

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: March 9, 2021

The meeting was called to order by Ronald Ruman at 7:00 P.M. Members present: David Beecher, Patrick Hein and Fred Walters; Others present: Rachelle Sampere, Township Zoning Officer and Thomas Godfrey, PE from Dawood Engineers (via Zoom)

Tonight's Planning Commission meeting was not held at the Township Building due to the COVID-19 pandemic and the Governor's recommendations for large groups not to gather indoors; instead, the meeting was held via the "Zoom" application and broadcasted live over the West Manchester Township Parks & Recreation Facebook page.

APPROVAL OF MINUTES

MOTION: by Fred Walters to approve the February 9, 2021 meeting minutes.

SECOND by: Richard Gordon

MOTION PASSED: 4-0

ZONING HEARING BOARD CASES

ZHB Case #21-07 – John Dotzel – request a variance of §150-291 to restore a nonconforming accessory building (detached garage with pavilion) destroyed by fire to its original height of 22 feet where the maximum height of a detached structure is 15 feet per §150-30.B **located at 2350 Taxville Road** (Tax Map: IG; Parcel: 0019Q) in the Rural Residential Zone.

Mr. John Dotzel presented the variance request to the Planning Commission members. Mr. Dotzel explained that he obtained a permit from the West Manchester Township Zoning Officer in July 1987 to build a single-family dwelling and an accessory structure 35 feet high when the Zoning Ordinance permitted accessory structures to be 15 feet high. The detached garage and pavilion were built to an overall height of 22 feet. Mr. Dotzel provided a copy of the permit with his variance application. Mr. Dotzel explained that the detached accessory structure (garage with pavilion) was destroyed by fire on February 14, 2021. Mr. Dotzel has used the accessory structure for his contractor's shop, equipment and personal storage since it was built. Mr. Dotzel would like to rebuild the detached garage and pavilion to its original height of 22 feet. He explained that he stores his construction equipment inside the building and needs the height to house the equipment. He also explained that if the building would have been destroyed by less than 75%, this variance application would not be necessary; and he would be permitted to rebuild with no area lost.

MOTION: by David Beecher to recommend the Zoning Hearing Board approve the variance of §150-291 to restore a nonconforming accessory structure (detached garage with pavilion) destroyed more than 75% of the market value.

SECOND: Fred Walters

MOTION PASSED: 4-0

MOTION: by Patrick Hein to recommend the Zoning Hearing Board approve the variance of §150-30.B to exceed the maximum height of an accessory structure from the required 15 feet to restore the height to 22 feet.

SECOND: David Beecher

MOTION PASSED: 4-0

ZHB Case #21-08 – White Street Investors, LLC – requests a variance of §150-150 to allow a dumpster within the front yard area of White Street for proposed redevelopment of Taco Bell on a double-frontage lot and a variance of §150-150 to reduce the required side yard setback from 25 feet to 16.75 feet for a dumpster for proposed development of Mavis Discount Tire located at 2179-2189 White Street (Tax Map: JH; Parcel: 0055G) in the Regional Commercial Zone.

Attorney Ronald Perry introduced the request to the Planning Commission members. Mr. Brian Cleary of the Pettit Group explained to the Planning Commission members that the variance request was to place a dumpster within the front yard area of the proposed redeveloped Taco Bell. The dumpster would not be located within the front yard setback, but it would be located within the front yard of the property, as defined in the ordinance as being located between the street right-of-way line and the principal structure. The proposed dumpster would be located approximately 140 feet from White Street. Mr. Cleary also explained that the proposed location of the dumpster for the proposed Mavis Tire will be located 16.75 feet from the side property line adjacent to the Hoss's Steak and Seahouse parking lot. Mr. Hein asked if the relief the applicant is requesting is for the proposed dumpsters shown on the land development plan, they previously reviewed. Mr. Cleary confirmed that was the case. In February, the Planning Commission members had recommended the Board of Supervisors approve the land development plan subject to the outstanding comments being addressed and upon a variance being granted by the Zoning Hearing Board for the dumpsters' locations. Mr. Ruman stated that with the proposed layout for the redevelopment of the parcel, there are not many options for dumpster locations on the site.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board approve the variance of §150-150 to allow a dumpster to be located within the front yard are of White Street for the proposed redevelopment of Taco Bell.

SECOND: Fred Walters

MOTION PASSED: 4-0

MOTION: by David Beecher to recommend the Zoning Hearing Board approve the variance of §150-150 to reduce the required side yard setback from 25 feet to 16.75 feet for a dumpster for the proposed development of Mavis Discount Tire.

SECOND: by Patrick Hein

MOTION PASSED: 4-0

ZHB Case #21-09 – Commonwealth Charter School – requests an interpretation of §150-135 Permitted Uses to operate an administrative office for a Pennsylvania public cyber charter school **located at 725 Town Center Drive** (Tax Map: JH; Parcel: 0056R) in the Regional Commercial Zone.

Mr. James Skinner, Facilities and Operation Manager for Commonwealth Charter School, along with Attorney Phil Murren presented the interpretation request. Attorney Murren stated that CCA is a kindergarten through twelfth grade Pennsylvania public cyber charter school specializing in remote learning. Mr. Skinner stated that the proposed use of the building is an administrative office and cubicles for teachers and administrative staff. Currently, there are approximately twenty to twenty-five teachers and staff from the York area that commute to Harrisburg daily to work for CCA. The company has been looking for a location closer for the York employees. Mr. Skinner stated that students would not attend in-person class at the facility. It would operate as an office where administrative staff and teachers would report Monday through Friday during business hours. Teachers would provide instruction virtually. Occasionally, a student and parents may come to the building for a meeting or to pick up/return educational materials. Mr. Skinner explained that the building would be remodeled into offices and cubicles to accommodate staff. There would be a kitchenette and restrooms. There would be no classrooms. Ms. Courtney Dennis of the West York School Board and West Manchester Township Resident voiced her concerns that a non-profit school is not a permitted use in the Regional Commercial Zone where gainful businesses are located. She believes that permitting CCA to be located in the Regional Commercial Zone will be devastating to the Township and taxpayers of West York Area School District. Mr. Todd Gettys of the West York Area School Board and West Manchester Township Resident asked if the proposed use would move a currently tax producing property to a tax-exempt property in the Regional Commercial Zone. Would there be on-site tutoring? Would students show up on site? The Township should consider a clearly defined definition of school. If the Township is going to consider this proposed use, the applicant should provide a detailed plan on the day-to-day operations, number of students coming to the premises and for what specific reasons, hours of operations for the proposed use, etc. Ms. Jean Herman of the West York Area School Board and taxpayer voiced her concerns that the CCA system is proposing to come into the township as an administrative office, however the testimony given this evening was that teachers would be teaching at the

