

PUBLIC BOARD MEETING MINUTES

March 23, 2023

Chairman Harlacher called the meeting to order at 7:24 p.m.

ATTENDANCE:

Supervisors Present:

Steven Harlacher – Chairman
Ronald Ruman – Vice Chairman
Dave Markel – Supervisor -remote

Staff Present:

Kelly Kelch – Township Manager
Lori Trimmer – Parks & Recreation
Keith Whittaker – Finance
Clif Laughman – Fire Chief
John Snyder – Police Chief
Rainer Neidoroest – Engineer
Rachelle Sampere – Zoning & Codes
Andy Herrold – Solicitor
Rich Shaw – Public Works
Laura Mummert – Stenographer

CALL TO ORDER:

A. The Pledge of Allegiance was recited.

EXECUTIVE SESSION:

Chairman Harlacher announced there was an executive session held prior to tonight's meeting to discuss personnel matters.

PUBLIC COMMENT:

A. Mr. Tony Kipple, 80 Myers Avenue, spoke to the Board on behalf of the West York Boys Baseball Club regarding a stormwater fee for batting cages they are going to install for the kids to use for baseball. Mr. Kipple asked if the Board would consider waiving this fee, as it was a high amount and the Boys Club was a non-profit club with limited funds. Chairman Harlacher made a motion to waive the stormwater fee. Vice-Chairman Ruman second the motion. Motion passed unanimously.

B. Randy Drais, 1860 Hayward Road, thanked the Board and Township staff for the newsletter and thinks it's a great item for information. He asked the Board why there still isn't information in the newsletter regarding sewer and stormwater projects. Manager Kelch informed

him if we did that the information would be outdated as it's always changing each month. Mr. Drais explained that he only wanted it mentioned in the newsletter that residents can find more information on the website. Manager Kelch apologized for the misunderstanding and said the next newsletter will have the information.

C. Mr. Frank Cable, 2170 Taxville Road, spoke to the Board about the property at 2075 Taxville Road and the Zoning Officer needs to address the issues at this property. He expressed that he didn't understand how the issues have gone on for so long. Solicitor Herrold mentioned that Officer Sampere is only to respond to complaints she receives. Officer Sampere informed Mr. Cable that she would check it out and send them a violation letter if appropriate.

APPROVAL OF MINUTES:

- A. The minutes of the February 23, 2023, Public Board Meeting were provided for approval. Motion to approve the Public Meeting Minutes of February 23, 2023, as presented.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

OPEN FLOOR DISCUSSION:

None

OLD BUSINESS:

- A. T-872 PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR PROPOSED RETAIL BUILDING AND DRIVE-THRU/FAST FOOD RESTAURANTS FOR WEST MANCHESTER TOWN CENTER: This request is tabled as staff is still awaiting a traffic study and other outstanding comments to be completed.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- B. COMP PLAN/ZONING ORDINANCE UPDATE: This item was tabled at the February meeting until questions by the Board could be answered. Based on the information provided, a motion was made by Vice-Chairman Ruman and second by Chairman Harlacher to approve Gannett Flemming to do the Township comp plan/zoning ordinance update. Motion was passed unanimously.

NEW BUSINESS:

- A. ORDINANCE 23-03 FIREFIGHTER TAX CREDIT: Chief Laughman was asked to give a brief overview of the proposed tax credit. After doing so, Chairman Harlacher thanked him, Andy Herrold, and all members of the fire department for their work on this proposal. A motion was made to approve Ordinance 23-03, firefighter tax credit as provided and advertised. Chief Laughman thanked the Board for their support.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- B. ROAD CLOSURE: Motion to ratify the road closure that occurred on N. Forrest St. for Road restoration from gas line crossings. This closure occurred on March 10th, and March 13th to the 17th, 2023.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- C. ROAD CLOSURE REQUEST: Motion to approve a road closure request from Mr. Brian Singer of BLM Construction to close Hoffman Lane on July 28th, 2023, from 2 to 6 p.m. for a contractor appreciation event. The applicant will notify adjoining properties and provide barricades for the street.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- D. ROAD CLOSURE REQUEST: Motion to approve a road closure request from Chief Laughman for the 111th Annual York County Firefighters Association Convention parade on Saturday, August 12, 2023 from 11:45 a.m. to 3 p.m. Roads affected will be:

- Loucks Rd. (from Carlisle Rd to Taxville Rd.)
- Taxville Rd. (from Greenwood Rd. to Bannister St.)
- White St. (from N. Oxford St. to Bannister St.)
- White St. (from Carlisle Commerce Center entrance to Bannister St.)

