

MINUTES
WEST MANHEIM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
THURSDAY, OCTOBER 15, 2009
6:00 PM

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, Andrew Hoffman and Duane Diehl. Also present was Scott Barnhart, Interim Township Manager and Mike Knouse, C.S. Davidson.

ITEM NO. 3 Approval of Minutes

In reference to the September 17, 2009 minutes, Andrew Hoffman noted that on page 4, the last sentence noted his comments as a favorable recommendation to the Zoning Hearing Board for Item No. 10 New Business: (C). Application: Case - VA/SE #06-09/04/09 – 590 Impounding Dam Rd, Application for Carl & Brenda Grubb. He stated that it should be an unfavorable recommendation to the Zoning Hearing Board.

With the following corrections, Darrell Raubenstine made a motion to approve the minutes from the September 17, 2009 Planning Commission meeting, seconded by Andrew Hoffman. ***The motion carried.***

ITEM NO. 4 Correspondence

Jim Myers, Chairman reported that there were no correspondence received.

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.

ITEM NO. 8 Report from Zoning/Hearing Board

- A. Application: Case – VA - #05 – 08/07/09 – 41 Bonnie Court
Applicant: James C. & Catherine M. Reiblich – Application for a Variance to install a 24' x 24' 2-car attached garage on the east end of the house.

Scott Barnhart, Interim Township Manager reported that on September 22, 2009 the Zoning Hearing Board heard the case for James and Catherine Reiblich. He said the case for a variance to install a 24' x 24' 2-car attached garage on the east end of the house was denied. The findings and facts and conclusions of law will be written by the solicitor.

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.

Mike Knouse, C.S. Davidson said he had nothing new to report to the Commission.

Andrew Hoffman made a motion to recommend denial of the plan; seconded by Darrell Raubenstine, unless a written request for extension of review time is received before the next Board of Supervisors meeting on November 5, 2009. ***The motion carried.***

B. Marlee Hill Farm (Preserve at Codorus Creek IV) – Baltimore Pike – 79 Lot Preliminary Plan

Martin K.P. Hill was present on behalf of Woodhaven Development. He said also present tonight is Robert Sharrah, Sharrah Design Group. Mr. Sharrah provided revised preliminary drawings. Mr. Hill said he wanted to provide a review of the background of the plan. He said in 2005 the Werner family entered into an agreement with the developer and submitted a preliminary plan for the property known as Preserve at Codorus Creek. The plan was submitted to the township and it was accepted as properly submitted and comments were returned to the developer for the property owner. In late 2006 the Warner family approached Woodhaven about taking over the project because it was obvious that the previous developer they had partnered with was not going to be able to perform. In June 2007 when the plan extension was requested they advised that the project engineer would now be Robert A. Sharrah of Sharrah Design Group. He said the next step they met with the township representatives as well as the engineer and developed a scoping for a traffic study which was completed. They presented to the Planning Commission in January 2008 their concept and to receive feedback on the revised plans as a result of the comments from the engineer. He said some of the issue they were made aware of included providing another access on the west side of the property on Rt. 94. He said they were able to negotiate an access with the fire department that would provide access for emergency services. In July 2008 they met with township residents that reside off of Pleasant Hill Road. The township requested them to look into extending the interior road in the community out to the existing Pleasant Hill Road. The idea would be that the existing Pleasant Hill Road intersection with Route 94 due to not being safe. Since the first meeting they have met and have been able to negotiate right-of-way through the three properties to allow the road located in the community to be extended to the corner of the existing Pleasant Hill Road, and at the developers expense the road will be constructed as part of the Marlee Hill Plan. He said they would be installing a wastewater treatment plant that will provide sewer for Joshua Hill as well as Marlee Hill and the Werner property. The Planning Module was approved by DEP, and the plant plans are being reviewed.

Robert Sharrah, Sharrah Design Group said the connection and the ability to do something with a bad intersection at Pleasant Hill and Baltimore Pike will include additional left turn lanes on Baltimore Pike that will make it safer for everyone. He said improvements have been made at Musselman Road and Baltimore Pike because of the anticipated traffic coming from Joshua Hill. He said regarding Marlee Hill as a part of NPDES program they are making environmental planting improvements with significant tree planting along the stream corridor that is tributary to the Hanover Water Supply.

Mr. Hill said they are trying to provide buffers wherever they can. He said he would be glad to answer any questions.

