Bond and Angela M. Schmuck.

ITEM NO. 8 Report from Zoning/Hearing Board

There was no new business to discuss.

ITEM NO. 9 Old Business

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission. He asked for a motion to table the plan.

Darrell Raubenstine made a motion to table the Plan, seconded by Grant Reichart. ***The motion carried.***

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to recommend denial of the plan; seconded by Andy Hoffman, unless a written request for extension of review time is received before the next Board of Supervisors meeting.  
***The motion carried.***

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission. He asked for a motion to table the plan.

Darrell Raubenstine made a motion to table the Plan, seconded by Grant Reichart. ***The motion carried.***

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission. He asked for a motion to table the plan.

Darrell Raubenstine made a motion to table the Plan, seconded by Grant Reichart. ***The motion carried.***

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to recommend denial of the plan; seconded by Grant Reichart, unless a written request for extension of review time is received before the next Board of Supervisors meeting.  
***The motion carried.***

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to recommend denial of the plan; seconded by Grant Reichart, unless a written request for extension of review time is received before the next Board of Supervisors meeting.  
***The motion carried.***

ITEM NO. 10      New Business

A. John Bond and Angela Schmuck – Skylite Drive Near intersection of Windy Court – 3-Lot Final Subdivision Plan

Mike Knouse, C.S. Davidson, stated that the following items still need to be addressed by the applicant. Provide the required signatures for the plan prior to final approval; obtain approval for the planning module from DEP;

owner's statement should be signed and notarized prior to final plan approval; provide a copy of the private deed restrictions, as may be imposed upon the property as a condition of sale by the present owner; public improvement security should be furnished to the township, and provide an access and maintenance agreement for the private road. He reported that the remaining engineering comments have been addressed. This includes comments from emergency services as well as York County Planning.

Darrell Raubenstine would like to have the applicant include a utility easement around the outside of the perimeter of the property.

Mike Knouse, C.S. Davidson said that the 50 foot right-of-way is also defined as a utility easement.

Chairman Jim Myers asked about the waiver requests.

Mike Knouse said the waivers are indicated on the plans. The first waiver request is from the preliminary plan requirement in accordance with Section 304. He said there are no benefits in this case. The second waiver request is to not be required to provide street lights in accordance with Section 607. The property is located on a private road. He would ask that the Planning Commission consider the waivers requests.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors for the waiver requests as listed on the plans for the requirements to Sections 304 of the Subdivision & Land Development Ordinance (SALDO) that the preliminary plan process be waived and be permitted to move onto final plan, and Section 607 of the Subdivision and Land Development Ordinance (SALDO), regarding street lights, seconded by Andy Hoffman. ***The motion carried.***

Darrell Raubenstine made a motion to recommend approval of the Final Subdivision Plan with the addition of the easement on the north east side, subject to the approval from DEP on the Sewage Planning Module, as well as any other outstanding items from outside agencies, seconded by Grant Reichart. ***The motion carried.***

B. Sheetz, Inc. / Land of John E. Davis – SW Corner of Brunswick Dr. & Baltimore Pike  
1-Lot - Final Plan/Land Development Plan

Scott Barnhart, Hanover Land Services was present to represent the applicant. He submitted updated plans to the Planning Commission members. He said the property is 2 parcels of land located at Brunswick Drive and Baltimore Pike. They are proposing a "reverse subdivision" of the two parcels which he referred to as Parcel A and Parcel B. They are proposing to combine the two parcels together and then do a "reverse subdivision". He said this is a convenience store/gas service station that is approximately 5,000 sq. ft. and will include two gas pump islands. They are proposing a new right-in off of Brunswick Drive approximately 120 ft. back from the stop bar at Rt. 94. This is a right-in only because they did not want to deal with a right-out going into a stack lane at the light. They are also taking the existing curb cut located on Rt. 94 and moving it as far south as possible on Rt. 94 to obtain additional separation distance between the intersection and the new right-in/right-out. This is being permitted by PennDot for their approval. The planning module was approved by the Board of Supervisors to be presented to DEP. They have discussed the location of the Knox boxes with EMA. He said they are asking for a waiver to go to final plan. He said the other waiver as shown on Sheet 1, #19 includes the street widths along the existing Brunswick Drive and Rt. 94. This information was included on the revised plan that was submitted this evening to the commission.

Mike Knouse, C.S. Davidson said the applicant will still need to address the issue related to the sidewalk. He said the plan with need to be signed and sealed, any outside approvals such as the Highway Occupancy Permit will need to approved, owners' statement before plan approval, deed restrictions, public improvement security, furnish the required documentation from MetEd for approval, and provide a revised access and maintenance agreement.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors for the waiver requests as listed on Sheet 1, #19 of the plans for the existing street width along the existing Brunswick Drive and Rt. 94 as shown on revised plans and the waiver request to move onto final plan, seconded by Andy Hoffman. **The motion carried.**

Darrell Raubenstine made a motion for a favorable recommendation of the final plan/land development to the Board of Supervisors subject to the approval from the outside agencies as noted by the engineer, including the condition related to the sidewalk along Baltimore Pike, seconded by Andy Hoffman. Grant Reichart was in favor. Jim Myers was opposed. **The motion carried.**

ITEM NO. 11      Signing of Approved Plans

There was no new business to discuss.

ITEM NO. 12      Zoning Officer

- A. Application: Case – VA - #03 - 06/05/09 – 2234 Baltimore Pike  
Applicant: Manny Rivera (Silverleaf Builders) – Gerald Applefeld - Application for a Variance to enlarge the front porch from front to back by 16” to comply with ADA regulations.

Manny Rivera, Silverleaf Builders was present on behalf of the applicant Gerald Applefeld. He said the applicant would like to build a new porch onto the property to enlarge the porch to include a handicapped ramp off the left hand side.

Gerald Applefeld, owner said they are doing what they can to comply with the current codes. He said over the past 13 years they have had one handicapped individual ask for service, therefore; he is trying to be pro-active. He said the previous owner of the property had big overhead double doors located at the front of the building. He said a concrete ramp was poured and used to move equipment in and out of the building. This was not needed for his type of property use which he closed over with the concrete still remaining. He now has the issue, and because they are within the setbacks from the property line, and they have no way to control this, a ramp installed on this side would extend the parked cars further into the setbacks making it more difficult for traffic flow. He said once phase three of the sewer system is constructed they plan to have the rear of the property repaved. He has hesitated in installing additional parking in the rear before the new sewer system is installed. They are trying to make it convenient for drivers to get in and out of the property easily and not interfere with the property setbacks. He said the contractor has already planned where the bottom of the ramp will be located so that it would remain in the flat area.

Darrell Raubenstine made a favorable recommendation for approval to the Zoning Hearing Board, seconded by Grant Reichart. **The motion carried.**

ITEM NO. 13      Sketch Plans and Other Business

Mike Knouse said the Subdivision and Land Development Ordinance (SALDO) will be distributed for review at the next Planning Commission meeting. He said the Comprehensive Plan and amendments were given a favorable recommendation by the York County Planning Commission in June. They did have comments regarding the zoning and would like to resubmit after review by the solicitor. The timeline is for the supervisor’s public hearing sometime in September.

ITEM NO. 14      Public Comment

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission. 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, July 16, 2009 at 6:00 pm.

ITEM NO. 16      Adjournment

Adjournment was at 7:00 p.m. in a motion by Andy Hoffman, and seconded by Grant Reichart.  
***The motion carried.***

RESPECTFULLY SUBMITTED,

LAURA GATELY  
RECORDING SECRETARY