

MINUTES
WEST MANHEIM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
THURSDAY, July 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 Raubenstine, 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

Andy Hoffman made a motion to approve the minutes from the June 17, 2010 Planning Commission meeting, seconded by Duane Diehl. ***The motion carried.***

ITEM NO. 4. Correspondence

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

- 1). Letter from Herbert, Rowland & Grubic, Inc. dated July 12, 2010 requesting an extension request of review time until November 5, 2010 for Homestead Acres.
- 2). Comments from Emergency Services dated July 15, 2010 regarding the Final Subdivision Plan for Reservoir Heights Phase II.

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 he had nothing new to report. He submitted comments to the Commission regarding the Reservoir Heights Phase II plan. He provided comments regarding the cartway width, street names, cul-de-sacs and the fire hydrant locations.

ITEM NO. 8. Report from Zoning Officer

A. Zoning/Hearing Board

- 1) Application: Case –CU/SE-#02-05/20/2010
Applicant: Eric Needle - 273 Smeach Drive - Application for a Conditional Use / Special Exception for an addition to the residence for a proposed In-Law unit.

Kevin Null, Zoning Officer said the case for the Conditional Use for a Special Exception will be heard on July 27th. The application was scheduled for last month but there was a request that the township re-advertise to clearly spell out the application for a variance and special exception, which has been done.

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. He said they did receive a letter of extension request until November 5, 2010.

Jeff Stough, J. A. Myers Building and Development, was present to represent the plan.

Darrell Raubenstine asked if they were planning to proceed with the plan.

Mr. Stough said the Preliminary Plans based upon the Conditional Use for the townhouse design which should be submitted next month.

Darrell Raubenstine made a motion to table the Plan and recommended to the Board of Supervisor to grant the extension, seconded by Grant Reichart. ***The motion carried.***

D. 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.

Doug Barmoy, Hanover Land Services was present to represent the plan. He said they are currently working on the plan with the Township Engineer.

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

E. 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.

Doug Barmoy, Hanover Land Services said the issue that is holding up the plans is still with the sewer. He said they will soon be submitting revised plans.

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

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan.

Doug Barmoy, Hanover Land Services said now that they have received approval on the road improvements, they will soon be submitting revised plans.

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

G. Reservoir Heights – Phase 2 – 53 Lots Major Subdivision –Final Plan-off Shorbs Hill Rd.

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan.

Jim Barnes, Holley & Associates was present to represent the plan. He said based on the correspondence with the Township Engineer they have two HOP permits they have to obtain, one of which was signed tonight by the Township. He said regarding the plan revisions they have addressed all the engineering comments.

Mike Knouse said the applicant has submitted revised plans. They have addressed the engineering comments and the only outstanding items left to address are third party agency items.

Darrell Raubenstine made a favorable recommendation for a conditional approval to the Board of Supervisors with the understanding that all third party agency issues be addressed, seconded by Andy Hoffman. ***The motion carried.***

ITEM NO. 10. New Business

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

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

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

B. James E. & Barbara E. Horak - 2-Lot Sketch Plan – Minor Subdivision- Impounding Dam Road

Doug Barmoy, Hanover Land Services was present to represent the plan. He showed on the drawing the location of the property. He said they would like to make a request to modify what can be done along Impounding Dam Road because of the condition of the current features.

Mike Knouse said the Subdivision and Land Development Ordinance (SALDO) indicates that a sketch plan submission is reviewed solely by the Township Planning Commission and is an informal review generally for consistency with the SALDO, specifically Article V that includes design standards regarding roads, curbing and sidewalks. The Planning Commission, per the Ordinance, will review the sketch plan and informally discuss whether the plan meets the criteria of the Ordinance or if they are deficient, and if there are any other recommendations for the applicant. It is an informal discussion, therefore; the Commission does not vote on the plan.

Doug Barmoy said he is asking for guidance and opinions to see where they need to go next. After further discussion the Planning Commission would like to see road improvements along Impounding Dam Road.

ITEM NO. 11. Signing of Approved Plans

There was no new business to discuss.