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- E. T-875 PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT PLAN FOR WESTGATE CAMPUS PHASE 2 PROPOSED PROFESSIONAL OFFICE BUILDINGS: Mr. Doug Gossick and Mr. Mayur Patel were present to provide the Board with information regarding this proposal as well as sharing plans of their proposal. Manager Kelch asked Zoning Officer Sampere to go over the waivers.

At its regularly scheduled public meeting on March 23, 2023, the West Manchester Township Board of Supervisors voted to conditionally approve T-865 Preliminary Subdivision and Land Development Plan for Westgate Campus – Phase 2 subject to the following comments being addressed:

Subdivision and Land Development Ordinance (SLDO):

1. §121-14.D.14 & 121-15.D A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waiver(s). *Update the list of requested waivers as appropriate based on the decision of the Board of Supervisors.* [Dawood's Post Approval Requirements Comment #2 and Township's SLDO Comment #1]
2. §121-14.E.2 & 121-15.F.3 A sewer facilities plan revision (plan revision module for land development) or supplement in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. *Provide an approved sewage planning module or exemption from DEP. Please submit a sewer planning module for Township staff to review prior to forwarding to PA DEP.* [Dawood's Substantive Comment #3 and Township's SLDO Comment #2 & #7] *Please provide a copy of the capacity availability letter or approved planning exemption for this property that pre-dates the work approved under T-865. As long as the total sewage capacity needed to serve the improvements for this plan plus that from T-865 (1,810 GPD) will not exceed that approved for the plan pre-dating T-865, Dawood will recommend the Township pass a sewage planning or exemption onto the DEP for approval.*
3. §121-14.G.1 Where the land included in the subject application has an electric or telephone transmission line, a gas pipeline or a petroleum or petroleum products transmission line located within the tract, the application shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement. *Dawood previously requested this information for the Met-Ed ROW traversing the southern boundary of the subject parcel be provided. The developer and their agent indicated they received a letter accepting the proposed changes in the ROW for Phase 1. They indicated they will provide a copy of that letter. Please also add a note on the drawings indicating that such a letter will be provided before any of the work proposed with this plan (Phase 2) encroaching on the ROW is begun.* [Dawood's Administrative Comment #2 and Township's SLDO Comment #5]
4. §121-23.J Street right-of-way and cartway widths. The minimum street rights-of-way and cartway widths... for a permanent turnaround is 100' minimum right-of-way and 80' minimum cartway. *Dawood understands that the street*

*will not be constructed without the driveway for Lots #5 and 6 to allow for fire trucks / snowplows to turn around and that the Township believes this is acceptable. It also understands, that prior to an offer of dedication, controlling conditions like road maintenance and emergency access concerns will be addressed in a manner similarly to that for Westgate Phase 1. For this reason, Dawood withdraws its comments regarding minimum cart width and indicates **no objection to the proposed waiver.***

5. §121-23.N.1 Cul-de-sac streets. Temporary cul-de-sac streets shall only be approved by the Board when the applicant has demonstrated to the satisfaction of the Board that the temporary situation will not exceed 2 years. *Tow of the proposed waivers will allow for the construction of a permanent cul-de-sac with features typically regarded as temporary in the Township. Dawood understands that the developer intends to complete the connection of Westgate Drive to Roosevelt Avenue (SR 4001) during a Phase 3 development. It also understands that conditions controlling an offer of dedication, like the completion of that connection, will be addressed as with Westgate Phase 1. That is to say, if necessary, by the terms of an agreement related to the acceptance of dedication. For this reason, Dawood reserves its comments regarding the timing of a temporary cul-de-sac and indicates **no objection to the proposed waivers.***
6. §121-23.N.1 Cul-de-sac streets. Temporary cul-de-sac streets shall not exceed 750 feet in length. A waiver of the 750-foot maximum length for a temporary cul-de-sac street has been requested. [Dawood's Substantive Comment #9 and Township's SLDO Comment #13] **Acceptance of this waiver is recommended.**

Stormwater Management Ordinance:

1. §113-12.L Stormwater Management Ordinance. Storage facilities, designed as such, shall completely drain both the volume control and rate control capacities over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. However, any designed infiltration at such facilities is exempt from the minimum twenty-four-hour standard, i.e. may infiltrate in a shorter period of time, so long as none of the stormwater flowing into the infiltration facility is discharged directly into the surface waters of the Commonwealth. (Inordinately rapid infiltration rates may indicate the presence of large fractures or other conditions for which an additional soil buffer may be required.) *Dawood previously indicated the designer provide dewatering calculations showing that proposed infiltration BMPs dewater in less than 72 hours from the end of the design storm. The dewatering calculations provided only indicate the length of time for water to reach the invert of the lowest outfall device. Dewatering calculations should show the time that it takes the basin to*

completely dewater to the bottom of the basin and should be based on observed infiltration rates.

