

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: November 12, 2024

The meeting was called to order by David Beecher at 7:00 p.m.

ATTENDANCE

Planning Commission Members:

David Beecher, Chairman – Present
Patrick Hein, Vice-Chairman – Absent
Felicia Dell – Present
Fred Walters – Present
Matthew Biehl – Present

Staff:

Rachelle Sampere, Zoning Officer – Present
Rainer Niederoest, Dawood Engineers – Present

Tonight’s Planning Commission meeting was held in person and broadcasted over Zoom.

APPROVAL OF MINUTES

MOTION: by Fred Walters to approve the October 8, 2024, Planning Commission meeting minutes.

SECOND: by Felicia Dell

MOTION PASSED: 3-0 (1 Abstain – Biehl)

ZONING HEARING BOARD CASES

There were no variance or special exception applications submitted for review at this month’s meeting.

NEW BUSINESS

T-888 – Preliminary/Final Land Development Plan for Proposed Flex Industrial Building for 1850 Lemon, LP –

to depict the re-development of the parcel for a proposed industrial flex building and associated improvements on a 7.328-acre parcel **located at 1850 Lemon Street** (Tax Map: IH; Parcel: 0030B) in the General Industrial (I-3) Zone. *Tabled at the August 13, 2024, meeting by request of the applicant. Review/Action.*

Mr. Adam Anderson, P.E., of Site Design Concepts presented the land development plan for the proposed flex industrial building located at 1850 Lemon Street. Mr. Anderson reminded the Planning Commission members that they have seen this plan a few times over the past few months, first for a briefing, then for a variance from the floodplain management ordinance. Mr. Anderson explained that the existing site has no controlled access to it. It consists of an industrial building, gravel parking area, loading docks. The plan depicts the demolition of the existing building and the construction of a 73,000 square foot replacement building which will be located approximately 4 feet above the adjacent FEMA estimated floodplain grade. The plan also depicts 2 access drives into the site from Lemon Street. The loading docks will be to the left of the building. The parking lot will be reconfigured, and landscaping islands will be installed. There are currently no stormwater controls on the property. The proposed stormwater management facility will be to the right of the building which will be piped around the building which will then be discharged to the creek. Site Design Concepts used FEMA’s Letter of Map Amendment (LOMA) for the property to determine the flood elevation adjacent to the building. The building itself will be located outside of the floodplain; however, the existing parking lot and the reconstructed parking lot will remain in the floodplain. The applicant is working with the Township to ensure there will be no overnight parking in the floodplain and that there will not be any outdoor storage of materials within the floodplain area. A note to this effect will be placed upon the plan for recording. Ms. Sampere reminded Mr. Anderson that a Flood Elevation Certificate must be submitted to West Manchester Township in conjunction with this land development plan. Mr. Anderson confirmed that the Flood Elevation Certificate will be

submitted. The applicant is currently working with Pennsylvania Department of Environmental Protection to obtain a NPDES permit for the project.

MOTION: by Felicia Dell to recommend the Board of Supervisors approve T-888 Preliminary/Final Land Development Plan for Proposed Flex Industrial Building for 1850 Lemon, LP and the five requested waivers and one requested deferment subject to the outstanding comments listed on Dawood's November 11, 2024 review memo and the Township's November 12, 2024 project summary memo being addressed prior to the plan being recorded:

Waiver Requests:

- W1. Access Drives. (§42-9.G) Which requires that no access drives shall have curb cuts exceeding thirty-five feet (35') in width as measured at the property line. The waiver request is to allow two (2) proposed curb cuts that measure fifty feet (50') at the property line and eighty-seven feet (87') at the right-of-way line due to turning radii of the larger vehicles that will enter and exit this proposed project site in addition to avoid having to relocate an existing utility pole.
- W2. Preliminary Plan. (§121-9) Which requires the submission of a preliminary plan. Dawood has no objection to this waiver.
- W3. Sheet Size. (§121-14.A.3) Which requires a plan sheet size no larger than 24"x36". Waiver is requested to use a 30"x40" plan sheet.
- W4. Shade Trees. (§121-33.C) Which requires specific tree varieties listed in the Ordinance. Waiver is requested to select PA native trees that are more specific for their proposed locations.
- W5. Transportation Impact Statement §121-14.F.1 The applicant proposes to provide no transportation impact statement. This waiver is discussed in a comment on §121-14.F.1 below. A traffic assessment letter was provided to justify the waiver.
- D1. Sidewalks. (§121-25) Which requires that sidewalks shall be provided along the frontage of the entire property. Dawood recommends a deferment of sidewalks instead of waiving the requirement. *This waiver request appears to have been removed from the Title Sheet of the plan. Are curbs and sidewalks now being proposed along Lemon Street or is the deferment still being requested?*