facility. She also stated that their website lists a "York Family Service Center" where students will have the opportunity to come to the building in small groups for tutoring. She also said that if CCA wants to operate in the West York Area School District, they must make an application to the school district. Ms. Herman also stated that the Township, West York Area School District and York County will not receive taxes from CCA as they are a non-profit. Ms. Brandy Shope of the West York Area School Board and a taxpayer asked if students would be attending the facility for orientation. Why would the Township allow a non-profit business in a for profit zoned area? Mr. Skinner stated that students would not come to the building for class, they may come to the facility to pick up a computer or ask a question in person. There will be no classrooms in the facility. The teachers educate cyber students throughout the state of Pennsylvania. A teacher may have a student from Pittsburgh and Philadelphia in a virtual classroom at the same time. Attorney Murren stated that the Zoning Ordinance does not distinguish profit or non-profit offices in the definitions. He maintained that the proposed use of the building would be offices and cubicles. Mr. Ruman stated that he believes that the proposed use is a school. Teachers would be teaching in the building. Dr. Beecher stated that technology has changed, but he doesn't believe the proposed use is an office. Mr. Walters stated that the Planning Commission is going to need to look at the Zoning Ordinance to update definitions and uses to accommodate uses. Brick and mortar uses are changing, especially during this pandemic. Mr. Hein also stated that he believes that the proposed use is not an office.

MOTION: David Beecher made a motion to recommend that the Zoning Hearing Board members determine that the proposed non-profit school is not a permitted use in the Regional Commercial Zone, the proposed use does not meet the definition of a Commercial School nor it is an office and should not be permitted in the Regional Commercial zone.

SECOND: Patrick Hein

MOTION PASSED: 4-0

NEW BUSINESS

T-858 Final Land Development Plan for Cottontail Solar 2, LLC for a solar energy farm located along New Salem Road in the Agricultural Zone.

Ms. Jessie Audette, Mr. Dan Bole and Mr. William Schneider presented the land development plan. Attorney Andrew Miller of MPL Law Firm also participated in tonight's meeting. Ms. Audette shared a presentation with the planning commission members outlining a screening plan that is not required by the Zoning Ordinance, however the applicant desires to be a good neighbor and would like to screen the project from adjacent streets and properties. Ms. Sampere said she was still reviewing the screening plan; but reminded the applicant that no plantings should be placed within the clear sight triangles of any streets, access drives or driveways. The presentation also contained a graphic of what the overall project would look like from an aerial perspective. Mr. Schneider shared a graphic of the solar panels. He explained that the panels are on an axis tracker similar to a teeter-totter. They are comprised of single 3x5 panels, not solid sheets so the rainwater will be able to infiltrate into the vegetation below the panels. Mr. Schneider stated that the applicant is currently addressing the remaining outstanding comments in order to submit the land development plan for the Board of Supervisors meeting in April 2021. Mr. Ruman stated that the Township received two letters of support from The Eco Action Group and from the Co-leaders of the York Chapter of Citizens' Climate Lobby.

MOTION: by Patrick Hein to recommend the Board of Supervisors grant the following waivers and deferment:

Requested Waivers:

- W1. §121-14.A.1. Drafting standards. Sheets LD-100 and LD-200 scale shown at 1" = 200' instead of the required 1" = 30', 40', 50', 60', 80' or 100'
- W2. §121-23.C.1, All existing streets at the perimeter and/or through the development shall be improved according to Township specifications.
- W3. §121-23.R.4. Access drives which form cul-de-sac shall not exceed 1,600 feet in length, measured from the center line intersection of a street or access drive which is not a cul-de-sac

access cul-de-sac which do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of 100 feet.

- W4. §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.
- W5. §113-14.A.2.A. For modeling purposes: Existing (pre-development) non-forested pervious areas must be considered meadow.
- W6. §113-17.H. Stormwater flow along streets and access drives.
- W7. §121-9. Preliminary Plan.

Deferment:

- D1. §121-25. Sidewalks and curbs. Sidewalks and curbs shall be provided along the frontage of the entire property unless a waiver of this standard is granted in accordance with §121-11.

SECOND: Fred Walters
MOTION PASSED: 4-0

MOTION: by David Beecher to recommend the Board of Supervisors approve T-858 Prelim./Final Land Development Plan for Cottontail Solar 2, LLC subject to the following comments being addressed prior to the plan being recorded:

Zoning Ordinance (ZO):

1. If applicable, the facility owner shall provide to the Township a copy of the agreement between the landowner of the real property on which the solar energy farm is to be located and the facility owner, demonstrating that the facility owner has permission of the landowner to apply for necessary permits or approvals for construction and operation of the solar energy farm . §150-357.4.D ***Please provide a copy of the agreement or a memorandum of agreement signed by the applicant and property owner(s).***
2. Solar energy farms that are connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection. §150-357.4.E ***Please provide a copy of the written authorization from the utility company.***
3. The facility owner shall submit an estimate for the total cost of decommissioning without regard to salvage value of the equipment (gross decommissioning cost), and also an estimate of the cost of decommissioning net of the salvage value of the equipment (net decommissioning cost) to the Township for review and approval prior to the first anniversary of the issuance of an occupancy permit for the solar energy farm and every fifth year thereafter. The facility owner shall post and maintain financial security in the amount of the net decommissioning costs; provided that at no point shall the financial security be less than 25% of the gross decommissioning costs. The financial security shall be in the form of a bank-issued letter of credit or cash escrow or other form of financial security approved by the Board. Cash escrow funds shall be held in an interest-bearing escrow account for the benefit of the facility owner. §150-357.4.O.3. ***Please submit the cost estimates for evaluations prior to the first anniversary of the occupancy permit. The financial security must be posted and must be maintained according to the requirements of this ordinance.***

