

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: July 9, 2024

The meeting was called to order by David Beecher at 7:00 p.m.

ATTENDANCE

Planning Commission Members:

David Beecher, Chairman – Present
Patrick Hein, Vice-Chairman – Present
Felicia Dell – Present
Fred Walters – Present
Jennifer Smith-Funn – Resigned (Position Vacant)

Staff:

Rachelle Sampere, Zoning Officer – Present
Rainer Niederoest, Dawood Engineers – Present

Tonight's Planning Commission meeting was held in person and broadcasted over Zoom. Dr. Beecher thanked Ms. Dell for running the June 11, 2024, meeting due to his absence. Dr. Beecher also thanked Mr. Hein participating in the meeting via zoom since he was also unable to attend the meeting in person.

APPROVAL OF MINUTES

MOTION: by Fred Walters to approve the June 11, 2024, Planning Commission meeting minutes.

SECOND: by Patrick Hein

MOTION PASSED: 3-0 (1 Abstain – Beecher)

ZONING HEARING BOARD CASES

ZHB 24-08 – Quality Service Center (QSC Associates, LLC) – requests a special exception §150-289 to expand/alter an existing nonconforming use (auto repair shop) located at 28 South Oxford Street (Tax Map: 04; Parcel: 0365A) in the R-5 Residential Zone.

Mr. Keith Katz of Quality Service Center presented the special exception request to the Planning Commission. Mr. Katz explained that the business is running out of storage space and is in need of an additional storage shed. The property is situated in the R-5 Residential Zone and has operated as an existing nonconforming use (auto repair shop) for many years. The proposed shed would be setback 13 feet from the side property line. In the R-5 Residential Zone, the side setback may be reduced to 2 feet from 20 feet if the accessory structure is screened with vegetative screening. The applicant is not proposing any utilities to be run to the shed. The shed will be placed on an existing stone area on the property.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board grant the special exception with the condition that the applicant obtain a building permit prior to constructing the shed or placing one on the property.

SECOND: by Felicia Dell

MOTION PASSED: Unanimously (4-0)

ZHB 24-09 – TruBru York LLC and CWP West LLC – requests a variance §150-289.B to expand an existing dimensionally nonconforming pylon sign by more than 25% (requesting 45 square foot sign to be attached

to the existing pylon sign to allow business identification of a lessee) located at 1410 Kenneth Road (Tax Map: 30; Parcel: 0025) in the Highway Commercial (HC) Zone.

Attorney Julie Von Spreckelsen of Eastburn and Gray presented the variance request to the Planning Commission members. Attorney Von Spreckelsen explained that the existing freestanding pylon sign for Carpet & Tile Mart was originally constructed in 1982 for the Toys 'R Us store. The existing sign was constructed prior to the current Zoning Ordinance's adoption. The existing sign is nonconforming both in height and in square footage. The existing sign is 25 feet 10 inches high and 158.11 square feet in area. The existing Zoning Ordinance would allow a maximum height of 25 feet for a freestanding pylon sign and a maximum of 150 square feet based upon the property's lot frontage. The existing sign consists of 113.11 square foot digital sign and a 45 square foot static panel. The applicant is requesting a variance to allow an additional 45 square foot static panel to be placed on the pylon sign for the proposed lessee, Mister Car Wash. Attorney Von Spreckelsen reminded the Planning Commission members that they had recently seen a subdivision and land development plan for this parcel regarding the proposed Mister Car Wash facility. The existing sign for Carpet and Tile Mart is located on the proposed lessee's parcel. Rather than relocate the existing sign, the applicant is requesting a variance to increase the size of the existing sign to maintain the existing visibility along the Route 30 road frontage.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board grant the variance subject to the following conditions:

1. After the property is subdivided, the pylon sign will be located on the Lessee parcel and Co-Applicant/Owners must agree that installation of a freestanding sign will be prohibited on the residual 3.89-acre parcel (currently Carpet & Tile Mart) as long as this pylon sign remains on the property.
2. A note must be added to the subdivision and land development plan memorializing the condition of approval so that future owners are aware of the condition.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

NEW BUSINESS

T-895 Preliminary Subdivision Plan for Steve & Karen Washington – to depict a preliminary subdivision of a 29.88-acre parcel to create eleven (11) single-family detached dwelling lots located at the corner of Taxville Road and Baker Road in the Rural Residential Zone.