ITEM NO. 12. Sketch Plans and Other Business

A. Review and recommendation for Plan Time Extension

1). Wyndsong Pointe-Phase II – 15-Lot Final – Along the north side of Dubs Church Road

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan.

Scott Barnhart, Burkentine & Sons Contractors said he spoke to the Township Solicitor regarding the new Permit Extension Act legislation that was signed in by law on July 6, 2010 by Governor Rendell, which provides relief to owners and developers whose projects have been put on hold due to the economy. The Act states, that the extension automatically extends development approvals, permits, agreements, authorizations and decisions that are in effect as of January 1, 2009 or after until July 1, 2013. Specifically stated in Structure or Change in Land Use, Section 1603-I Existing Approval, (A) Automatic Suspension, "The expiration date of an approval by a government agency that is granted for or in effect during the extension period, whether obtained before or after the beginning of the extension period, shall be automatically suspended during the extension period". He said when there is a preliminary approval submitted to the Township, per Section 508 of the Municipal Planning Code preliminary approvals are good for five years which cannot be changed except if legal action is taken. This new act states that certain items will be extended automatically. He said it is so automatic that when he presents the papers to the Commission tonight the Township will have 30 days to respond and they have to recognize the original expiration date and the new expiration date of July 1, 2013. If the Township does not do that within 30 days the project is deemed approved. He said at this time nothing is happening with the project and they are at the same stage that they were in 2008. He said by giving the Commission his notice he would like that to be noted as his official filing to start the 30 day clock and they would need a response back from the Township or the plan is deemed approved automatically. He asked if anyone had any questions.

Mike Knouse, C.S. Davidson said the Board of Supervisors minutes from November 5, 2009 on the two following items the Board granted extension of the conditional plan approval until the end of 2010. He believes this is all they need to report back to the Board of Supervisors. He said the Township's legal counsel can advise them on the matter that Mr. Barnhart has spoken on, and he believes they should just report back that the Board of Supervisor's have already granted an extension at the November 5, 2010 meeting for both Wyndsong Pointe and Steeple Chase on the conditional approval until the end of 2010. He said this is all the action they need to take. He would recommend they make a motion to report back to the Board of Supervisors that they have already granted an extension until the end of 2010 for items 1 and 2.

Darrell Raubenstine moved to recommend to the Board of Supervisors that the subdivision plan has already been approved for the extension through the end of 2010, seconded by Andy Hoffman. **The motion carried.**

2). Steeple Chase-12-Lot Final – Ross Road & Hobart Road

Scott Barnhart, Burkentine & Sons, said by giving the Commission his notice he would like that to be noted as his official filing to start the 30 day clock and they would need a response back from the Township on the plan or it is deemed approved automatically.

Darrell Raubenstine moved to recommend to the Board of Supervisors that the subdivision plan has already been approved for the extension through the end of 2010, seconded by Andy Hoffman. **The motion carried.**

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

Chairman Jim Myers said the Commission had previously taken action on the extension review time for the plan under Item 9: Old Business (C).

4). Reservoir Heights – Phase 2 – 53 Lots Major Subdivision –Final Plan-off Shorbs Hill Rd.

Chairman Jim Myers said the Planning Commission has already taken action on the plan and has made a favorable recommendation to the Board of Supervisors with a conditional approval of the plan.

B. Subdivision and Land Development Ordinance (SALDO) Review

Mike Knouse, C.S. Davidson said last month he distributed Chapter 5 for the Planning Commission to review. He asked if there were any comments or discussion. He said following receipt of any comments on Chapter 5 it is his intent to complete the revisions on each of the chapters and issue a complete draft copy for review. He said he would address any comments or questions from the Commission on the review of Article V: Design and Construction Standards.

Andy Hoffman noted on page 73, Section 503: Street Systems-General, (I), the word “not” in the second sentence should be deleted.