Subdivision and Land Development Ordinance (SLDO):

1. Drafting Standards. §121-14.A.2 & §121-15.D.1. See Appendix No. 1. ***Survey Data block and signature must be added to the plan. While it is noted that a block and signature will be shown in a forthcoming ALTA survey drawing, the ordinance requires a survey block to be included in the final LD plan for recording.***
2. The location and description of existing lot line markers and monuments along the entire perimeter of the entire existing tract. §121-14.B.11. ***Please show the property corners along the southern property line on Sheet LD-103.***
3. The location, name and dimensions of existing rights-of-way and cartways for streets, access drives, driveways and service drives. §121-14.C.4.a. ***Please add width of right-of-way for***

- West King Street Extended. Additionally, widths of rights-of-way should be labeled consistently.**
4. 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). §121-14.D.15. **The requested waivers have been added to Sheet LD-001. Please add a statement to reflect the outcome of the requested waivers with the date of the Board of Supervisors' action.**
 5. Certifications and notifications. Where the land included in the subject application has an electric or telephone transmission line, a gas pipeline or a 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 rights-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement. §121-14.G.1 **The applicant indicated that written authorization from the utility company will be provided.**
 6. A statement and signature block acknowledging final plan approval (See Appendix No. 5. **Please revise this signature block from "Preliminary" to "Final" using the signature block in Appendix No. 5.**
 7. Improvement guaranties in accordance with Article V. §121-15.F.9 **Improvement guaranties will be required prior to the recording of the plan. Please submit a cost estimate for the Township Engineer to review.**
 8. Financial Security. §121-17 **Financial security is required prior to recording the plan. Please provide a cost estimate of the public improvement financial security by a professional engineer for Dawood Engineer's to review prior to plan recording.**
 9. Engineering escrow shall be delivered to the Township, prior to recording the plan, in the form of a check payable to the Township in the amount equal to 3.5% of the bond or other security. If the amount furnished is not sufficient to cover inspections, administrative and other related costs, the applicant shall furnish additional amounts from time to time, when notified to do so. §121-17.D **Provide engineering escrow prior to recording the plan.**
 10. Maintenance guaranty. §121-19. **A maintenance guaranty will be required.**
 11. As-built plans. §121-21. Upon completion of all required improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing the location, dimension and elevation of all public improvements. In addition, the plan shall indicate 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 not all deviation from the previously approved drawings. **Two copies of the plan shall be submitted to the Township, which shall distribute one copy to the Township Engineer and retain one copy for the Township files. Please also submit an electronic copy of the as-builts to the Township Engineer.**
 12. Vehicular parking facilities shall conform with the West Manchester Township Zoning Ordinance. §121-24. **Although Sheet LD-001 states that five parking spaces existing, only four parking spaces are shown on the plans. Please revise.**
 13. Easements. §121-28. Easements for sanitary sewer facilities, stormwater drainage facilities, public utilities, or pedestrian access shall be provided in accordance with items A through F. **Easements shall be provided for the wetlands and stream and any drainage swales. During in-house staff review it was requested that an easement be placed around all wetland areas.**
 14. Survey Monuments and Markers. §121-29. Permanent stone or concrete monuments and markers are required along all property lines. **Provide monuments and markers at property corners where they are not existing.**
 15. Stormwater Management. §121-30 All land development applications shall include stormwater management data as required in accordance with the prevailing West Manchester Township Stormwater Management Ordinance. **The stormwater management information is being reviewed by Dawood Engineers.**

General Comments:

1. Request a Waiver of §121-9 Preliminary Plan and revise the requested waiver statement on Sheet LD-001.
2. The applicant shall obtain the necessary NPDES stormwater discharge permit, and provide all necessary documentation. **TRC has acknowledged this. Provide a copy of the NPDES permit upon receipt, as well as an E&S Control plan approval.**
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)
3. Operation & Maintenance Agreement required.
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. A Knox box shall be required for each of the proposed gates for Fire Department access in emergent situations.
7. Truck turning templates shall be provided to verify tractor trailer and local fire truck movement through the site. The largest fire apparatus shall be able to traverse the site. The Fire Chief should be contacted to review the plans, to verify the size of the largest apparatus and to confirm adequate access is provided for fire control. Provide a note from the Fire Chief that the plan is acceptable as submitted, or the modifications that shall be made.
8. Please clarify, on Sheet LD-202, is there 1 or 2 parking spaces provided in the cul-de-sac? There are 2 arrows pointing to the cul-de-sac where each are labeled 1 parking space.
9. Provide information on the width of the proposed solar panels and how adequate vegetative cover will be able to be established and maintained as noted in DEP FAQ #10 in order for the solar array areas to be considered as pervious areas. The cut sheet does not indicate panel width.
10. Correct isometric view on the Chain Link Fence detail to show the barbed wire at a 45-degree angle toward the outside, or revise Note 1 on the detail on sheet LD-501. There is now minimal information regarding the chain link fence. Provide additional information, including post spacing, cement footings, dimensions and fence material type.

Stormwater Management Ordinance (SWMO):

1. §113.12.I. The design of all facilities in areas of carbonate geology or karst topography shall include an evaluation of measures to minimize adverse effects, including hydro-geologic studies if required by the Township. **Please clarify the areas that where sub-soiling as detailed on LD-502 would be used, as well as the advisability of applying that in sinkhole prone areas.**
2. §113-12.E. For all regulated activities, implementation of the volume controls in §113-14 is required, unless specifically exempt under §113-12.C, or exempt by an approved modification request, as specified in §113-20.B of this Chapter. **TRC has provided a description to partially satisfy this; however, a typical diagram should be provided in addition.**
3. §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. **Provide an executed Operation and Maintenance Agreement.**
4. §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 an will be responsible for operation and maintenance of the facilities. **Provide all signatures, notarizations and certifications prior to plan approval.**
5. §113-18.E.19. The name of the development, the name and address of the property owner and the name and address of the individual or firm preparing the plan. 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. **Property owner, surveyor, PE and PG names, addresses and signatures are required. Provide all signatures, notarizations and certifications prior to plan approval.**

SECOND: Patrick Hein

MOTION PASSED: 4-0

T-859 Final Lan Development Plan for Cottontail Solar 1, LLC for a solar energy farm at three (3) parcels located along Stoverstown Road and Sunnyside Road in the Agricultural Zone.