Mr. Christopher Owens, P.E., of Gordon L. Brown and Associates presented the preliminary subdivision plan. Mr. Owens explained to the Planning Commission that there are currently two parcels involved in the proposed subdivision. Steve and Karen Washington own a 10-acre parcel and the Bishop of the Diocese of Harrisburg owns the 20-acre parcel. Phil Carpenter Homes is the proposed developer for the project. The preliminary subdivision plan proposes 11 residential lots for single family detached dwellings. The plan depicts extending public sanitary sewer to proposed lots 2 through 4. Private sanitary sewer using a force main would serve lots 5 through 11. Rainer Niederoest of Dawood Engineers explained that the Township would not be interested in maintaining or accepting the private sewer extension with the force main. Mr. Hein asked who would be responsible for maintaining and repairing the private sewer line extension. Mr. Owens explained that during the in-house staff review it was discussed that an agreement must be drawn up for each lot, 5 through 11, indicating shared ownership and shared responsibilities. The agreement must be reviewed by the Township Solicitor and approved by the Board

of Supervisors prior to a final subdivision and land development being recorded. The agreement must be signed by the property owner and recorded with each deed so that all future property owners are aware of their responsibilities. Mr. Walters asked when adjacent property owners within 150 feet of the public sanitary sewer extension will be notified that they will also be required to connect to the public sanitary sewer. Rainer Niederoest explained that the ordinance requires property owners to connect within 60 days of being notified to do so. Mr. Walters stated that the surrounding residents should be made aware that this subdivision and land development including the extension of public sanitary sewer has been proposed so that residents within 150 feet of the sanitary sewer may prepare for the costs associated with their required sewer connections.

MOTION: by Felicia Dell to recommend the Board of Supervisors approve the preliminary subdivision plan contingent upon the following comments being addressed prior to the Township Secretary signing the plan:

General Comments:

1. A note must be placed on the plan that Lot 1A is to be conveyed to Lot 1 and is not to be used as a separate building lot.
2. The Board of Supervisors should notify the adjacent property owners to inform them how this proposed subdivision plan may affect them by causing them to connect to the proposed public sanitary sewer extension.
3. *Contact the West Manchester Township Fire Chief, Clifton Laughman, to assign property addresses for the proposed lots.*
4. *On Sheet 1 of 12, under the Preliminary Plan Approval Statement, please label the signature line as Township Secretary of Designee.*
5. *On Sheet 1 of 12, please update the information under item number 29 and item number 31 when the information becomes available and prior to Board of Supervisors review.*
6. *Fire Chief Laughman has requested that fire hydrants be installed along Taxville Road and Baker Road to help serve the proposed residential lots. Please Contact Fire Chief Laughman for preferred locations at claughman@wmtwp.com or by calling him at 717-792-3505. Please update the plans accordingly.*
7. Lot 11 shows the sewer lateral crossing a wetland. Note that this may require a permit from the PADEP. (*Dawood Review Memo #1*)
8. 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)
9. All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
10. All approved preliminary subdivision and land development plans, shall be submitted in electronic format (i.e. PDF)

Correct the sewer planning module exemption mailer:

1. Under the size they have the # of lots and # of EDUs as 11, but on the submitted plans it indicates that lot 1 has an existing on-lot septic system and no indication that lot 1 will be connecting to the new sewer line. They should clarify if this is a planned future connection for lot 1 or if they are connecting right away.
2. Under the size if the number of lots changed to 10 that would mean the development and remaining acreage would need to change too.
3. Based on our conversation yesterday (and my understanding of Rich and Matt's desires) the Force main will be considered private. From MH 4 (label on the plans), at the intersection of Baker Road and Taxville Road, to the existing manhole 804 will be a gravity line which would

be considered public sewer (under the proposed sewage disposal method). This should be clarified by attaching supporting plans and/or narrative.

4. Under the proposed sewage disposal method, the interceptor name would be the Dover Joint Interceptor.
5. Under the proposed sewage disposal method, the treatment facility name would be the Dover Township WWTP and not the York City WWTP-PA American Water (what they have indicated on the application).
6. Also, based on our conversation (etc.), the Township will not take responsibility for the force main, which would mean the easement for the sewage forcemain should be an easement between the properties on the plans. Agreements between the properties would need to be drawn up as well. Agreement(s) between the owners of lots 11, 10, 9, 8, 7, & 6 are needed.
7. With everything said the sewage facilities planning module application mailer and supporting documents will need to be sent over to Dover Township to see if they can assert that they have enough capacity in the Dover Joint Interceptor.

Zoning Ordinance:

1. §150-31 Maximum Lot Coverage shall be 20%. Please clarify on sheet 1 of 12 under the Notes and Site Data, number 13 indicates the proposed lot coverage of Lot 11 shall be 10.8%. Should that be for Lot 1 or is what is being proposed on Lot 11?

