

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: April 11, 2023

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

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 March 14, 2023, meeting minutes as presented.

SECOND: by Richard Gordon

MOTION PASSED: 2-0 (2 Abstain: Beecher and Walters; 1 Mr. Hein arrived after the vote.)

ZONING HEARING BOARD CASES

ZHB 23-09 – Michael Dennis – requests a special exception §150-289 to expand an existing nonconforming use (single family dwelling) **located at 2270 Carlisle Road** (Tax Map: 10; Parcel: 0090) in the Local Commercial Zone.

Mr. Michael Dennis presented the request. He explained to the Planning Commission members that he would like to construct a deck with a roof on the rear of the dwelling for his daughter-in-law and granddaughter. The existing dwelling is a pre-existing nonconforming use located in the Local Commercial Zone. The Zoning Ordinance allows a nonconforming use to be expanded up to 25% by special exception. The proposed deck with roof do not exceed 25% of the existing dwelling.

MOTION: by Sonia Wise to recommend the Zoning Hearing Board grant the special exception as requested subject to the following conditions:

1. The proposed building expansion may not exceed 25% of the area of the existing dwelling which is equal to an expansion of 393 square feet.
2. No future building expansions will be permitted without a variance §150-289.A.2 from the Zoning Hearing Board in order to exceed 25% of the area of the building devoted to the nonconforming use.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

ZHB 23-10 – Gold Key Holdings, LLC – requests a variance §150-79.A for the minimum area of a townhouse development to be less than the required 1 acre to a requested 0.425 acre parcel located at **1343-1351 Salem Road** (Tax Map: 17; Parcel: 0012) in the R-6 Residential Zone.

Mr. Laymon Mortorff, Senior Planning with Gordon L. Brown and Associates presented the application. Mr. Mortoff explained that the three (3) subject properties are situated at the northeast corner of Old Salem Road, South Highland Avenue and Spangler Avenue. The properties are currently developed with a bungalow dwelling and three (3) mobile homes. The applicants would like to demolish the four (4) dwellings and replace them a townhouse development. The variance request is to allow a townhouse development on a parcel less than the required one (1) acre. Should the Planning Commission and Zoning Hearing Board look favorably upon this application, the applicants would submit a reverse subdivision plan to join the lots together creating a

0.425-acre parcel. They would also submit a land development plan for the townhouse development. Mr. Gordon asked if these homes would be owner occupied. Mr. Gregg Clymer and Mr. Brandon Hershey stated that they are being designed so they could be rented or owner occupied. Mr. Hein asked if the proposed layout provides for two (2) off-street parking spaces per dwelling unit. Mr. Clymer explained that each unit will have a garage and a driveway which provides the required parking spaces for each unit.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board grant the variance application subject to the following conditions:

1. The minimum lot area devoted to the townhouse development shall be no less than 0.425 acres.
2. The maximum density shall be 6 dwelling units.
3. A reverse subdivision plan and a final land development plan must be recorded prior to obtaining building permits for construction.
4. A minimum of 2 off-street parking spaces must be provided for each dwelling unit in accordance with the West Manchester Township Zoning Ordinance §150-263 Schedule of required parking spaces.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

NEW BUSINESS

T-877 Final Land Development Plan for 1150 Greenwood Road – to depict three (3) phases of a proposed building expansion for a loading dock, warehousing area, and dismantling area. The plan also depicts associated parking to improve business operations at 1150 Greenwood Road in the I-2 Light Industrial Zone. There are no additional sewage flows proposed as part of this land development plan.

Mr. Eric Johnston, P.E. of Johnston and Associates presented the plan on behalf of the owner, Mr. Charles Reinert, Jr. Mr. Johnston explained that the plan depicts a three (3) phase building expansion with a raised loading dock to improve the existing business operation. The proposed expansion would add 23,800 square feet to the existing 20,200 square foot building. The plan also depicts the paving of existing stone and grass area in the front yard area to improve the existing parking lot. The property is served by public water and an on-lot septic system. Approximately 4-8 employees would be added due to the building/operation expansion. The business operates at 91% wholesale and 9% retail sales of used auto parts. The trucks leave the property to make deliveries between 8:00 a.m. and 8:15 a.m., Monday through Friday. The trucks return at various times throughout the day after their rounds have been made. There are not multiple trips made by the trucks throughout the day. There are currently 37 employees on site.

