

FAIRVIEW TOWNSHIP PLANNING COMMISSION

February 3, 2009

CALL TO ORDER

Chairman Michael A. Powers called the meeting to order at 7:02 P.M.

ROLL CALL

Present: Michael A. Powers, Chairman
Bernard J. Coleman, Vice-Chairman
Michael E. Thompson, Member
Robert P. Stanley, Jr., Member
Anne K. Anderson, Member
Edward A. Stalnecker, P.E., for The ARRO Group, Township Engineer
Stephen M. Waller, Fairview Township Codes Administration Officer

REORGANIZATION

Mr. Coleman made a motion, seconded by Mr. Stanley, to keep the organization of the Planning Commission as it is. Vote on the motion: All yes. The motion carried.

APPROVAL OF MINUTES

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the minutes for the December 2, 2008, Planning Commission meeting. Vote on the motion: All yes. The motion carried.

DISCUSSION AND CORRESPONDENCE

Mr. Waller indicated he had material for Discussion and Correspondence but would discuss it at the end of the meeting.

SKETCH PLANS

There being no Sketch Plans, Mr. Powers moved to Subdivision Plan.

SUBDIVISION PLANS

There being no Subdivision Plans, Mr. Powers moved to Site and Land Development Plans.

SITE/LAND DEVELOPMENT PLANS

There being no Site and Land Development Plans, Mr. Powers moved to Old Business

OLD BUSINESS

1. Final Land Development Plan for Grace Baptist Church of Lewisberry – Woodland Avenue

Mr. Thompson made a motion, seconded by Mr. Stanley, to untable the plan. Vote on the motion: All yes. The motion carried.

Mr. Waller presented the plan to the Planning Commission. The Zoning Hearing Board granted a variance from the parking requirement on December 21, 2006, case number 2006-34.

Mr. Stalnecker discussed the Township Engineer's comments

Modification Requests

1. Provide additional cartway width along Pleasant View Road (22-602.1.G, 22-602.2.A and 22-602.2.C). Applicant requesting a modification to this requirement of the Ordinance. Fairview Township Board of Supervisors denied modification request on 7/30/07.
2. Provide additional cartway width along Wyndamere Road (22-602.1.G, 22-602.2.A and 22-602.2.C). Applicant requesting a modification to this requirement of the Ordinance. Fairview Township Board of Supervisors denied modification request on 7/30/07.
3. Preliminary Plan submission (22-303). Applicant requesting a modification to this requirement of the Ordinance. Fairview Township Board of Supervisors approved modification request on 7/30/07.
4. Traffic Impact Study submission (22-614.A.2). Applicant requesting a modification to this requirement of the Ordinance. Fairview Township Board of Supervisors approved modification request on 7/30/07.
5. Provide additional cartway width along Wyndamere Road (22-602.1.G) Applicant requesting a modification to this requirement of the Ordinance.

Zoning

6. Parking space calculations shall be reviewed by the Code Administration Director to determine compliance with conditions of the variance. (27-1404)

Subdivision and Land Development

7. Certifications of accuracy must be signed and sealed by the responsible professional(s) (22-402.1.L, 22-403.1). The applicant's consultant has acknowledged this requirement.
8. Certification of ownership and dedicatory statement must be signed, sealed and notarized by the owner (22-402.1.M, 22-403.1). The applicant's consultant has acknowledged this requirement.
9. The Applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to insure construction of the improvements (22-502). The applicant's consultant has acknowledged this requirement.

Stormwater

10. Provide calculations to demonstrate that stormwater discharge onto the Coups property will occur at or below the pre-existing rate. It appears that additional impervious area from the proposed building canopy will be directed toward this adjoining property. (22-701.2.C)
11. The plan indicates two proposed rip-rap aprons, but only one calculation is provided. Please provide calculations for each apron. (22-701.2.B.7.)
12. There appears to be no detention for additional impervious area (new parking lot) on the southern side of the church (22-701.2.C).

13. A full stormwater management report should be provided including all required information. (22-701.1)
14. Inlet I-8 appears to discharge to two different storm pipes, possibly because the extent of proposed pipe removal is not clear. Please revise or explain.
15. There appears to be no detention for additional impervious area (new parking lot) on the southern side of the church (22-701.2.C). Outside Agency Approvals
16. Provide York County Conservation District approval of the Erosion and Sedimentation Control Plan and NPDES Permit (22-403.2.A.).