Chairman Jim Myers asked Mr. Hill about the pumping station as provided on the previous plan.

Mr. Hill said the concept has always been that they construct a sewage treatment plant with a significant pump station as the first component. As long as there is no other public sewer available the pump station will pump into the treatment plant. At such time that the Penn Township lines will run down where they can be connected there is the ability to reroute from that pump station into the available municipal lines. They feel they need to

install the treatment plant in order to get the project moving. He said down the road they are open to anything that is reasonable because a sewage treatment plant is not a money maker it just pays its way.

Darrell Raubenstine asked Mr. Hill if he would be using the new lighting setup that is provided in the new township zoning ordinance, especially in the residential area.

Mr. Hill said they would look at that opportunity and discuss it and see what might be workable and what is required. He said they would review the requirements and see if they can do something that meets the intent. He said they thought it would be worthwhile to point out that they have been working on addressing the comments they received both from the engineer and the planning commission.

Chairman Jim Myers asked if the emergency access road is paved.

Mr. Hill said yes they will take the responsibility of paving beyond their property line that would tie into the interior loop. He thanked the commission for their time.

Andy Hoffman asked if there was a Homeowner's Association that would maintain the open space.

Mr. Hill said yes.

Andy Hoffman asked the definition of forest conservation easement.

Mr. Sharrah said they will be planting trees and because they are receiving credit from the conservation district, and the NPDES permit requires that the planted trees be preserved.

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.

Andy Hoffman made a motion to table the Plan, seconded by Darrell Raubenstine. ***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.

Andy Hoffman 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.

Andy Hoffman 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. He asked for a motion to table the plan.

Andy Hoffman made a motion to table the Plan, seconded by Grant Reichart. ***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. He asked for a motion to table the plan.

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

ITEM NO. 10 New Business

- A. Applicant: Joseph A. Myers – 2001 Oakwood Drive & 5 acres along Oakwood Drive
Application for a Conditional Use pursuant to Article 4, Section 1.4A3, which permits single family attached dwellings by conditional use provided the specific requirements set forth in Article 7, Section 4.19 and/or Article 6, Section 3 are met and the general requirements of Article 4, Section 1.6 are met.

Dan Frey, Attorney, Barley Snyder, LLC was present on behalf of the applicant Joseph Myers. The application for a conditional use under the zoning ordinance was filed and attached to the application are two deeds. The property being discussed is the preliminary plan for Homestead Acres. The property is presently zoned residential. Mr. Myers is seeking a conditional use for a single family attached dwelling; Article 4, Section 1.4A3. In order to obtain approval of a conditional they will need to demonstrate to the township planning commission and the board of supervisors that the applicant meets the general criteria and specific use standards set forth in Article 7, Section 4.1; Section 3 of Article 6 of the ordinance and general requirements for all uses set forth in Article 4, Section 1.6. He said that Mr. Myers is present tonight if the commission would have any questions. He said that Brian Reisinger, HRG, Inc. is also present to answer any engineering questions. He said he would like to review the following sections regarding the application in the following order; the first section Article 7, Section 4.19, and then he would review the criteria for Section 4, Section 1.5, which refers to the area of regulations for a single family attached dwelling. The next section he would be reviewing is Article 4, Section 1.6 general requirements for all uses. He said Section D refers to the zoning. He would then review Article 6, Section 1.3 regarding the steep slope protection overlay requirements. Section 1.5 is regarding surface water protection. Section 1.6 is wetland protection overlay. Section 2, floodplain protection, Section 3, conservation subdivision overlay, Section 4, Historic Preservation. He said paragraph C, general requirement is regarding the standards of use found in Article 7, Section 2, accessory building uses, Section 4, specific use standards, Article 8, signs, Article 9, off-street parking and loading, Article 10, landscaping, buffering, screening and lighting. The application includes the deeds and the townhouse models, single family attached townhouses. He said for purposes of this hearing he would refer to the deeds as Exhibit 1 and the townhouse models as Exhibit 2. He asked the engineer to state his name and who he is employed by.

Brian Reisinger, stated his name and said he was employed with Herbert Rowland and Groubic, Inc.

Mr. Frey asked if he was engaged by Mr. Myers to design a sketch that purports to meet the requirements for the conditional use for the project.

Mr. Reisinger answered yes.

Mr. Frey said attached to the application is a smaller drawing of the conditional use sketch plan and a larger drawing of the same sketch plan was provided during the meeting that was attached to the application.

