

MINUTES  
WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION MEETING  
THURSDAY, NOVEMBER 20, 2014  
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, Andrew Hoffman, Duane Diehl, and Jay Weisensale. Also, present Christopher Toms, C.S. Davidson. Kevin Null, Township Manager, was not present

ITEM NO. 3 Approval of Minutes

Andy Hoffman made a motion to approve the minutes from the regular meeting of Thursday, October 16, 2014, Planning Commission meeting as corrected, seconded by Duane Diehl. *The motion carried.*

ITEM NO. 4 Correspondence

There were no correspondences received to discuss or take action on.

ITEM NO. 5 Visitors

Chairman Jim Myers asked were there 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. Andy Hoffman asked to add under item 12 Sketch Plans and Other Business B. Changes to Hanover Borough Property located in the Township. Darrell Raubenstine would like to add C. Driveway Farmland Accesses from Township Roads.

ITEM NO. 7 Emergency Services Group Report

Mike Hampton informed the Planning Commission that the Emergency Services Board met on October 27, 2014, and discussed a number of items, but had nothing to report at this time.

ITEM NO. 8 Report from Zoning Officer

A. Zoning/Hearing Board

There was nothing to report. Kevin Null, Township Manager was not present.

ITEM NO. 9 Old Business

I. Extension Requests

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

Chairman Jim Myers noted that the extension review time expires on January 5, 2015.

Andy Hoffman made a motion to table the Plan, seconded Jay Weisensale. *The motion carried.*

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

Chairman Jim Myers noted that the extension review time expires on January 5, 2015.

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

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

Chairman Jim Myers noted that the extension review time expires on January 5, 2015.

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

D. Homestead Acres - Oakwood Dr. & Valley View Drive – 366 Lot Preliminary Subdivision Plan

Chairman Jim Myers noted that the extension review time expires on January 5, 2015.

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

E. Ron & Sheila Carter – Maryland View Farms – Glenville Rd - Lot #4 – 2-Lot Add-On

Chairman Jim Myers noted that the extension review time expires on January 5, 2015.

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

ITEM NO. 10 New Business

A. Hanover Area YMCA – 621 Fairview Drive – Special Exception Application

Jeremy Frey, an attorney, who came as a volunteer, is currently the President of the Board of Directors for the YMCA was present on behalf of the YMCA and gave an overview of the proposed project. He explained that the YMCA has actively been looking at locations that would allow them to grow in the south end of Hanover and that in the spring of this year they learned of the opportunity to purchase some property at the intersection of Beck Mill Road and Fairview Drive. He went on to explain that the Naces's property was ideal for the YMCA needs and has entered into an agreement with the Naces to purchase the property.

He pointed out that with a Special Exception it allowed for a non-profit recreation facility in the Township and they feel they have met the necessary criteria. They have met with the Church Board located next to the property. They have sent notices to neighbors next to the property and had a meeting with them. The property was signed with the intent to put a future YMCA facility at the location inviting the public to attend, which they did receive positive feedback. After that meeting, the YMCA applied for the Zoning Hearing seeking a Special Exception.

They are seeking a favorable recommendation from the Planning Commission to the Zoning Hearing Board to approve the Special Exception.

Next, Andy Brew and Jim Baumgardner came forward and explained the primary goal of the plan was to develop a site in a manner that was in keeping in the character of the neighborhood. The layout is similar to the layout of the church located next to the property. Mr. Brew went on to explain the concept plan.

Jay Weisensale inquired about the availability of public sewer. Public water is available up to the church. The YMCA would need to extend the water lines out to the site. Public sewer is down Beck Mill where a pump station is located. Jay asked if the

public system would be able to handle the capacity. Mr. Brew explained that they had not gotten into those details, yet. The church does have on-lot septic, but there is public sewer available it is just a matter of getting it there and confirming the capacity.

Mr. Baumgardner explained another issue is the parking lot. They would intentionally design the building for a Dark Sky concept. The lighting would have cups on them to direct the light down instead of up. There are no plans to light the outside fields at this time.

Darrell Raubenstine asked if the plan goes forward, he would like to see two access points coming off of two different roads rather than having both of them at one spot, for safety reasons in case of an accident that would tie up traffic. The YMCA did do a plan addressing that issue, but they were concerned about the hill and clear sight distance coming off the Beck Mill Road, where the second access point would have been located.

Darrell Raubenstine's biggest concern with granting the Special Exception use is what happens if the YMCA does not follow through with the purchase of the Naces' property. That use stays with the property and the Township then has no control as to who or what would go in there in the future. The YMCA has spoken with the Zoning Officer about Mr. Raubenstine's concern and what they have applied for is a semi-public use other than government own as a recreation facility. The only other thing that could go in on the site is another non-profit organization with a recreation facility like the YMCA. They are applying for non-commercial use, semi-public use, which only allows another non-profit with recreation facility to go on the site.