Ms. Jessie Audette, Mr. Dan Bole and Mr. William Schneider presented the land development plan. Attorney Andrew Miller of MPL Law Firm also participated in tonight's meeting. Ms. Audette shared a presentation with the planning commission members outlining a screening plan that is not required by the Zoning Ordinance, however the applicant desires to be a good neighbor and would like to screen the project from adjacent streets and properties. Ms. Sampere said she was still reviewing the screening plan; but reminded the applicant that no plantings should be placed within the clear sight triangles of any streets, access drives or driveways. The presentation also contained a graphic of what the overall project would look like from an aerial perspective. Mr. Schneider shared a graphic of the solar panels. He explained that the panels are on an axis tracker similar to a teeter-totter. They are comprised of single 3x5 panels, not solid sheets so the rainwater will be able to infiltrate into the vegetation below the panels. Mr. Schneider stated that the applicant is currently addressing the remaining outstanding comments in order to submit the land development plan for the Board of Supervisors meeting in April 2021.

Mr. Ruman stated that the Township received two letters of support from The Eco Action Group and from the Co-leaders of the York Chapter of Citizens' Climate Lobby. Mr. Ruman also stated that the Planning Commission members and Board of Supervisors received a letter from Township resident, Ms. Karla Farrell of 911 Smith Drive, which requested that the applicant remove barbed wire from the proposed fence adjacent to residential properties, the gate located immediately adjacent to the sidewalk be relocated so as not to impede traffic while the gate is being opened, and that the fence be moved more than 15 feet from the property line in areas where the solar panel locations would allow it. Mr. Schneider and Ms. Audette stated that they have received Ms. Farrell's letter and have been working with Attorney Miller and Ms. Farrell to address the requests. Ms. Audette stated that the revised plans will show the gate setback further into the property so as not to impede traffic when vehicles enter the access drive from Stoverstown Road.

MOTION: by Patrick Hein to recommend the Board of Supervisors grant the following waivers and deferment:

Requested Waivers:

- W1. §121-14.A.1. Drafting standards. Sheets LD-100 and LD-200 scale shown at 1" = 200' instead of the required 1" = 30', 40', 50', 60', 80' or 100'
- W2. §121-23.C.1, All existing streets at the perimeter and/or through the development shall be improved according to Township specifications.
- W3. §121-23.R.4. Access drives which form cul-de-sac shall not exceed 1,600 feet in length, measured from the center line intersection of a street or access drive which is not a cul-de-sac access cul-de-sac which do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of 100 feet.
- W4. §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.
- W5. §113-14.A.2.A. For modeling purposes: Existing (pre-development) non-forested pervious areas must be considered meadow.
- W6. §113-17.H. Stormwater flow along streets and access drives.
- W7. §121-9. Preliminary Plan.

Deferment:

- D1. §121-25. Sidewalks and curbs. Sidewalks and curbs shall be provided along the frontage of the entire property unless a waiver of this standard is granted in accordance with §121-11.

SECOND: Fred Walters

MOTION PASSED: 4-0

MOTION: by David Beecher to recommend the Board of Supervisors approve T-859 Prelim./Final Land Development Plan for Cottontail Solar 1, LLC subject to the applicant relocating the gate, relocating the fence where possible, and the removal of the barbed wire on the fence as long as the fencing meets the requirements of the NEC and the following outstanding comments being addressed prior to the plan being recorded:

Zoning Ordinance (ZO):

1. If applicable, the facility owner shall provide to the Township a copy of the agreement between the landowner(s) of the real property on which the solar energy farm is to be located and the facility owner, demonstrating that the facility owner has permission of the landowner to apply for necessary permits or approvals for construction and operation of the solar energy farm . §150-357.4.D ***Please provide a copy of the agreement or a memorandum of agreement signed by the applicant and property owner(s) for each property involved in the land development.***
2. Solar energy farms that are connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection. §150-357.4.E ***Please provide a copy of the written authorization from the utility company.***
- 3.. The facility owner shall submit an estimate for the total cost of decommissioning without regard to salvage value of the equipment (gross decommissioning cost), and also an estimate of the cost of decommissioning net of the salvage value of the equipment (net decommissioning cost) to the Township for review and approval prior to the first anniversary of the issuance of an occupancy permit for the solar energy farm and every fifth year thereafter. The facility owner shall post and maintain financial security in the amount of the net decommissioning costs; provided that at no point shall the financial security be less than 25% of the gross decommissioning costs. The financial security shall be in the form of a bank-issued letter of credit or cash escrow or other form of financial security approved by the Board. Cash escrow funds shall be held in an interest-bearing escrow account for the benefit of the facility owner. §150-357.4.O.3. ***Please submit the cost estimates for evaluations prior to the first anniversary of the occupancy permit. The financial security must be posted and must be maintained according to the requirements of this ordinance.***

Subdivision and Land Development Ordinance (SLDO):

1. Drafting Standards. §121-14.A.2 See Appendix No. 1. ***Survey Data block and signature must be added to the plan. While it is noted that a block and signature will be shown in a forthcoming ALTA survey drawing, the ordinance requires a survey block to be included in the final LD plan for recording.***
2. Zoning Site Data Table. §121-14.B.9. A statement on the plan identifying the district, lot size and/or density requirements of the prevailing zoning ordinance and any existing variances, special exceptions, conditional uses and nonconforming structures/uses shall be listed on the notes sheet of the plan. ***Please add a statement indicating that the size of the Artz and Dell properties are existing non-conforming for agricultural uses. The minimum lot size for agricultural uses is 25 acres per §150-17.A of the Zoning Ordinance.***
3. The location and description of existing lot line markers and monuments along the perimeter of the entire existing tract. §121-14.B.11. ***Provide monuments and markers at property corners where they are not existing.***
3. 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). §121-14.D.15. ***Please revise the statement to acknowledge the outcome of the requested waivers and date of the Board of Supervisors' action.***