Mr. Reisinger answered yes.

Mr. Frey said for purposes of the hearing he would like to have it considered as applicant Exhibit 3. Article 7, Section 4.19, he noted that the first requirement is regarding the maximum density. The maximum density shall be twelve dwelling units per acre. He asked Mr. Reisinger how many units were being proposed for the development.

Mr. Reisinger said they are proposing 396 dwellings on 83.69 acres which calculates to 5 units per acre.

Mr. Frey said that is less than twelve dwelling units.

Mr. Reisinger said that is correct.

Mr. Frey asked for the calculation. He distributed additional handouts to the commission for review which is Exhibit 4 that includes the calculations and the number of dwellings. He said the second requirement states there should be no more than six dwelling units in any one row. He asked Mr. Reisinger what the proposed maximum number of dwelling units in any one row.

Mr. Reisinger said they are proposing four unit buildings and six unit buildings. The maximum would be six buildings in any one row.

Mr. Frey said the third requirement states that all dwelling units must be connected to centralized sewer and water system. He asked Mr. Reisinger how this was going to be handled for the project.

Mr. Reisinger said they are proposing that all of the units will be connected to the West Manheim Township sewer interceptor which is about 700 feet west of the site, and all of the units will be connected to the York Water Company lines which has just been placed into Oakwood Drive.

Mr. Frey asked if they have contacted York Water Company to see if they will make water available.

Mr. Reisinger said yes. A copy of the letter has been provided as part of the application.

Mr. Frey said requirement four states the minimum required setbacks. He asked Mr. Reisinger to explain the off-street parking and the minimum setbacks.

Mr. Reisinger said there are fourteen common off-street parking areas, and all parking areas are setback from all property lines a minimum of 25 feet.

Mr. Frey asked Mr. Reisinger to identify the parking areas on the provided drawing.

Mr. Reisinger showed the parking areas on the drawing.

Mr. Frey said they are a minimum of 25 feet from every adjoining property line.

Mr. Reisinger said that is correct.

Mr. Frey said will they encroach in any required buffered guard as the plan is designed.

Mr. Reisinger answered no they will not.

Mr. Frey said is it the intent of the applicant and as the engineer if the conditional use request is approved to take it to land development subdivision that it will meet the requirements of Article 10 which deals with buffering and landscaping.

Mr. Reisinger said yes.

Mr. Frey said four A requires a certain minimum yard space of 40 feet between walls. He asked Mr. Reisinger what is proposed. He asked him to demonstrate this on the plan.

Mr. Reisinger said all buildings are a minimum 40 feet from end wall to end wall or at the intersections from the rear space of the buildings he demonstrated on the plan provided.

Mr. Frey said the fifth requirement states that a minimum of 30 percent of the total tract area must be designated and maintained in its common open space. The responsibility for the open space shall be with the land owner. They have provided calculations with respect to the minimum percent designated and maintained as private space for the project.

Mr. Reisinger said yes, 30 percent of the total tract area or 25.11 acres they are proposing 35.4 acres of common open space.

Mr. Frey said it exceeds the minimum.

Mr. Reisinger said that is correct.

Mr. Frey said the calculation is Exhibit 5 provided in the packet. Requirement six is the provisions for further maintenance of all common areas including parks and recreation. There would be a homeowners association on a planned community under the state planned community act. This would pose the responsibility and maintenance of all common areas of the planned community which is commonly referred to as the homeowners association.

Chairman Jim Myers asked if this included the parking spaces.

Mr. Reisinger said this does not include the parking spaces but just the land around the parking spaces.

Mr. Frey said for the benefit of the Planning Commission the homeowner association planned community documents and bylaws are part of the approval process and are reviewed by the solicitor. Article 4, Section 1 is permitted under A3 single family attached dwellings.

Mr. Reisinger said that is correct.

Mr. Frey said Section 1.5 refers to area regulations. He asked if there were other area regulations within the zoning ordinance with respect to single family attached dwellings.

Mr. Reisinger said they meet the requirements of the conservation subdivision overlay zoning district which have their own dimensional and area regulations rather than just the ones listed in the residential zoning district.

Mr. Frey said with regards to Section 1.5 area regulations he asked Mr. Reisinger if they meet the requirements.

Mr. Reisinger said they meet all of them except for the required rear setback which they meet for the required setback for the conservation subdivision overlay.