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 waiver table after the BOS meeting. (Dawood Review Memo #1 & 2)
- 2. §121-14.E.2 & §121-15.F.3 & §121-15.F A sewer facilities plan revision or supplement in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. Since the proposed use is going from warehouse to flex industrial, will there be an increase in sewage flows? Submit a sewer planning module or exemption mailer for Township review. Please provide a copy of the PA DEP approval to West Manchester Township prior to recording the plan.
- 3. §121-14.G.2 & §121-15.F Certifications and Notifications. A statement by the individual responsible for the data to the effect the survey, plan and/or other general data are correct. *(See Appendix No. 1) This statement must be placed on both plans and reports. Sign and seal the plans and reports.* (Dawood Review Memo #1, 2 & 3)
- 4. §121-15.F.4 A notarized statement signed by the landowner, to the effect that the subdivision or land development shown on the plan is the act and the deed of the owner, that all those signing are all the owners of the property shown on the survey and plan, and that they desire the same to be recorded as such (See Appendix No. 2). This must be dated following the last change or revision to said plan. *Since there is development proposed on the lot, the owner must sign the plan.* (Dawood Review Memo # 1, 2 & 3)
- 5. §121-16 & §121-17 Financial security. Final plan applications that include public improvements that have not been installed shall include financial security... Type of financial security commonly used are irrevocable letters of credit and escrow accounts. Such financial security shall be posted by a reputable chartered lending institution or bonding company authorized to do business in the

Commonwealth of Pennsylvania and are subject to review by the Township Solicitor for adequacy. WMT prefers that letters of credit are automatically extending. The amount of financial security shall be equal to 110% of the cost of completion estimated as of ninety days following the date scheduled for completion by the developer. Please submit a cost estimate for public improvements for Dawood Engineers to review. A recommendation will be made to the Board to consider the surety amount. Provide financial security prior to recording the plan.

6. §121-17.D In addition to all bonds or other security required, the applicant shall deliver to the Township a check payable to the Township in an amount equal to 3.5% of the bond or other security. The amount deposited by the applicant shall be used by the Township to cover the costs of assuring the proper construction and completion of improvements. Provide an engineering escrow check to the Township prior to recording the plan. The fee will be communicated after BOS conditional plan approval.
7. §121-19 Maintenance guaranty. The applicant shall submit a maintenance guaranty or other approved guaranty specified herein, guaranteeing the structural integrity as well as function of any improvement shown on the final plan for a term not to exceed 18 months from the date of acceptance of dedication by the BOS.
8. §121-21 As built plans. Provide two copies of as-built plans prior to issuance of occupancy certificates. Two copies of the plan shall be submitted to the Township, which shall distribute 1 copy of the plan to the Township Engineer. (Dawood Review Memo #1, 2 & 3)

Floodplain Management Ordinance:

(This property is located within the flood zone. LOMA remove the structure from the flood zone in May 2016.)

- V1. §75-23 Within any identified floodplain area, no new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse. The applicant and SDC requested a variance and were awarded the variance by the WMT Zoning Hearing Board on October 22, 2024. The justification was that in order to properly direct and control on-site stormwater, they needed to place a discharge pipe within the 50-foot restricted area due to the flatness of the site topography. Dawood had no objections to this variance, citing that they would still need a permit from the Pennsylvania Department of Environmental Protection (PADEP). (Dawood's Review Memo #3)
1. §75-10.C.4 The following data and documentation:
 - b. *Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within any identified floodplain area (See §75-18) when combined with all other existing and anticipated development, will not cause any increase in the base flood elevation.* Provide documentation, certified by a registered professional engineer or architect, to show the proposed development will not cause any increase in the base flood elevation. As previously indicated, a floodplain study is provided showing no increase in the base flood elevation would be typical. For this project, that could mean a study to include obstruction volumes, including earthwork and structures, within the floodplain showing the flow area has not been decreased. Along with the reduction in runoff volume from the site, this would be sufficient. A separate study or one added to the Post Construction Stormwater Management (PCSM) report would be acceptable. (Dawood Review Memo #1, Revision #1 & 2)
 4. The developer's agent has provided a Floodplain Cut/Fill Report on sheet C-6. ~~Once this is corrected,~~ if the developer's registered professional engineer or architect thinks this information demonstrates that the cumulative effect of proposed and existing development within the floodplain will not cause an increase in the base flood

elevation, they should add a signed note to the cover page citing this information certifying such.