2. §113-17.A.3 The peak discharges and volumes of runoff shall be determined by using the Modified Rational Method for watershed less than 10 acres, and for larger watersheds, the latest version of Technical Release No. 55, Urban Hydrology for Small Watersheds, or an acceptable engineering method, subject to Township approval. *Upon close review and application of the critical storm duration, Dawood found that post development rates exceed pre-development rates for most design storms. Provide calculations for the critical storm duration showing the maximum required storage volume. When used to route hydrographs through a basin, the Modified Rational Method also requires the correct critical duration storm be used to compute the maximum storage volume required. The instructions for the tool the designer is using (HydroCAD) agrees with this assertion. That is, it indicates the critical storm duration is required for basin routing as part of proper use of this method. Though for single subcatchments, the critical duration will be equal to the time of concentration, this is not the case for multiple, routed HydroCAD nodes (included a routed basin.) For all basins, a critical storm duration must be performed for the 1- to 100 year design storms in order to properly determine peak basin elevation and, therefore, peak discharge rates. If the applicant can provide a publication that supports the method the designer has used, in contradiction to the instructions of HydroCAD, the Township could consider it an “acceptable engineering method.” Alternately, they could use the SCS/NRCS Unit Hydrograph procedure (aka TR-20) the original and more rigorous version of the SCS/NRCS Urban Hydrology for Small Watersheds procedure (aka TR-55). Additionally, it appears that the assumed C-values utilized are not consistent across different storms/subcatchments. Revise for consistency. [Dawood’s Substantive Comment #15]*
3. §113-18.E.1 The overall stormwater management concept for the project, including any additional information required for a post-construction stormwater management plan (PCSWMP) as applicable. *Clearly indicate how runoff from proposed buildings is intended to enter the storm sewer system. Since the building footprints may change, the developer’s agent suggest they will incorporate this design element in the final land development plans and associated PCSM report. Given that the impervious area of the buildings is incorporated into the site stormwater management design, this seems appropriate at this time. **Therefore, no further action to address this comment is needed for this preliminary land development plan submission.** [Dawood’s Substantive Comment #16]*
4. §113-18.E.5 A soil erosion and sediment control plan, where applicable, as prepared for, reviewed and approved by the York County Conservation

District. Provide approval of the erosion and sediment control plan from YCCD. [Dawood's Post Approval Requirements Comment #8]

General Comments:

1. Since the state requires that the Township determine what the appropriate speed limit should be for roads like Westgate Drive, Dawood recommends West Manchester Township require an engineering study be completed by the applicant to support the establishment of the legal posted speed for the road extension prior to dedication of the completed roadway to the Township. [Dawood's Post Approval Requirements Comment #9]
2. Comments from the York County Conservation District, Township Zoning Officer and others as applicable, shall be addressed. [Dawood's General Comment #2]
3. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
4. §113-18.E.11 and 19. A notarized signature of the owner of the parcel for which the SWM site plan is proposed indicating that they are aware of and will be responsible for operation and maintenance of the facilities. *A notarized signature shall be provided by the owner prior to final approval.*
5. §121-15.F Certifications and notifications. Signatures seals, and notarizations shall be provided by the owner, professional surveyor, and professional engineer of record prior to final approval. *Signature blocks shall be added to all sheets to be recorded, as required by this section.*

Floodplain Management Ordinance:

The proposed land development (building, paving, parking, stormwater management, etc.) does not appear to be located within the floodplain.

Recommended Adjustments to the Plans:

Dawood believes several recommendations for improving the plans are warranted. This is consistent with §121-22 which states, "the standards and requirements contained in this article shall apply as minimum design standards for subdivisions and/or land developments. Whenever other Township ordinances or regulations impose more

restrictive standards and requirements than those contained herein, the more restrictive shall apply.”