Mr. Frey said Section 1.6 general requirements for all uses. The first requirement is regarding the water and sewage. He said they have indicated it is proposed to provide sewer and water. He said regarding the zoning overlays, the first overlay is the natural features overlay district found in Section 1.3, Article 6, steep slope protection overlay. He asked Mr. Reisinger was he was required to provide for the steep slope protection overlay zone with regards to the design and ultimately the subdivision.

Mr. Reisinger said they are required to have a topographic survey of the property, which is provided on the sketch. He said the different colors on the drawing represent 12-15% slopes, 15-18% slopes, 18-25% slopes and greater than 25% slopes.

Mr. Frey said on slopes less than 25%, what uses are regulated.

Mr. Reisinger said they fall to uses that are allowed in the actual residential zone.

Mr. Frey said single family attached dwellings if the conditional use is obtained are permitted.

Mr. Reisinger said that is correct.

Mr. Frey said on slopes less than 25%. He said slopes greater than 25% on that was planned.

Mr. Reisinger said it would be the common open space.

Mr. Frey asked if Mr. Myers was going to have any prohibited uses such as storage of junk or unenclosed storage or stockpiling of manure.

Mr. Reisinger said no.

Mr. Frey asked if he could tell the board what is required for the disturbance limit.

Mr. Reisinger said the ordinance indicates certain requirements. He said over 25% slopes there can't be any disturbance, 18-25% you can disturb 25% of the area, 15-18% you can only disturb 50% of the area and 12-15% you can only disturb 75% of the area.

Mr. Frey said regarding the minimum lot size, it states that any portion of the lot containing a slope equal to or greater than 25% counts toward the minimum lot size.

Mr. Reisinger said no.

Mr. Frey said it is not impacting on any lots as shown on the plan.

Mr. Reisinger said correct.

Mr. Frey said regarding the setbacks, no change in existing topography which results in slopes greater than predevelopment condition. He asked Mr. Reisinger what is being done about this.

Mr. Reisinger said when they submit the grading plan with the land development plan they will show they have not changed any slopes within ten feet of the existing property line to make the slopes greater.

Mr. Frey asked Mr. Reisinger to explain the design information regarding the slopes.

Mr. Reisinger said they will follow all the regulations with the slopes according to the Pennsylvania DEP sediment control guidelines. The erosion control plan will be submitted and approved by the York County Conservation District.

Mr. Frey asked about storm water runoff.

Mr. Reisinger said they will design all the storm water management facilities in accordance with the township's storm water management ordinance. They will also be required to apply and receive a general NPDES permit.

Mr. Frey said this process will be done during the normal planning process of the subdivision.

Mr. Reisinger said correct.

Mr. Frey asked what will be done to ensure structural safety and minimize harm to the environment associated with the steep slopes shown.

Mr. Reisinger said they will follow the guidelines and regulations of the DEP's erosion and sediment control plan and the erosion control plan will be submitted and approved by the York County Conservation District.

Mr. Frey said one of the requirements is the protection of preservation of onsite and offsite valuable natural wildlife and/or plant habitats. He asked what they have done with regards to this requirement.

Mr. Reisinger said they have completed the Pennsylvania Natural Diversity Identification form with DEP. They had two hits for bog turtles and red bellied turtles. They reviewed the information as well as the site with the US Fish and Wildlife Service and PA Fish and Boat Commission and both agencies have signed off.

Mr. Frey said this is Exhibit 6, Protection and Preservation of onsite and offsite water quality. He asked if this would be addressed in the general NPDES program.

Mr. Reisinger said yes.

Mr. Frey said the protection of steep slopes on abutting properties.

Mr. Reisinger said as previously noted anything within ten feet of the property they can't make the sites greater.

Mr. Frey said Section 1.4 refers to stream protection overlay. He asked if there were any streams or water courses on the property.

Mr. Reisinger said no there are no streams or water courses on the property.

Mr. Frey asked how they know.

Mr. Reisinger said an environmental scientist visited the site and he stated in a letter that indicated there were no streams or water courses on the site.

Mr. Frey indicated this was Exhibit 7. Section 1.5 refers to surface water protection overlay. He asked if this was referenced in the memo submitted as Exhibit 7.

Mr. Reisinger said there is no surface water on the site.

Mr. Frey said and no lakes or ponds.

Mr. Reisinger said correct.