Mr. Stalnecker indicated comments 12 and 15 are the same.

Mr. Stalnecker added the comment the plan must be in compliance with 2008-13 for approval of the plan by the Board of Supervisors.

Mr. Waller advise the Planning Commission that PennDot would not allow any widening of Wyndamere Road, SR 0177, abutting the property of the Grace Baptist Church.

ACTION ON MODIFICATION REQUEST(S)

Mr. Thompson made a motion, seconded by Mr. Coleman, to approve the modification request from 22-602.1.G, additional cartway width along Wyndamere Road. Vote on the motion: All yes. The motion carried.

ACTION ON THE PLAN

Mr. Stanley made a motion, seconded by Mr. Thompson, to table the plan. Vote on the motion: All yes. The motion carried.

2. Final Land Development Plan for Red Land High School – Lewisberry Road

Mr. Thompson made a motion, seconded by Mrs. Anderson, to untable the plan. Vote on the motion: All yes. The motion carried.

Mr. Waller presented the plan to the Planning Commission. The Zoning Hearing Board as approved a variance for the parking on the campus, ZHB Case 2008-27.

Mr. Stalnecker discussed the Township Engineer's comments

Modifications

1. Preliminary Plan approval required prior to submission of a Final Plan. (22-303) Applicant is requesting a modification to this requirement of the Ordinance.
2. Provide Roadway widening for adjacent streets. (22-602.1.G and 22-602.2.C) Applicant is requesting a modification to this requirement of the Ordinance.
3. Provide a minimum of two concrete monuments. (22-611.3) Applicant is requesting a modification to this requirement of the Ordinance.
4. Depict existing site conditions for subject property. (22-402.1, O, P, Q, R, S, T, W, Z) Applicant is requesting a modification to this requirement of the Ordinance. *Sections 22-402.1.T, W, and Z pertain to proposed site features. The applicant may not require relief from these sections.*

Zoning

5. Inadequate lighting appears to be provided at the loading dock, and for the row of 6 parking spaces northwest of the proposed 4,500 S.F. classroom addition. A minimum of 0.75 foot-candles is required in these areas. (27-1203.2.C)

Subdivision and Land Development

6. Professional Signatures and Seals must be provided, and the certification blocks must be completed prior to recording the plan. (22-402.1.L)
7. The Certification of Ownership and Dedicatory Statement must be signed prior to recording the plan.
8. The location map does not appear to include the 29.63 acre parcel recorded in Deed Book N, page 688. Please revise or explain. (22-402.1.B)
9. The existing driveway locations must be provided on the plan so that sight distance and clear sight triangles can be verified. (22-402.1.S)
10. Provide geometric data for the proposed ROW dedication along Pleasant View Road and Fishing Creek Road. (22-402.1.D)

Outside Agency Approvals

11. Erosion and Sedimentation Control Plan Approval must be obtained prior to Final Plan approval. (22-402.2.A)

General Recommendations

12. A review of the public improvements guarantee estimate will be provided under separate cover. (22-501)
13. Provide plan note regarding Zoning Hearing Board approval granting relief from parking requirements.
14. Mr. Stalnecker added the comment the plan must comply with Resolution 2008-13.

In SLDO comment No. 8, Mr. Stalnecker indicated that the location map on the plan title pages does not include the 29.63 acre parcel indicated on sheet 2 of the plan set. The "lightning strike" on the plan indicates tract 2 has connected to tract 1, when it has not. Mr. Stalnecker advised the parcel should be attached to tract No. 1. It would be advantageous to do it now as part of the land development plan.

ACTION ON THE MODIFICATION REQUEST(S)

Mr. Anderson abstained for voting on this plan because she used to work for CEDG, Inc.

Mr. Thompson made a motion, seconded by Mr. Coleman, to approve the modification request from SLDO 22-303, the preliminary play requirement. Vote on motion, Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained.