1. As required by the Township Construction and Material Specifications, all hot mix asphalt pavement shall be as specified in the current version of Pennsylvania Department of Transportation (PennDOT) Publication 408. *Dawood previously indicated that the typical section for such pavement should be corrected. A pavement detail for the items on Sheet 25 has been added to Sheet 29. Though that detail calls out the use of “Superpave” wear, binder and base courses as well as the normal aggregate size and proposed thickness, it does not indicate what mix design from Publication 408 will be used. Please be more specific. For example, “1-1/2 thick, Superpave Asphalt Mixture Design Wearing Course, PG 645-22, 1.25 MM Mix, SRL-H”. Please update accordingly or indicate the asphalt design mixture will be submitted for Township review before construction.*

At its regularly scheduled public meeting on March 23, 2023, the West Manchester Township Board of Supervisors voted to grant the following waivers and deferment:

- W1. §121-23.N.1 Maximum Permanent Cul-de-sac Length. The applicant proposes a cul-de-sac which has a length to the nearest intersection of 1,800 feet, exceeding the maximum of 750 feet.
Though acceptance of the waiver is recommended, Dawood thinks it should be applied for independently of the waiver requested from §121-23.J
- W2. §121-23.J Turnaround Dimensions. The applicant proposes a waiver so that the cul-de-sac can be constructed to the temporary design criteria. *The applicant appears to be requesting a waiver in part due to the expected schedule for completion of the extension to Roosevelt Avenue. Dawood recommends requiring the information requested in Substantive Comment 8. If the turnaround will remain more than two years, Dawood recommends requiring the information requested in Substantive Comment 6.*
- D1. §121-25 Curbs and Sidewalks. *The applicant is requesting a deferment from the requirement to install sidewalks and curbs along Roosevelt Avenue, noting that no sidewalks currently exist along the road and there are no nearby uses such as schools, parks or convenient shopping which would generate significant pedestrian activity. Additionally, the applicant proposes a deferment of sidewalks along Westgate Drive indicating that slopes are not conducive to safe pedestrian access and that sidewalk would encourage*

pedestrian access to Roosevelt Avenue, which is currently not curbed or in possession of sidewalk.

Motion to approve a preliminary subdivision plan creating six (6) additional lots and a preliminary land development plan depicting four (4) office buildings located along the proposed extension of Westgate Drive in the Professional Office Zone. The properties will be served by public water and public sanitary sewer.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

F. T-870 REVISED PRELIMINARY/FINAL LAND DEVELOPMENT PLAN & SURETY ESTABLISHMENT FOR PROPOSED CAR WASH FACILITY FOR BLM ASSETS, INC.: At its regularly scheduled meeting on March 23, 2023, the West Manchester Township Board of Supervisors voted to conditionally approve the Preliminary/Final Land Development Plan for Proposed Car Wash Facility for West Manchester Town Center located at 715 Town Center Drive subject to the following comments being addressed prior to recording the plan:

Zoning Ordinance (ZO):

1. §150-251 Minimum space sizes. The handicapped parking space detail on sheet C-10 indicates the handicapped parking space is 8' wide x 20' long; however, the Zoning Ordinance requires that the space be a minimum of 12' wide x 22' long. *Please revise on all applicable sheets of the plan.*

Subdivision and Land Development Ordinance (SLDO):

1. §121-0.A.3 ...building construction plans, including identification of unusual fire hazard potential and private hydrant/sprinkling systems, shall be submitted to the appropriate fire company. *Address comments from the Township Fire Chief, if any. Fire Chief Laughman has request a fire hydrant be located along the proposed access drive between the new construction on Lot 13 and residual tract lot 13 for emergent situations. Contact Fire Chief Laughman for questions and/or clarifications.*
2. §121-14.B.5 Indication of map and lot number assigned to the property by the York County Tax Assessment Office. *Please add this information to all applicable sheets of the plan. This should be available if the subdivision plan was recorded.*
3. §121-14.D.14 & §121-15.D A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waivers. *Update the waiver requests listed on the plan as appropriate based on the decision of the Board of Supervisors.*

