

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: May 10, 2022

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

Tonight's Planning Commission meeting was held in person and broadcasted live over the West Manchester Township Parks & Recreation Facebook page.

APPROVAL OF MINUTES

MOTION: by Fred Walters to approve the April 12, 2022, meeting minutes as presented.

SECOND: by Sonia Wise

MOTION PASSED: 4-0

ZONING HEARING BOARD CASES

ZHB 22-10 – Ronald & Jacey James – requests a special exception §150-289 for the alteration and expansion of an existing single family detached dwelling with an existing nonconforming dimensional front yard setback; variance §150-289.B to expand the existing dimensional nonconformity by 36% rather than the maximum 10%; variance §150-301.A.2 to allow a maximum of one year to obtain a permit rather than the required six months **located at 908 Sunnyside Road** (Tax Map: GG; Parcel:0044T) in the Rural Residential Zone.

Mr. Ronald James presented the request. Mr. James explained that he recently purchased the property and is interested in demolishing the existing dilapidated building. He is interested in replacing it with a newer manufactured home. The request is to expand the existing dimensional nonconformity. Mr. James explained that the existing septic system is located to the rear of the existing dwelling. There is no room to meet the required front yard setback due to the location of the septic. The property's width decreases from front property line to the rear property line, which would make it difficult to meet the required side yard setbacks if the new dwelling cannot utilize the existing nonconforming setback. Mr. James also explained that manufactured homes do not come in the same size as the existing dwelling, so he is requesting a variance to expand the dimensional nonconformity by 36%.

MOTION: by Sonia Wise to recommend the Zoning Hearing Board approve ZHB 22-10 with the condition that the new manufactured home be located a minimum of forty-four (44) feet from the edge of the paving on Sunnyside Road.

SECOND: by Richard Gordon

MOTION PASSED: 4-0

ZHB 22-11 – Laura & Steven Harrison – request a variance §150-51 Permitted Uses in the R-3 Residential Zone to allow a landscaping business with 5 employees operate on the property **located at 1897 Trolley Road** (Tax Map: 08; Parcel: 0023) in the R-3 Residential Zone.

Ms. Laura Harrison presented the request. Ms. Harrison explained that she and her husband currently

operate a no-impact home-based business at the property. Their employees do not currently come to the property, they meet at the job sites. The request is to allow the landscaping business' employees to come to the property, park their personal vehicles on the property, pick up work vehicles and equipment at the beginning of the day, drop of equipment at the end of the day and take their personal vehicles back home. Employees would arrive to the property at approximately 5:30 a.m. They would be able to park in the driveway behind the home adjacent to the existing garage. Ms. Harrison explained that they have a large garage that would accommodate their employees. She also stated that she obtained a permit to install a privacy fence in the back yard area which could serve as a visual barrier to the property owners directly behind the subject property. Mr. Gordon explained that the Township does typically permit businesses with an impact in residential zones. Ms. Harrison pointed out that she knows one other business, Shiloh Roofing, that is operating in the residential zone. Ms. Sampere stated that Shiloh Roofing has been operating for many years and had gone through the Zoning Hearing Board for zoning relief. Mr. Walters asked if the neighboring properties had been notified about the zoning request. Ms. Sampere explained that it is the Township's policy to send letters to property owners within 200 feet of the subject property informing them of the zoning hearing. The letters will be mailed on May 12, 2022. The zoning hearing will be held on May 24, 2022.

MOTION: by Fred Walters to recommend the Zoning Hearing Board approve ZHB 22-11 as requested.

SECOND: by Sonia Wise

MOTION PASSED: 3-1 (Nay – R. Gordon)

ZHB 22-12 – BAE Systems Land & Armaments, L.P. – requests a variance §150-197 Off-Street Loading and a variance §150-267 Location of Off-Street Loading to allow an off-street loading area on the side of a building facing adjoining lands within a residential zone **located at 1100 Bairs Road** (Tax Map: HG; Parcel: 0056A) in the I-3 General Industrial Zone.