- b. Detailed information needed to determine compliance with §75-25F, Storage and §75-26, Development which may endanger human life, including:
 1. The amount, location and purpose of any materials or substances referred to in §75-25F and §75-26 which are intended to be used, produced, stored or otherwise maintained on site. *Provide information for any onsite materials or substances that are buoyant, flammable, explosive or could be injurious to human, animal or plant life in times of flooding.* (Dawood Review Memo #1 & 2)
 2. A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in §75-26 during a base flood.
 - a. The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development"
 - b. Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.
2. §75-11 Review by York County Conservation District. A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the floodplain administrator to the York County Conservation District for review and comment prior to the issuance of a permit. The recommendations of the YCCD shall be considered by the floodplain administrator for possible incorporation into the proposed plan.
3. §75-13 Changes. After the issuance of a permit by the floodplain administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the floodplain administrator. Requests for any such change shall be in writing; and shall be submitted by the applicant to the floodplain administrator for consideration.
4. §75-24 Elevation and floodproofing requirements.
 4. Any nonresidential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design methods of construction are in conformance with the above referenced standards.
 5. The design and construction standards and specifications contained in the current International Building Code and the ASCE 24 AND 34 PA Code Chapters 401-405, as amended) shall be utilized, where they are more restrictive. (Dawood Review Memo #2)

Stormwater Management Ordinance (SWMO):

1. §113-17.G Capacities. The capacities of the pipes, gutters, inlets, culverts, outlet structures, and swales shall consider all possible hydraulic conditions ... *Please provide supporting calculations for roof drain leaders.* (Dawood Review Memo #1 & 2)

2. §113-17.N.6 The Township may require the Developer to provide safeguards against groundwater contamination for uses which may cause groundwater contamination, should there be a mishap or spill. It shall be the developer's responsibility to verify if the site is underlain by limestone. The following note shall be attached to all drainage plans and signed and sealed by the developer's engineer/surveyor/landscape architect/geologist: "I certify that the proposed detention basin (Circle one) is/is not underlain by limestone. *Clarify if the site is or is not underlain by limestone.* (Dawood Review Memo #1)
3. §113-18.E.2 A determination of site conditions in accordance with the BMP Manual. A detailed site evaluation shall be completed for projects in areas of carbonate geology or karst topography, as well as for other environmentally sensitive areas, whether natural or manmade, including floodplains, streams, lakes, ponds, hydric soils, wetlands, brownfields and wellhead protection zones. *Provide a wetland/stream evaluation prepared by a qualified professional.* (Dawood Review Memo #1 & 2)
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. *Clarify the length of the rock construction entrance. The plan and detail shows 50', but the "ABACT REQUIREMENTS" note 1 states it shall be 150'. Provide an approval letter from the York County Conservation District for the soil erosion and sediment control plan.* (Dawood Review Memo #1, 2 & 3)
5. §113-18.E.7 The plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales.
 - b. *The subsurface stone infiltration bed typical detail inlet callouts do not match the profile or plan view. Update the plans accordingly.* (Dawood Review Memo #2 & 3)
 - c. *Revise the 5" orifice invert on the outlet control structure detail to match the report.* (Dawood Review Memo #3)
6. §113-25 As-built plans; completion certificate; final inspection. After construction, provide as-built plans and certification of the SWM BMPs included in the approved plan in accordance with the ordinance. (Dawood Review Memo #1 & 2)
7. §113-27 Operation and maintenance agreements. *Prepare and record an O&M Agreement.* (Dawood Review Memo #1 & 2)

General Comments:

1. Each application for the requested waivers must be signed by the applicant. Please resubmit signed waiver applications.
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). Please scan and email a copy with all required signatures and recording information on the plans to WMT.
6. Dawood reserves the right to comment on future plan submissions or provide additional comments if new issues arise. (Dawood Review Memo #1)
7. A NPDES permit is required. Please submit copies of an approved NPDES permit to the Township.
8. Please update the plan set to include any revision dates due to comments received from the Township and the Engineer.

SECOND: by Matthew Biehl
MOTION PASSED: Unanimously (4-0)

T-897 Preliminary/Final Land Development Plan for Trimmer Campus Improvements for West York Area School District – to depict the proposed construction of a parking lot and field house, the resurfacing, addition and replacement of associated athletic fields and features and other associated improvements located at 1900 Brenda Road (Tax Map: JG; Parcel: 0060B) in the Open Space Zone. Review/Action.

Zoning Officer Sampere informed the Planning Commission members that she had received a request from the Applicant to table the preliminary/final land development plan for the Trimmer campus improvements.

MOTION: by Matthew Biehl to table T-897 Preliminary/Final Land Development for Trimmer Campus Improvements as per the applicant's request.

SECOND: by Fred Walters
MOTION PASSED: Unanimously (4-0)

T-898 Preliminary/Final Land Development Plan for Main Campus Improvements for West York Area School District – to depict the proposed construction of a new track, new parking, improved vehicular circulation, new athletic fields, stormwater management facilities and associated improvements located at 1800 Bannister Street (Tax Map: 02; Parcel: 0069) in the Open Space Zone and Local Commercial Zone. Review/Action.