4. *§121-14.F. A transportation impact study (TIS) is required for all non-residential uses. The previous Traffic Memo for the Haviland Road extension prepared by Transportation Resource Group, Inc. and dated December 21, 2017 assumed a 15,000 square foot shopping center land use between Haviland Road and the Mall Ring Road as background traffic. However, Dawood expects the proposed car wash and neighboring fast-food restaurants to generate more than PM peak hour trips than the originally assumed shopping center. Therefore, a waiver of the ordinance requirements for the transportation impact statement is acceptable under a certain circumstance. That is, if the traffic concerns listed in the last review memorandum were addressed in a separate evaluation or traffic operations for the proposed site access and connector road. Such a traffic study was furnished, and Dawood recommends the following items related to it should be addressed.*
 - a. *The developer must provide a condition on the land development plan to monitor the connector road/Ring Road intersection 6 months after full buildout/occupation of the site and install physical turn restrictions or time-of day turn restrictions to address any identified need upon further coordination with the Township. It is desired to monitor this location since the traffic analysis indicates the northbound approach of the connector road/Ring Road intersection is projected to operate with LOS E (35.7 seconds of delay) during the Saturday Peak. Likewise, although the northbound approach is projected to operate with a LOS C during the PM peak hour of the adjacent street, the peak hour of fast-food restaurants typically occurs during the noon lunch hour, which was not analyzed. Also, it should be assumed a PM peak hour of the generator for the site trip generation would increase site traffic by 108 trips during the PM peak.*
 - b. *Identify the volume of traffic anticipated to exit the Car Wash site via Haviland Road. This access is shown on the Land Development plan but was not evaluated in the traffic study.*
 - c. *Clarify the source of data for the intersection of Carlisle Road and Brougher Lane.*
 - d. *The internal access to the fast-food restaurants appears to be ingress only. Include this in the study recommendations.*
5. *§121-14.F.1.a.1 Although a waiver request has been requested for the car wash land use, a design evaluation of the proposed connection between Haviland Road and the Mall Ring Road will be required. The proposed design represents a new alignment that was not previously reviewed by the Township. Therefore, a waiver is not recommended for this design evaluation. The evaluation must include the following:*
 - ~~a. Evaluation of connector operation at the Mall Ring Road during the design year with car wash site trips and projected cut through traffic from Haviland Road. Comment addressed.~~
 - ~~b. 95th percentile queue analysis for the northbound connector road at Mall Ring Road. Comment addressed.~~
 - ~~c. Identify who is responsible for construction of the Haviland Road Improvements. Comment addressed.~~

- ~~d. Address any deviation from the West Manchester Township street design standards (related to the design of the proposed connector road). A design waiver for access drive design standards is not recommended at this time. (See traffic comment 3). **Comment addressed.**~~
 - e. Please add adequate traffic control along the connector road including stop bars and double yellow line striping on the bridge, no parking signage along the entire length of the connector road and dotted white extension lines to clarify where the right turn lane storage area ends. Depict all recommended/required signage on the land development plans including stop signs, one-way signs, do not enter signs, do-not-block-the-box signs, way-finding signs, etc.
 - ~~f. Identify whether the connector road will be turned over to West Manchester Township or remain private and identify how the connector road will be classified. **Comment addressed.**~~
 - g. Sight distance must be demonstrated for a speed of 25 mph or the 85th percentile speed, whichever is greater. It is noted the sight distance is listed as only three feet greater than the minimum safe stopping value in some locations at the car wash driveway. Dawood recommends the sight distances be field verified by Township staff for both the car wash site access and the connector road intersection with the Mall Ring Road prior to issuance of the final occupancy permits. Sight distance must be evaluated for the internal connector road intersection with the Car Wash Driveway. If sight distances are inadequate for the one-way approach, additional stop signs should be required to mitigate the deficient approaches.
 - ~~h. Discuss/provide a consideration for future access connections to the BLM Assets, Inc. connection is feasible along the connector road, it must align with the proposed car wash driveway. Note that the proposed car wash improvements must not restrict future potential access to the BLM Assets, Inc. lot. This must be carefully evaluated due to the limited property frontages available for this site. **Comment addressed.**~~
 - i. Vehicle turning templates must be provided for the design vehicle and for the largest emergency vehicle anticipated to access the site/connector road. Templates should demonstrate adequate circulation within the proposed car wash site, along the proposed connector road and at the Mall Ring Road intersection. Consider increasing the width of the one-way section of the connector road to 18 feet if necessary. Vehicle turning templates could not be located in this submission. The width of the connector road appears to be appropriate.
 - ~~j. The 90 degree bend in the connector road adjacent to the Mall Ring Road intersection is undesirable due to visibility of the intersection, visibility of stacked vehicles, required turning clearances and the increased driver distraction created by the roadway geometry. The design must be revised to reduce potential conflicts. **Comment addressed.**~~
6. §121-17 Financial Security. Financial security is required for public improvements not installed prior to recording the plans. *The Board of Supervisors voted on 3/23/2023 to accept the financial security estimate of \$226,495.50.*