Attorney Christopher Naylor of Barley Snyder presented the request on behalf of BAE Systems Land & Armaments, L.P. Also in attendance offering testimony was Mark Austin of BAE Systems and Rachel Depan of Jacobs, an engineering firm out of Philadelphia. Attorney Naylor explained that BAE is requesting a variance of Section 150-197 and Section 150-267 regarding the proposed relocation of loading docks from the east side of the building to the west side of the building. The relocation would require delivery trucks to utilize the access drive along the perimeter of the property rather than through the parking lot, promoting a safer atmosphere for pedestrian traffic. Mr. Austin explained that currently delivery trucks are using the docks interior to the lot, causing traffic safety concerns for their employees. There are garage doors on the west side of the building that would be converted to dock doors, which would enable the truck traffic to stay on the perimeter of the property. The dock doors on the east side of the building would be utilized by staff using forklifts and front end loaders. Mr. Hein asked if there would be a reduction in parking spaces with this conversion. Ms Depan stated that there are currently over 1,500 parking spaces on the property, which is 446 more than the minimum required. The total number of spaces to be removed as part of this project is 106 spaces. Mr. Austin and Ms. Depan explained that the property is currently enclosed by a chain link fence. They intend to add slats and vegetation for screening between the proposed loading docks and the residential properties adjacent to the project area. Ms. Depan explained that there are currently trees between the project area and the residential properties, but they are on the residential property owners' land. BAE intends to plant their own vegetation to screen the property per the Zoning Ordinance requirements.

1. MOTION: by Richard Gordon to recommend the Zoning Hearing Board approve ZHB 22-12 subject to the following condition: Vegetative screening and slatted fencing must be installed and maintained along the lands between the proposed relocated docks and the residentially-zoned properties. Vegetative screening shall conform to §150-278 of the West Manchester Township Zoning Ordinance.
2. A minimum twenty-five-foot landscape strip shall be provided along the property lines adjacent to the residentially-zoned properties. Landscaping shall conform to §150-277 of the West Manchester Township Zoning Ordinance.
3. Should the Zoning Hearing Board grant the variances requested, the applicant must obtain a building permit within 18-months of the Zoning Hearing Board's written notice of decision.

SECOND: by Fred Walters

MOTION PASSED: 4-0

NEW BUSINESS

T-868 Final Subdivision Plan for Steven P. & Tracy L. Smith – 3 lot subdivision to subdivide Lot 3A from Lot 3, Lot 4A from Lot 4 to be joined with Lot 1 and relocate the 20' drainage easement to be centered on the new property line **located at 2505, 2515 and 2525 Taxville Road** in the Rural Residential Zone.

Mr. Blaine Markel of James R. Holley and Associates presented the subdivision plan. Mr. Markel explained that the property owners are proposing a property line adjustment between lots 3, 4 and 1. The parcels were previously created as part of the Dale E. & Rochelle Anstine Final Subdivision Plan. The current plan proposes to make lot 1 slightly larger. This plan also depicts the relocation of an existing swale that has been eroded. The new location of the drainage swale will straddle the new property line between lots 3, 4 and 1. Mr. Markel explained that The Smiths do not intend to sell lots 3 and 4; however, if they are sold they would be used for single family detached dwellings. The lots are served by public sewer. The plan depicts existing sanitary sewer easements, stormwater drainage easements, a private gas easement and wetland area.

