

MINUTES  
WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION MEETING  
THURSDAY, DECEMBER 17, 2020  
6:00 PM

MEETING CALLED TO ORDER

The regular meeting of the West Manheim Township Planning Commission was held virtually via GoToMeeting video conferencing software due to the Governor's restrictions for the COVID-19 pandemic. The meeting was called to order at 6:05 p.m., by Chairman Jim Myers.

ROLL CALL

The roll was called, and the following Commission Members were present: Chairman Jim Myers, Jeffrey Brown, Andy Hoffman, Darrell Raubenstine, Jay Weisensale, along with Interim Township Manager Mike Bowersox, Township Engineer Cory McCoy, and Miriam Clapper, recording secretary were present.

APPROVAL OF MINUTES – Regular Meeting Minutes, November 19, 2020

Andy Hoffman made a motion to approve the Minutes from the Planning Commission meeting of Thursday, November 19, 2020, as corrected seconded by Jay Weisensale. **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 asked if anyone present wanted to discuss an item not listed on the Agenda and received no comments.

EMERGENCY SERVICES GROUP REPORT – none for this meeting

ZONING MATTERS

Interim Manager Michael Bowersox reported that there would be a zoning hearing on Tuesday, December 22<sup>nd</sup> concerning Prinland Heights Subdivision asking for relief from the front setback requirement. Interim Manager Michael Bowersox suggested to the Planning Commission members that they might want to watch the hearing since it was going to be virtual.

SUBDIVISION AND LAND DEVELOPMENT PLANS

A. Moffitt and Little 2-Lot Minor Subdivision Plan (review time expires 01/08/2021)

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Douglas Stambaugh, GHI Engineering and Surveyors and Don Moffitt were present to represent and to answer any questions and address any concerns the Planning Commission had on the waiver request, the extension request and the Moffitt and Little 2-Lot Minor Subdivision Plan.

- a. Extension request for the Moffitt and Little 2-lot Minor Subdivision Plan through April 1, 2021

Darrell Raubenstine made a motion for a favorable recommendation to the West Manheim Township Board of Supervisors to grant the extension request for the Moffitt and Little 2-lot Minor Subdivision Plan through April 1, 2021, seconded by Jay Weisensale. **Motion carried.**

- b. Waiver request to the West Manheim Township Subdivision and Land Development Ordinance Article 3 Section 235-10 to allow this plan to be considered as a final plan and to waive the requirement for a Preliminary Plan.

Jay Weisensale made a motion for a favorable recommendation to the West Manheim Township Board of Supervisors to grant the waiver request to the West Manheim Township Subdivision and Land Development Ordinance Article 3 Section 235-10 to allow this plan to be considered as a final plan and to waive the requirement for a Preliminary Plan, seconded Jeff Brown. **Motion carried.**

Darrell Raubenstine asked if the Planning Commission was going to act on the plan and Jim Myers said that he felt that no action was needed due to what the letter from GHI states. Doug Stambaugh explained that they submitted a revised plan in November with the expectation that all comments were addressed.

Darrell Raubenstine questioned Township Engineer Cory McCoy that the revised submitted plan did not show the sewer easement going across the front of the second lot. Doug Stambaugh pointed out where the easement is shown on lot #1, which brings the sewer to the property line on lot #2. Darrell Raubenstine has concerns for the next person who would need to connect to public sewer having access to those sewer lines. Township Engineer Cory McCoy explained to the Planning members that the owners of lot #1 (with the existing dwelling) is proposing to run a 10 foot easement on either side of the sewer lateral from the last manhole, which is located at the very north corner of lot #1 up along the front of the Baltimore Pike to supply sanitary sewer to lot #2.

Darrell Raubenstine said that the next lot does not have sewer to which Township Engineer Cory McCoy replied that the rear of lot #2 that is being created there is sanitary sewer, which would be more practical to connect to.

After discussing the need for the sanitary sewer easement at the front of the Lot #2, Mr. Moffitt agreed to provide the sanitary sewer easement in the front of Lot #2.