Mr. Jonathan D. Holmes, P.E. of Integrated Consulting presented the preliminary/final land development plan along with Mr. Brian Bingeman, Founder of Turf, Track and Court. Mr. Holmes explained that the plan depicts the replacement of the main stadium, a new practice field, revised circulation throughout the campus, additional parking spaces and associated stormwater management. Mr. Holmes explained that the proposed stormwater management will address the project areas shown on the plan and will work in harmony with the existing stormwater management facilities on the property. Mr. Niederoest of Dawood Engineers informed the Planning Commission members that the proposed stormwater management will not completely fix the challenges on the site, but it will improve the situation. Mr. Holmes explained that the school district is proposing the bus traffic to circulate the property using the access drive along Bannister Street to the northern side of the property and parents will use the access drive to the southern part of the property near Michigan Alley, Seward Street and Orange Street to circulate the property for student drop-off/pick-up. Dr. David Beecher asked Mr. Holmes to discuss the traffic assessment letter provided by Traffic Planning and Design. Dr. Beecher discussed his concerns with the access drive entering/exiting the southern portion of the site at Michigan Alley, Seward Street and Orange Street. He opined the proposed traffic on Michigan Alley and Orange Street would be difficult to navigate and would affect the residential properties in that area. The Planning Commission members discussed this at length and agreed that they would like more information and clarification on the affects of the traffic on the surrounding intersections. Mr. Walters noted that the area to the north of the stadium and the west of the proposed athletic field is labeled "grass/overflow parking area" on sheet 14 of 39 and 15 of 39, but on sheet 19 of 39 the same area is shown as a "surface infiltration basin 2A". The plan must be corrected. Mr. Walters also noted that a fence should be constructed around the stormwater basin. The Planning Commission also discussed the outstanding comments listed on the Township Engineer's review memo and the Township Staff's review memo. They would like to see more of the comments addressed prior to making a recommendation to the Board of Supervisors. Ms. Sampere informed the Planning Commission members that the applicant has provided a time extension waiver which will expire on December 20, 2024. The time extension waiver will enable the applicant time to revise the land development plan, address the outstanding comments and return to the Planning Commission in December and be forwarded to the Board of Supervisors for consideration at their December 19, 2024, public meeting. Ms. Sampere also explained that she will request that the applicant provide a new time extension waiver with a future expiration date.

MOTION: by Felicia Dell to table T-898 Preliminary/Final Land Development Plan for Main Campus for West York Area School District including the 8 requested waivers so the applicant's engineer could address more of the outstanding comments and provide a detailed traffic analysis with justifications and clarifications for the Planning Commission to review.

SECOND: Matthew Biehl

MOTION PASSED: Unanimously (4-0)

T-899 Final Land Development Plan for Sheetz #255 Rebuild – to depict the proposed demolition of the existing Sheetz store and canopies and the construction of a 6,139 square foot Sheetz store with 10 fueling positions, required parking spaces, and drive-thru facility **located at 1484 Carlisle Road** (Tax Map: 07; Parcel: 0138) in the Highway Commercial and R-3 Residential Zones. The land development plan includes a sewer planning module exemption mailer proposing one (1) additional EDU for the development. *Review/Action.*

Mr. John Luciani, PE, PLS, SEO, PTOE of First Capital Engineering presented the final land development plan along with Kelley Brown, Engineer with Sheetz, Inc. Mr. Luciani explained that the current building was built in 1998. The property is zoned R-3 Residential and Highway Commercial. Mr. Luciani explained the history of the property stating that Mr. Eisenhower formerly owned the parcel which consisted of a small hardware store and a dwelling unit. When the property was developed into the Sheetz, the zoning districts were not revised. The plan depicts the demolition of the existing building, removal of some of the fueling positions and scraping the site. The plan also depicts the construction of a new 6,139 square foot building for Sheetz, 10 fueling positions with an overhead canopy, reduction of impervious area for the access drive along Brougher Lane, and a drive-through to the rear of the building. Mr. Luciani explained that the proposed plan is very similar to the plan reviewed by the Planning Commission for the Sheetz located at the corner of Baker Road and West Market Street. The main difference between the locations is that this plan does not depict a car wash facility. Mr. Luciani discussed the proposed trip generation and informed the Planning Commission members that Sheetz does not anticipate an increase in traffic based upon the addition of the drive-through feature. Ms. Dell stated that she remembered a representative from Sheetz stating that the sales generated by the drive-through facility are a minimal percentage of their overall sales. The Planning Commission discussed the waiver requests. Mr. Niederoest of Dawood Engineers discussed their interest in requiring sidewalks along Carlisle Road, but the Planning Commission members noted that the sidewalks would not be very accommodating and would stop on the Sheetz property due to the existing stormwater facility. The Planning Commission is currently supportive of the sidewalk waiver request.

MOTION: by Matthew Biehl to recommend the Board of Supervisors approve the requested waivers and approve T-899 Final Land Development Plan for Sheetz #255 Rebuild subject to the following comments being addressed prior to the plan being recorded:

Waiver Requests:

- W1. Preliminary Plan. (§121-9) Which requires the submission of a preliminary plan application and approval prior to the submission of a final plan application.
- W2. Sidewalks and Curbs. (§121-25) Which requires sidewalks shall be provided along the frontage of the entire property.

