

MINUTES  
WEST MANCHESTER TOWNSHIP  
PLANNING COMMISSION  
DATE: October 9, 2018

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

**Approval of Minutes:**

MOTION: by Ron Stare to approve the September 11, 2018 meeting minutes.

SECONDED by: Ronald Ruman

MOTION PASSED: 4-0 (Abstain – Hein)

ZONING HEARING BOARD CASES

**ZHB Case 18-15 Ryan Woerner, 1230 Roosevelt Avenue, LLP** requests a Special Exception for a communication tower (Section 150-189) and a Variance to allow accessory or appurtenant structure in excess of 75 feet high (Section 150-194) located at 1230 Roosevelt Avenue (Tax Map: JH; Parcel: 0033) in the General Industrial (I-3) Zone.

Mr. Ryan Woerner of Stewart Properties presented the application. Mr. Woerner reminded the Planning Commission members that ZHB Case 17-03 was approved in 2017, however the approval expired due to the applicant's lack of filing a building permit within six (6) months of the Zoning Hearing Board's approval. The extension request for ZHB Case 17-03 was denied by the Zoning Hearing Board at their September 25, 2018 meeting. ZHB Case 18-15, as submitted, is the same request that was approved by the Zoning Hearing Board in 2017. There is an existing antenna on the water tower on the neighboring property located at 1128 Roosevelt Avenue. The property owners wish to remove the water tower and relocate the antennas onto a monopole at the property located at 1230 Roosevelt Avenue. Mr. Ruman asked if everything is in line to move forward with the project. Mr. Woerner explained that FAA approval took 11 ½ months, but the applicant is ready to move forward with submitting the building permit application to the Township once the Zoning Hearing Board grants the request. The maximum height of the monopole will be one hundred twenty feet (120').

MOTION: by Patrick Hein to recommend the Zoning Hearing Board approve ZHB Case 18-15, as submitted.

SECOND: by Ronald Ruman

MOTION PASSED: Unanimously (5-0)

**ZHB Case 18-16 Sharon Manning, 4145-B Wolfs Church Road** for Richard Temple requests a Variance to allow two (2) single family dwellings on one (1) parcel (Section 150-51) located at 4145 Wolfs Church Road (Tax Map: 14; Parcel: 0058A) in a R-3 Residential Zone.

Ms. Sharon Manning presented the application. Ms. Manning explained to the Planning Commission members that she has been renting the property for one (1) year and has recently obtained the option to purchase the property. Upon having the property appraised, she found out that the use of two (2) single-family dwellings on one (1) lot was not a legal conforming use. Ms. Manning explained that there is a double-wide trailer on a permanent foundation connected

to the original stick-built house. Ms. Manning explained that she is renting the double-wide from Mr. Temple and she is subletting the stick-built house to another family that is not related to her. Ms. Sampere explained that the Township granted a permit in 1994 for a double-wide trailer to be attached to the stick-built dwelling as a building addition. There is a notarized letter from the original owners, the Kopp's, on file with the Township stating that the double-wide trailer will be used for in-law's quarters and that it will never be rented out. Ms. Sampere stated that when Mr. Temple purchased the property from the Kopp's, he lived in one of the dwellings and his family member lived in the other dwelling, keeping it an in-law's quarter. At some point, Mr. Temple moved out and began renting the property. Mr. Temple informed Ms. Sampere that he was never made aware that this was an illegal use. Ms. Manning informed the Planning Commission members that if the variance is not granted by the Zoning Hearing Board, she is going to recommend to the property owner that the double-wide be removed from the property and the foundation filled in because it is not a legal use. Mr. Hein asked if the surrounding neighbors have had any input on this request. Ms. Sampere stated that the surrounding neighbors have been notified and are welcome to attend the Zoning Hearing Board meeting and be heard. Ms. Manning stated that she has only spoken to one of her neighbors and is not aware of any opposition. Mr. Ruman stated that the use has been on the property for many years and the applicant did not create this situation. He understands that she could not make reasonable use of the property if the variance request was not granted.

MOTION: by Ronald Ruman to recommend the Zoning Hearing Board approve ZHB Case 18-16, as presented because the applicant cannot make reasonable use of the property.

SECOND: by Fred Walters

MOTION PASSED: 3-1 (Stare) (Abstain – Hein)

## NEW BUSINESS

### **T-837 Final Subdivision Plan for Bickel's Snack Foods** located at 1120 Zinn's Quarry Road

Mr. Grant Anderson of Site Design Concepts, Inc. presented the final subdivision plan. Mr. Anderson explained that this plan was to consolidate multiple lots owned by Bickel's prior to a final land development plan for a 45,000 square foot building expansion also to be reviewed by the Planning Commission this evening. Mr. Anderson explained that the future building expansion, when laid out on the plans, touched the property lines of surrounding properties. This consolidation/subdivision plan essentially cleans up the property which will allow for future expansion. Ms. Sampere explained that the DCS Driving School currently shown on the plan will be vacated by Bickel's tenant. Bickel's in-house attorney has drafted a letter terminating their lease. The buildings may be used by Bickel's as an accessory to their own operation once the lots are joined. The lots could not be joined until this matter was addressed. Ms. Sampere asked Mr. Anderson to label the buildings being vacated by DCS Driving School as "existing building" rather than DCS Driving School to avoid confusion in the future.