4. Certifications and notifications. Where the land included in the subject application has an electric or telephone transmission line, a gas pipeline or a 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 rights-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement. §121-14.G.1 **The applicant indicated that written authorization from the utility company will be provided.**
5. A statement and signature block acknowledging final plan approval (See Appendix No. 5. **Please remove the "Preliminary" signature block on the title page of the plan. Since this is a preliminary/final land development plan, submit a waiver of the preliminary plan requirement. §121-9 and revise the requested waivers statement on the cover sheet of the plan.**
6. Improvement guaranties in accordance with Article V. §121-15.F.9 **Improvement guaranties will be required prior to the recording of the plan.**
7. Financial Security. §121-17 **Financial security is required prior to recording the plan. Please provide a cost estimate of the public improvement financial security by a professional engineer for Dawood Engineer's to review prior to plan recording.**
8. Engineering escrow shall be delivered to the Township, prior to recording the plan, in the form of a check payable to the Township in the amount equal to 3.5% of the bond or other security. If the amount furnished is not sufficient to cover inspections, administrative and other related costs, the applicant shall furnish additional amounts from time to time, when notified to do so. §121-17.D **Provide engineering escrow prior to recording the plan.**
9. Maintenance guaranty. §121-19 & §121-14.D.19. **A maintenance guaranty will be required.**
10. As-built plans. §121-21. Upon completion of all required improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing the location, dimension and elevation of all public improvements. In addition, the plan shall indicate 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 not all deviation from the previously approved drawings. **Two copies of the plan shall be submitted to the Township, which shall distribute one copy to the Township Engineer and retain one copy for the Township files. Please also submit an electronic copy of the as-builts to the Township Engineer.**
11. Stormwater Management. §121-30 All land development applications shall include stormwater management data as required in accordance with the prevailing West Manchester Township Stormwater Management Ordinance. Dawood Engineers are reviewing the stormwater information provided.

Stormwater Management Ordinance (SWMO):

1. §113-12.I. The design of all facilities in areas of carbonate geology or karst topography shall include an evaluation of measures to minimize adverse effects, including hydro-geologic studies if required by the Township. **Please clarify the areas where sub-soiling as detailed on LD-502 would be used, as well as the advisability of applying that in sinkhole prone areas.**
2. §113-12.E. For all regulated activities, implementation of the volume controls in §113-14 is required, unless specifically exempt under §113-12.C or exempt by an approved modification request as specified in §113-20.B of this chapter. **TRC has provided a description to partially satisfy this; however, a typical diagram should be provided in addition.**
3. §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. **An O&M Agreement shall be executed and recorded in accordance with Section §113-27.**
4. §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 an will be responsible for operation and maintenance

- of the facilities. **Provide all signatures, notarizations and certifications prior to the plan approval.**
5. §113-18.E.19. The name of the development, the name and address of the property owner and the name and address of the individual or firm preparing the plan. 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. **Property owner, surveyor, PE and PG names, addresses and signatures are required. Provide all signatures, notarizations and certifications prior to plan approval.**
 6. §113-18.E.23. Horizontal and vertical profiles of all open channels, including hydraulic capacity. Please clarify why channels (ex. Swales) are included within the PCSM if none are proposed. Please clarify the area this pertains to.

General Comments:

1. 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)
2. Operation & Maintenance Agreement required.
3. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
4. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
5. A Knox box shall be required for each of the proposed gates for Fire Department access in emergent situations.
6. Please add a signature block to the title page indicating that the land development plan was reviewed by the York County Planning Commission. Please revise the signature block to include a signature line and a date.
7. Request a waiver of §121-9 for Preliminary Plan and provide a waiver application. Revise the waivers requested note on Sheet LD-001 of the plan.
8. The PCSM mentions stormwater culverts, swales and riprap. Neither the SLDO nor the PCSM contains the location of any of these. **TRC response “there are no proposed stormwater culverts, swales or riprap. These are addressed in the PCSM to address any existing facilities that may be impacted by the project.” The PCSM indicates Lightsource will be responsible for all maintenance of permanent stormwater BMPs. It also states that trash and debris from culverts and riprap will be removed annually. Are they suggesting Lightsource will maintain facilities offsite so long as they own this parcel?**
9. The applicant shall obtain the necessary NPDES stormwater discharge permit and provide all necessary documentation. **TRC has acknowledged this. Provide a copy of the NPDES permit upon receipt, as well as an E&S control plan approval.**
10. Truck turning templates shall be provided to verify tractor trailer and local fire truck movement through the site. The largest fire apparatus shall be able to traverse the site. The Fire Chief should be contacted to review the plans, to verify the size of the largest apparatus and to confirm adequate access is provided for fire control. Provide a note from the Fire Chief that the plan is acceptable as submitted, or the modifications that shall be made.
11. Provide information on the width of the proposed solar panels and how adequate vegetative cover will be able to be established and maintained as noted in DEP FAQ #10 in order for the solar array areas to be considered as pervious areas. The cut sheet does not indicate panel width.
12. Correct isometric view on the Chain Link Fence detail to show the barbed wire at a 45-degree angle toward the outside, or revise Note 1 on the detail on sheet LD-501. There is now minimal

information regarding the chain link fence. Provide additional information, including post spacing, cement footings, dimensions and fence material type.

T-860 Final Land Development Plan for Cottontail Solar 8, LLC for a solar energy farm at two (2) parcels located along Woodberry Road and West College Avenue in the Agricultural Zone.

