

MINUTES
WEST MANHEIM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
THURSDAY, APRIL 15, 2010
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 Raubentine, Grant Reichart, Andrew Hoffman and Duane Diehl. Also present was Kevin Null, Township Manager and Mike Knouse, C.S. Davidson.

ITEM NO. 3 Approval of Minutes

Duane Diehl made a motion to approve the minutes from the March 18, 2010 Planning Commission meeting, seconded by Andy Hoffman. ***The motion carried.***

ITEM NO. 4 Correspondence

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

- 1). Comments from Emergency Services regarding the Nextel Communications Tower, Final Subdivision plan for Edward A. & Michelle A. Lane, and the Preliminary plan for Northfield Phase 2.
- 2). Waiver Request from Hanover Land Services, Inc. dated April 12, 2010 regarding the Final Subdivision plan for Edward A. and Michelle A. Lane.
- 3). Letter from York County Planning Commission dated March 16, 2010 regarding the 2010 Conservation Easement Applications located in West Manheim Township.
- 4). Letter from Harry P. McKean dated March 2, 2010 requesting an extension request of review time until June 2, 2010 for the Community Bank site.
- 5). Letter from Hanover Land Services dated March 29, 2010 regarding the Dwight and Pamela Myers Preliminary/Final Subdivision plan regarding the revisions made to the plan based on the Township Engineers' review.
- 6). Letter from Adams Electric Cooperative, Inc. dated March 29, 2010 regarding the Dwight and Pamela Myers subdivision regarding their plan review.

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 said there were three documents that Emergency Services submitted to the Commission for review. They reviewed the Northfield Phase II plan and that the cartway width of twenty –six foot is acceptable, the number of proposed fire hydrants appears adequate and they are recommending that the hydrant near the north end of Whispering Creek Way be relocated to the northeast corner at the intersection of Whispering Creek Way and Autumn Meadow Lane. They are also recommending that the hydrant on Pumping Station Road near the alley be relocated to the southwest corner at the intersection o Pumping Station Road and Clear Spring Terrace. He said they also have serious concerns regarding access to the rear of many of the units. They would have to hand lay supply lines to access the back of the structures. With the building heights of thirty-five feet or slightly less using ground ladders for both fire and rescue could become and issue. He said they also submitted comments on the plan for Edward and Michelle Lane. They recommended that there should be an adequate “turn-around area” proposed so that emergency vehicles do not have to back out the length of the driveway. He said they also reviewed the plan for the proposed Nextel Communications Tower. He said they support York County’s request for the tower. They are hopeful that the construction of the tower will eliminate the current communications issues that they have experienced in the Southwestern part of the county.

ITEM NO. 8 Report from Zoning Officer

A. Zoning/Hearing Board

- 1). Teresa Smith - 47 Christians Drive - Application for a Special Exception for a Home Occupation to operate a home hair salon.

Kevin Null, Zoning Officer said the township received an application for a Special Exception for a Home Occupation hearing before the Zoning Hearing Board. He said the residence is located at 47 Christians Drive and is located in the residential zone. A Home Occupation is permitted as an accessory and temporary use as a special exception. He said the application is referred to the Planning Commission for comment and then forwarded to the Zoning Hearing Board for a hearing. He said the applicant is present tonight to answer any questions.

Andy Hoffman asked Ms. Smith to verify that the entrance for the customers is in through the front door of the house as shown on the photos provided.

Teresa Smith said yes the customers will come in through the front door and go down the basement.

Chairman Jim Myers said the application indicated that there was adequate parking available and that they were not expecting more than two customers at one time.

Teresa Smith said yes, they can fit four vehicles easily in the driveway as well as plenty of space being available in front of the house.

Andy Hoffman asked what the expected hours of operation were for the customers.

Teresa Smith said mostly mornings and a couple evenings with some work on Saturday. She does not plan to have more than 4-5 customers no more than three times per week.

Andy Hoffman asked what the hours of operation were going to be because this was something the Zoning Hearing Board was going to question.

Teresa Smith said she would be available 8:00 am – 8:00 pm. It would only be on an appointment basis and she would schedule the appointment in advance. She said she is working the appointments around her kids.

Andy Hoffman asked about Saturday appointments.

Teresa Smith said Saturday hours would be between 8:00 am – 4:00 pm.

Darrell Raubenstine asked if her residence was hooked up to the sewer.

Teresa Smith said yes.

Duane Diehl asked if they have spoken to the neighbors and if anyone has any issues.

Teresa Smith said yes they have talked to all the neighbors around them.

Duane Diehl asked if she would be installing a sign.

Teresa Smith said no.

Duane Diehl made a motion for a favorable recommendation for the Special Exception for a Home Occupation to the Zoning Hearing Board, seconded by Darrell Raubenstine. ***The motion carried.***

Kevin Null, Zoning Officer said the Zoning Hearing Board meeting will be scheduled for Tuesday, May 25, 2010 at 7:00 pm.