Chairman Jim Myers noted on page 73, Section 504: Street Design Criteria, Item B.4. (a), the word feet in the first sentence should be added to read; Alleys shall consist of a 20-foot wide dedicated easement and a 16-foot wide cartway constructed in accordance with the Township Construction and Materials Specifications. He noted on page 72, Section 502: General Site Design, (E), and the words Zoning Ordinance should be added after West Manheim Township on page 71 and should read; Reasonable measures shall be taken to ensure the preservation of natural, historic, and archaeological features; areas and structures as determined by the West Manheim Township Zoning Ordinance (Article 6) to be worthy of such preservation; and to ensure public access to such features, areas and structures, where appropriate. On page 75, item (2), he asked if the sentence was saying two different things with regards to the length of cul-de-sacs.

Mike Knouse said on page 74, item 5. Cul-de-sac: Township Roads – general design (a) (1.) It notes that cul-de-sacs are not allowed in West Manheim Township except as provided below in section (b) (1) – Townships Roads- conservation subdivision. It discusses the intent of conservation design is not met without using a cul-de-sac. He said this is the reason provisions are included with regard to cul-de-sacs. The maximum cul-de-sac street length should be 500 feet in length unless there is a need to work around the topographic and natural features which would warrant an increase then the maximum should not exceed 750 feet in length.

Chairman Jim Myers said he thinks the maximum allowed should be 500 foot.

Andy Hoffman said he agrees with 500 foot. On page 76, the items are mislabeled; item (c) is missing. He noted on page 76, item (d), regarding the private right-of-way not exceeding 750 feet in length. He said that he sees a potential problem with limiting the private drive to 750 foot.

Mike Knouse said this distinction is with the number of lots and is solely related to subdivisions.

Andy Hoffman noted on page 79 Table V-1: Street Design Standards he said it appears that some of the numbers have expanded and changed. He does not have a problem with the changes.

Mike Knouse said the standards were split between the primary growth area and the rural growth area. He said vertical grade maximum is currently at 12 percent, which they did cut back to 10 percent maximum.

Andy Hoffman said on page 81, F. Improvement Specifications – (2.) (b), An emergency service road shall be provided along such existing street and shall be separated from it by a landscaped berm at least 15 feet in width. He asked for an example.

Mike Knouse said an example would be Baltimore Pike where there is several access points there would be an access to an access drive to separate the two to allow for access. It provides a means of separating through and local traffic and provides a suitable buffer.

Chairman Jim Myers noted on page 82, Section 507 –Lots and Lot Sizes (D) (2) remove the dash between the words on-streets.

Andy Hoffman noted on page 85, Section 511-Access Drives, (B), said he is not clear on what an access drive is and asked for an example.

Mike Knouse said an access drive is typically related to commercial. He will see if it is clearly defined and include a definition.

Chairman Jim Myers said Section 514 – Grading – (B) (5), During grading operations, necessary measures shall be taken to prevent erosion or siltation of natural drainage ways. He asked if there could be a reference to the approved sediment control plan. Section 514 – Grading (B) (7) he asked if the wording could be changed to replace the word expeditiously to explain it better and make it more consistent with what the conservation district uses.

Andy Hoffman said on page 94, Section 523 – Landscape Plan Requirements, he said included a lot of information that he did not read in detail. He would like to avoid plantings of problematic plantings.

Mike Knouse said the information was copied from the previous draft prepared. After further discussion it was determined that he would revise this section accordingly.

Andy Hoffman noted that on page 110 (4.b.) and (G.4.) there were a few typos. On page 112, (C), Lighting Requirements (b) (1.): The light fixtures shall be a 175 watt Metal Halide (H.I.D.) with a square head and a solid top. He said this was discussed previously and with the new technology he does not know if this is the right place to be going with that narrow of a lighting requirement. With LED's they need look at the energy aspects. He said on page 113 (D) Street Lighting Dedication; he wants the Home Owners Association to be responsible for the cost of the running the lights so the Township won't have to control the lights.

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 August 19, 2010 at 6:00 pm.

ITEM NO. 15. Adjournment

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

RESPECTFULLY SUBMITTED,

LAURA GATELY
RECORDING SECRETARY