Zoning Ordinance (ZO):

- 1. *§150-58 R-3 Residential Zone. Maximum lot coverage. Maximum lot coverage shall be 35%. No lot coverage calculation was provided for the R-3 Zone. Provide this calculation. (Dawood Review Memo #1)*

2. *§150-107.B Off-street parking. Minimum space size...Off-street parking lots, loading areas and outdoor storage areas shall be set back at least 15 feet from the side lot lines, unless joint parking facilities are shared by adjoining uses. Revise the plans accordingly. (Dawood Review Memo #1)*
3. *§150-109 Off-street loading shall be provided as specified in Article XXV of this Chapter. In addition, no off-street loading area shall be permitted on any side of a building facing adjoining lands within a residential zone, nor any side of a building facing an adjoining street.*
4. *§150-112 Highway Commercial Zone. Maximum lot coverage. Maximum lot coverage shall be 70%. No lot coverage was provided for the HC zone. Provide this calculation. (Dawood Review Memo #1)*
5. *§150-114 Screening. A visual screen must be provided along any adjoining lands within a residential zone, regardless of whether or not the residentially zoned parcel is developed. Provide necessary screening along the adjoining residential zone.*
6. *§150-255 Adequate lighting shall be provided if the parking lot is to be used as night. The lighting shall be arranged so as not to reflect or glare on land used for residential purposes or adjoining lots or streets. There is no lighting shown on the plans for the proposed parking area. (Dawood Review Memo #1)*
7. *§150-274. Schedule of required off-street loading spaces. Retail sales and services, per store: none for the first 2,000 square feet, 1 space from 2,001 to 10,000 square feet. Please provide 1 off-street loading space at 33' long x 12' wide (per §150-271 Minimum loading space sizes) and label on all applicable sheets of the plan.*
8. *§150-283 Permitted Permanent Signs. Subject to the other provisions of this article, only the following types of permanent signs are permitted throughout the Township. No indication of the permanent store signage can be found on sheet LD-04 or subsequent sheets. Please provide details of the signage the applicant intends to install at this location. A note should also be placed on the plan that the signs will meet the requirements of the current zoning ordinance, or a variance must be obtained. (Dawood Review Memo #1)*
9. *§150-324.F Drive-through and/or fast-food restaurants and caterers. No part of the subject property shall be located within 200 feet of any residentially zoned land. (Applicant has obtained a variance from the Zoning Hearing Board.) (Dawood Review Memo #1)*

Subdivision and Land Development Ordinance (SLDO):

1. *§121-14.A.2 & §121-15.A Dimensions for the entire tract boundary shall be in feet and decimals; bearings shall be in degrees, minutes and seconds... Please add the lot line dimensions for the northern property line for Parcel 51-000-07-0137-00 in the R-3 Residential Zone.*
2. *§121-14.B.11 & §121-15.B The location and description of existing lot line markers and monuments along the perimeter of the entire existing tract. Please label the existing lot line markers and monuments with materials, found or to be set (TBS).*
3. *§121-14.B.3 & §121-15.B The name and address of the owner, authorized agent of the tract... Please complete the owner's information on the Cover sheet of the plan which currently states "Eisenhour Raymond E Attn"... Please also provide the address of the property owner. Who will be signing the plan's statement of ownership?*
4. *§121-14.B.10 & §121-15.B A statement on the plan identifying any existing waivers. Please list all existing waivers on the Cover sheet of the plan. (Previously recorded plan June 15, 1998)*
 - *§42-8B Allow Commercial traffic through residential area.*
 - *§42-8F Number of access drives – Allow 3*
 - *§42-8E Allow access drives in separate zone.*
 - *§42-9A Allow entrance onto a major collector road within 300' of intersecting street lines*
 - *§42-9C Allow two access drives separated by less than 300'.*
 - *§121-14 Preliminary Plan*
 - *§121-25 Omit sidewalks along Brougher Lane and Carlisle Road.*