Subdivision and Land Development Ordinance (SLDO):

1. §121-6 Land development...Is defined as...A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure; ... or (3) a subdivision of land...with the only potentially applicable exception to the definition being ... B. The following shall not be considered a "land development": (1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium. *Only subdivision plans were submitted. As the project involves the creation of 11 single-family properties from 2 contiguous lots on which residential buildings, land development plans are required to be submitted, please provide the proper land development plans. (Dawood Review Memo #1)*
2. §121-10.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. *Address any fire department comments by contacting Fire Chief Clifton Laughman at 717-792-3505 or by email at claughman@wmtwp.com (Dawood Review Memo #1)*
3. §121-14.B.1 The proposed project name or identifying title. Please revise the title of the plan to "Steve & Karen Washington Preliminary Subdivision and Land Development Plan" since the subdivision is being done for the purpose of development.
§121-14.B.11 The location and description of existing lot line markers and monuments along the perimeter of the entire existing tract must be shown on the Existing Features plan. *(YCPC Review Memo)*
§121-14.C.4.a The location, name and dimensions of all existing rights-of-ways and cartways for streets must be included on the plan. *(YCPC Review Memo)*
§121-14.D.2 The dimensions (bearings and distances) of the proposed lot lines and the lot size for each proposed lot must be included on the Overall Index sheet. *(YCPC Review Memo)*

4. §121-14.D.5 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 a 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. *Include a statement on the plan that includes these items and the maximum impervious lot coverage. (Dawood Review Memo #1)*
5. §121-14.D.12 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. *List the materials to be used under item number 25 on Sheet 1 of 12.*
6. §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. *Update the waiver requests listed on the plan, as appropriate, based upon the decision of the Board of Supervisors. (Dawood Review Memo #1)*
7. §121-14.D.15 Identification of any lands to be dedicated or reserved for public, semipublic or community use. *Will there be any land dedication?*
8. §121-14.E.2 A sewer facilities plan revision or supplement in accordance with the Pennsylvania Sewerage Facilities Act 537 pf 1966, as amended. *A planning module exemption mailer has been submitted to the Township for review proposing 11 EDUs to the PA American Sewer Treatment plant; however, the manhole where you are proposing connection flows to the Dover Wastewater Treatment Plant. Please revise the sewer planning module exemption mailer. Dawood Engineers is currently reviewing the application and may provide additional comments.*
9. §121-14.E.3 A stormwater management plan in accordance with Chapter 113, Stormwater Management, as amended. *Provide a stormwater report and drainage maps for the lots. (Dawood Review Memo #1)*
10. §121-14.F.2 Recreation Impact Statement. *Provide a recreation impact statement in accordance with this section. Furthermore, a recreation fee of \$1,500 per lot/dwelling unit shall be required to be paid to the Township prior to recording the final subdivision and land development plan.*
11. §121-17 Financial security is required for any public improvement not installed as part of the preliminary subdivision and land development plan. *Please submit a public improvements security estimate for the project so Dawood Engineers may review it. The Township prefers letters of credit or subdivision bonds that automatically extend or are evergreen.*
12. §121-14.G.2 Certifications and notifications. A statement by the individual responsible for the data to the effect the survey, plan and/or other general data are correct (See Appendix No.1). *This statement must be placed on both plans and reports. Sign and seal the plans and reports. (Dawood Review Memo #1)*
13. §121-17.D Engineering Escrow. In addition to all bonds or other security required, the applicant shall deliver to the Township a check payable to the Township in the amount of 3.5% of the bond or other security. The amount deposited by the applicant shall be used by the Township to cover the costs of assuring the proper construction and completion of improvements, including inspection during installation, inspection upon completion, administrative costs and other related costs. If the amount deposited by the applicant is not sufficient to cover such costs, the applicant shall furnish additional amounts from time to time, when notified to do so.
14. §121-18 Dedication and acceptance of improvements. All improvements shall be deemed to be private and only for the benefit of the specific project until such time as the same have been

- offered for dedication and formally accepted by the Board of Supervisors. No responsibility of any kind with respect to improvements shown on the final plan shall be transferred until the improvements have been formally accepted. All requests for dedication shall follow the current procedures of the Township of West Manchester.
15. §121-21 As-built plans. 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... Two copies of the plan shall be submitted to the Township, which shall distribute 1 copy to the Township Engineer and retain 1 copy for the Township files. *(Dawood Review Memo #1)*
 16. §121-23.C.1 Improvements to existing street. All existing streets at the perimeter and/or through the development shall be improved according to Township's specifications. *A waiver has been requested to not provide improvements to the existing Baker Road or Taxville Road, citing that both roads appear to be constructed in accordance with Township specifications, and that the proposed development does not pose a threat to the durability or functionality of either road. If the Public Works Director agrees that the condition of these roads does not warrant changes to serve 10 additional homes, Dawood has no objection to this waiver request. Contact Public Works Superintendent Rich Shaw at 717-792-3505 or by email at rshaw@wmtwp.com. Update the waiver requests listed on the plan as appropriate based on the decision of the Board of Supervisors. (Dawood Review Memo #1)*
 17. §121-23.Q Driveways. Driveways must conform with the West Manchester Township Zoning Ordinance and shall have the following characteristics:
 1. Driveways which intersect other than a minor street shall provide adequate turnaround within the lot so egress to the street is in a forward direction.
 2. Driveway intersections shall conform with the sight distance requirement stated in subsection M.

