

**West Manchester
Township**
(717) 792-3505



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**West Manchester Township
Zoning Officer's Monthly Report
September 2022**

Attached for your review are the following reports:

- Citations issued in September 2022
- Zoning Violation Letters issued in September 2022
- Agenda for the Planning Commission Meeting September 13, 2022
- Agenda for the Zoning Hearing Board Special Meeting September 20, 2022
- Agenda for the Zoning Hearing Board Meeting September 27, 2022
- Building Permit Recap Report for August 2022
- MS4 Monthly Report for August 2022

The following Citations issued in September 2022:

Jan Boyer, 1630 Church Road – Grass & Weeds
Damaris Rodriguez & Jacob Ilgenfritz, 1020 Taxville Road – Grass & Weeds

The following Violation Letters were issued in September 2022:

Gridiron Property Group. LLC, 1180 Fahs Street – No New Business Registration
Michael & Diana Lane, 1815 Ivy Pump Lane – Trailer in Front Yard
Leon Sharp, 2364 Derry Road- Overgrown Trees & Shrubs along Street Right-Of-Way
Olde Mill Holdings, LLC, 1385 White Street – Grass & Weeds
Jeffrey & Heather Freeland, 2540 Manor Road – Camper in Front Yard
David & Donna Guillard, 2307 Maple Road – Abandoned Vehicles
Carl Carter, 1022 W. Locust Street– Abandoned Vehicle
Carl Carter, 1022 W. Locust Street – Trash, Junk, & Debris
Carl Carter, 1022 W. Locust Street – Pool Without a Permit
Deborah & Francis Winslow, 10 Hayden Heights Road – Grass & Weeds
Ruth Dabler, 3110 Robin Road – Pool Condition
LAH Property, LLC., 2218 Sunset Lane – Trash, Junk & Debris
Dusan Bratic, 1401 Carlisle Road – Trash, Junk & Debris
Kenneth & Karen Stambaugh, 2431 Logan Road – Abandoned Vehicle
Kenneth & Karen Stambaugh, 2431 Logan Road – Camper in Front Yard
Ethel Schrom, 2309 Church Road – Front Porch Without a Permit
Francis & Karen Fairlamb, 3020 Goldens Path – Permit Expired
Toni & Lucinda Shirey, 2401 Beeler Avenue – Request for Maintenance Dead Tree Overhanging Street
Eric & Sara Zambrano, 1360 Beeler Avenue – Request for Maintenance Dead Tree Overhanging Street
Space Leasing, Inc., 1643 Rodney Road – Broke Concrete Piles in Sanitary Sewer Right-of-Way
1579 Rodney Road, LLC – 1579 Rodney Road – Piles of Dirt in Sanitary Sewer Right-Of-Way
Kell Enterprises, LP – 3650 West Market Street – Signs Installed Without a Building Permit

**West Manchester Township
Planning Commission
September 13, 2022
AGENDA**

- I. Call meeting to order
- II. Approval of minutes from the August 9, 2022, Planning Commission meeting.
- III. Zoning Hearing Cases
 - a. **ZHB 22-25 – Francis & Lori Gall** – request a variance §150-57.B to exceed the maximum allowable height of an accessory structure by one foot from the allowable fifteen (15) feet to the requested sixteen (16) feet located at 2080 Pearson Drive (Tax Map: 23; Parcel: 26) in the R-3 Residential Zone.
 - b. **ZHB 22-26 – Marco & Rhonda Tornow** – request a variance §150-229.A to erect a 48” high fence on the non-address frontage of a double frontage lot on the right-of-way line rather than the required ten-foot setback from the right-of-way located at 1901 Leonard Street (Tax Map: 02; Parcel: 0124) in the R-3 Residential Zone.
- IV. New Business
No new subdivision or land development plans have been submitted for review at this month’s meeting.
- V. Discussion
- VI. Adjourn

**West Manchester Township
Zoning Hearing Board Agenda
Special Meeting
September 20, 2022**

The West Manchester Township Zoning Hearing Board will hold a special meeting in-person on **Tuesday, September 20, 2022, at 7:00 p.m.** at the West Manchester Township Building located at 380 East Berlin Road, York, PA 17408. The special meeting was necessitated due to lack of quorum on August 23, 2022. The following applications will be heard:

ZHB 22-21 – Bradley W. Snyder – requests a special exception §150-289 to alter and expand an existing nonconformity (single family detached dwelling unit with detached garage) to construct a two-story addition on the dwelling (for a commercial business – art/tattoo studio on the first-floor w/ second story storage on the second-floor) and to construct an ADA accessible restroom on the detached garage **located at 4090 West Market Street** (Tax Map: 14; Parcel: 0052) in the Local Commercial Zone. *Continued to the September 20, 2022 public meeting due to lack of quorum on August 23, 2022.*