5. *§121-14.C.3 & §121-15.C The following when located within 200 feet of the subject tract:
 - a. The location and name of existing rights-of-way and cartways for streets, access drives, driveways and service streets. Please add the right-of-way width and cartway width of Brougner Lane on all applicable sheets of the plan set.*
6. *§121-14.D.12 & §121-15.D The location and material of all permanent monuments and lot line markers, including a note that all monuments and lot line markers are set or indicating when they will be set. Please label the existing lot line markers and monuments with materials, found or to be set (TBS).*
7. *§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. On the Cover sheet of the plan under Modification/waiver requests, please revise the Sidewalks and Curb section number to §121-25. The incorrect section number is currently listed.*
8. *§121-14.E.2 & §121-15.E A sewer facilities plan revision module for land development in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. Please provide West Manchester Township with a copy of PA DEP's approval letter prior to recording the plan.*
9. *§121-14.E.3 & §121-15.E A stormwater management plan in accordance with Chapter 113, Stormwater Management, as amended. Dawood Engineers will review and provide comments on the submitted stormwater management plan/report.*
10. *§121-14.F.1 Impact statements. Transportation. The developer's designer has furnished a traffic generation summary. Dawood has not completed its review of this item and will provide additional comments as soon as practicable. (Dawood Review Memo #1)*
11. *§121-15.F.6 Provide written notices of approval from the water supply system and the sanitary sewer system prior to recording the plan.*
12. *§121-14.G.2 Certifications and notifications. A statement by the individual responsible for the data to the effect the survey, plan and/or other general data are correct (See Appendix No. 1) This statement must be placed on both plans and reports. Sign and seal the plans and reports. (Dawood Review Memo #1)*
13. *§121-17 Financial Security. Final plan applications that include public improvements that have not been installed shall include financial security... The amount of financial security shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Please submit a financial security estimate for the public improvements associated with this land development plan to be reviewed by Dawood Engineers. Financial security must be provided prior to the plan being released for recording. West Manchester Township prefers that any letter of credit issued to the Township be automatically extending.*
14. *§121-17.D ...Upon approval by the Board of Supervisors of a final plan, the applicant, in addition to all bonds or other security required, shall deliver to the Township a check payable to the Township in the amount of 3.5% of the bond or other security. The amount deposited by the applicant shall be used by the Township to cover the costs of assuring the proper construction and completion of improvements, including inspection during installation, inspection upon completion, administrative costs and other related costs. If the amount deposited by the applicant is not sufficient to cover such costs, the applicant shall furnish additional amounts, from time to time, when notified to do so. Engineering escrow will be required to be posted with the Township prior to the plan being released for recording.*
15. *§121-19 Maintenance Guaranty. The Board of Supervisors shall require the applicant to submit a maintenance guaranty or other approved guaranty as specified herein guaranteeing the structural integrity as well as function of any improvement shown on the final plan for a term not to exceed 18 months from the date of acceptance of dedication by the Board of Supervisors. Said guaranty shall not exceed 15% of the actual cost of installation of said improvements and be of the same type of financial security as required in this article.*

16. *§121-21 As-built plan. Prior to issuance of occupancy permits, submit 2 copies of the as-built plans to the Township Zoning Department. One (1) copy of the plan will be distributed to the Township Engineer. Upon completion of all required improvements, provide as-built plans. (Dawood Review Memo #1)*
17. *§121-23.L.6.b Clear sight triangles shall be indicated on all plans. Please provide a clear sight triangle at the two-way access drive along Carlisle Road on all applicable sheets of the plan set.*
18. *§121-23.R.1 Access drives do not require a specific right-of-way; however, the minimum cartway width shall be 24 feet. The width of the access drive located off the frontage is not labeled. Revise the plans accordingly or request a waiver.*
19. *§121-23.R.5 Vehicular parking is prohibited along access drives. This prohibition must be acknowledged on the plan and properly signed along the cartway. Provide signage to restrict parking.*
20. *§121-24.A Not less than a four-foot radius of curbing shall be permitted for horizontal curves in parking areas. A few of the curb radii associated with parking spaces 24 through 29 and 30 through 39 on the sheet LD-04 are not labeled. Please add this information to the plan.*
21. *§121-25 Sidewalks and curbs. Sidewalk and curb is required along the property frontage. A waiver has been requested not to required sidewalks along the frontage of the entire property as there is no new street proposed. Dawood does not support the requested waiver of this section. Regardless of where the nearest sidewalks are located, Dawood has observed pedestrians walking in the shoulders of Route 14. There are also crosswalks at the intersection of Brouger Lane and Route 74. Providing sidewalk at this location will be protective of public safety and Dawood believes it to be in the best interest of the Township. (Dawood Review Memo #1)*
22. *§121-34.A When the Board of Supervisors, in accordance with the Pennsylvania Sewage Facilities Act, Act 537, of 1966, as amended, determines the necessity for a sewer facilities plan revision (plan revision module for land development) or supplement, the Board of Supervisors shall require that notice of approval from the PA Department of Environmental Resources be submitted as a condition of final plan approval. A sewage planning mailer has been provided for review. Comments will be provided separately. (Dawood Review Memo #1)*

Stormwater Management Ordinance Comments:

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 24 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.) The PCSM report states the subsurface facility is “extended detention” but the design does not meet the criteria for extended detention. Revise the design so the facility drains over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. (Dawood Review Memo #1)*
2. *§113-14 Volume controls. Provide analysis, and include a summary in the narrative, demonstrating volume controls meet the requirements of the ordinance. (Dawood Review Memo #1)*
3. *§113-17.A.1 The peak discharge of the calculated post-development runoff to an adjacent property shall be less than or equal to the calculated predevelopment runoff. Pre-and post-development comparisons shall be made for all points of impact. Within the basin subarea, the analysis provided assumes runoff from the 100-year storm is conveyed to the basin. Provide analysis showing the 100-year storm is conveyed to the basin, either by the inlets/piping or overland. (Dawood Review Memo #1)*
4. *§113-17.A.3 Runoff calculations for the pre-and pos-development comparison shall be based upon the peak flow from a one-, two-, five-, ten-, twenty-five, fifty-, and one-hundred-year storm*