Ms. Jessie Audette, Mr. Dan Bole and Mr. William Schneider presented the land development plan. Attorney Andrew Miller of MPL Law Firm also participated in tonight's meeting. Ms. Audette shared a presentation with the planning commission members outlining a screening plan that is not required by the Zoning Ordinance, however the applicant desires to be a good neighbor and would like to screen the project from adjacent streets and properties. Ms. Sampere said she was still reviewing the screening plan; but reminded the applicant that no plantings should be placed within the clear sight triangles of any streets, access drives or driveways. The presentation also contained a graphic of what the overall project would look like from an aerial perspective. Mr. Schneider shared a graphic of the solar panels. He explained that the panels are on an axis tracker similar to a teeter-totter. They are comprised of single 3x5 panels, not solid sheets so the rainwater will be able to infiltrate into the vegetation below the panels. Mr. Schneider stated that the applicant is currently addressing the remaining outstanding comments in order to submit the land development plan for the Board of Supervisors meeting in April 2021. Mr. Ruman stated that the Township received two letters of support from The Eco Action Group and from the Co-leaders of the York Chapter of Citizens' Climate Lobby. Ms. Sampere reminded the applicant that a lot consolidation plan would be required or the solar panels shown encroaching into the setbacks along the interior property line must be removed to meet the requirements of the Zoning Ordinance. Mr. Schneider stated that a lot consolidation plan would be forthcoming. Ms. Sampere explained that the lot consolidation plan and the land development plan could be recorded at the same time, however the land development plan may not be recorded prior to the lot consolidation plan.

MOTION: Fred Walters to recommend the Board of Supervisors grant the following waivers and deferment request:

Waivers:

- W1. §121-14.A.1. Drafting standards. The plan scale shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet, 80 feet or 100 feet to the inch.
- W2. §121-23.C.1. All existing streets at the perimeter and/or through the development shall be improved according to the Township specifications.
- W3. §121-23.F.4. Access drives which form cul-de-sac shall not exceed 1,600 feet in length, measured from the center line intersection of a street or access drive which is not a cul-de-sac. Access drive cul-de-sac which do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of 100 feet.
- W4. §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.
- W5. §113-14.A.2.A. For modeling purposes: Existing (pre-development) non-forested pervious areas must be considered meadow.
- W6. §113-17.H. Stormwater flow along streets and access drives.
- W7. §121-9. Preliminary Plan.

Deferment:

- D1. §121-25. Sidewalks and Curbs. Sidewalks and curbs shall be provided along the frontage of the entire property unless a waiver of this standard is granted in accordance with §121-11.

SECOND: Patrick Hein

MOTION PASSED: 4-0

MOTION: by David Beecher to recommend the Board of Supervisors approve T-860 Final Land Development Plan for Cottontail Solar 8, LLC subject to the outstanding comments being addressed and

the lot consolidation plan is submitted, reviewed and recorded prior to the land development plan being recorded:

Zoning Ordinance (ZO):

1. On the title page, create a Zoning Site Data Table listing the requirements of the Agricultural Zones such as:
Lot area and requirements §150-17.A
Minimum Lot Width §150-18
Minimum Lot Depth §150-19
Minimum Setback for fence §150-20
Maximum lot coverage §150-21. (10% for agricultural uses)
There are 2 properties involved in this land development. Please list the information for each property involved in the land development separately. Despite the properties being owned by the same property owner, the land development must meet the required setbacks and may not cross over property lines. Please revise the drawings to reflect the required setbacks from all property lines or submit a lot consolidation plan (reverse subdivision) to join the 2 parcels in common ownership together. Please revise sheets LD-201, LD-202, LD-203, and LD-204, the solar panel arrays appear to go through the required setback line.
*****The applicant has indicated that a lot consolidation plan will be submitted for review and recording. This land development plan may be recommended for conditional approval provided that the lot consolidation plan is approved by the Board of Supervisors and recorded prior to the land development plan being released for recording.***
2. If applicable, the facility owner shall provide to the Township a copy of the agreement between the landowner(s) of the real property on which the solar energy farm is to be located and the facility owner, demonstrating that the facility owner has permission of the landowner to apply for necessary permits or approvals for construction and operation of the solar energy farm . §150-357.4.D D ***Please provide a copy of the agreement or a memorandum of agreement signed by the applicant and property owner(s) for each property involved in the land development.***
3. Solar energy farms that are connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection. §150-357.4.E ***Please provide a copy of the written authorization from the utility company.***
4. The facility owner shall submit an estimate for the total cost of decommissioning without regard to salvage value of the equipment (gross decommissioning cost), and also an estimate of the cost of decommissioning net of the salvage value of the equipment (net decommissioning cost) to the Township for review and approval prior to the first anniversary of the issuance of an occupancy permit for the solar energy farm and every fifth year thereafter. The facility owner shall post and maintain financial security in the amount of the net decommissioning costs; provided that at no point shall the financial security be less than 25% of the gross decommissioning costs. The financial security shall be in the form of a bank-issued letter of credit or cash escrow or other form of financial security approved by the Board. Cash escrow funds shall be held in an interest-bearing escrow account for the benefit of the facility owner. §150-357.4.O.3. ***Please submit the cost estimates for evaluations prior to the first anniversary of the occupancy permit. The financial security must be posted and must be maintained according to the requirements of this ordinance.***

Subdivision and Land Development Ordinance (SLDO):

1. Drafting Standards. §121-14.A.2 See Appendix No. 1. ***Survey Data block and signature must be added to the plan. While it is noted that a block and signature will be shown in a forthcoming ALTA survey drawing, the ordinance requires a survey block to be included in the final LD plan for recording.***
2. The location and description of existing lot line markers and monuments along the entire perimeter of the entire existing tract. §121-14.B.11. ***Please add to all applicable pages of the plan. All existing property lines must be shown on the plan. All land development must meet the required setbacks for each property regardless of single ownership. No solar***

panels, equipment, inverters, access drives, etc. may cross property lines. Please revise the plan or submit a lot consolidation plan for review and recording prior to recording this land development plan.

