

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: June 11, 2019

The meeting was called to order by Richard Gordon at 7:00 P.M. Members present: Fred Walters, Ronald Ruman, Patrick Hein and David Beecher. Others present: Rachelle Sampere, Township Zoning Officer and Paul Wilson, P.E. Township Engineer from Dawood

Approval of Minutes:

MOTION: by David Beecher to approve the May 14, 2019 meeting minutes.

SECOND: by Ronald Ruman

MOTION PASSED: 3-0 (2 Abstain – Hein and Walters)

ZONING HEARING BOARD CASES

ZHB Case 19-12 BAE Systems requests a Special Exception Section 150-369 to permit a Temporary Use (storage tents) located at 1100 Bairs Road (Tax Map: HG; Parcel: 0056A) in the I-3 General Industrial Zone

Mr. Mark Austin of BAE presented the special exception request. Mr. Austin explained that BAE Systems is interested in installing temporary tent structures over an existing asphalt area to store materials that cannot be left outside in the weather. Mr. Austin explained that BAE intends to file a land development plan in order to have the tent structures remain permanently on the property. Ms. Sampere explained that the special exception, if approved, would be granted for six months and may only be extended one time for an additional six months by the Zoning Hearing Board. If a land development plan is not received and approved within the maximum one-year time frame, the structures must be removed. Mr. Ruman recommended the applicant file a land development plan in the fall in order to meet the timeline specified by the special exception.

MOTION: by Ronald Ruman to recommend the Zoning Hearing Board approve the special exception request with the condition that a land development plan be filed and recorded for the structures to remain on the property longer than one year.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

ZHB Case 19-13 BAE Systems requests a Special Exception Section 150-369 to permit a Temporary Use (assembly tents) located at 1100 Bairs Road (Tax Map: HG; Parcel: 0056A) in the I-3 General Industrial Zone

Mr. Mark Austin of BAE presented the special exception request. Mr. Austin explained that BAE Systems is interested in installing temporary tent structures over an existing asphalt area for assembly of materials that cannot be left outside in the weather. Mr. Austin explained that BAE intends to file a land development plan in order to have the tent structures remain permanently on the property. Ms. Sampere explained that the special exception, if approved, would be granted for six months and may only be extended one time for an additional six months by the Zoning Hearing Board. If a land development plan is not received and approved within the maximum one-year time frame, the structures must be removed. Mr. Ruman recommended the

applicant file a land development plan in the fall in order to meet the timeline specified by the special exception.

MOTION: by Ronald Ruman by Ronald Ruman to recommend the Zoning Hearing Board approve the special exception request with the condition that a land development plan be filed and recorded for the structures to remain on the property longer than one year.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

NEW BUSINESS

T-844 Church of the Open Door Lot Consolidation & Final Land Development Plan located at 8 Carlisle Court. *Tabled by the applicant at the May 14, 2019 meeting.*

No representatives from Church of the Open Door were in attendance to present the plan.

MOTION: by Fred Walters to table the plan until the July 9, 2019 Planning Commission meeting.

SECOND: Patrick Hein

MOTION PASSED: Unanimously (5-0)

T-845 Revised Final Land Development Plan for Bickel's Proposed Building Addition and Silo Pad located at 1120 Zinn's Quarry Road.

Grant Anderson of Site Design Concepts presented the revised final land development plan. Mr. Dale Warfel of Bickel's Snack Foods was also in attendance. Mr. Anderson explained that the revised plan illustrates the 45,000 square foot building addition previously approved by the Board of Supervisors, as well as a new 1,275 square foot concrete pad located at the front of the building where two (2) corn silos were installed as part of Bickel's operation. Ms. Sampere explained that the Township had received complaints about the noise generated by the installation of the corn silos which were installed without a building permit and were not illustrated on the previously approved land development plan for Bickel's. A notice of violation was sent to the property owner which prompted the submission of the revised land development plan. Mr. Anderson stated that in an attempt to address the noise created by the corn silos, an analysis was performed by Intertek on Monday, June 10, 2019 between the hours of 10:30 a.m. and 11:20 a.m. The data provided showed an average of 60 decibels directly in front of the corn silos and an average of 60 decibels at the residential property line across the street. Mr. Warfel provided a detailed letter outlining other measures Bickel's has taken to address the complaints of residential property owners regarding noise generated by the air blowers on corn silos such as: installing insulation on the piping, installing insulation quilts on an 8' high fence around the blowers and limiting the hours of operation between 9:00 a.m. to 10:00 p.m. When the employee operating the corn blower ends his work day at 10:00 p.m., the last draw from the system creating noise would occur at 9:30 p.m. Mr. Gordon asked if the Township has a noise ordinance. Ms. Sampere stated that the Township does not have a noise ordinance, but the Township received complaints regarding the adverse noise coming from the corn silos. The Township would like Bickel's to make every effort to reduce the noise in attempt to be a good neighbor to surrounding properties. Mr. Gordon asked if the new silos and concrete pad meet the zoning requirements set forth in the ordinance. Mr. Anderson stated that he received a copy of the outstanding comments from York County Planning Commission, Dawood Engineers and

the Zoning Officer. He has already made changes to the plan to address each comment, but a copy of the revisions was not available for tonight's meeting. Neither he nor Bickel's took exception to any of the outstanding comments. Mr. Anderson also explained that they were asking for four (4) waivers as part of this plan:

- W1. Preliminary plan. (§121-9)
- W2. Existing contours at a minimum vertical interval of two feet (2'). (§121-14.C.1)
- W3. Existing features within 200' of the property. (§121-14.C.3)
- W4. Sidewalks and curbs. (§121-25) Which requires sidewalks and curbs shall be provided along the frontage of the entire property.

MOTION: by Ronald Ruman to recommend the Board of Supervisors grant the waivers listed on the plan.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (5-0)

MOTION: by Fred Walters to recommend the Board of Supervisors approve the revised land development plan subject to the following comments being addressed prior to recording the plan:

1. Applicant should address measures taken and proposed to reduce noise from silos to address complaints from neighboring properties. (§150-11)
2. The source of title to the land included with the subject application, as shown by the books of the York County Recorder of Deeds. (SLDO: 121-14.B.4) General Note #2 information (deed book and page) does not match what is shown on pages C-3 and C-4. Please revise sheet C-2 to show Book 2504, Page 198 if this is the most current information provided by the York County Recorder of Deeds office.
3. 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 (SLDO: 121-15.F)
4. The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (SLDO: 121-15.F.4)
5. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
6. All final plans as recorded shall be submitted in electronic format (i.e. PDF)

SECOND: by Ronald Ruman

MOTION PASSED: Unanimously (5-0)

T-846 Final Land Development Plan Proposed Redevelopment for Apple Honda located at 1313 Kenneth Road.

Tom Englerth of Site Design Concepts presented the final land development plan on behalf of Apple Honda. Mr. Englerth reminded the Planning Commission members that this site was formerly the Dick's Sporting Goods store and originally before that it was the Triangle Builders Supply store. The building is currently 56,000 square feet with a 7,000 square foot lean-to to the rear of the building. The rear portion of the building will be enclosed. Currently, there are seven (7) entrances from the private access drive (Kenneth Road) into the parking lot. The plan shows that four (4) of the entrances from the access drive into the parking lot will be closed to add parking spaces for sales display. The plan shows a decrease in impervious area. Mr.

Englerth stated that he and the applicant have received a copy of the comments from York County Planning Commission, Dawood Engineers and the Zoning Officer. He has already made changes to the plan to address each comment, but a copy of the plan with the revisions was not available for tonight's meeting. Mr. Englerth explained that the applicant was asking for three (3) waivers as part of this plan:

- W1. Preliminary plan. (§121-9)
- W2. Sheet size. (§121-14.A.3) Which requires the sheet size shall be no larger than 24"x36" in the plan set.
- W3. Sidewalks and curbs. (§121-25) Which requires sidewalks and curbs shall be provided along the frontage of the entire property.

MOTION: by Patrick Hein to recommend the Board of Supervisors grant the waivers listed on the plan.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

MOTION: by Ronald Ruman to recommend the Board of Supervisors approve the final land development plan subject to the following comments being addressed prior to recording the plan:

1. A statement on the plan identifying any existing nonconforming structures/uses. (§121-14.B.9) On the title page, please list the existing nonconformity (existing lot coverage is 71%)
2. Easements. (§121-14.D.6) An updated driveway access agreement should be provided by the applicant.
3. Sewer facilities plan revision or supplement has been approved by DEP. (§121-15.F.3)
4. Improvement guaranties and financial security. (§121-15.F.9, 121-16 & §121-17)
5. As-built plans. (§121-21) Prior to the issuance of occupancy permits, submit 2 copies of the as-built plans to the Township office.
6. Easements. (§§121-28.E.) Please provide an easement for the stormwater facilities.
7. Please include the statement with required seals and signatures. (§113.17.N.6)
8. Please provide the signature block for the Township. (§113.18.D)
9. Please provide the estimated project time schedule. (§113-18.E.4)
10. Please provide the required signature and statement. (§113-17.E.11)
11. An Operation and Maintenance Agreement should be provided for the existing stormwater management facility. (§113-26)
12. 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)
13. 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)
14. Operation & Maintenance Agreement required.
15. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
16. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
17. A Knox box shall be required for the building and any locked gate.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (5-0)

Being that there was no additional business, the meeting adjourned at 7:49 p.m.