MOTION: by Sonia Wise to recommend the Board of Supervisors grant the following waivers requested by the applicant:

- W1. §121-9. Preliminary Plan – to waive the requirements for preparation of a preliminary plan.
- W2. §121-14.F.1 Impact Statements – to waive the requirements for preparation of impact statements.
- W3. §121-23.C. Improvements to Existing Streets – to waive the requirements for improvements to existing streets.
- W4. §121-25. Sidewalks and Curbs – to waive the requirements for installation of sidewalks and curb along existing streets.
- W5. §121-14.G.2 Surveyor Signature and Seal – to waive the requirements for the Surveyor to sign and seal the plan.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (5-0)

MOTION: by Patrick Hein to recommend the Board of Supervisors approve T-877 Final Land Development Plan for 1150 Greenwood Road subject to the following comments being addressed prior to recording the plan:

Subdivision and Land Development Ordinance (SLDO):

1. §121-14.F. Impact statements. *A waiver has been requested from the requirements of preparing impact statements. Dawood recommends the Township require the applicant to provide information corroborating the assertions in the waiver application letter. (Dawood's Substantive Comment #1)*
2. §121-14.G.3. Applicable Plan Notations. See Appendix No. 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. Lot line descriptions shall read in a clockwise direction. The plan shall include a signed statement by a registered surveyor that the description is based upon a survey... *Signature block for the registered surveyor is not provided. Please add the Survey Data Block to the Cover Sheet of the plan. (Dawood Engineers Administrative Comment #1 and YCPC Comment #3) A waiver has been requested.*
3. §121-16. Improvement guaranties. *A financial security in accordance with §121-17 is required.*
4. §121-17. 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 provide a financial security estimate. Financial security will be required prior to recording the plan upon the Board's acceptance of the estimate.*
5. §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.
6. §121-21. As built plans. Upon completion of all required improvements and prior to the issuance of occupancy permits, the applicant shall submit two copies of the as-built plan to the Township. The Township shall distribute 1 copy to the Township Engineer and retain 1 copy for the Township files. *Acknowledged on Note #8 on the Cover Sheet of the plan.*
7. §121-23.C. Improvements to existing streets. *The applicant has requested a waiver.*

General Comments:

1. The requested waiver statement on the Title Sheet of the plan must be updated to reflect the outcome and date of action prior to recording the plan.
2. An E&S plan approval by the YCCD are required prior to recording the plan.
3. An Operation and Maintenance agreement will be required for the proposed stormwater management.
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) (YCPC Comment #4)
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. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
7. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
8. Regarding the cost estimate: The quantity and units for Infiltration Bed # (under Item A – Stormwater Management) does not seem accurate. The volume of Infiltration Bed # 1 is approximately 115 cubic yards (CY).

9. Regarding the cost estimate: The quantity and units for Infiltration Bed #2 (under Item A – Stormwater Management) does not seem accurate. The volume of Infiltration Bed #2 is approximately 180 CY.
10. Regarding the cost estimate: There is a typo in the subtotal line. It states that the total for items A through C are included in the subtotal, but it should be labeled as a total for items A through E.
11. Dawood recommends the Township requires a copy of the sediment and erosion control plan so the quantities under the Erosion Control Measure section of the cost estimate can be verified.

Stormwater Management Ordinance (SWMO):

1. §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. E&S control plans and measures have not been included in the submission. *Please provide an approval memo/letter from the York County Conservation District for the E&S control plan.* (Dawood's Substantive Comment #5)
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. *Signatures and notarization shall be provided by the owner of record prior to final approval.* (Dawood's Post Approval Requirements Comment #1)
3. §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 SWM site plan in accordance with the ordinance. (Dawood's Post Approval Requirements Comment #2)
4. §113-28. Performance guarantee. Dawood recommends the Township require a financial guarantee for all the required stormwater management and E&S controls. *Please provide a financial security estimate for Dawood to review and for BOS approval. Please provide financial security for the amount authorized by the BOS prior to recording the plan.* (Dawood's Post Approval Requirements Comment #3)

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

T-878 – Sewer Planning Module Exemption Mailer for 1407 Carlisle Road – The property owner has submitted a sewer planning module exemption mailer proposing 1 EDU for the vacant property located at 1407 Carlisle Road for connection to the newly constructed sewer line in Haviland Road. No land development is being proposed at this time.