Safe stopping sight distances should be provided for each driveway intersection. (YCPC Review Memo)
 18. §121-23.R.3 & 121-23.L.6 Clear sight triangles. Indicate on the plan the required clear sight triangles. Include a note on the plan that no building or other obstruction that would obscure the vision of the motorists shall be permitted within the clear sight triangle. *(Dawood Review Memo #1) A clear sight triangle must be provided at the intersection of Taxville Road and Baker Road on Proposed Lot 3. In addition, clear sight triangles must be provided for each proposed driveway intersection with Taxville Road and Baker Road. (YCPC Review Memo)*
 19. §121-23.R.3 & 121-23.M Sight distance. *Indicate on the plan the required an actual sight distances. (Dawood Review Memo #1)*
 20. §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. *Provide signage to restrict parking along both streets. (Dawood Review Memo #1)*
 21. §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. Sidewalks and curbs shall be designed and constructed in accordance with the West Manchester Township Construction and Materials Specifications for Land Development, as amended. *The applicant has requested a waiver. Since the property is zoned Rural Residential, Dawood has no objection to this waiver. Update the waiver requests listed on the plan as appropriate based on the decision of the Board of Supervisors. (Dawood Review Memo #1)*
 22. §121-28.E The applicant shall reserve easements where stormwater or surface water drainage facilities are existing or proposed, whether located within or beyond the boundaries of the

property. Easements shall have a minimum width of 20 feet and shall be adequately designed to provide area for the collection and discharge of water, the maintenance, repair and reconstruction of the drainage facilities and the passage of machinery for such work. The easements, agreement and plan shall clearly identify who has the right of access and responsibility of maintenance. *Please show and label the proposed underground rainwater seepage pits and indicate whose responsibility it is to maintain it in accordance with the section listed above.*

23. §121-33.C Shade trees. All residential lots shall be provided with one shade tree which is located no closer than 20 feet from any utility line. Such trees shall be planted between a point no less than 5 feet from the street right-of-way and the building setback lines. Such trees shall have a minimum caliper of 1 ½ inches. The following varieties are acceptable shade trees: Pyramidal European hornbeam, Norway maple, Marshall's seedless ash, Red oak, Littleleaf European linden, Sycamore, Columnar Norway maple, Greenspire linden, Ginkgo (male), Pin oak, Tulip poplar. *Please include the proposed shade tree species. (Dawood Review Memo #1)*

Stormwater Management Ordinance:

1. §113-12.A.1 Preparation and implementation of an approved SWM site plan is required. *Please examine the requirements of Chapter 113 and ...*
 - a. *Provide plans conforming to §113-18.*
 - b. *Provide a post construction stormwater management plan demonstrating conformance with §113-14, 15 and 18.**(Dawood Review Memo #1)*
2. §113-27.A Prior to final approval of the SWM site plan, the property owner shall sign and record an operation and maintenance agreement (O&M) covering all the stormwater control facilities which are to be privately owned. *Include a note or notes to the effect that each lot will require a separate stormwater management permit from West Manchester Township, which includes stormwater design calculations and an Operation & Maintenance Agreement. (Dawood Review Memo #1)*
3. §113-12.D For all regulated earth-disturbance activities, erosion and sediment control BMPs shall be designed, implanted, operated, and maintained during the regulated earth-disturbance activities, i.e., during construction, to meet the purposes and requirements of this chapter and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (E&S Manual). *Provide an E&S Plan template for a typical residential lot development. (Dawood Review Memo #1)*

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

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

- W1. §121-23.C Improvements to existing streets. The request is not to be required to make improvements to Taxville Road or Baker Road.
- W2. §121-25 Sidewalks and curbs. The request is to not be required to install curbs and sidewalks along the entire frontage of the subject property.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

DISCUSSION

Ms. Sampere informed the Planning Commission members that she contacted Michelle Brummer of Gannett Fleming to inquire when she would be receiving a draft of the comprehensive plan to begin reviewing with the Steering Committee and the Planning Commission so they may have ample time to review it before discussing it at a public meeting. Ms. Sampere will share the draft plan with the Planning Commission when it becomes available. The draft plan will also be posted on the Township's website at that time.

ADJOURN

MOTION: by Felicia Dell to adjourn the meeting.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4-0)

The meeting adjourned at 8:02 p.m.