

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: December 13, 2022

The meeting was called to order by David Beecher at 7:00 P.M. Members present: David Beecher, Richard Gordon and Sonia Wise. Others present: Rachelle Sampere, Township Zoning Officer, Rainer Niederoest, Township Engineer. Members absent: Patrick Hein and Fred Walters

Tonight's Planning Commission meeting was held in person and broadcasted live over Zoom for viewing purposes only. The Zoom link was posted on the West Manchester Township website under "Latest and Breaking News". Questions and comments were not taken over the Zoom forum.

APPROVAL OF MINUTES

MOTION: by Sonia Wise to approve the November 9, 2022, meeting minutes as presented.

SECOND: by David Beecher

MOTION PASSED: 2-0 (Abstain – Gordon)

ZONING HEARING BOARD CASES

ZHB 22-27 – CAS York Associates, LLP – requests a special exception §150-289.B to expand a dimensional nonconformity and a variance §150-289.B to expand a dimensional nonconformity by more than 10% located at 1150 Greenwood Road (Tax Map: IG; Parcel: 0067B) in the Light Industrial (I-2) Zone.

Mr. Kent Raffensberger of Johnston & Associates presented the request along with the property owner, Mr. Chuck Reinert, Jr. Mr. Raffensberger explained that the existing building was constructed within the required side yard setback approximately 19.79 feet from the side property line which is a dimensional nonconformity. Per the current Zoning Ordinance, the required minimum side yard setback is twenty-five (25) feet from the side property line. The property owner is requesting a special exception to expand the existing dimensional nonconformity and a variance to expand the existing dimensional nonconformity by more than the allowable ten (10%) percent. The proposed building expansion will follow the existing setback of 19.79 feet from the side property line. It will be built on existing impervious area. Mr. Gordon asked what the current use of the property is and why a building expansion was necessary. Mr. Reinert explained that the property is currently used for automotive recycling and that the building expansion was necessary because their operation has grown. Ms. Sampere explained that when she met with the applicant's engineer, he explained that the proposed building expansion would be constructed over existing impervious area; however, they were still going to provide stormwater management for the building expansion due to the building being closer to the side property line than what the Zoning Ordinance requires.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board approve the special exception and variance requested with the following conditions:

1. No portion of the building expansion may be closer than 19.79 feet from the side property line.
2. The proposed building expansion must go over existing impervious area.
3. A land development plan must be approved by the Board of Supervisors and recorded by the applicant's engineer prior to obtaining a building permit for the proposed building expansion.

SECOND: by Sonia Wise
MOTION PASSED: Unanimously (3-0)

ZHB 22-28 – York County Agricultural Society – requests a variance §150-283.B Chart of Permitted Permanent Signs P-8C to allow more than one freestanding sign on a property **located at 334 Carlisle Road** (Tax Map: 01; Parcel: 0045) in the Highway Commercial Zone.

Mr. Shawn Chronister of STSG Digital presented the application on behalf of the property owner, York County Agricultural Society. Mr. Chronister explained that the property is situated in West Manchester Township and West York Borough. The property owners are interested in erecting freestanding signs on the property in various locations. West Manchester Township's Zoning Ordinance allows for one (1) freestanding sign to be erected on the commercial property. West Manchester Township issued a building permit for a freestanding sign on the Carlisle Road frontage; however, the property has many road frontages, and the property owners would like to be able to advertise and communicate various events on the property to the community. The applicant is requesting a variance to erect an additional freestanding sign on the property. The proposed sign would be on the West Market Street frontage. The proposed sign will be approximately 20 feet tall and 64 square feet. No variance is required for the height or the area of the sign.

MOTION: by Sonia Wise to recommend the Zoning Hearing Board approve the requested variance as presented.
SECOND: by Richard Gordon
MOTION PASSED: Unanimously (3-0)

NEW BUSINESS

T-872 - Preliminary/Final Land Development Plan for Proposed Retail Building and Drive-Thru/Fast Food Restaurants for West Manchester Town Center– to depict the proposed construction a retail building and two (2) drive-thru restaurants with associated parking, access drives and stormwater management as part of a shopping center located on the 2.34-acre residual Lot 4 of West Manchester Town Center in the Regional Commercial Zone. (2nd Review)

Ms. Sampere stated that the applicant's engineer has not yet submitted the traffic impact study and that the plan should be tabled again this month.

MOTION: by Richard Gordon to table the plan until the January 2023 meeting to allow the applicant time to submit the traffic impact study for review.
SECOND: by Sonia Wise
MOTION PASSED: Unanimously (3-0)

T-874 Preliminary/Final Land Development Plan for Sheetz – to depict the demolition of the existing Sheetz store and canopies and construction of a new 6,136 sq. ft. Sheetz store with canopy with 10 fueling positions and 42 parking spaces located at 4025 West Market Street in the Local Commercial (LC) Zone and the General Industrial (I-3) Zone.

Mr. Joseph Gurney of First Capital Engineering briefed the Planning Commission members on the preliminary/final land development plan. Mr. Gurney explained that the existing 4,600 sq. ft. Sheetz store

with 2 canopies and 16 gas pumps will be removed and replaced with a new 6,100 sq. ft. store with drive-through, one canopy with 10 gas pumps, an accessory car wash and 42 parking spaces. The retail sales area will not exceed 2,400 sq. ft. There will be an increase in approximately 8,300 sq. ft. of impervious area. The existing stormwater management would be revised to an underground system. Mr. Gurney explained that he had received a letter from the York Water Company indicating that they will be able to serve the property. A sewer planning module exemption mailer was submitted to PA American for review. Once approval is received and a letter indicating their willingness to serve, Mr. Gurney will submit the sewer planning module exemption mailer to the Township for signatures before submitting it to the PA Department of Environmental Protection for review. Revised plans were submitted to the York County Planning Commission and the York County Conservation District for review.

