

MINUTES  
WEST MANCHESTER TOWNSHIP  
PLANNING COMMISSION  
DATE: July 12, 2022

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

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 Richard Gordon to approve the June 14, 2022, meeting minutes as presented.

SECOND: by Patrick Hein

MOTION PASSED: 4-0 (1 Abstain – Walters)

**ZONING HEARING BOARD CASES**

**ZHB 22-19 – Codorun Farms, Inc.** – requests an interpretation §150-363.A Permits and §150-229.A Fences and in the alternative a variance of §150-363.A Permits and §150-229.A Fences to allow stone pillars as part of a fence and gate to exceed the maximum height of an agricultural/livestock fence **located at 3 Hokes Mill Road** (Tax Map: HH; Parcel: 0033) in the Rural Residential Zone and Agricultural Zone.

Zoning Officer Sampere stated that she received an email from Attorney Paul Minnich of Barley Snyder requesting that Zoning Hearing Board Case 22-19 be continued to the August 9, 2022 Planning Commission meeting due to the property owner's inability to attend the meeting due to previously scheduled travel plans.

MOTION: by Patrick Hein to table Zoning Hearing Board Case 22-19 until the August 9, 2022 Planning Commission meeting.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

**ZHB 22-20 – Scott and James Covington** – request a special exception §150-290 to replace or substitute one nonconforming use (warehousing and rentals of plastic highway barriers, textiles and chain link fencing) with another nonconforming use (warehousing and storage of plastic) **located at 2110 Brougher Lane** (Tax Map: 07; Parcel 0002) in the Highway Commercial Zone.

Zoning Officer Sampere stated that she received an email from the applicant, Mr. James Covington, requesting that the applicant be withdrawn due to the termination of the contract on the property located at 2110 Brougher Lane.

MOTION: by Sonia Wise to acknowledge the withdrawal of ZHB Case 22-20 as requested by the applicant.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (5-0)

**NEW BUSINESS**

**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 at the request of the applicant at the June 14, 2022 meeting.***

Mr. Scott DeBell of Site Design Concepts presented the preliminary/final land development plan. The plan depicts a proposed drive through car wash facility with associated vacuum stations, retaining walls, access drives and stormwater management facilities on Lot 4 of the West Manchester Town Center. The lot is currently being subdivided. The property line bisecting the two lots runs along the proposed access drive. There will be a new right-turn lane from Carlisle Road onto Haviland Road. The plan shows a right access road from into the property from Haviland Road. Once vehicles access the property, they will only be able to leave the property by crossing the proposed bridge over the existing stormwater channel and onto the mall’s ring road, Town Center Drive. Traffic pattern on Haviland Road will be one-way traveling north from Carlisle Road into the proposed site and two-way heading south from Brougher Lane ending at Rudisill’s garage. Mr. and Mrs. Benedick of Rudisill’s garage submitted a letter to the Township planning commission members since they were unable to attend the meeting in person. The letter voiced their support of the proposed development; however it also raised their concerns regarding the potential traffic from Brougher Lane south on Haviland Road. They are concerned that the vehicles parked on their lot may suffer damage if vehicles use his lot to turn around once they realize they cannot access the car wash by travelling south on Haviland Road. Mr. DeBell stated that there would be signs placed at the intersection of Haviland Road and Brougher Lane indicating that Haviland Road was a dead end or was for local traffic only. The property owner obtained variances to reduce the required minimum setbacks for buildings and parking lots to accommodate the proposed car wash development.

MOTION: by Richard Gordon to recommend the Board of Supervisors grant the following requested waivers and deferment:

W1.	§121-9 Preliminary Plan. Waiver is requested to allow the submission of a combined preliminary/final plan set.
W2.	§121-14.A.3 Maximum plan size 24"x36". Waiver is requested to allow a plan size of 30"x42".
W3.	§121-14.F.1 Transportation Impact Statement. Waiver is requested to not provide a Traffic Impact Statement.
W4.	§42-9.G Access drives shall be 35 feet wide. Waiver is requested to allow 36 feet wide access to accommodate three lanes of traffic.
W5.	§42-9.H Access drives shall be 24 feet wide. Waiver is requested to allow a 16-foot-wide one-way access drive.
W6.	§121-23.I Curve radii and tangent.
D1.	§121-25 Curbs and Sidewalks. Waiver is requested to defer sidewalks along frontage since adjacent properties have not installed sidewalks along frontage. Sidewalks shall be installed in future upon written request from West Manchester Township.