7. §121-19 Maintenance guaranty. An 18-month maintenance guaranty from date of acceptance by the Board of Supervisors is required to guarantee the structural integrity of any public improvements. *Provide a maintenance bond of 15% of the public improvements cost upon completion of the project construction.*
8. §121-21 As built plans. Upon completion of all requirement improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing location, dimension and elevation of all public improvement. In addition, the plan shall indicate that the resultant grading, drainage, structures and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The plan shall note all deviation from the previously approved drawings. Two (2) copies of the plan shall be submitted to the Township, which shall distribute one (1) copy to the Township Engineer and retain one (1) hard copy for the Township files. *Provide certified as-built plans, preferably including a survey of the stormwater basins, upon completion of construction.*
9. §121-23.B Private streets... Applications which propose a private street shall be accompanied by a right-of-way agreement which shall be submitted for review by the Township and recorded with the York County Recorder of Deeds on the same date as the recording of the final plan... The Mall Ring Road is a private roadway. *Please provide appropriate documentation that the proposed connection with the connector road is authorized.*

Stormwater Management Ordinance (SWMO:)

1. §113-12.L Storage facilities designed as such, shall completely drain both the volume control and rate control capacities over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. However, any designed infiltration at such facilities is exempt from the minimum twenty-four-hour standard, i.e. may infiltrate in a shorter period of time, so long as none of the stormwater flowing into the infiltration facility is discharged directly into the surface waters of the commonwealth...*All such structures appear to discharge and infiltrate faster than 24 hours. SDC has indicated that the intent of the design is to minimize the depth of infiltration and spread the BMP out over the larges area practicable. Dawood concurs that this is a best practice and that this will naturally decrease dewatering time. However, the facilities still discharge directly into surface waters of the commonwealth. For this reason, a waiver is recommended.*
2. §113-17.N.1.b and §113-17.N.4.b Field test. Though the post construction stormwater management report does contain an evaluation of the soils and their suitability for infiltration BMPs, it does not support this evaluation with infiltration testing and onsite soils evaluation. *SDC has indicated that additional testing/review is underway.*

3. §113-17.N.5 Extreme caution shall be exercised where infiltration is proposed in geologically susceptible areas such as strip mine or limestone areas... *The design of the stormwater conduits plan and post construction stormwater management report appropriately account for the fact that the site is likely underlain by karst geology. However, a geological evaluation of the proposed location for the infiltration BMPs should be conducted to determine if they are proposed over limestone or other formations susceptible to sink holes. If they will, it would be expected that a hydro-geologic justification study be performed to determine if ground water contamination can be prevented. SDC has indicated additional testing/review is underway.*
4. §113-18.E.27 The SWM site plan shall also provide... Drainage-flow pathways. Other than that indicated for the existing concrete drainage flume, drainage-flow pathways are not specifically indicated.
5. §113-18.E.7. The SWM site plan shall also provide the following information where applicable: Plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales.
 - a. *All distribution piping for S.I.B. 1 in the Land Development Plan should be a consistent size. Taken with the plan view on C-5, the trench drain to A2 profile on C-9 suggests 8" and the detail drawing for A2 on sheet C-13 suggests 6". This is inconsistent with the Subsurface Stone Infiltration Bed (S.I.B) Typical detail on C-13, which indicates 12". Please update the drawings accordingly.*
 - b. *The Subsurface Stone Infiltration Bed (S.I.B) Typical Design on sheet C13 should be updated to match the varied designs. Specifically, the S dimension is not consistent with the various infiltration bed designs. Additionally, the detail notes a 12" design minimum for "S". Finally, note 2 indicates that distribution piping within the beds shall be a minimum of 15". Please revise accordingly.*

Post Approval Requirements:

1.	<p>§113-18.E.11 and §113-18.E.19 A notarized signature of the owner of the parcel for which the SWM site plan is proposed indicating that they are aware of and will be responsible for operation and maintenance of the facilities. Also to be included are the name, address, signature and seal of any registered surveyor (attesting to the accuracy of the boundary survey), professional engineer, landscape architect, or professional geologist (for geomorphological assessments) contributing to and/or with a responsibility for any aspect of the plan where applicable... Signatures, seals and notarization shall be provided by the owner, professional surveyor, and professional engineer of record prior to final approval.</p>
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General Comments:

1. A “Right Turn Only” sign must be placed on Haviland Road at the intersection of Brougher Lane pending the traffic study results at which time the Board of Supervisors may consider a revision to this requirement.
2. 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. (§121-15.F)
3. The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (§121-15.F.4)
4. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
5. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
6. Please provide a Knox Box on the building for Emergency Personnel access.