MOTION: by Patrick Hein to recommend the Board of Supervisors approve the requested waivers:

W1. Existing contours at a minimum vertical interval of two feet (2'). (SLDO: 121-14.C.1)

W2. Existing features within 200' of the property. (SLDO: 121-14.C.3)

SECOND: by Ron Stare

MOTION PASSED: Unanimously (5-0)

MOTION by Ronald Ruman to recommend the Board of Supervisors approve the final subdivision plan for Bickel's subject to the outstanding comments being addressed prior to recording the plan:

1. Multiple permitted uses may be located in one building located on one lot of land. (§150-182) Township staff received a copy of a letter from Bickel's in-house attorney giving notice to DCS Driving School that their month-to-month lease has been terminated. The buildings labeled "DCS School of Driving" shall be labeled "Existing Building".
2. Nonconforming structures/uses shall be listed on the plan. (SLDO: 121-14.B.9) The existing building on lot 212A does not meet the required 25' side yard setback. All existing nonconformities should be listed on the Title Sheet.
3. The names of all immediately adjacent landowners, and the names and plan book record numbers of all previously recorded plans for adjacent projects. (SLDO: 121-14.C.2)
4. Verification should be provided that the Planning Module for Land Development was approved by the Sewage Enforcement Officer and/or Pennsylvania Department of Environmental Protection (SLDO: 121-14.E.2 & 121-15.F.3)
5. 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)
6. 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)
7. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
8. All final plans as recorded shall be submitted in electronic format (i.e. PDF)
9. A new deed should be prepared for the newly configured lot and recorded with the plan so that the County Tax Map is changed.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

**T-838 Final Land Development Plan for Proposed Building Expansion for Bickel's Snack Foods** located at 1120 Zinn's Quarry Road

Mr. Grant Anderson of Site Design Concepts, Inc. presented the final land development plan. Mr. Anderson explained that this land development plan was for a proposed 45,093 square foot addition to Bickel's existing facility to increase storage and distribution. This plan also indicates relocating the dock doors from the front of the building to the side of the building, which will improve traffic along Zinn's Quarry Road. There will be no changes to impervious coverage on the lot, as the building addition will be going over existing blacktop area. There will be no increase to sewer usage. There will be no changes to stormwater run-off. Mr. Hein asked if they will be installing landscaping. Mr. Anderson explained that much of the lot is covered by gravel, blacktop and buildings, but the remaining land will be covered by landscaping.

MOTION: by Ronald Ruman to recommend the Board of Supervisors approve the waivers requested:

- W1. Preliminary plan. (SLDO: 121-9)
- W2. Existing contours at a minimum vertical interval of two feet (2'). (SLDO: 121-14.C.1)
- W3. Existing features within 200' of the property. (SLDO: 121-14.C.3)

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (5-0)

MOTION: by Ronald Ruman to recommend the Board of Supervisors approve the final land development plan subject to the outstanding comments being addressed prior to recording the plan:

1. Minimum setback requirements. (§150-175) Setback requirements for parking lots and loading areas should be listed on the plan.
2. Multiple permitted uses may be located in one building located on one lot of land. (§150-182) Township staff received a copy of a letter from Bickel's in-house attorney giving notice to DCS Driving School that their month-to-month lease has been terminated. The buildings labeled "DCS School of Driving" shall be labeled "Existing Building".
3. Landscaping. (§150-184) Any portion of the site not used for buildings, structures, parking compounds, loading areas, outer storage areas and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings. A minimum of 15' landscape strip shall be provided along property lines.
4. Nonconforming structures/uses shall be listed on the plan. (SLDO: 121-14.B.9) The existing building on lot 212A does not meet the required 25' side yard setback. All existing nonconformities should be listed on the Title Sheet.
5. The names of all immediately adjacent landowners, and the names and plan book record numbers of all previously recorded plans for adjacent projects. (SLDO: 121-14.C.2)
6. The existing/proposed number of parking spaces and loading spaces should be provided in the General Notes (SLDO: 121-14.D.5 & 121.15.D) In addition, these spaces should be delineated on the plan.
7. The statement indicating the requested waivers must be revised, prior to recording, to acknowledge the Board of Supervisors' decision. (SLDO: 121-14.D.14 & 121-15.D)
8. 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)
9. 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)
10. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
11. All final plans as recorded shall be submitted in electronic format (i.e. PDF)

SECOND: by Ron Stare

MOTION PASSED: Unanimously (5-0)

With no additional business, the meeting adjourned at 7:40 p.m.