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.

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

B. Marlee Hill Farm (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 table the Plan, seconded by Grant Reichart. ***The motion carried.***

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

Jeff Stough, J.A. Myers was present on behalf of the applicant. He said he submitted a letter on April 5, 2010 to the Township providing an update on the status of the plan.

Chairman Jim Myers said on their letter they did not indicate an extension length of time.

Jeff Stough said HRG is currently working on the Preliminary Plan following the Conditional Use Application that should be submitted in May. He said in the event that the conditional use plan is not approved they would move forward with the 134 lot Preliminary Plan. In the event that they do obtain approval of the conditional use subdivision then they would withdraw the 134 lot Preliminary Plan. He said another issue is the sewer capacity and until Penn Township makes the necessary improvements to their treatment plant and interceptor the development cannot proceed.

Mike Knouse, C.S. Davidson said he would like to review the April 14, 2010 letter he submitted which includes a summary of the subdivision plan process.

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 on May 6, 2010. ***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.

It was noted that the Planning Commission has previously provided a recommendation on the plan.

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

The Planning Commission would like to pass on to the Board of Supervisors the comments submitted from Emergency Services.

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

Harry McKean was present on behalf of the applicant. He said he would provide an update at the meeting next month.

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.

Kris Raubenstine, Hanover Land Services was present on behalf of the applicant. He said the most recent activity was a request from the Township requesting an update on the plan, which he provided. He said they are still working with the adjoining property owner regarding the sewer connection. He said until this is resolved he cannot provide changes to the plans. He said there are still outstanding issues that need to be addressed related to the sewer as noted in the comments submitted from C.S. Davidson dated April 14, 2010.

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

G. Northfields – KCI Technologies – Phase I – Lots 36-41 - Revised Partial Final Subdivision Plan- Change from garage units to rear walkout with parking pads

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.

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

ITEM NO. 10 New Business

A. Edward A. & Michelle A. Lane – 2 Lot Minor Subdivision Final Plan – 551 Hobart Road

Kris Raubenstine, Hanover Land Services, Inc. was present on behalf of the applicant. He said they were previously provided a sketch plan to review the subdivision. He said since then they analyzed what would be involved with the road improvements and what would need to be removed, relocated and excavated. The current plans show the grading and what would be necessary to meet the road requirements. He said it was excessive

and would involve buildings to be relocated, storm pipes to be extended, utility poles to be relocated and in some areas in excess of 10-14 feet of cut along the edge of the road. He said they are requesting a waiver from the road improvements until a later date there is subdivision of either parcel one or parcel two.

Mike Knouse, C.S. Davidson said he would like to give the Commission an update of the plan. He said he reviewed the plan at the Township In-House meeting along with staff and by York County Planning. York County has submitted comments but engineering comments have not yet been received. It was discussed during the in-house that the applicant was trying to adhere to the farming regulations, and the lot design which is what dictated the initial design. In accordance with the ordinance they feel it can be incorporated. The applicant has not submitted revised plans based on the comments received during the in-house. The applicant is requesting a waiver for the road improvements so that they can proceed accordingly.

Kris Raubenstine said the waiver is to alleviate the owner at this point and time of the cost of the grading, the widening and the relocation of the utilities.

Mike Knouse said the plan submitted tonight is only an attachment to the waiver request application and every decision that is made will be included on the subdivision plan. He said the applicant is requesting a waiver for widening the road to 32 feet total cartway width. They have demonstrated the impacts to grading to 17 feet and they are requesting to do nothing at this time.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors for approval of the waiver request for the submitted plan as shown which meets the request given originally and it will be referenced and shown on the original plan. There was no Second. **The motion died.**

Mike Knouse said the applicant is requesting they do nothing now and place a restriction on the plan and deeds requiring that if anyone subdivides the property at a later date they will be required to complete the improvements.

Darrell Raubenstine asked what improvements.

Mike Knouse said they did not specify.

Darrell Raubenstine said there are too many loose ends.

Kris Raubenstine said the improvements referenced are what are shown on the plan.

Mike Knouse said by the ordinance they are required to widen the road to 32 feet. The Commission is making their decision based on the ordinance requirements of 32 feet.

Kris Raubenstine said they were trying to alleviate the landowner of the costs of what is shown on the plan at this time. He said if it is recommended by the Commission they can work towards the subdivision plan.

Andy Hoffman made a motion for an unfavorable recommendation of the waiver request for the road improvements, seconded by Duane Diehl. Grant Reichart was opposed. **The motion carried.**

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

- B. Conditional Use Application- Radio & Microwave Communications site for the Countywide Public Safety Radio Communications System – 2412 Baltimore Pike (Landowner West Manheim Township)
Applicant: York County Dept. of Emergency Services (Water Tank Owner) The York Water Company

Eric Bistline, Executive Director, York County Department of Emergency Services said he is requesting a conditional use permit to build a radio transmission site as a part of the public safety county wide radio network.