The following action was taken on 8/25/2022 by the Board of Supervisors for the following waivers and deferment:

- W1. §121-9 Preliminary Plan. Waiver is requested to allow the submission of a combined preliminary/final plan set. - *Granted by Board of Supervisors 8/25/2022*
- W2. §121-14.A.3 Maximum plan size 24”x36”. Waiver is requested to allow a plan size of 30”x42”. - *Granted by Board of Supervisors 8/25/2022*
- W3. §121-14.F.1 Transportation Impact Statement. Waiver is requested to not provide a Traffic Impact Statement. ***Denied by Board of Supervisors 8/25/2022***
- W4. §121-23.I Horizontal alignments of streets, access drives and driveways. Waiver is to allow the access drive to be constructed without complying to the horizontal design minimums. ***Dawood does not support this waiver request.***
- W5. §42-9.G Access drives shall be 35 feet wide. Waiver is requested to allow 36 feet wide access to accommodate three lanes of traffic. - *Granted by Board of Supervisors 8/25/2022*
- W6. §42-9.H Access drives shall be 24 feet wide. Waiver is requested to allow a 16-foot-wide one-way access drive. - *Granted by Board of Supervisors 8/25/2022*
- D1. §121-25 Curbs and Sidewalks. Waiver is requested to defer sidewalks along frontage since adjacent properties have not installed sidewalks along frontage. Sidewalks shall

be installed in future upon written request from West Manchester Township. - *Granted by Board of Supervisors 8/25/2022*

The Board of Supervisors granted the following waivers at its meeting on March 23, 2023:

1. §113-17.K. Minimum pipe size shall be 15” diameter. A waiver is requested to allow a smaller pipe diameter within the project site.
2. §113-17.R.3 Requires lined detention basin in areas underlain by susceptible formations. Waiver is requested not to require lined basins.
3. §42-8.F The number of access drives intersecting with a street line may not exceed one per lot. Waiver is requesting one access entering site and a second access exiting the site.
4. §42-9.B Access drives shall not be located less than 25’ from side property line. Waiver is requesting to reduce the required distance.
5. §42 Which requires access drives to have a maximum grade of 10%. Waiver is requested to allow a maximum grade of 12%.

After examining the dated December 21, 2017 TRG Traffic Memo for the Haviland Road extension and plans for the neighboring property, Dawood cannot support the waiver of horizontal design minimums (§121-23.I). Dawood has no objections to the other waivers and deferments.

Additional General Comments:

1. *Dawood recommends the Township require the developer provide an indemnification agreement to hold West Manchester Township harmless for incidents/claims associated with the design or operation of the proposed connector road before approving the plan. Please provide a hold harmless agreement for the Township Solicitor to review.*
2. *The car wash exit onto the connector road is not ideal due to the proximity to the Haviland Road intersection and limited sight distance. Although conflicting vehicles may be visible while still on Haviland Road, the decision point at the connector intersection is closer than the minimum safe stopping sight distance. Some drivers exiting the site may make false assumptions about which way a vehicle on Haviland Road is turning. It is recommended the applicant address this via signage or revised alignment in the plan.*
3. *In the Hydrographs model, the elevation noted for weir control “A” should match the grate elevation of the respective structure. For example, on the 62nd page of the PSCM*

report PDF files, the weir control "A" should correspond to the grate elevation of outlet control structure A2, which is 412.43 not 409.00.

Representatives from BLM and the car wash answered questions from Vice-Chairman Ruman and Chairman Harlacher pertaining to this request. Vice-Chairman Ruman expressed his concern for where the traffic would be coming out onto Haviland Road and that this was not what was originally proposed. It was said that PennDot had approved the traffic plan. Vice-Chairman Ruman made a motion to approve this as long as it was a right turn only onto Haviland Road.