ZHB 22-22 – Target Corporation – requests a variance §150-283.B Permitted Permanent Sign Chart P-9D Attached Signs for Individual Uses within a shopping center; a variance §150-283.B Permitted Permanent Sign Chart P-5 for On-Site Directional Signs; and a variance §150-262 Schedule of Required Parking Spaces **located at 2251 York Crossing Drive** (Tax Map: JH; Parcel: 0056N0C0001) in the Regional Commercial Zone. *Continued to the September 20, 2022 public meeting due to lack of quorum on August 23, 2022.*

ZHB 22-23 – Shiloh Village, LLC – requests a special exception §150-290 to substitute a nonconforming use with another nonconforming use (fitness center in an existing nonconforming shopping center) **located at 2323 Carlisle Road** (Tax Map: 11; Parcel: 0049) in the Local Commercial Zone. *Continued to the September 20, 2022 public meeting due to lack of quorum on August 23, 2022.*

**West Manchester Township
Zoning Hearing Board Agenda
September 27, 2022**

The West Manchester Township Zoning Hearing Board will meet in-person on **Tuesday, September 27, 2022, at 7:00 p.m.** at the West Manchester Township Building located at 380 East Berlin Road, York, PA 17408 to hear the following applications:

CONTINUED ZHB 22-15 – Chesapeake Plumbing & Heating, Inc. – requests a special exception §150-290 to substitute one nonconforming use (auto parts store/warehouse) with another nonconforming use (Chesapeake Plumbing & Heating, Inc. office, warehouse/flex space); special exception §150-289.A to expand the existing nonconformity (commercial parking lot) in a residential zone; variance §150-289.A.2 to expand the existing nonconforming parking lot coverage from 35% to 50% by expanding the parking lot 11,542 sq. ft. increasing the overall lot coverage from 51% to 66% **located at 3108 West Market Street Unit 3142** (Tax Map: 20; Parcel: 0114) in the R-3 Residential Zone. *Continued to the September 27, 2022 public meeting due to lack of quorum on August 23, 2022.*

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. *Continued to the September 27, 2022 public meeting due to lack of quorum on August 23, 2022.*

ZHB 22-25 – Francis & Lori Gall – request a variance §150-57.B to exceed the maximum allowable height of an accessory structure by one foot from the allowable fifteen (15) feet to the requested sixteen (16) feet **located at 2080 Pearson Drive** (Tax Map: 23; Parcel: 26) in the R-3 Residential Zone.

ZHB 22-26 – Marco & Rhonda Tornow – request a variance §150-229.A to erect a 48” high fence on the non-address frontage of a double frontage lot on the right-of-way line rather than the required ten-foot setback from the right-of-way **located at 1901 Leonard Street** (Tax Map: 02; Parcel: 0124) in the R-3 Residential Zone

BUILDING PERMIT RECAP

FOR THE MONTH AUGUST 2022

	CONSTRUCTION COST		YEAR TO DATE	
	NUMBER	AMOUNT	NUMBER	AMOUNT
RESIDENTIAL				
New Single Family	2	\$714,900	6	\$1,677,123
New Multi-Family	0	0	0	0
Improvements to Existing	39	\$515,919	264	\$3,421,724
COMMERCIAL				
New Commercial	0	0	1	\$2,774,800
Improvements (Including Signs)	11	\$218,919	81	\$26,276,827
INDUSTRIAL				
New Industrial	0	0	0	0
Improvements (Including Signs)	3	\$638,720	17	\$19,338,213
OTHER				
Agricultural Building	0	0	0	0
Use Certificates	7	0	41	\$1,000
Temporary Use	0	0	8	0
Temporary Signs	5	\$22	18	\$922
Demolition	4	\$32,065	7	\$1,063,065
Municipal	0	0	0	0
BP Extensions	3	0	14	0
BP Replacements	0	0	0	0
Transient Sales	1	0	25	0
Going Out of Business	0	0	0	0
TOTAL	75	\$2,120,545	482	\$54,553,674

MS4 MONTHLY REPORT – AUGUST 2022

Inspection of 5 stormwater management facilities for new construction.

Update MS4 files for permitting.

Begin filling out MS4 Permit for DEP for 2021-2022 report.

Meet with numerous township residents to discuss why stormwater management is needed and their options to manage stormwater for their projects.

Perform follow up inspections for Stormwater Facilities with violations which had repairs made to them to bring them into compliance.

Attend First Night Out and distributed Stormwater Management Information Brochures and Kids stormwater Activity and Coloring Books.

Received complaint of sink hole at 2274 Maple St. Public works repaired hole.

Attend York County Storm Water Consortium Management meeting via Zoom.

Attend York County Storm Water Consortium Meeting via Zoom.

Public works cleared overgrown brush from around the stormwater release structure at the Weldon detention pond.

Meet with Engineers from Land Studies, DEP and Dover Township to discuss the Little Conewago Creek project status at the Little Conewago Conservation Area. Preliminary plans were presented for stream bank restoration and flood plain reconnect.

Sink hole was discovered on Goldens Path. Stormwater pipe was damaged or not constructed right. Public works video line to determine problem.