Darrell Raubenstine made a motion for a favorable recommendation to the West Manheim Township Board of Supervisors to approve the Moffitt and Little 2-lot Minor Subdivision Plan on the condition that a 10-foot easement be provided across the front of Lot #2 and all engineer's comments are addressed, seconded by Andy Hoffman. **Motion carried.**

- B. Tollgate Road 5 Lot Final Subdivision Plan (review time expires 03/11/2021)

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Jack Powell of Jack N. Powell, PE, Inc., and James R. Horak, POA for the deceased James E. Horak were present to represent and to answer any questions and address any concerns the Planning Commission had on Tollgate Road 5 Lot Final Subdivision Plan. Mr. Powell reminded the Planning members that they had previously approved a preliminary plan with 6 lots, 5 residential properties and 1 commercial property. He pointed out that the plan before them was a final plan with five lots, four residential properties and one commercial property and that the plan has been revamped to eliminate the private drive. Mr. Powell explained that the death of Mr. James E. Horak prompted the changes in the plan to settle the Estate. He pointed out that he has answered both York County Planning's and C.S. Davidson's comments. He informed the Planning members that there is an agreement concerning the stormwater pipe that comes off the Baltimore Pike that the Partnership, the Township, the Fire Company are parties to. He informed the Planning members that the Agreement was reviewed by all parties' legal counsel and agree with the language in the Agreement and signatures are needed.

After discussing the plan and all questions were satisfied, Chairman Myers asked if there was motion to make a favorable recommendation to move forward.

Jay Weisensale made a motion for a favorable recommendation to the West Manheim Township Board of Supervisors to approve Tollgate Road 5 Lot Final Subdivision Plan on the conditions that all engineer's comments are addressed, seconded by Darrell Raubenstine. **Motion carried.**

SIGNING OF APPROVED PLANS: None

OTHER BUSINESS:

Township Engineer Cory McCoy gave an update on the Act 537 Plan. He informed the Planning members that the Township had decided to split the Act 537 plan into two separate submittals. Area 6 and how it will address the water quality issues in that area is going to be split from the sale of the sewer asset.

He informed them that at the next board meeting the Board will be acting on a resolution to approve the submission of the Act 537 Plan on the sewer sale. He then asked the Planning Commission to make a formal recommendation on the Act 537 Plan that proposes the sale of the sewer system to the York Water Company.

Chairman Myers asked if the Act 537 plan they were acting on was the Plan that shows it as two submittals or is that different. Township Engineer Cory McCoy said that it would be the Act 537 Plan for the sale of the sewer system. He explained that the Board does not know how to address the water quality issues in Area 6 at this time and that the Board would address Area 6 at a later date. Chairman Myers reminded everyone that at the last meeting the Planning members did make a favorable recommendation on the Act 537 Plan even though they did not agree with the sale of the sewer system.

Jay Weisensale stated that they made that motion because the way things were worded they had to do something. He then explained that the motion was worded in such a way that the Planning members were not in favor of the sale. Jay Weisensale then said that he would be prepared to have a favorable recommendation for the submittal of the Act 537 Plan for approval of the sale of the sewer system.

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Jay Weisensale made a motion for a favorable recommendation to the West Manheim Township Board of Supervisors to approve the submittal of the Act 537 Plan for the sale of the sewer system, seconded by Andy Hoffman.

Darrell Raubenstine asked who would be responsible for Area 6 if York Water buys the rest of it. Interim Manager Michael Bowersox said that the Act 537 Plan would always be the Township's responsibility. Darrell then asked if York Water buys the sewer system, the Township is stuck with Area 6. Chairman Myers and Interim Manager Michael Bowersox both indicated that they would be stuck with it no matter what happens. Interim Manager Michael Bowersox explained that he believes further study would need to be done to include all Area 6, which might also include Areas 4 and 5. Darrell Raubenstine then made a comment that Area 6 would be a good place for a sewer plant since everything from the Baltimore Pike west drains to it if that were to become an option. Michael Bowersox agreed that Area 6 would be good option for a treatment plant.

Jeff Brown asked about negotiations with Penn Township. Interim Manager Michael Bowersox told the Planning members that York Water submitted a proposal to Penn Township. Penn Township is considering the proposal.0

After discussing Area 6, Chairman Myers asked if they wanted to take a roll call vote on the motion or by acclamation. In a vote of Andy Hoffman, Jim Myers and Jay Weisensale voting "yes" and Darrell Raubenstine and Jeff Brown voting "no", the **Motion carried.**

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 the Reorganizational Meeting January 16, 2021 at 6 p.m.

ADJOURNMENT:

Andy Hoffman made a motion to adjourn at 7:05 p.m., seconded by Jay Weisensale. **Motion carried.**

Respectfully Submitted,

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Miriam Clapper, Recording Secretary

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Chairman