Mr. Frey said Section 1.6, wetland protection. He asked if there were wetlands within 25 feet of the subject property.

Mr. Reisinger said no there are no wetlands on the property as per the memo.

Mr. Frey said Section 2, refers to floodplain protection overlay districts. He asked if any of the property was located in the floodplain.

Mr. Reisinger said none of the property is located in Zone A, or subject to the 100 year flood as per the FEMA maps which has been provided.

Mr. Frey said this is Exhibit 8 of the packet. He said Section 3, refers to the conservation subdivision overlay. He said the overlay does apply under the new zoning because there is more than 15 acres or 83.69 acres. There is a four step design process for subdivision. He asked Mr. Reisinger if he would be following this during the preliminary and final plan process.

Mr. Reisinger said yes.

Mr. Frey said permitted uses in the conservation subdivision overlay are single family attached dwelling as a conditional use.

Mr. Reisinger said that is correct.

Mr. Frey said Section 3.5 refers to the density requirements. He asked what the density factor would be.

Mr. Reisinger said the density factor is 2,250 sq. feet per dwelling unit.

Mr. Frey said that is with centralized water and sewer.

Mr. Reisinger said yes.

Mr. Frey asked Mr. Reisinger to talk about the minimum required open space green way land calculations.

Mr. Reisinger said the minimum required open space of green way land is 25% of the adjusted tract area. The adjusted tract area, which is provided on a chart included in the ordinance.

Mr. Frey said this is Exhibit 9 of the packet.

Mr. Reisinger said after reviewing the chart the constrained land is 13.1 acres, therefore; the adjusted tract area is the gross tract area of 83.69. When the 13.1 acres of constrained land is subtracted from this the adjusted tract area equals 70.59 acres. The minimum required open space is 25% of the adjusted tract area plus the amount of the constrained land. He said that 25% of the 70.59 acres plus the 13.1 acres equals the minimum required open space of 30.75 acres.

Mr. Frey said with this project they already testified that the open space would be in excess of 30.75 acres.

Mr. Reisinger said that is correct it would be 35.4 acres.

Mr. Frey said regarding the density determination using the adjusted tract area approach. He asked if this was used to determine the number of dwelling units permitted.

Mr. Reisinger said correct. The maximum number of permitted dwelling units using the density factor and the adjusted tract area it would equal 1,366 units.

Mr. Frey asked how many units were proposed.

Mr. Reisinger said they are proposing 396.

Mr. Frey said Section 3.6 refers to conventional standards for single family attached dwellings and what is required and what is proposed. He said this is submitted as Exhibit 10 of the packet.

Mr. Reisinger said the required minimum lot area is 1,800 sq. feet per dwelling unit. They are proposing 2,400 sq. feet per dwelling unit. The required minimum lot width is 20 feet. They are proposing a minimum lot width of 20 feet per dwelling unit. The required front setback is 40 feet with the collector or local streets. They are proposing a front setback of 40 feet. The required side setback is 0 feet between attached structures and 10 feet for end units. They are proposing 0 feet and 10 feet as required. The required rear setback is 20 feet and they are proposing a rear setback of 20 feet. The required maximum building height is 2 ½ stories or 35 feet. They are proposing a maximum building height of 35 feet. The required maximum lot coverage is 70% and they are proposing maximum lot coverage of 70%.

Mr. Frey said therefore they meet all of the requirements.

Mr. Reisinger said correct.

Mr. Frey said design standards for neutral density and basic conservation for a dwelling lot. He asked what this requires.

Mr. Reisinger said that the dwelling lots do not encroach upon the primary conservation areas which are the floodplains, wetlands and steep slopes greater than 25%. He said since there are no floodplains or wetlands they kept all of the steep slopes greater than 25% within the common areas and not in the actual dwelling lots.

Mr. Frey said the setbacks from external right-of-way meet that at 100 feet.

Mr. Reisinger said yes they are proposing a 100 foot setback.

Mr. Frey said the dwelling setback with respect to other tract boundaries is 50 feet. He asked if they met that setback.

Mr. Reisinger said yes.

Mr. Frey said the required dwelling setback for crop lands and pasture lands is 100 feet.

Mr. Reisinger said yes they meet that setback.

Mr. Frey said are their crop lands.

Mr. Reisinger said the only ones they are aware of he showed on the provided sketch drawing.