SECOND: by Sonia Wise

MOTION PASSED: Unanimously (5-0)

MOTION: by Patrick Hein to recommend the Board of Supervisors approve T-870 Preliminary/Final Land

Development Plan subject to the following outstanding comments being addressed prior to recording the plan and consideration of the public comment received from the Benedicks:

**Subdivision and Land Development Ordinance (SLDO):**

1.	§121-0.A.3 ...building construction plans, including identification of unusual fire hazard potential and private hydrant/sprinkling systems, shall be submitted to the appropriate fire company. <i>Address comments from the Township Fire Chief, if any. Fire Chief Laughman has request a fire hydrant be located along the proposed access drive between the new construction on Lot 13 and residual tract lot 13 for emergent situations. Contact Fire Chief Laughman for questions and/or clarifications.</i>
2.	§121-14.B.5 Indication of map and lot number assigned to the property by the York County Tax Assessment Office. <i>Please add this information to all applicable sheets of the plan.</i>
3.	§121-14.D.14 & §121-15.D A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waivers. <i>Update the waiver requests listed on the plan as appropriate based on the decision of the Board of Supervisors.</i>
4.	§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. Notice from PA DEP that a sewer facilities plan revision or supplement has been approved. <i>Include the PA DEP sewage planning approval (module or exemption) on the plan. Also, if EDUs in sewer reserve will be transferred to the new property owner from the previous owner, please provide documentation stating such.</i>
5.	§121-14.E.3 & §121-15.E A stormwater management plan in accordance with Chapter 113, Stormwater Management, as amended. A stormwater management plan has been submitted for review by Dawood Engineers.
6.	§121-14.F. A transportation impact study (TIS) is required for all non-residential uses. Refer to §121-14.F.1.b for minimum TIS requirements.
7.	<p>§121-14.F.1.a.1 The TIS must include an evaluation of the proposed connector road between Haviland Road and the Mall Ring Road. The proposed design represents a new alignment that was not previously reviewed by the Township. The evaluation must include the following:</p> <ol style="list-style-type: none"> <li>a. Evaluation of connector operation at the Mall Ring Road during the design year with car wash site trips and projected cut through traffic from Haviland Road.</li> <li>b. 95<sup>th</sup> percentile queue analysis for the northbound connector road at Mall Ring Road.</li> <li>c. Identify who is responsible for construction of the Haviland Road Improvements.</li> <li>d. Address any deviation from the West Manchester Township street design standards (related to the design of the proposed connector road).</li> <li>e. Recommend adequate traffic control along the connector road including an extension of the double yellow line to the proposed car wash site access and no parking signage along the entire length of the connector road.</li> <li>f. Identify whether the connector road will be turned over to West Manchester Township or remain private and identify how the connector road will be classified.</li> <li>g. Adequate sight distance must be demonstrated at both the car wash site access and the connector road intersection with the Mall Ring Road.</li> <li>h. Discuss/provide a consideration for future access conditions to the BLM Assets, Inc. property. If a future BLM Assets, Inc. connection is feasible along the connector road, it must align with he proposed car wash driveway. Note that the proposed car wash improvements must not restrict future potential access to the BLM Assets, Inc. lot. This must be carefully evaluated due to the limited property frontages available for this site.</li> </ol>

	<p>i. Vehicle turning templates must be provided for the design vehicle and for the largest emergency vehicle anticipated to access the site/connector road. Templates should demonstrate adequate circulation within the proposed car wash site, along the proposed connector road and at the Mall Ring Road intersection. Consider increasing the width of the one-way section of the connector road to 18 feet if necessary.</p>
8.	<p>§121-15.F.9 &amp; §121-16 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.</p>
9.	<p>§121-17 Financial Security. Financial security is required for public improvements not installed prior to recording the plans.</p>
10.	<p>§121-19 Maintenance guaranty. An 18-month maintenance guaranty from date of acceptance by the Board of Supervisors is required to guarantee the structural integrity of any public improvements. <i>Provide a maintenance bond of 15% of the public improvements cost upon completion of the project construction.</i></p>
11.	<p>§121-21 As built plans. Upon completion of all requirement improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing location, dimension and elevation of all public improvement. In addition, the plan shall indicate that 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 note all deviation from the previously approved drawings. Two (2) copies of the plan shall be submitted to the Township, which shall distribute one (1) copy to the Township Engineer and retain one (1) hard copy for the Township files. <i>Provide certified as-built plans, preferably including a survey of the stormwater basins, upon completion of construction.</i></p>
12.	<p>§121-23.I Review and revise the connector road design. Per West Manchester Township ordinance, the minimum horizontal curve radius for arterial streets shall be 800 feet; for collector streets shall be 500 feet; and for all other streets shall be 150 feet. All curves shall be tangential arcs, and a minimum one-hundred-foot tangent shall be provided between reverse curves on all streets.</p>
13.	<p>§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.</p>
14.	<p>§121-30 Stormwater Management. The stormwater management plan submitted is being reviewed by Dawood Engineers.</p>
15.	<p>§121-35.F.1 A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. <i>Provide a willing to serve letter from the water utility.</i></p>