- frequency. The peak discharges and volumes of runoff shall be determined by using the Modified Rational Method for watersheds 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. Runoff calculations utilizing the 3-up/7-down hydrograph (aka the universal rational hydrograph) is acceptable. However, the intensity used to determine the peak rate shall be computed using the Tc duration intensity (not 3x the Tc). (Dawood Review Memo #1)*
5. *§113.17.A.4 Off-site areas which drain through a proposed development site are not subject to release rate criteria when determining allowable peak runoff rates. However, on-site, drainage facilities shall be designed to safely convey off-site flows through the development site. Provide drainage area maps showing the upslope, offsite area draining across the property. Revise the calculations to demonstrate runoff from the upslope, offsite area is safely conveyed through the development site. It appears some of the upslope, offsite area may drain into the basin. Include runoff from this area in the design of the basin to demonstrate they have sufficient capacity or provide adequately sized diversions. (Dawood Review Memo #1)*
 6. *§113-17.A.5 See Appendix C for runoff coefficients and runoff curve numbers. A runoff coefficient of 0.98 was used for pre-development impervious coverage but only 0.95 for post-development. Provide justification for the values used. (Dawood Review Memo #1)*
 7. *§113-17.B.1 and 2 Design storm for collection facilities. The design of stormwater management collection facilities that service drainage areas within the site shall be based upon the peak flow from a twenty-five-year storm frequency event. And...All developments shall include design provisions that allow for the overland conveyance of the post-development one-hundred-year peak flows through the site without damage to any private or public property. Provide analysis showing runoff is safely controlled and conveyed through the site. Storm sewers and swales shall also meet the requirements of 113-17.C and 113-17.G where applicable. (Dawood Review Memo #1)*
 8. *§113-17.E.1 Retention basins and detention basins shall be designed with a minimum one-foot freeboard above the design elevation of the one-hundred-year water surface at the emergency spillway. Additionally, basins shall be designed to safely discharge the one-hundred-year peak discharge of a post-development storm event through an emergency spillway in a manner which will not damage the integrity of the basin. Provide calculations for the emergency spillway showing the 100-year post-development peak (inflow) discharge is safely conveyed over the top of the weir plate assuming the orifice is blocked. (Dawood Review Memo #1)*
 9. *§113-17.N.6 The Township may require the Developer to provide safeguards against groundwater contamination for uses which may cause groundwater contamination, should there be a mishap or spill. It shall be the developer's responsibility to verify if the site is underlain by limestone. The following note shall be attached to all drainage plans and signed and sealed by the developer's engineer/surveyor/landscape architect/geologist: I, _____, certify that the proposed detention basin (circle one) is/is not underlain by limestone. Provide the signed and sealed certification note on the plan for the infiltration basin. (Dawood Review Memo #1)*
 10. *§113-18.E.3 Stormwater runoff design computations, and documentation as specified in this chapter, or as otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this chapter, including the recommendations and general requirements in §113-12.*
 - a. *The plan and report show different sizes of the outlet culvert, orifice, and chamber lengths. Revise where appropriate.*
 - b. *The proposed grading does not meet the minimum allowable grades listed on sheet PCSM-4 for the stormtech facility.*

(Dawood Review Memo #1)
 11. *§113-18.E.9 The SWM site plan shall include an operation and maintenance (O&M) plan for all existing and proposed physical stormwater management facilities. This plan shall address long-term*

ownership and responsibilities for O&M as well as schedules and costs for O&M activities. Since the site is underlain by carbonate geology, specific language should be added to the operations and maintenance plan discussing the need for periodic inspection for sinkholes/depressions. Additionally, a sinkhole repair detail should be added to the plan. (Dawood Review Memo #1)

12. *§113-18.E.11 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. Provide the notarized signature of the owner indicating they are aware of and will be responsible for operation and maintenance of the stormwater management facilities on the plan. (Dawood Review Memo #1)*
13. *§113-25 As-built plans; completion certificate; final inspection. After construction, provide as-built plans and certification of the SWM BMPs included in the approved plan. (Dawood Review Memo #1)*
14. *§113-27 Operation and maintenance agreements. Prior to final approval of the plan, prepare and record an O&M agreement. (Dawood Review Memo #1)*

Adjustments to the Plans:

Dawood believes several recommendations for improving the plans are warranted. Some of these will correct errors or internal inconsistencies. The rest are consistent §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. Provide calculations indicating the capacity of the proposed realigned sanitary sewer.
2. A Do Not Enter sign is required at the parking lot side of right-in-only access drive located along the property frontage.
3. Dawood recommends requiring Do Not Enter signage at the discharge of both drive-through lanes.
4. Dawood suggests a Do Not Block Drive, Do Not Block Intersection, or similar sign at the break in the drive-through lane.
5. There are several blue symbols consisting of a circle containing an x circumscribed by a triangle on sheet LD-01. Please add this to the legend with explanatory text.
6. It should be expected that there will be additional comments forthcoming based on the additional information requested and responses to these comments and for subsequent plan submissions.