****The applicant has stated that a lot consolidation plan will be submitted for review at the April 13, 2021 Planning Commission meeting.**

3. 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. §121-14.D.12. **Please add lot line markers to the plan with the applicable information. Please show all existing property lines on the plan.**
4. 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). §121-14.D.15. **The requested waivers have been added to Sheet LD-001. Please add a statement to reflect the outcome of the requested waivers with the date of the Board of Supervisors' action.**
5. Notice from the PA Department of Environmental Protection that a sewer facilities plan revision or supplement has been approved. An approved non-building waiver for sewer facilities is needed. **TRC states they have included a non-building waiver in this resubmission, however it is not contained on the plans.**
6. Certifications and notifications. Where the land included in the subject application has an electric or telephone transmission line, a gas pipeline or a 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 rights-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement. §121-14.G.1 **The applicant indicated that written authorization from the utility company will be provided.**
7. A statement and signature block acknowledging final plan approval (See Appendix No. 5. **Please add this signature block to the title page of the plan. Since this is a preliminary/final land development plan, consider requesting a waiver of the preliminary plan requirement. §121-9 and remove the preliminary plan signature block.**
8. Improvement guaranties in accordance with Article V. §121-15.F.9 **Improvement guaranties will be required prior to the recording of the plan.**
9. Financial Security. §121-17 **Financial security is required prior to recording the plan. Please provide a cost estimate of the public improvement financial security by a professional engineer for Dawood Engineer's to review prior to plan recording.**
10. Engineering escrow shall be delivered to the Township, prior to recording the plan, in the form of a check payable to the Township in the amount equal to 3.5% of the bond or other security. If the amount furnished is not sufficient to cover inspections, administrative and other related costs, the applicant shall furnish additional amounts from time to time, when notified to do so. §121-17.D **Provide engineering escrow prior to recording the plan.**
11. Maintenance guaranty. §121-19. **A maintenance guaranty will be required.**
12. As-built plans. §121-21. Upon completion of all required improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing the location, dimension and elevation of all public improvements. In addition, the plan shall indicate 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 not all deviation from the previously approved drawings. **Two copies of the plan shall be submitted to the Township, which shall distribute one copy to the Township Engineer and retain one copy for the Township files. Please also submit an electronic copy of the as-builts to the Township Engineer.**
13. Stormwater Management. §121-30 All land development applications shall include stormwater management data as required in accordance with the prevailing West Manchester Township Stormwater Management Ordinance. **Dawood Engineers to review the stormwater information provided.**

Stormwater Management Ordinance (SWMO):

1. §113-12.I. The design of all facilities in areas of carbonate geology or karst topography shall include an evaluation of measures to minimize adverse effects, including hydro-geologic studies if required by the Township. Portions are on carbonate geologic units. The PCSM noted nearby Karst features, but it is unclear whether they are on this parcel or not. As there are areas of sinkholes within adjacent properties to the site, a sinkhole repair detail shall be added to the plans in the event of further depressions or sinkholes within the project areas.
2. §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. An O&M Agreement shall be executed and recorded in accordance with §113-27.
3. §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.
4. §113-18.E.19. The name of the development, the name and address of the property owner and the name and address of the individual or firm preparing the plan. 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. **The applicant has stated that the survey data block and signature will be shown on the forthcoming ALTA survey drawing. The applicant has stated that the remaining requests shall be provided prior to plan approval. Provide the surveyors certification and signature on the cover sheet, or provide a separate survey sheet with appropriate signatures and seals to be recorded with the overall LD plan.**
5. The applicant has provided general notes for Soil Amendments as well as Sub-soiling activities to relieve compaction. **The applicant shall justify providing sub-soiling where there is known depressions and potential for sinkholes. The applicant shall provide locations for where these activities shall occur. The stormwater management report has stated that additional BMPs are not proposed for the site.**

General Comments:

1. 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)
2. Operation & Maintenance Agreement required.
3. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
4. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
5. A Knox box shall be required for each of the proposed gates for Fire Department access in emergent situations.
6. Please add a signature block to the title page indicating that the land development plan was reviewed by the York County Planning Commission. Please revise to include a signature line and date reviewed line.
7. The applicant shall obtain the necessary NPDES stormwater discharge permit and provide all necessary documentation.
8. Truck turning templates shall be provided to verify tractor trailer and local fire truck movement through the site. The largest fire apparatus shall be able to traverse the site. The Fire Chief should be contacted to review the plans, to verify the size of the largest apparatus and to confirm adequate access is provided for fire control. Provide a note from the Fire Chief that the plan is acceptable as submitted, or the modifications that shall be made.

SECOND: by Patrick Hein

MOTION PASSED: 4-0

T-862 Preliminary/Final Subdivision Plan for Amos K. & Barbie M. Stoltzfus to subdivide a parcel into 2 lots located along the 4300 block of West Market Street in the Local Commercial Zone.

Mr. David Morgan of Rettew Associates presented the subdivision plan. His client, Mr. Ethan Prout, also participated in the meeting on behalf of Amos K. and Barbie M. Stoltzfus. Mr. Morgan explained that this plan depicts a 2.62-acre parent tract being subdivided into two lots. Lot 1 would consist of 1.62 acres which includes two existing buildings and associated paved parking area. Lot 2 would consist of a vacant wooded lot. There is an existing curb cut located along West Market Street that may serve proposed Lot 2 if the lot is developed in the future. There is no land development being proposed at this time. Lot 1 is currently served by an on-lot septic system shared with the adjacent parcel, Yorktown Hardscapes. An agreement for the shared on-lot septic system has been provided to the Township for the land development file. Public sewer is not currently available to the properties along West Market Street.

MOTION: Patrick Hein to recommend the Board of Supervisors grant the following waivers and deferment requests:

Waivers Requested:

- W1. §121-14.C & §121-15.C Existing Features. Existing features are provided for parcels subject to subdivision and just beyond the property limits due to no proposed improvements for Lot 1 or Lot 2. Existing site features within 200' of the subject tract is relative to future land development.
- W2. §121-30 Stormwater management. This plan is a subdivision plan only, no improvements are proposed for either Lot 1 or Lot 2 at this time. Existing structures and paving shall remain on Lot 1. Lot 2 shall remain undeveloped until such time a formal Land Development Plan is created and submitted for review. Stormwater management design requirements shall apply when proposed site improvements are identified or as part of any future Land Development Plan submission.

Deferment:

- D1. §121-25 Sidewalks and curbs shall be provided along the frontage of the entire property unless a waiver of this standard is granted in accordance with §121-11. Sidewalks and curbs shall be designed and constructed in accordance with the West Manchester Township Construction and Material Specifications for Land Development, as amended. This plan is a subdivision plan only, no improvements are proposed for either Lot 1 or Lot 2 at this time. Sidewalks and curbing to be designed as part of any future Land Development Plan submission.