Andy Hoffman would also like to see two separate entrances into the parking lot; just in case there is a problem with one entrance, it gives you another way out of the parking lot.

Chairman Jim Myers asked was there anyone from the public who wanted to speak. Elaine Oehler from Penn Township spoke of her concerns about sidewalks, widening the road, the possibility of traffic lights. She is worried about future expansion.

Dr. John Grimes, also of Penn Township, expressed that he had previously lived in the Hanover Borough where his home backed up to the YMCA located on George Street. He explained the need was not for a workout center, but more of a soccer/lacrosse center. There is nothing like this in this area. This would be a tremendous benefit to the community.

Jay Weisensale made a motion, seconded by Andy Hoffman, to send a favorable recommendation to the Zoning Hearing Board.  
***The motion carried.***

#### ITEM NO. 11 Signing of Approved Plans

Chairman Myers explained that the plans were signed prior to the meeting.

#### ITEM NO. 12 Sketch Plans and Other Business

##### A. Horak-Yorlets Partnership – Tollgate Road & Baltimore Pike Sketch Plan

Jack Powell, Jack N. Powell, PE, Inc. was present on behalf of the developer and gave an overview of the proposed project. It will be known as The Tollgate Road Property, which is located on the corner of Tollgate Road and the Baltimore Pike.

He also explained that over the years they dumped fill dirt there and currently they are moving the fill dirt out and having it brought back in and compacted in layers. They are doing compaction testing. It is a concern that the Township has brought up in the past and they are addressing that as an issue.

The property is both residential and commercial zoned. Two hundred feet from the centerline of the Baltimore Pike is commercial zone and it runs all the way to the Fire Company. The residential property butts up against the Fire Company property, Hanover Municipal Water Works property and the Cemetery on Tollgate Road.

They are looking to put in a private access road with a cul-de-sac to go behind the cemetery to access 4 lots behind in the back of the property and another four residential lots that have accessed from Tollgate Road. They are also proposing to put in a single commercial property in the commercial zone area, but nothing proposed at this time.

The Township's Sewage Enforcement Officer at Group Hanover Inc. has reviewed the Nitrate Study that they submitted. The study revealed that in order to have a four bedroom home you need eight-tenths of acre, for a three bedroom home you need three-quarters of an acre. The larger lot sizes are to allow for the dissipation of nitrates. They have done percolation testing for sewage disposal both primary and secondary and have found acceptable places on each of the proposed lots.

He informed the Planning Commission that he submitted a letter with the plan that raises some issues that the Developer knows need addressing. They will be asking for waivers on curbing, buffering, lighting, etc.

Darrell Raubenstine wondered if it was feasible for the Fire Department to have an access road thru this property and reminded Mr. Powell that the Township does not allow cul-de-sac and if they gave thought to increase the commercial area and develop less of the residential area. He feels too many commercial areas do not have proper rear access and end up dumping on to the main road.

Andy Hoffman was surprised that they were able to have lots sizes as large as they are proposing due to the nitrate issues that are in that area of the Township. Mr. Powell explained that they are proposing to use a nitrate removable system allowed by D.E.P. on the units. He further explained that Carrie Wilt and Doug Stambaugh are aware of what they are proposing and have not received any negative feedback. He explained that the lot sizes are the results of the nitrate study. Although they will be using public water, the Township Engineer informed Mr. Powell they would still to do a nitrate study. Since they will be using on-lot disposal the nitrate study is to show that they are not contaminating the ground water. There is concern for cost of the nitrate system. They wonder whether the homeowner will use it correctly and maintain it properly.

Jim Myers questioned the concept of the private road. Even if it is a private road, he reminded Mr. Powell there is a limit to the number of homes allowed on a private drive and needs designed to Township's standards. The lot is constrained by slopes. Due to the steep slopes, even if they were to put in a joint driveway into the Fire Department, it would be closer to the Baltimore Pike on this property. In order to be able to make use of the back end of the property, which is almost half of the property it created the need to put in a private drive. He spoke with the Township Manager and he was favorable with this design realizing there are problems that need addressing.

Jay Weisensale assured Mr. Powell that emergency services is going to ask how are they going to get those people out on lots 1, 2, and 3 if there is a fire on lot 4. He knows that this is an issue, but Mr. Powell feels that they have provided for fire equipment with the road being 20 feet wide. He cannot say that a vehicle would be able to get around a piece of fire equipment even if it was 21 feet in width. Mr. Powell did acknowledge that in the SALDO it does say three homes or more does allow for a private road, it does have a 500-foot limit. Mr. Powell's concern is meeting the 100 feet radius from centerline that would throw the drive down into the steeper area.

Darrell Raubenstine expressed that he would like the plan to meet the Township's Ordinance with no waivers.

