

MINUTES  
WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION MEETING  
THURSDAY, OCTOBER 15, 2020  
6:00 PM

MEETING CALLED TO ORDER

Chairman Jim Myers, called the regular meeting of the West Manheim Township Planning Commission to order at 6 p.m. followed with the Pledge of Allegiance.

ROLL CALL

The roll was called, and the following Commission Members were present: Chairman Jim Myers, Jeffrey Brown, Darrell Raubenstine, Jay Weisensale, Interim Township Manager Mike Bowersox, Township Engineer Chris Toms, and Miriam Clapper, recording secretary were present. Andy Hoffman was not present.

APPROVAL OF MINUTES – Regular Meeting Minutes, September 17, 2020

Darrell Raubenstine made a motion to approve the Minutes from the Planning Commission meeting of Thursday, September 17, 2020, seconded by Jeff Brown. **Motion carried.**

CORRESPONDENCE

Chairman Jim Myers indicated they did not receive any correspondences.

VISITORS

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission and received no reply.

PUBLIC COMMENT – ITEMS NOT LISTED ON AGENDA

Chairman Myers informed those present that the Township's engineer would be arriving in a few minutes.

EMERGENCY SERVICES GROUP REPORT

EMC Jason Baldwin was not present.

ZONING MATTERS

Interim Manager Michael Bowersox reported that the Zoning Hearing Board will meet on October 27, 2020, to hear a variance request to install an in-ground swimming pool in the side yard of the owners' corner lot located at 1120 Hobart Road.

The Interim Manager also informed the Planning members that the Township Board of Supervisors will be applying for a grant to update the Township's Comprehensive Plan.

SUBDIVISION AND LAND DEVELOPMENT PLANS

A. Belmont Ridge, LLC – Belmont Ridge Phase 3 – 224 Units and Phase 4 – 83 lots Final Subdivision Plan (review time expires 12/02/2020)

Mickey Thompson and Paul Minnich representing Belmont Ridge, LLC – Belmont Ridge Phase 3– 224 Units and Phase 4 – 83 lots Final Subdivision Plan came before the Planning members to ask for a favorable recommendation to Board of Supervisors to approve Belmont Ridge Phase 3 and Phase 4.

Mr. Thompson handed out a packet of information to each Planning member concerning note #17 on the subdivision plan under General Notes. He then explained in their packet was a letter from the previous owners of Northfield Joint Ventures, LLP and the note that was attached to the letter dated April 15, 2010 (copy on file), was the note listed as item #17 on the plan.

Mr. Thompson also explained that the previously approved Preliminary Subdivision Plan titled Northfield Phase 2 had the same note on page 2 of that plan titled “Note Regarding Future Road Improvements. He pointed out that, that plan was approved by the Board of Supervisors on February 3, 2011.

Paul Minnich approached the Planning members to discuss the Developer’s Agreement and to ask that action be taken on the plan.

Darrell Raubenstine then asked if the Developer’s Agreement (draft) has provision on the silo, and how it would be maintained. Mr. Minnich pointed to the Developer’s Agreement on how the silo would be addressed for future maintenance.

Darrell Raubenstine agreed that what was in the Developer’s Agreement was good, but he brought what his concerns are about the hidden dangers of the silo. He then pointed out that every silo has a way to load and unload the silo, he wanted to know who would be providing the instructions for maintaining the silo. He expressed his concerns about the silo are for safety reasons. Darrell Raubenstine explained that every silo has a top unloader that hangs by cables and sits on a tripod, those cables eventually deteriorate, which sends that unloader crashing down and if a child would happen to climb inside the silo, that child could be killed.

Darrell Raubenstine then explained the dangers of what the silo might have inside that could be leaking out. He spoke on the possibility of the silo having a bottom loader, which allows access to the inside of the silo. He brought up that silos have outside tunnels that allows someone to crawl to the top and along the way up, there are access doors to get inside the silo. Darrell Raubenstine wants to make sure these issues will be addressed in the Developer’s Agreement.

Paul Minnich expressed his appreciation for Darrell Raubenstine’ concerns and suggested making those concerns part of a motion. Mr. Thompson reminded the Planning members that the silo would also need to meet the standards for getting it insured.

Township Engineer Chris Toms asked that two other items be added to the Developer’s Agreement. The first was to clarify the improvements to Pumping Station Road and the second was the obligation of the Developer at some point near the end of project completion, that they would do another traffic signal study and recommend

WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION MEETING MINUTES  
THURSDAY, OCTOBER 15, 2020  
PAGE 3

any timing improvements. Mickey Thompson pointed out that it was already a condition of the Preliminary Plan approval by the Board of Supervisors. The Township's Engineer agreed that it was, but that condition needed to be part of the Developer's Agreement.