SECOND: Fred Walters

MOTION PASSED: 4-0

MOTION: by Patrick Hein to recommend the Board of Supervisors approve T-862 Preliminary/Final Subdivision Plan for Amos K. & Barbie M. Stoltzfus subject to the following comments being addressed prior to the plan being recorded:

Zoning Ordinance (ZO):

- 1. Number of Uses. §150-86. Each lot shall be used for one principal use, except that one dwelling unit in conjunction with another permitted use shall be allowed if it is contained within the same building. For the purposes of this Article XIII, each separate and distinct business entity shall be located on each lot in the Local Commercial Zone. *The owners shall be aware that despite there being 2 existing separate buildings on proposed Lot 1, only one business entity may be on the lot unless a variance is granted by the West Manchester Township Zoning Hearing Board. Any proposed uses must adhere to Section 150-83 Permitted Uses within the Local Commercial Zone.*
- 2. Outdoor Storage. §150-91. No outdoor storage is permitted. *Please add a note on the Cover Sheet under the Lot Table indicating that outdoor storage is not permitted.*
- 3. Screening. §150-97. 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. (See Article XXVI) *Please provide screening along the rear property lines of the newly created lots. Discussion at the in-house staff review informed staff that the lot is heavily wooded which provides a natural screen. A note will be added to the plan that should the wooded area be removed from Lot 1, screening would be required along the southeastern property line in accordance with §150-278. The applicant will provide pictures of the current state of the property for the Township's file.*

4. Landscaping. §150-98. Any portion of the site not used for buildings, structures, parking compounds, loading areas and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings. A minimum ten-foot-wide landscape strip shall be provided along all front and rear lot lines. A minimum five-foot-wide landscape strip shall be provided along a side lot line, except when joint parking facilities are shared by adjoining uses, this side yard landscape strip can be waived for that portion of the site occupied by the joint parking lot. (See Article XXVI) *Please provide the appropriate landscape strips on each of the proposed parcels.*
5. Dumpsters. §150-99. Dumpsters used for domestic garbage may be permitted within the side or rear yard, provided that such dumpsters are screened from any adjoining roads and properties. All dumpsters shall be set back at least 35 feet from any adjoining residentially zoned properties and 10 feet from all other lot lines. *Please add a note to the Cover Sheet under the Lot Table indicating the required setbacks for dumpsters.*

Subdivision and Land Development Ordinance (SLDO):

1. A statement on the plan indicating the proposed total number of lots, units of occupancy, density, minimum lot size, types of sanitary sewage disposal, type of water supply, name of the authority providing sanitary sewage disposal and water supply, if applicable, and proposed land use and the location of each land use if multiple land use is proposed. This statement shall also include the criteria needed to calculate off-street parking, lot coverage and other requirements of the prevailing Township Zoning Ordinance. There is not mention of type of water supply. ***Provide a letter from the water company on ability to serve.***
2. Easements. §121-14.D.6. ***Show all easements and rights-of-way on the plan.***
3. Reports. §121-14.E A sewer facilities plan revision or supplement in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. A non-building waiver has been submitted by the applicant and signed by the Township's SEO for Lot 2 since no development is being proposed at this time. A non-building declaration statement has also been listed on the Cover Sheet of the plan.
4. Impact statements. §121-14.F. Impact statements for residential land uses which exceed 25 lots or units in whole or in part, all nonresidential uses or, upon determination of need by the Board of Supervisors. Please provide the required impact statements or request a waiver.
5. Certifications and notifications. §121-14.G Where the land included in the subject application has an electric or telephone 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. Please submit the required documentation for the overhead electric and overhead telephone lines on the properties. Please also label the rights-of-way widths related to the overhead lines on the properties if applicable.
6. §121-15.D.2The address for proposed lot 2 shall be provided by the West Manchester Township Fire Chief.
7. Certifications and notifications. §121-15.F.8. Such written notices of approval as required by this chapter, including written notices approving the water supply systems, sanitary sewer systems and stormwater runoff to adjacent properties. ***Please provide written documentation for Lot 2 that public water is available for future development.***
11. Maintenance Guaranty. §121-19 A Maintenance guaranty will be required for 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.
12. Easements. §121-28.F Where any electric or telephone transmission or petroleum product transmission line traverses a subdivision or land development, the applicant shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and center line of such line...All applications shall include a letter from the owner of the transmission line stating any conditions of the use of the tract and the right-of-way width or a copy of the recorded agreement which shall contain the above data.
13. Landscaping. §121-33. Existing wooded areas shall be protected to prevent unnecessary destruction. Healthy trees with a caliper of 6 inches or more, as measured at a height of 4.5 feet

above existing grade shall not be removed unless they are located within the proposed cartway or sidewalk portion of the street right-of-way or within 15 feet of the foundation area of a proposed building. In areas where trees are retained, the original grade level shall be maintained if possible, so as not to disturb the trees. **Please add a note on the Cover Sheet that no existing trees are planned to be removed as part of this subdivision.**

14. §121-34. Sanitary sewage disposal. Provide a copy of the existing agreement with the adjacent parcel for proposed Lot 1's sanitary sewage disposal.
15. §121-35. Water supply. **Provide documentation of water service to the existing parcel and a letter of ability to serve for the new lot.**

General Comments:

1. Revise note #13 on the Cover Sheet to include the date of the sewage system easement agreement between the present owners of proposed lot 1 and Yorktown Hardscapes, LLC.
2. Provide a copy of the sewage system easement agreement to the Township to be kept as part of this subdivision file.
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. A new legal description for each of the newly created lots should be recorded with the plan so that the County Tax Map are updated.

SECOND: Fred Walters
MOTION PASSED: 4-0

DISCUSSION

The Planning Commission feel that it is important to return to in-person public meetings when the Board of Supervisors feel it is safe to do so in accordance with CDC guidelines while practicing social distancing and wearing masks.

The Planning Commission members discussed the importance of their reviewing the Zoning Hearing Board cases to make recommendations to the Zoning Hearing Board with regards to long-term planning for West Manchester Township.

ADJOURNMENT

MOTION: by Patrick Hein to adjourn the meeting.
SECOND: David Beecher
MOTION PASSED: 4-0

Meeting adjourned at 9:28 p.m.