Andy Hoffman feels that if Mr. Powell eliminated lot numbers 1 thru 4 and combined them to make one lot there would be one driveway to one lot. He further explained that the Commission is totally opposed to cul-de-sac concept and that they would never give a favorable recommendation for the cul-de-sac or the 500-foot waiver. Further ideas and suggestion discussion took place about the private drive and cul-de-sac issues.

Jim Myers asked about the street design and a ditch instead of the curbing when managing storm water runoff on the private road and on Tollgate Road. Mr. Powell would rather install a ditch instead of curbing for storm water runoff. Darrell Raubenstine feels strongly about the installation of curbing on Tollgate Road. Darrell Raubenstine asked if he had discussed any of this with Penn DOT about access on Baltimore Pike. Mr. Powell indicated not at this time. When questioned, Mr. Horak indicated that they would be using Tollgate Road. Continued discussion took place on how they will need to eliminate the cul-de-sac and improvements that will need to take place on Tollgate Road.

Mr. Powell indicated they wanted a waiver from fill dirt over one foot within 10 feet of an existing adjoining property line. Andy Hoffman question why they are coming in after the fact, when they are currently in violation of the Township's Ordinance. Mr. Powell explained they are working under the current E & S Permit that Hanover Land Design submitted.

The last item Mr. Powell is asking for is a waiver to street light requirements and design. They are proposing to have the same style street lighting, which matches the development across Tollgate Road. The Ordinance requires street pole, not telephone pole mounted lighting. He wants to go with pole lighting at the intersection of Tollgate Road and yard lights in the residential area.

Andy Hoffman questioned storm water management on the undeveloped commercial lot. Mr. Powell explained that they are doing all that is required by the E & S Permit and what York County Conservation District requires.

B. Changes to Hanover Borough Property located in the Township

The Planning Commission recommends that the Board of Supervisors learn more about the issue.

C. Driveways Farmland Access from Township Roads

Darrell Raubenstine again brought before the Planning Commission his concerns about driveways on existing parcel of land that have been previously subdivided with the idea of buyer beware. On Leppo Mill Road, there is a large driveway going in on what is supposed to be a farm lane and there are four properties there with steep slopes going in to them. He heard that they are not going to be complying with the Township's Ordinances or the SALDO when installing driveways. They are going to do another method of coming off a private road going back to the back property and coming in the top of the land with an access road or an alley/right-of-way. Darrell Raubenstine feels that the Township should be required to make the developer meet the Ordinances. He indicated that at the last meeting Kevin Null, Township Manger, indicated that as the Zoning Officer he felt he could permit other things to happen. Darrell has given this more thought, and does not believe this should be allowed to happen.

Darrell Raubenstine asked Chris Toms, Township Engineer if he was aware of this happening. The Engineer has not seen anything. Darrell was aware that he has not seen anything, because they do not think they need to submit anything. They are using right-of-ways off another roadway going to the back lot. He would not have believed it, had the real estate agent not told him. He told the real estate agent that they would need a Variance. The real estate agent told Darrell that the Township would not see it. Darrell wants to make the Township is aware of what is going on with this subdivision.

Jim Myers asked if Darrell Raubenstine's concern is something might be going on that is not meeting the Ordinance. Yes.

Jay Weisensale said that he had asked Kevin Null if they would need to come before the Planning Commission and told no, because it is an approved subdivision plan.

Darrell Raubenstine's biggest problem is they subdivided the land knowing that they did not have the proper access road designed for it. They could subdivide because they had the front footage, but now they are going to put houses on the land and the driveways do not meet the SALDO. The only way they got the approval, is the previous township engineer allowed them to use the farm lane, a road for farm equipment. The reason they subdivided off the main tract was so they could sell it. He is concern how emergency personnel will get back to the property, if they would ever needed to. He is trying to bring it to the Township's attention. So that the Township does not get into problems down the road, that cannot be corrected.

Andy Hoffman wanted to know going forward when looking at subdivision plans a developer would need to prove they have access to the lot before making any recommendations for approval.

Jay Weisensale said that the Township Manager told him everything that has been submitted, is according to the Ordinance.

ITEM NO. 13 Public Comment

Chairman Jim Myers asked if any visitors present wished to address the Commission. Mr. Tom Sneeringer was late arriving for the YMCA's presentation. He is in favor of the YMCA developing the land, but would like some type of fencing to protect his construction equipment that is stored on his property that near the property line.

Informed that the Planning Commission made a favorable recommendation to the Zoning Hearing Board for the land use, Andy Hoffman explained that when they submit the actual subdivision plan, that he would want to come to those meeting to make his concern known.

ITEM NO. 14 Next Meeting

The next Planning Commission meeting is scheduled for December 18, 2014 at 6:00 pm

ITEM NO. 15 Adjournment

Jay Weisensale made a motion to adjourn at 8:00 p.m., seconded by Andy Hoffman. *The motion carried.*

Respectfully Submitted,

Miriam E. Clapper  
Acting Secretary