Darrell Raubenstine asked about the overlay for Pumping Station Road. He pointed to a note on the plan that it says to the end of Wanda Drive, Phase 1. Township Engineer Chris Toms explained that it is in the southwestern corner of the first phase. The Township Engineer Chris Toms said that it is the first portion of Northfields that has already been built. Township Engineer Chris Toms is recommending that it extend through Phases 3 and 4. He explained that when that note was written it addressed the work that was completed at that time and with improvements being done to both sides of Pumping Station Road in Phases 3 and 4 he is recommending that the note be modified to extend through Phases 3 and 4. Mr. Thompson pointed out that the Board of Supervisors had approved the Preliminary Plan and the overlay for Pumping Station Road on that Plan is what they must adhere to. He explained that if the Board would want to address extending the overlay through Phases 3 and 4, it would need to be between the Board and the Developer.

Darrell Raubenstine made a favorable recommendation to the West Manheim Township Board of Supervisors on the conditions that the unloader that hangs by cables and sits on a tripod is addressed for safety concerns; the inside be addressed for any leaking issues; if the silo has a bottom loader be secured to make sure no one can gain access to the inside; if the silo has an outside tunnel that needs to be secured to prevent anyone from crawling up the tunnel to gain access to the inside of the silo; making sure that the inside and outside of the silo has been properly secured; clarify the improvements to Pumping Station Road, to include extending the overlay on Pumping Station Road through Phases 3 and 4; and to have the Developer at some point near the end of project completion, complete a traffic signal study and complete recommended timing improvements, seconded by Jeff Brown. **Motion carried.**

B. Act 537 Plan

Township Engineer Chris Toms gave the Planning members a packet titled Act 537 Plan Update Special Study for West Manheim Township, York County, Pennsylvania. He explained that the last time the Township completed an Act 537 Plan was in 2013. He pointed out Appendix A, 2013 Act 537 Plan Approval Letter from DEP, comment No. 2 states *Areas 4,5, and 6 continue to be designated as future sewer service areas to be reevaluated within 10 years.* He then explained that in 2023, a more significant study will take place. He then explained the reason the Planning members got the packet was the next sentence, which read *The Department recommends that the Western portion of Area 6 be reevaluated for public sewer extension within 5 years due to the evidence of well water contamination.*

He told them that C.S. Davidson met with D.E.P in 2018 to discuss Area 6 and C.S. Davidson started working on it in 2019. He explained that what they had was the reevaluation of the western area, Area 6. He then explained that as part of the sale of the sewer system, D.E.P. is asking that an Act 537 Special Study (a limited report) be done to address the sale of sewer assets to a public utility. He explained the timeline and asked that if they had any questions or comments, he would like to address them at the next meeting. He then proceeded to go through the packet touching on certain items.

SIGNING OF APPROVED PLANS None

WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION MEETING MINUTES  
THURSDAY, OCTOBER 15, 2020  
PAGE 4

OTHER BUSINESS

Darrell Raubenstine thanked Interim Township Manager Michael Bowersox for the copy of the ordinance, which stated that the Planning Commission only hear Special Exceptions. Darrell Raubenstine asked since the township will be updating the Comprehensive Plan, Zoning Ordinance and the SALDO should the Planning Commission become part of hearing variance request and giving recommendations to the Zoning Hearing Board. Michael Bowersox explained that he did have mixed feelings on that because the Zoning Hearing Board is supposed to be an independent board that should not be influenced by anybody other than the zoning ordinance and the advice they receive from the Zoning Hearing Board's legal counsel. Darrell Raubenstine expressed that the Planning Commission Board was the common sense board, which Michael Bowersox explained that if 90 percent of the variance request are being approved then the Township should consider changing the ordinance. Michael Bowersox explained that since becoming the Zoning Officer, the Zoning Hearing Board has not declined any request, which he believe is the reason the Township needs to review the current Zoning Ordinance.

PUBLIC COMMENT

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission and received no reply.

NEXT MEETING

The next scheduled meeting for the Planning Commission is Thursday, November 19, 2020 at 6 p.m.

ADJOURNMENT

Jay Weisensale made a motion to adjourn at 8:50 p.m., seconded by Darrell Raubenstine. **Motion carried.**

Respectfully Submitted,

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Miriam Clapper, Recording Secretary

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Chairman