Mr. Thompson made a motion, seconded by Mr. Stanley, to approve the modification request from SLDO 22-602.1.G & 22-602.2.C, widening the roadway on adjacent streets requirement. Vote on motion: , Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

Mr. Coleman made a motion, seconded by Mr. Thompson, to deny the modification request from SLDO 22-611.3, from the minimum of two concrete monuments requirement. Vote on motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

Mr. Thompson made a motion, seconded by Mr. Coleman, to recommend approval of the modification request from SLDO 22-402.1.O, the location of existing building, streets, septic systems, stormwater facilities, culverts, fire hydrants, sanitary sewers, wells and other significant manmade features on or adjacent to the proposed lots requirement outside the construction areas of the land development plan. Vote on motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

Mr. Stanley made a motion, seconded by Mr. Coleman, to recommend approval of the modification request from SLDO 22-402.1.P, the existing natural feature such as alluvial soils, floodplain (one hundred (100) year flood elevations), rock outcrops, steep slopes, wooded areas, water courses, wetlands and other natural features requirement outside the construction areas of the land development plan. Vote on motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

Mr. Stanley made a motion, seconded by Mr. Coleman, to recommend denial of the modification request from SLDO 22-402.1.Q, the location and dimensions of all public and private easements including information concerning their purpose such as, but not limited to, utility, streams, lakes and ponds, erosion control, access, conservation; and the location of any public utilities. Vote on motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

Mr. Stanley made a motion, seconded by Mr. Coleman, to recommend approval of the modification request from SLDO 22-402.1.R, the existing and proposed contour lines at vertical intervals of 2 feet except in areas where the slope is greater than 15 percent in which cast the contour interval shall be 5 feet. Minor subdivision plans, such as outlined in SLDO 22-305.1, may utilize current USGS mapping to establish contour lines requirement outside the construction areas of the land development plan. Vote on motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

Mr. Stalneckner indicated the applicant will not require relief from 22-402.1.T, W, and Z/

MOTION ON THE PLAN

Mr. Thompson made a motion, seconded by Mr. Stanley, to table the plan. Vote on motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes, Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

NEW BUSINESS

There being no new business, Mr. Powers moved to Discussion and Correspondence.

DISCUSSION AND CORRESPONDENCE

Mr. Waller advised the Planning Commission of the progress made in the revision of the Township's Comprehensive Plan.

ZONING HEARING BOARD

Case No. 2009-01: Cellco Partnership, d/b/a Verizon Wireless, One Verizon Way, Mailstop 4AW100, Basking Ridge, NJ 07920. The Applicant is requesting a special exception pursuant to Fairview Township Zoning Ordinance, Section 903, Permitted Uses in the Commercial Highway District, and Section 1602.12, Telecommunication Signal Facilities. The Applicant wishes to co-locate additional antennas on an existing telecommunications tower, and the placement of an equipment shelter and generator on the property. The property is owned by Leroy J. Welter, Jeanne Welter and Rick Welter and is located at 722 Limekiln Road, New Cumberland, PA 17070. The property is located in the Commercial Highway District.

Case No. 2009-02: MariLynn Dare and Brad Pate, 431 Shuler Road, Etters, PA 17319. The Applicants are requesting a variance pursuant to the Fairview Township Zoning Ordinance, Section 2002, Definitions, General Terms: Use, Principal and/or Section 502, Permitted Uses, Residential Single District. The Applicants wish to relocate an approved non-intensive home occupation from the home to a garage/workshop located on a separate lot owned by the Applicants. The property is located along Shuler Road and is in the Residential Single District.

Case No. 2009-03: Karl Dodson, 464 Big Springs Road, New Cumberland, PA 17070. The Applicant is requesting a special exception or variance to the Fairview Township Zoning Ordinance, Section 1704.B, Extensions, Expansions and Enlargements of a conforming building occupied by a non-conforming use. The Applicant wishes to enlarge his existing intensive home occupation by 1800 square feet. The property is located at 464 Big Springs Road and is in the Residential Single District.

Case No. 2009-04: Garrett Murphy, 704 Barbara Street, New Cumberland, PA 17070. The Applicant is requesting a variance to the Fairview Township Zoning Ordinance, Section 405, Area Regulations, Lot Width in the Residential Rural District. The Applicant wishes to subdivide a lot that has less than 100 feet of frontage on a public roadway. The existing frontage is 50 feet. The property is owned by Gary Keister, and is located at 591A Ridge Road, Lewisberry, PA 17339, and is in the Residential Rural District.

ADJOURNMENT

Mr. Coleman made a motion, seconded by Mr. Thompson, to adjourn the meeting at 8:17 PM. Vote on the motion: All yes. The motion carried.