Mr. Frey asked if there were any active recreation areas or playing fields adjacent to the property.

Mr. Reisinger said he is not aware of any.

Mr. Frey said one of the requirements that something be done for exterior views of dwelling lots. He asked Mr. Reisinger to discuss what the design does with regard to exterior roads and visibility of dwelling lots.

Mr. Reisinger said all of the lots that are bordering exterior roads with double frontage are all accessed from the interior roads. They are required to have a twenty foot wide buffer yard along the exterior road which includes level one screening as required by Article 10, Section 1.1. He said all of the dwellings of lots near abutting properties would be setback a minimum of 50 feet from the property line and will include open space between the dwelling lot and the abutting property.

Mr. Frey said lot access with the interior streets are correct and are shown on the plan.

Mr. Reisinger said all lots will be accessed from the interior streets.

Mr. Frey said the requirement that dwelling lots with regard to open space and greenway, they made a calculation as to the percentage of dwelling lots that would directly abut open space as shown on the design.

Mr. Reisinger said 99% of all the dwelling lots would directly abut open space.

Mr. Frey asked if the open space would meet the design standards of Article 6, Section 3.8.

Mr. Reisinger said yes.

Mr. Frey asked what types of permitted uses are for the open space areas.

Mr. Reisinger said they will be using it as open space, a storm water management facility as well as the sewer and water lines and underground sewer and water lines.

Mr. Frey asked if he could talk about the open space and greenway design standards as shown on the plan and if it complies with the requirements of Section B.

Mr. Reisinger said to the best of his knowledge it meets the requirements of Section B.

Mr. Frey said they are not showing any areas that would be put into a conservation easement at this time. The conservation easement would be owned and maintained by the homeowner's association. He said regarding Section 4, Historic Preservation Overlay, he asked Mr. Reisinger if they have contacted anyone to determine if the project site is listed on the West Manheim Township's historic inventory.

Mr. Reisinger said he has spoken with Mike Knouse and the property is not noted on the list of historic inventory.

Mr. Frey said if that is true that overlay is not applicable.

Mr. Reisinger said that is correct.

Mr. Frey said Section C refers to the standards for uses. He referred the commission to Article 7, Section 2, regarding style of accessory buildings and uses. He asked if there were going to be any accessory building in use proposed for the application.

Mr. Reisinger said no.

Mr. Frey said Article 7, Section 4 deals with specific use standards. He said they previously discussed the items for Section 4.9.

Mr. Reisinger said correct.

Mr. Frey said Article 8 refers to signs. He asked if he was aware of any signs proposed for the application.

Mr. Reisinger said they are not proposing any signs for the application. In the future there is a sign for the community. They would be required to meet the requirements of the sign ordinance and apply for an application with the township.

Mr. Frey said there would probably be an entrance monument as a sign and the current zoning amendments states no more than two for a development and they should be at the entrances. He said they would comply with the requirement. Article 9 refers to off-street parking. He showed Exhibit 12 of the packet. He asked Mr. Reisinger to explain the off-street parking in more detail.

Mr. Reisinger said the off-street parking requires 10 ft. wide by 20 ft. deep with 90 degree parking with a 25 ft. two-way out. This is what is being proposed for the off-street parking areas. Single family attached dwellings are required to have 3.5 spaces per dwelling unit. A minimum of two spaces is required to be on the individual lot with a 40 ft. building setback. This would provide two spaces in the driveway plus each unit would have a one car garage which would be three spaces for each individual lot.

Mr. Frey said there is required off-street parking for trailers.

Mr. Reisinger said correct. They are required to have 100 sq. ft. per dwelling unit, or 39,600 sq. ft. of off-site for RV and trailer storage. He showed on the drawing where this area would be located.

Mr. Frey asked if the design meets the required off-street storage setback from the dwelling unit of 50 feet.

Mr. Reisinger said correct, off-site parking for RV and trailer storage will be at least 50 ft. from any dwelling.

Mr. Frey said Article 10 refers to style buffering, landscaping, screening. He asked how the design deals with Article 10.

Mr. Reisinger said there would a 20 ft. wide buffered yard with level one screening along Oakwood Drive. There will also be level two screening provided at all of the off-street parking lots. Street trees will be provided in accordance with Section 2.3 as part of the land development submittal. The lighting will be provided in accordance with Section 4.1 as part of the land development submittal.

Mr. Frey asked Mr. Reisinger if they have dealt with all criteria.