Mr. Dusan Bratic presented the request to the Planning Commission members. The property is situated between Carlisle Road and Haviland Road adjacent to the existing Tobacco Hut. The property is currently vacant. Mr. Bratic would like to extend a sewer lateral from the sewer line currently being constructed in Haviland Road to his property prior to the road being paved. No land development is planned for the property at this time; however, Mr. Bratic mentioned that he is interested in developing the parcel for the sales of modular homes in the future where sewer would be required for the business office.

MOTION: by Sonia Wise to recommend the Board of Supervisors authorize staff to forward the sewer planning module exemption mailer to the PA Department of Environmental Protection for their review.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (5-0)

T-879 – Final Subdivision Plan for Lands of Sunrise Holdings, L.P. and 1128 Roosevelt Avenue, LLC – to depict

the existing conditions of parcel 14 and a portion of parcel 34 which will be subdivided off and combined to parcel 14 located at 1060 Marbrook Lane (York City) and 1128 Roosevelt Avenue (West Manchester Township).

Mr. Scott DeBell of Site Design Concepts presented the plan. Mr. DeBell explained that this plan depicts the relocation of a property line affecting 1128 Roosevelt Avenue in West Manchester Township and 1060 Markbrook Lane in York City. The property in West Manchester Township is approximately 11 acres. The property in York City is approximately 1.7 acres. No land development is proposed with this subdivision.

MOTION: by Patrick Hein to recommend the Board of Supervisors approve T-879 Final Subdivision Plan for Lands of Sunrise Holdings, LP and 1128 Roosevelt Avenue, LLC subject to the following comments being addressed:

Zoning Ordinance (ZO):

1.	§150-193.B Side yard setbacks. ...Off-street parking lots, loading areas and outdoor storage areas shall be at least 25 feet from side lot lines, unless joint parking facilities are shared by adjoining uses. In such instances, one of the required side yard setbacks can be waived for the automobile parking lot. <i>Please provide a reciprocal agreement for the shared parking between the two parcels or provide the required setback for off-street parking lots from the new property line. Add a note on the plan that the existing parking spaces encroach into the required parking setback.</i>
----	---

Subdivision and Land Development Ordinance (SLDO):

1.	§121-14.B.9 A statement on the plan identifying...any existing variances, special exceptions, conditional uses and nonconforming structures/uses. <i>Please note, the existing lot coverage for parcel 34 exceeds the maximum lot coverage of 75% (existing is 89% impervious). Please add a statement indicating all existing nonconformities.</i>
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. <i>Please label all existing lot line markers and monuments on all applicable sheets in the plan set with the material used and whether they are set or to be set.</i>
3.	§121-14.C.3.a & §121-15.C The location and name of existing rights-of-way and cartways for streets, access drives, driveways and service streets. <i>Please add the T-# for Fahs Street (T-496) to all applicable sheets in the plan set.</i>
4.	§121-14.C.4.a & §121-15.C The benchmark should be shown on the Existing Conditions Plan sheet.
5.	§121-14.C.4.b Within 200 feet of the subject property...the location of ...fire hydrants. <i>Are there any fire hydrants within 200 feet of the subject property? If so, please show them on the plan.</i>
6.	§121-14.E.2 & 121-15.F.3 A sewer facilities plan revision or supplement in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. <i>If required, has a sewer planning module, exemption mailer or non-building waiver been submitted to York City?</i>
7.	§121-14.F Impact statements. <i>Provide impact statements or request a waiver.</i>
8.	§121-17 Financial security. <i>Provide financial security for improvements required to be installed (property corners, etc.) or install them prior to recording the plan.</i>

General Comments:

1.	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)
2.	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.	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.	The statement on the plan indicating any proposed waivers must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waivers. (§121-14.D.14 & §121-15.D)
6.	A new legal description for the newly configured lots should be recorded with the plan so that the County Tax Maps are updated.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (5-0)

DISCUSSION

Ms. Sampere stated that the Board of Supervisors have selected Gannet Fleming to begin working on the Township's Comprehensive Plan. Once the contract has been finalized, Staff will meet with the firm to prepare a timeline for the project. Planning Commission members should plan to attend the public meetings regularly to give input on the Comprehensive Plan.

ADJOURN

MOTION: by Richard Gordon to adjourn the meeting.

SECOND: by Sonia Wise

MOTION PASSED: Unanimously (5-0)

The meeting adjourned at 7:40 p.m.