MOTION: by Sonia Wise to recommend the Board of Supervisors approve T-868 Final Subdivision Plan for Steven P. and Tracy L. Smith subject to the outstanding comments being addressed prior to recording the plan:

Zoning Ordinance (ZO):

1. §150-129.B Front yard setbacks for accessory buildings or structures. *Please revise the Site Data table on sheet for front yard setbacks for accessory structures. Accessory structures are not permitted within the front yard area.*

Subdivision and Land Development Ordinance (SLDO):

1. §121-14.C.4.a & §121-15.C Taxville Road should be labeled on Sheet 2 of 2.
2. §121-14.C.4.b & §121-15.C The location of all existing watercourses must be shown on the plan. *The plan proposes to relocate a drainage easement that follows a watercourse. Will this watercourse be relocated also?*
3. §121-14.D.3 & §121-15.D Note #15 references Lot 2 but Lot 2 is not shown on the plan. *Please show the location of Lot 2 on sheet 2 of 2.*
4. §121-14.D.14 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). *Revise the waiver block prior to recording the plan.*

5. §121-14.E.2 & §121-15-F.3 & §121-15.F.3 A sewer facilities plan revision or supplement in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. Notice from PA DEP that a sewer facilities plan revision or supplement has been approved. *A non-building waiver has been submitted to the Township to be forwarded to PA DEP for review and action. Verification should be provided that the Planning Module for Land Development or a Non-building Waiver was approved by the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.*
6. §121-15.F.9 Improvement guaranties in accordance with Article V. *Please provide a cost estimate to be reviewed by Dawood Engineers for all public improvements associated with the plans.*
7. §121-17 Financial Security. Financial security is required for public improvements not installed prior to recording the plans.
8. §121-29.D All monuments and markers shall be placed by a registered surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.
9. 121-33.C Shade trees. All residential lots shall be provided with one (1) shade tree which is located no closer than twenty (20) feet from any utility line. Such trees shall be planted between a point no less than five (5) feet from the street right-of-way and the building setback lines. Such trees shall have a minimum caliper of one and one-half (1.5) inches. See the list of acceptable shade trees in this section of the ordinance. *Please provide a shade tree for each lot on the plan.*

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. A new deed/lot description for each parcel involved in the subdivision plan must be recorded with the subdivision plan so the tax maps are updated.

The motion also recommended the Board of Supervisors grant the following requested waivers:

Requested Waivers:

- W1. §121-23.C.1 Improvements to existing streets. Deferral requirements are included as plan note 4 on sheet 2. The waiver was previously approved in 2016 for the Anstine Subdivision.
- W2. §121-25 Curbs and sidewalks. Applicant proposes installation of curbing and sidewalks be deferred since this subdivision will have no impact on the existing street. Deferral requirements are included as plan note 4 on sheet 2. The waiver was previously approved in 2016 for the Anstine Subdivision.

SECOND: by Fred Walters

MOTION PASSED: 4-0

T-869 Final Subdivision Plan for BLM Assets, Inc. – to subdivide a 1.366-acre lot (Lot 13) from parcel 56U (Lot 4) to be used for a future commercial development **located at 715 Town Center Drive** in the Regional Commercial Zone.

Tabled until the June 14, 2022 Planning Commission meeting by request of the applicant.

T-870 Preliminary/Final Land Development Plan for Proposed Car Wash Facility for BLM Assets, Inc. –
to depict the construction of a proposed car wash and associated improvements on a 1.366-acre parcel (Lot 13 created by a separate subdivision plan) **located at 715 Town Center Drive** in the Regional Commercial Zone.

Tabled until the June 14, 2022 Planning Commission meeting by request of the applicant.

DISCUSSION

Buchart Horn has provided a copy to the West Manchester Township Planning Commission members of the permit they intend to submit to PA DEP regarding the Dover Sanitary Sewer Interceptor replacement project. As such, they have requested that the West Manchester Township Planning Commission provide a land use letter for the project. Ms. Sampere provided a draft copy of the letter to the Planning Commission members. Rainer Niederoest of Dawood Engineers explained the project to the Planning Commission members. Mr. Hein signed the land use letter as Vice-Chairman of the Planning Commission. Ms. Sampere will send the land use letter to PA DEP on May 11, 2022.

MOTION: by Fred Walters to adjourn the meeting.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (4-0)

The meeting adjourned at 8:00 p.m.