Mr. Reisinger said to the best of his knowledge.

Mr. Frey said he would entertain any questions.

Chairman Jim Myers asked about the road that goes over to the curb at Oakwood Drive. He asked if they have looked at the sight distance.

Mr. Reisinger pointed to the particular area and said that is why they tried to hug the corner. They may have to discuss with the neighbor about removing some trees.

Chairman Jim Myers asked if there were any further questions concerning what was presented.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors based upon what was presented to the Planning Commission by the applicant and subject to the engineers review and comments, seconded by Duane Diehl. Grant Reichart and Andrew Hoffman were in favor. Jim Myers was opposed. ***The motion carried.***

B. Applicant: Edward Lane – 551 Hobart Road – Sketch Plan

Mark Riddle, Land Surveyor, Hanover Land Services, said he is presenting the sketch plan on behalf of the applicant Edward and Michelle Lane. They are the equitable owners of a tract of land that is approximately 55 acres along Hobart Road just north of Tracy Road. The premises are currently zoned farming. It's approved with a 19th century farm house located along the east side of Hobart Road known as 551 Hobart Road, also approved with a pertinent structures, accessory buildings also along the east side of Hobart Road. The premises are in effect separated by Hobart Road and arguable acts as a defacto dividing the premises presently. The Lanes are subdividing the property formally into two pieces with the parcel on the east side being proposed lot one, approximately 8 acres, and the lot on left side being approximately 47 acres. The applicants wish to separate the property solely for the ability to build a new residence on what is shown as proposed lot two. He said topographically Hobart Road is an 18 ft. wide cartway that has mature pine trees along both sides of the road. The improvements on the east side of the road slope down slightly from Hobart Road. There is also a slope going up on the west side of the road onto the 47 acre tract. He said just recently the applicant has taken the responsibility of trimming out all of the pine trees along both sides of Hobart Road to increase access ability through the corridor and to improve the line of sight, as well as to allow for better snow removal. The applicant would like to be able to build their residence on lot two. He said regarding the township requirements for improvements to Hobart Road it would not be financially feasible for the applicant to make the improvements at this time. They would like to defer improvements to Hobart Road until such a time that the premises was further developed more utilizing density. The applicant proposes in the deed conveyance for the two lots they would insert a covenant into each deed that would state; at such time when the lots are further subdivided the developer of the subdivision would be bound to all of the requirements for earth disturbance, tree removal and grading for the improvements to Hobart Road. He said they are asking for a favorable recommendation to the Board of Supervisors to allow the applicant to build a house on the land and to defer the widening requirements to Hobart Road.

Darrell Raubenstine asked how they are splitting the building rights to the farm.

Mr. Riddle said they are planning on separating it formally with Hobart Road as the separator of the property. They are not looking at the building rights situation at this time.

Darrell Raubenstine said this will have to be addressed and agreed to before the applicant submits a preliminary plan.

Duane Diehl made a motion for a favorable recommendation to the Board of Supervisors, seconded by Grant Reichart. ***The motion carried.***

Duane Diehl amended his motion to include the covenants regarding the road improvements. Grant Reichart amended his second. ***The motion carried.***

ITEM NO. 11 Signing of Approved Plans

There was no new business to discuss.

ITEM NO. 12 Zoning Officer

Scott Barnhart, Interim Township Manager reported that the application for Carl Grubb will be presented to the Zoning Hearing Board on Tuesday, October 27, 2009 at 7:00 pm.

ITEM NO. 13 Sketch Plans and Other Business

A. Subdivision and Land Development Ordinance (SALDO) Review

Mike Knouse asked the Commission if they would like to take a break and continue the meeting, or if they would like to schedule the SALDO review for the November meeting.

After further discussion the Planning Commission decided to postpone discussion and postpone the review of the SALDO until the November meeting.

Mike Knouse informed the Commission that is was brought to his attention that the sign table was cut off in the Zoning Ordinance and the Board of Supervisors has asked for an amendment. He will present the changes at the next meeting and a public hearing will be scheduled on the changes.

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, November 19, 2009 at 6:00 pm.

ITEM NO. 16 Adjournment

Adjournment was at 8:05 p.m. in a motion by Andy Hoffman, and seconded by Duane Diehl.
The motion carried.

RESPECTFULLY SUBMITTED,

LAURA GATELY
RECORDING SECRETARY