Motion to approve a preliminary final land development plan that depicts the construction of a proposed car wash and associated improvements on a 1.366-acre parcel (Lot 13 created by a separate subdivision plan) located at 715 Town Center Drive in the Regional Commercial Zone. This plan was conditionally approved by the Board of Supervisors on August 25, 2022; however, the applicant has made changes to the plan to include: an outdoor play area, exit drive onto Haviland Road and a relocated access onto the mall's ring road. Stormwater management revisions have also been submitted and reviewed by the Township Engineer. The provided financial surety estimate is \$226,495.50.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

- G. POLICE & EMERGENCY SERVICES AWARD MEETING: Motion to approve holding the annual police and emergency services award meeting on May 17, 2023, at 6 p.m. Vice-Chairman Ruman thanked all involved as he will not be able to attend.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- H. AMENDING THE AGENDA: Motion to approve amending the agenda to add an item under "New Business" to the agenda regarding approving a contractor for the pole building addition for Public Works.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- I. POLE BUILDING BID AWARD: Motion to approve a contractor to construct a new pole building & annex in the Public Works area. RFP's were sent out, and AK Petersham came in as the lowest bidder at \$188,200.00 and \$26,000 for an annex. This amount was lower than the estimated amount that was budgeted for this project.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

ADMINISTRATIVE REPORTS:

- A. **RECREATION DIRECTOR:** Director Trimmer's report was reviewed. Trimmer updated the Board about the upcoming bingo and that newsletters should be delivered. Director Trimmer thanked Megan Neff for her help on the newsletter. No further questions.
- B. **FINANCE DIRECTOR:** Director Whittaker's report was reviewed. No further questions.
- C. **FIRE CHIEF:** Chief Laughman's report was reviewed. Chief mentioned that he has been applying for grants through PEMA in the amount of \$125,000 to \$150,000 to be used for smoke detectors and Knox boxes. No further questions.
- D. **POLICE CHIEF:** Chief Snyder's report was reviewed. Vice-Chairman Ruman brought to the Chief's attention that a request from a resident came to him regarding the sign at White Street and N. Oxford Street. The resident wanted to see if it could be changed to a stop sign. The Chief said he would have it looked into. No further questions.
- E. **TOWNSHIP MANAGER:** Manager Kelch's report was reviewed. Manager Kelch informed the Board that the Township website is an ongoing process, and staff has been working with the current website designer to make improvements to the site. Manager Kelch asked for a motion to be made to allocate funds from the sewer fund for potential legal matters in the amount of \$25,000.00. Vice-Chairman Ruman made the motion to approve, and Supervisor Markel second it. Motion passed unanimously. RFP was given to interested parties regarding a building code inspector. The Board was provided with information on companies that put in a bid. This item will be on the April agenda for consideration. Discussion was also had about the request from a resident for the traffic sign to be changed at White St. and N. Oxford St. The Board agreed that Dawood could assist in this traffic study if needed. No further questions.
- F. **ENGINEER:** Engineer Niederoest report was reviewed. No further questions.
- G. **ZONING OFFICER:** Officer Sampere's report was reviewed. Vice-Chairman Ruman asked Officer Sampere where she was with the Rolling Hills complaint and the light that is shining into drivers eyes at night. Officer Sampere apologized for not taking action on this as of yet, but informed the Board she will take care of it right away. The Board commended Officer Sampere on her reviews for the building code inspectors. No further questions.
- H. **SOLICITOR:** Solicitor Herrold's report was reviewed. No further questions.
- I. **PUBLIC WORKS DIRECTOR:** Director Shaw's report was reviewed. No further questions.

STORMWATER MANAGEMENT/MS4

Zoning Officer Sampere noted that the Township's MS4 Storm Water Inspector is available Monday thru Friday 8 a.m. to 4:30 p.m. to answer any questions related to storm water management.

BILLS: Motion to pay bills as presented:

<u>FUNDS</u>	<u>CHECK NO.</u>	<u>AMOUNT</u>
General Fund	33453-33573	\$ 440,717.04
Liquid Fuels	1278-1290	\$ 11,449.22
Sewer Fund	5609-5641	\$ 435,663.64
Payroll #5 Pay Ending 02/25/23	Paytime Vouchers	\$ 121,751.54
Payroll #6 Pay Ending 03/11/23	Paytime Vouchers	\$ 118,996.24

MOTION: D. Markel
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

ADJOURNMENT:

Motion to adjourn the regular meeting at 8:30 p.m.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY