

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: 5/8/2018

The meeting was called to order by Patrick Hein at 7:00 P.M. Members present: Fred Walters and Ron Stare. Others present: Rachelle Sampere, Township Zoning Officer and Paul Wilson, P.E. Township Engineer from Dawood

Approval of Minutes:

MOTION: by Fred Walters to approve the April 10, 2018 meeting minutes.

SECOND: by Ron Stare

MOTION PASSED: Unanimously (3-0)

ZONING HEARING BOARD CASES

18-04 Royce Images Photography, LLC, 75 South Gotwalt Street – Special Exception/Variance of 150-290 (SE) Substitution or replacement of a nonconformity and/or 150-69 (VAR) Permitted Uses to allow a Personal Service Business (Photography Studio) as a permitted use in a R-5 Residential (R-5) zone.

Mr. Frank Royce represented the applicant. Mr. Royce explained to the Planning Commission members that he is the husband of the applicant. Mr. Royce stated that he and his wife are planning on renting the tenant space at 75 S. Gotwalt Street from Mr. Keffer of Keffer Funeral Homes. The tenant space was previously a retail store. Ms. Sampere explained to the Planning Commission members that she spoke with the solicitor regarding this case. The application could go either as a special exception to substitute one non-conforming use with another non-conforming use provided that the applicant can meet all the criteria or the application could be heard as a variance to allow a personal service business as a permitted use in the R-5 zone. Mr. Hein asked if the personal service business in a R-5 zone was the reason for a variance. Ms. Sampere explained that personal service businesses are permitted in the LC, HC, MU and RC zones.

MOTION: by Ron Stare to recommend approval of the request to the Zoning Hearing Board for the special exception to substitute one non-conforming use to another non-conforming use if all of the criteria can be met or to grant the variance request to allow a Personal Service Business (Photography Studio) as a permitted use in the R-5 zone.

SECOND: by Fred Walters

MOTION PASSED: (3-0)

18-05, Nails by Michelle, 2189 York Crossing Drive – Variance of 150-283.B.P-9D to increase the allowable size of an attached business identification sign in a shopping center in the Regional Commercial (RC) zone.

Michelle Tran of Nails by Michelle was present and explained to the Planning Commission members that the signs installed on her tenant space without a permit are too large. The existing sign on the front of the building is 33.5 sq. ft. and the existing sign on the rear of the building is 24 sq. ft. Ms. Sampere explained that the Zoning Ordinance sign chart states that individual uses within the shopping complex may have a maximum of ¼ sq. ft. per one (1) linear

foot of wall onto which sign is to be affixed, not to exceed 100 sq. ft. This would limit Nails by Michelle to 4.625 sq. ft. signs on the rear of her tenant space. There was a variance previously granted in 2010 to allow a maximum of 15.86 sq. ft. attached sign on the front of the tenant space. Mr. Hein stated that he remembers various other businesses requesting variances because the sign ordinance is very restrictive which would make it difficult to see attached business signs from the street.

MOTION: by Patrick Hein to recommend approval of the variance request to the Zoning Hearing Board to allow the increased sizes of the signs on the front and rear of the building for Nails by Michelle.

SECOND: by Fred Walters

MOTION PASSED: (3-0)

18-06, Nicolle King, 1210 Richard Street – Variance of 150-51.C and 150-5 Family Day Care to increase the maximum number of supervised minors from three (3) to eight (8) minors during any calendar day in the R-3 Residential (R-3) zone.

Nicolle King was present and explained to the Planning Commission members that she was requesting a variance to allow eight (8) minors rather than the permitted three (3) minors that the Zoning Ordinance allows. She explained that she is currently supervising eight (8) children ranging from ten (10) months to nine (9) years of age. Mr. Hein asked if the Township had any concerns with the variance request. Ms. Sampere stated that Mrs. King is working with the Township and has submitted a permit application for approval requesting a Family Daycare of three (3) minors to comply with the Township’s Zoning Ordinance and the requirements from the State. If the variance is granted, Mrs. King understands that there may be additional inspections under the building code for the increased number of minors being supervised. Ms. Sampere noted that Ms. King provided a site plan that indicates an adequate amount of parking for a Family Daycare. Mr. Walters asked if the neighbors have ever indicated that they were not supportive of the number of children being supervised. Mrs. King stated that her property is at the end of the road and the neighbors have never mentioned anything to her about traffic or supervising children. Mr. Walters asked if granting the Township would have to consider an increased usage of sewer if a variance was granted to allow supervision of eight (8) minors. Ms. Sampere stated that the Township would need to verify the current sewer usage and projected usage should be estimated to see if the number of EDUs would increase since the property would no longer be used only as a single-family dwelling if the variance request is granted. Mrs. King stated that she is working with the State to meet all their requirements. She also explained that her property is not served by public water and that she will be working closely with DEP because her property is on well water.

MOTION: by Fred Walters to recommend approval of the variance request to the Zoning Hearing Board contingent on the examination of sewer usage and approved building code inspections.

SECOND: by Ron Stare

MOTION PASSED: (3-0)

NEW BUSINESS

T-835 Preliminary/Final Land Development Plan for Lot 5 – Proposed Medical Office
located at 717 Town Center Drive

Scott DeBell of Site Design Concepts presented the plan. Mr. DeBell explained that the property is located on the western side of the West Manchester Mall. The property is approximately 1.2 acres of undeveloped area. The proposed medical office building will be approximately 5,000 sq. ft. It will include a parking area, an access onto Haviland Road and an access onto Town Center Drive. Stormwater improvements are shown on the plan. Mr. Hein asked if a traffic study is required. Mr. Wilson explained that a waiver has been requested for the traffic study due to the size of the project relative to the size of the existing mall. Mr. Walters stated that the access drive onto Town Center Drive is directly across from an existing parking lot entrance into Wal Mart. Mr. Hein asked if the staff had any concerns regarding the waiver requests. Mr. Wilson stated that he spoke with Steve Callahan, West Manchester Township's Public Works Superintendent, regarding the condition of Haviland Road. Mr. Wilson explained that there are portions along this property's road frontage along Haviland Road that the Township would like repaired and/or replaced. Mr. DeBell stated that he will be resubmitting the plan addressing the outstanding comments prior to the Board of Supervisors' meeting.

Subdivision and Land Development Ordinance (SLDO):

1. Provide existing features within 200'. (SLDO: 150-14.C.3)
2. Sewer facilities plan revision (plan revision module for land development). (SLDO: 121-14.E.2)
3. The address should be added to the plan. 717 Town Center Drive. (SLDO: 121-15.D.2)
4. Improvement guarantees are required for any proposed public improvements. (SLDO: 121-15.F.9)
5. A cost estimate for public improvements shall be provided. (SLDO: 121-17)
6. An easement should be placed around the proposed stormwater facilities. (SLDO: 121-28.E)

Stormwater Management Ordinance (SWMO):

7. A Karst evaluation must be provided. (SWMO: 113-12.I)
8. Provide dewatering calculations for the stormwater facilities. (SWMO: 113-12.L)
9. No infiltration testing or probe results were provided with this submission. These need to be provided to verify adequacy of underground facilities. (SWMO: 113-17.N)
10. Provide verification of E&S approval. (SWMO: 113-18.E.5)
11. An as-built plan will be required. (SWMO: 113-25)
12. An Operation and Maintenance Agreement will be required for this plan. (SWMO: 113-26)
13. A level spreader should be placed at each of the pipe outlets. (Recommended by Dawood Engineers)
14. It appears that the emergency spillway grading and elevation provided in the report are inconsistent.

General Comments:

15. The plan depicts fill being placed within the 100-year floodplain. This should be adjusted to remove the fill from the floodplain, or else provide appropriate FEMA documentation.
16. The signatures and seals of the individuals responsible for the plan shall be affixed to the plan prior to approval by the Board of Supervisors (SLDO: 121-15.F)
17. The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (SLDO: 121-15.F.4)

18. All administrative items shall be addressed prior to plan recording (surety, Operation & Maintenance Agreement, payment of all invoices, etc.)

19. All final plans as recorded shall be submitted in electronic format (i.e. PDF)

Waiver Requests:

W1. Preliminary Plan. (SLDO: 121-9)

W2. Maximum plan size of 24"x36". (SLDO: 121-14.A.3)

W3. Impact Statements. (SLDO: 121-14.F.1)

W4. Improvements should be made to the existing road. (SLDO: 121-23.C)

W5. Sidewalks shall be placed along all road frontages. (SLDO: 121-25)

MOTION: by Patrick Hein to recommend approval plan and the requested waivers, as listed, to the Board of Supervisors subject to the outstanding comments being addressed.

SECOND: by Fred Walters

MOTION PASSED: (3-0)

Meeting adjourned at 7:32 p.m.