A car accident at 2175 White St. caused an Illicit Discharge into the Storm Sewer in White St. Car struck a Met-Ed pole causing transformer to break and spill fluid and oil into street and storm sewer. Lewis Environmental was called in by Met-Ed to contain spill. They contained spill to first inlet and street. Applied speedy dry and swept street clean and applied simple green to inlet and vacuumed out contaminates. Installed absorbent socks to catch anything missed. DEP was notified of Illicit discharge.

AGENDA ITEMS – SEPTEMBER 22, 2022 BOS MEETING (ZONING DEPARTMENT)

STORMWATER MANAGEMENT ORDINANCE AMENDMENT – Motion to approve, revise, table or deny a request from the Zoning Department to authorize the Township Solicitor advertise an amendment to the stormwater management ordinance to address illicit discharges and riparian buffers as mandated by PA DEP.

DRAFT

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To: Board of Supervisors
Kelly Kelch, Township Manager

From: Rachelle Sampere, Zoning Officer *RS*
Zane Williams, Stormwater Inspector/MS4 Coordinator *ZPW*

Date: September 2, 2022

Re: Stormwater Management Ordinance Amendment Recommendations

The Pennsylvania Department of Environmental Protection has mandated that municipalities update their stormwater management ordinances to address the exemptions listed under Prohibited Discharges and Connections before the end of 2022.

Staff recommends that we update the following sections of the Stormwater Management Ordinance to address the PA DEP's mandate:

§113-30. Prohibited discharges and connections.

C. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of this Commonwealth:

1. Discharges or flows from firefighting activities.
2. Discharges from potable water sources including water line flushing and fire hydrant flushing, if such discharges do not contain detectable concentrations of Total Residual Chlorine (TRC).
3. Non-contaminated irrigation water, water from lawn maintenance, landscape drainage and flows from riparian habitats and wetlands.
4. Diverted stream flows and springs.
5. Non-contaminated pumped ground water and water from geothermal systems.
6. Non-contaminated HVAC condensation and water from geothermal systems.
7. Residential (i.e. not commercial) vehicle wash water where cleaning agents are not utilized.
8. Non-contaminated hydrostatic test water discharges, if such discharges do not contain detectable concentrations of TRC.

PA DEP's model ordinance also lists the following waivers which staff recommends the Board consider adding to the Stormwater Management Ordinance:

§113-10.1 Waivers.

- A. If the municipality determines that any requirement under this Ordinance cannot be achieved for a particular regulated activity, the Municipality may, after an evaluation of alternatives, approve measures other than those in this Ordinance, subject to Section 10.1 paragraphs B and C.
- B. Waivers or modifications of the requirements of this Ordinance may be approved by the Municipality if enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that the modifications will not be contrary to the public interest and that the purpose of the Ordinance is preserved. Cost or financial burden shall not be considered a hardship. Modification may be considered if an alternative standard or approach will provide equal or better achievement of the purpose of the Ordinance. A request for modifications shall be in writing and accompany the Stormwater Management Site Plan submission. The request shall provide the facts on which the request is based, the provision(s) of the Ordinance involved and the proposed modification.
- C. No waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre may be granted by the Municipality unless that action is approved in advance by the Department of Environmental Protection (DEP) or the delegated county conservation district.

Staff also recommends the Board consider adding the following language from PA DEP's model ordinance regarding riparian buffers to the Township's Stormwater Management Ordinance:

§113-15.1 Riparian Buffers.

- A. In order to protect and improve water quality, a Riparian Buffer Easement shall be created and recorded as part of any subdivision or land development that encompasses a Riparian Buffer.
- B. Except as required by §113-2, the Riparian Buffer Easement shall be measured to be the greater of the limit of the 100-year floodplain or a minimum of 35 feet from the top of the streambank (on each side).
- C. Minimum Management Requirements for Riparian Buffers.
 - 1. Existing native vegetation shall be protected and maintained within the Riparian Buffer Easement.
 - 2. Whenever practicable invasive vegetation shall be actively removed, and the Riparian Buffer Easement shall be planted with native trees, shrubs and other vegetation to create a diverse native plant community appropriate to the intended ecological context of the site.
- D. The Riparian Buffer Easement shall be enforceable by the municipality and shall be recorded in the appropriate County Recorder of Deeds Office, so that it shall run with the land and shall limit the use of the property located therein. The easement shall allow for the continued private ownership and shall count toward the minimum lot area required by Zoning, unless otherwise specified in the municipal Zoning Ordinance.
- E. Any permitted use within the Riparian Buffer Easement shall be conducted in a manner that will maintain the extent of the existing 100-year floodplain, improve or maintain the stream stability, and preserve and protect the ecological function of the floodplain.
- F. The following conditions shall apply when public and/or private recreation trails are permitted within Riparian Buffers:
 - 1. Trails shall be non-motorized use only.

2. Trails shall be designed to have the least impact on native plant species and other sensitive environmental features.
- G. Septic drain fields and sewage disposal systems shall not be permitted within the Riparian Buffer Easement and shall comply with setback requirements established under 25 Pa. Code Chapter 73.

We request that this item be placed on the September 22, 2022 to authorize the Township Solicitor to advertise the ordinance amendment for action/adoption at the October 27, 2022 Board meeting.