He said they have to some degree partnered with Nextel Communications. They are going to do some of the preliminary work to help with minimizing costs. He said this is a site that is owned by the York Water Company which is in relation to an easement located on the township property. They have approved the plans as submitted and they have entered into an agreement with them. A copy of the agreement has also been provided to the township. The agreement includes a no cost fee for the site. He said the request is to build a 12x20 equipment shelter inside the fenced in area which also includes a generator with a buried underground propane tank. They are proposing to install one panel antenna on the south side of the tank. They need to shadow the transmission antenna from their site located at Iron Ridge. He said this is a simulcast system and timing is critical on the system. He said due to this being close to the Iron Ridge location the transmission will need to be shadowed to prevent back feed interference. He said the request includes one panel, 180 degree transmission to the south including two Omni receive antennas on top of the tank. An Omni antenna would be very similar to a standard flag pole. It will be 10 ft. above the tank on a built structure. He said it is less than 200 feet and would not be required to be lighted. He said the whole system is grounded to public safety standards.

Duane Diehl made a favorable recommendation for the Conditional Use Application to the Board of Supervisors, seconded by Andy Hoffman. ***The motion carried.***

ITEM NO. 11 Signing of Approved Plans

A. Dwight & Pamela Myers – 3 Lot Final Plan N/W Corner of Glenville Rd. & Edna Myers Lane

ITEM NO. 12 Sketch Plans and Other Business

A. Subdivision and Land Development Ordinance (SALDO) Review

Mike Knouse said due to other issues needing to be addressed he will need to postpone discussion of the item until the next meeting.

B. Review and recommendation for Plan Time Extension

1). Dwight & Pamela Myers – 3 Lot Final Plan N/W Corner of Glenville Rd. & Edna Myers Lane

Kris Raubenstine, Hanover Land Services said the plans were conditionally approved upon the Planning Module being approved which has since been taken care of and all of the remaining conditions have been addressed.

Mike Knouse reviewed the comments submitted to the Planning Commission that outlines the status of the plans that are on file with the Township.

Duane Diehl made a favorable recommendation to the Board of Supervisors if the applicant comes before the Board for an extension. There was no Second. ***The motion died.***

Darrell Raubenstine made a motion that the Planning Commission recommends that the Board of Supervisors approve the plan at their next meeting, however if the plan is not approved at the next meeting an extension letter must be submitted otherwise the plan needs to be denied, seconded by Grant Reichart. ***The motion carried.***

2). Sheetz, Inc./Land of John E. Davis - 1 Lot Final Plan/Land Development Plan S/W Corner of Brunswick Dr. & Baltimore Pike

Kris Raubenstine, Hanover Land Services, said the Planning Commission conditionally approved the plan based on outside approvals. He said the item to be addressed was the Conservation District approval and PennDot. He said they are still working with PennDot and have recently submitted the latest revisions to PennDot for the entrance. He said until they receive approval from PennDot they cannot provide any additional information at this time.

Mike Knouse reviewed the comments submitted to the Planning Commission dated April 14, 2010 that outlines the status of the plans that are on file with the Township.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors that Sheetz is working in good faith and they are waiting for the Highway Occupancy Permit from PennDot and they can move forward, seconded by Duane Diehl. **The motion carried.**

3). Community Banks – 1 Lot Land Development Plan – Benrus L. Stambaugh, II et al Pension Plan Brunswick Drive & Baltimore Street

Harry McKean, co-owner of the property. He said he would like to provide a summary of the plan where it currently stands. The Planning Commission conditionally approved the plan on August 16, 2007 and at that time the bank was prepared to start construction in September of that year. It then came about at that time the sewer moratorium that came into effect because of the Penn Township plant. The Planning Module was approved in May 2009. They went forward with Susquehanna Bank in starting the process of making the lease official but with all of the issues last year with the banking system they drug their feet and; they are still in the process of negotiating an extension on the lease to start construction. At this time they still do not have a firm date when they will be starting. They do not want to lose the approval of the plan because at this point all of the approvals are in place. The only thing they are waiting on is the official lease arrangements with the bank. He said they are asking for an extension and are hoping to have something worked out. They have direct negotiations set up next week with the bank but he cannot confirm if this will be a final negotiation. They do not want to have to withdraw the plan and start the process over again and would like to ask for an extension.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors that they allow an extension and provide the applicant a reasonable amount of time to proceed and to find a tenant and allow for construction, seconded by Duane Diehl. **The motion carried.**

ITEM NO. 13 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. 14 Next Meeting

The next Planning Commission meeting is scheduled for Thursday, May 20, 2010 at 6:00 pm.

ITEM NO. 15 Adjournment

Adjournment was at 7:40 p.m. in a motion by Andy Hoffman, and seconded by Grant Reichart. **The motion carried.**

RESPECTFULLY SUBMITTED,

LAURA GATELY
RECORDING SECRETARY