MOTION: by Sonia Wise to recommend the Board of Supervisors approve the final land development plan, requested waiver and deferment subject to the following outstanding comments being addressed prior to plan recording:

Zoning Ordinance (ZO):

1. §150-257.B.1 Interior Landscaping. In any parking lot containing 10 or more parking spaces, except a parking garage, 10% of the total area of the lot shall be devoted to interior landscaping. Such interior landscaping shall be used at the end of parking rows and to break up rows of parking spaces at least every 10 parking spaces. Landscaped areas situated outside of the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping. For the purpose of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands and curbed areas. Ground cover alone is not sufficient to meet this requirement. At least one shade tree shall be provided for each 300 square feet or fraction of required interior landscaping area. These trees shall have a clear trunk of at least 5 feet above finished grade. *There are 12 proposed parking spaces along the building without any landscaping provided to break up the row. Please revise and show applicable landscaping. Please also update the required interior shade/ornamental tree calculations shown on plan sheet LD-07 as the interior space is shown as 4,449.40.50 S.F.*

Subdivision and Land Development Ordinance (SLDO):

1. §121-14.D.14 and §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. *Update the waiver requests listed on the plan, as appropriate, based upon the decision of the Board of Supervisors.*
2. §121-14.E.2 A sewer facilities plan revision (plan revision module for land development) or supplement in accordance with the Pennsylvania Sewerage Facilities Act of 1966, as amended. *Please submit a sewer planning module or exemption mailer to be reviewed by Dawood Engineers and Township Staff. How many EDUs were previously approved? How many EDUs are proposed for the new store and car wash? Increase of 2,041 gallons per day.*
3. §121-14.F Impact statements. *Provide transportation and recreation impact statements. At the pre-application meeting First Capital Engineering indicated that they expected no changes in traffic patterns. Please provide the same indication and its basis.*
4. §121-15.F.3 Notice from the Pennsylvania Department of Environmental Protection that a sewer facilities plan revision or supplement has been approved. *Please submit the approval upon receipt from PA DEP.*

5. §121-15.F.8 Such written notices of approval as required by this chapter, including written notices approving the water supply systems, sanitary sewage systems and stormwater runoff to adjacent properties. *Please provide a letter from York Water Company and PA American regarding their willingness to serve the property.*
6. §121-16 and §121-17 Financial Security is required. *Financial security (110%) and engineering escrow (3.5%) are required prior to recording the plan. Some of the unit prices for Paving items appear to reflect lower averages for the construction materials. Review the unit prices provided and revise as necessary.*
7. §121-19 Maintenance guaranty. *Provide a maintenance bond of 15% of the public improvements cost upon completion of the project construction.*
8. §121-21 As-built plan. *Prior to issuance of occupancy permits, provide 2 certified as-built plans to the Township Zoning Department, preferably including a survey of the stormwater basins upon completion of construction. One (1) copy of the plan will be distributed to the Township Engineer. Please also provide the as-built plan in an electronic format.*

Stormwater Management Ordinance (SWMO):

1. §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. The PCSM Report does account for upslope drainage area but please provide the following:
 - a. A plan or other visual representation of off-site drainage areas and how the associated area was determined. **Comment not addressed.**
 - b. Clarification of why the drainage area near the turn in turn out access drive for placed as it was. The contours seem to suggest it should extend further off the property. One potential way to show this would be to add high points in that area of the drainage area maps. **The Index of Drawings on the Cover Sheet does not include that PCSM-08 page that was added.**
2. §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.*

General Comments:

1. On the Cover sheet of the plan under the utilities heading, please revise the typo in the address for PA American. The street's name should be Blackbridge.
2. On the Cover sheet of the plan under the Site/Zoning Data, please revise the existing water supply. Shiloh Water/West Manchester Township Water is listed where York Water Company should be listed.
3. An Operation and Maintenance agreement is required prior to recording the plan. All signatures must be notarized.
4. 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)
5. 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)
6. Comments from the York County Conservation District shall be addressed.

7. N.P.D.E.S. Permit is required.
8. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
9. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
10. A Knox box is required.

Waiver/Deferments 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.
- D1. Sidewalks and Curbs. (§121-25) Which requires sidewalks shall be provided along the frontage of the entire property.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (3-0)

2260 Baker Road Stormwater Management Waiver Request – Johnston & Associates, Inc. on behalf of Martin Gross Family Limited Partnership is requesting a waiver of Stormwater Management Ordinance §113-17.E.1 to permit freeboard less than 1 foot (to a proposed height of 0.67 feet) in the 100-year storm event between the maximum water surface and the top of berm/emergency spillway for a new single family detached dwelling to be located at 2260 Baker Road (Lot 8 Fieldstone Ridge). Dawood Engineers has reviewed the waiver request and will provide a recommendation to the Planning Commission members.

Ms. Sampere stated that she received an email from Eric Johnston on behalf of his client stating that they have submitted an updated stormwater narrative which revises the waiver reference, and that the berm height will be increased to ensure one (1) foot of freeboard above the determined 100-year storm event. They hereby formally withdraw the waiver request previously submitted regarding the basin freeboard.

DISCUSSION

David Beecher recommended that due to the Township's proposed comprehensive plan update in 2023, the Planning Commission members should consider electing a chairman to hold the position for a term of two (2) years for the sake of continuity. The Planning Commission will reorganize at their January 2023 public meeting and elect officers at that time.

MOTION: by Richard Gordon to adjourn.

SECOND: by Sonia Wise

MOTION PASSED: Unanimously (3-0)

The meeting was adjourned at 7:33 p.m.