**Stormwater Management Ordinance (SWMO:)**

1.	<p>§113-12.L Storage facilities designed as such, shall completely drain both the volume control and rate control capacities over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. However, any designed infiltration at such facilities is exempt from the minimum twenty-four-hour standard, i.e. may infiltrate in a shorter period of time, so long as none of the stormwater flowing into the infiltration facility is discharged directly</p>
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	into the surface waters of the commonwealth...All such structures appear to discharge and infiltrate faster than 24 hours.
2.	§113-17.K Minimum pipe size. Stormwater management pipe collection and conveyance systems shall have a minimum diameter of 15 inches. Pipe size should be changed or a waiver requested.
3.	§113-17.N.1.b and §113-17.N.4.b Field test. Though the post construction stormwater management report does contain an evaluation of the soils and their suitability for infiltration BMPs, it does not support this evaluation with infiltration testing and onsite soils evaluation.
4.	§113-17.N.5 Extreme caution shall be exercised where infiltration is proposed in geologically susceptible areas such as strip mine or limestone areas... The design of the stormwater conduits plan and post construction stormwater management report appropriately account for the fact that the site is likely underlain by karst geology. However, a geological evaluation of the proposed location for the infiltration BMPs should be conducted to determine if they are proposed over limestone or other formations susceptible to sink holes. If they will, it would be expected that a hydro-geologic justification study be performed to determine if ground water contamination can be prevented.
5.	§113-17.R.1 Sinkhole prone areas. The stormwater conduit must discharge into lined detention basins. If the geological evaluation shows the proposed infiltration BMPs area underlain by susceptible formations, a waiver will be required.
6.	§113-18.E.2 A determination of site conditions in accordance with the BMP manual. A detailed site evaluation shall be completed for projects proposed in areas of carbonate geology or karst topography... Though the plan notes address sinkholes during construction, the post construction stormwater management report does not account for carbonate geology or karst topography.
7.	§113-18.E.27 The SWM site plan shall also provide... Drainage-flow pathways. Other than that indicated for the existing concrete drainage flume, drainage-flow pathways are not specifically indicated.

**Stormwater Administrative Comments:**

1.	§113-17.N.6 The Township may require the Developer to provide safeguards against groundwater contamination for uses which may cause groundwater contamination, should there be a mishap or spill. It shall be the developer's responsibility to verify if the site is underlain by limestone. The following note shall be attached to all drainage plans and signed and sealed by the developer's engineer/surveyor/landscape architect/geologist; I, _____ certify that the proposed detention basin (circle one) is/is not underlain by limestone. The plan or report shall certify then furnish such certification for each basin.
2.	§113-18.D Signature Block. Add a signature block indicating the plans conform to the stormwater ordinance.

**Post Approval Requirements:**

1.	§113-18.E.11 and §113-18.E.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. 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... Signatures, seals and notarization shall be provided by the owner, professional surveyor, and professional engineer of record prior to final approval.
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**Other Reviews or Approvals:**

1.	§113-18.E.5 ...site plan shall also provide...A soil erosion and sediment control plan, where applicable, as prepared for, reviewed and approved by the York County Conservation District. Obtain approval of the soil erosion and sediment control plan from York County Conservation District.
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**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.
6.	Please provide a Knox Box on the building for Emergency Personnel access.
7.	Coordinate the Haviland Road and Carlisle Road connection modifications with the HOP for work within the Penn DOT right-of-way. <i>Verify that a HOP has been obtained from Penn DOT and is on file with West Manchester Township.</i>
8.	Comments from the York County Conservation District and other outside agencies shall be addressed.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (5-0)

MOTION: by Fred Walters to adjourn the meeting.

SECOND: by Sonia Wise

MOTION PASSED: Unanimously (5-0)

The meeting adjourned at 7:25 p.m.