General Comments:

1. On sheet LD-01 under General Notes, please revise #14 to remove references from West Market Street and North Baker Road. That comment appears to be carried over from another Sheet LD plan.
2. On the Cover sheet of the plan under the utilities heading, please confirm whether York Water Company or Shiloh Water Authority will be providing water service to the property. Revise the information, if necessary.
3. On the Cover sheet of the plan under Modification/waiver requests, please revise the Sidewalks and Curb section number to §121-25. The incorrect section number is currently listed.
4. On the Cover sheet of the plan, please remove the signature block for York County Area/West Manchester Township Water Authority. The language in the block also references York Township Water Authority.
5. Please add a signature block for the York County Planning Commission to the Cover sheet.
6. An Operation and Maintenance agreement is required prior to recording the plan. All signatures must be notarized.

7. 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)
8. 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) (Dawood Review Memo #1)
9. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
10. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
11. A Knox box is required.
12. Is the parcel still subject to an access easement between parcel 0137 and parcel 0138? If so, please add the language from the previously recorded plan (June 15, 1998) to sheet LD-01 under General Notes.
13. Does the occupant of parcel 0138 still have an easement and are they still responsible for maintaining the landscape buffer shown along the western boundary of parcel 0137 which includes the obligation and right to replace any trees which die? If so, please add a note to the plan on sheet LD-01 under General Notes.

SECOND: Fred Walters

MOTION PASSED: Unanimously (4-0)

Zoning Ordinance Text Amendment “Solar Energy Farm” – West Manchester Township Supervisors propose a text amendment to the Zoning Ordinance §150-357.4.I Solar Energy Farms to remove it in its entirety and replace it with language to specify screening criteria for Solar Energy Farms.. *Review/Action.*

The Planning Commission members reviewed the proposed text amendment and discussed removing the language regarding deciduous trees. The Planning Commission stated that deciduous trees lose their leaves and shouldn't be considered screening for Solar Energy Farms. They believe that Zoning Ordinance §150-278.C already makes clear what the expectations for screening should be. The Planning Commission's recommendation is written below:

The proposed text amendment for §150-357.4.I reads as follows:

“All ground mounted solar energy units shall be constructed and maintained at the following minimum standards.

1. All ground-mounted solar units shall be completely enclosed by fencing that consists of a minimum six-foot-high fence with a locking gate. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the solar energy farm informing individuals of potential voltage hazards. Fencing shall be allowed in the front, rear and side yards of a lot and shall be set back a minimum of 15 feet from all property lines or from any adjoining street right-of-way line. Ground mounted solar energy units and any accessory structures of buildings shall be placed anywhere within the fenced area.
- 2- Screening shall be installed around the entire perimeter of the Solar Energy Farm, except where the Board of Supervisors determines that the retention of existing trees may constitute the require vegetative screening or where the Board of Supervisors determines that the Solar Energy Farm cannot be viewed from a public roadway or residential property. The screening shall be installed along the exterior side of the fencing. The screening shall consist of at least two rows of staggered vegetative plantings so as to fill in screening “gaps”. Screening shall be placed at a distance sufficient to permit growth of the vegetation to its maximum expected size. The vegetation shall be ~~a diverse mix of deciduous and evergreen trees~~ that are native to the area. The minimum size of evergreen trees shall be six feet (6') at the time of planting. ~~All deciduous trees shall be a minimum size of one and a half~~

~~inch (1.5") caliper measure from three feet (3') above the tree base at the time of planting. The density and placement of vegetation must conform to the screening requirements contained in §150-278.C. be acceptable to the Board of Supervisors and shall be finalized during the land development plan review process."~~

Zoning Ordinance §150-278.C states: "One substitution that is acceptable, if approved by the Board of Supervisors, is composed of evergreen shrubs and/or trees arranged in two staggered rows within a twenty-foot-wide strip. The height of the planted material shall be a minimum of six feet, and it shall be spaced at intervals of not more than 10 feet on center."

MOTION: by Felicia Dell to recommend the Board of Supervisors consider striking the language regarding deciduous trees and adding the language that the density and placement of vegetation must conform to the screening requirements contained in §150-278.C for the proposed text amendment for Solar Energy Farms §150-357.4.I.

SECOND: by Matthew Biehl

MOTION PASSED: Unanimously (4-0)

DISCUSSION

There was no additional discussion at tonight's meeting.

ADJOURN

MOTION: by Matthew Biehl to adjourn the meeting.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

The meeting adjourned at 9:03 p.m.