

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

March 3, 2009

## CALL TO ORDER

Chairman Michael A. Powers called the meeting to order at 7:00 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

## APPROVAL OF MINUTES

Mr. Coleman made a motion, seconded by Mr. Stanley, to recommend approval of the minutes for the February 3, 2009 Planning Commission meeting. Vote on the motion: All yes. The motion carried.

## DISCUSSION AND CORRESPONDENCE

There being no Discussion and Correspondence, Mr. Powers moved Sketch Plans

## SKETCH PLANS

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

### 1. Application for Change of Official Zoning Map – Lincoln Drive.

Mr. Waller present the application for the change to the Planning Commission. The Applicants want to change the zoning from Residential Single to Commercial Highway. The application was presented to the Board of Supervisors and the Board sent it to the Planning Commission and the York County Planning Commission. Mr. Waller indicated the staff's opinion was to deny the change because Commercial Highway traffic would have to go through a Residential Single District to get to the location.

Jonathan Ebersole, co-applicant, represented the application to the Planning Commission. James Haupt was unable to attend the meeting because of his health.

Mr. Waller advised the Planning Commission that a change to Commercial Highway will allow any permitted Commercial Highway use on Lincoln Drive. Mr. Waller noted that the pending revised comprehensive plan show the area along Lincoln Drive as mixed uses for Commercial Highway District.

Mr. Thompson stated that the Planning Commission had recommended changing the Zoning Map the Board of Supervisors, the first time the application was presented.

Mr. Thompson made a motion, seconded by Mr. Stanley, to recommend the change from Residential Single to Commercial Highway zoning district. Vote on the motion: All yes. The motion carried.

## 2. Changes to Official Zoning Map – Fairview Township Staff

Mr. Waller presented the proposed zoning change to the Planning Commission.

The proposed zoning change would be to connect the Residential Single District along Forge Road from Bunker Hill Road and Shauffnertown Road to the Hedgerow Development.

Mr. Thompson made a motion, seconded by Mr. Coleman, to recommend the change of the Residential Rural to Residential Single District as proposed on the zoning map. Vote on the motion: All yes. The motion carried.

## **SUBDIVISION PLANS**

### 1. Preliminary Subdivision Plan for the Fager Tract – Lewisberry Road – 88 Lots

Mr. Waller presented the plan to the Planning Commission.

Mr. Stalnecker discussed Township Engineer's and York County Planning Commission comments. Due to the number of comments, Mr. Stalnecker highlighted the most important comments at this time. These comments are in bold type.

#### Modification

Provide sidewalks along all roadways. (22-605.1) Applicant is requesting a modification to this requirement of the Ordinance.

1. Provide a minimum basin bottom slope of 1.0%. (22-701.(3).(C).(10)) Applicant is requesting a modification to this requirement of the Ordinance.

#### Zoning

2. Areas of trees to be removed should be indicated on the plan so that the extent of vegetative disturbance can be evaluated. (27-1605.1.E)

#### Subdivision and Land Development

3. Location Map must be provided at a scale of 1" = 1,000' or larger. In addition, the Location Map should be expanded to show Lewisberry Borough and the sanitary sewer connection to the Lewisberry system. (22-402.1.B)
4. Professional Signatures and Seals must be provided, and the certification blocks must be completed prior to recording the plan. (22-402.1.L)
5. The Certification of Ownership and Dedicatory Statement must be signed prior to recording the plan. In addition, separate signature blocks should be provided for both the landowner and the equitable owner. (22-402.1.M)
6. Lot numbers should be provided for the seven open space lots, as well as the pump station lot. Please revise the plan and cover sheet accordingly. (22-402.1.D)

7. A table should be provided to indicate the number of lots and the purpose of each lot (residential, open space, existing residential, utility) should be provided. The area of street rights-of-way should also be provided. (22-402.2.H)
- 8. Easements and their associated geometric data should be provided for the water treatment building and access drive, conservation easements associated with the wetlands, and a construction easement as needed to construct Stormwater Basin #2 immediately adjacent to the Yinger property. It is recommended that the easements be provided on the phasing plan so that the feasibility of the proposed phasing can be evaluated. (22-402.1.Q)**
9. An existing shed on Lot 89 extends over the property line into Open Space A. The shed should be moved or removed, or an easement should be provided. (22-402.1.Q)
10. The location and type of sanitary sewer service for the existing house must be indicated on the plan. (22-402.1.O)
- 11. A right-of-way is required for the roadway connection through the Darwart Property. (22-402.1.Q)**
- 12. Roadway widening is required along Lewisberry Road. (22-602.1.G, 22-602.2.A, and 22-602.2.C)**
13. The proposed curb radii at the Quaker Road/Road C intersection should terminate at a 17' offset from the centerline of Quaker Road to accommodate future widening. (22-602.1.G, 22-602.2.A, and 22-602.2.C)
- 14. Additional cartway dedication is required along Old Quaker Road in accordance with the collector road standards. (22-602.1G, 22-602.2.A, and 22-602.2.B)**
15. The clear sight triangle at the intersection of Road "C" and Old Quaker Road should be revised so that it is centered on Road C. (22-603.4)
16. The street sign detail should be revised to meet the size and lettering height requirements, as well as other provisions of the ordinance. (22-605.3)
17. Street names should be provided for review, and must be deemed acceptable by the US Postal Service. The Township road number for Old Quaker Road should be provided on the plan. (22-605.1.D.(5))
18. The building setback lines should be provided for Lot #89. If the lot is an existing nonconformity with respect to yard depth, a note should be added to the plan. (22-402.1.D)
19. The driveway for the residual lot (Lot 89) should be realigned to access Road A. (22-606.4.F)
20. It appears that the driveways for lots 9 and 31 do not meet the minimum 40' separation requirement from intersecting street right-of-way lines. (22-606.4.E)
21. Provide concrete monuments where the right-of-way for Road A intersects the Lewisberry Road right-of-way, and where the right-of-way for Road C intersects the Old Quaker Road right-of-way. (22-611.3)
22. As a local road, Road A should have a 50' right-of-way. Please revise or explain the portions of 60' right-of-way along Road A. (22-602.2.A)

23. Sidewalk detail should be revised to include a 6" aggregate base, in accordance with latest requirements of PennDOT Publication 408. (22-605.1.D)
24. Paving section should include 4" of 25 mm superpave base course and 1.5" of 9.5 mm superpave wearing course in accordance with the most recent PennDOT specifications. (22-604.1.A)
25. The plan must provide adequate recreation area, or a fee-in-lieu of dedication must be paid prior to recording of the final plan. (22-613)
- 26. A Traffic Impact Study is required. (22-614.2.A.(1))**
- 27. Design calculations and details must be provided for the proposed sanitary sewer pump station. (22-610.2.A)**
28. The snow removal easements on Lots 4 and 5, 47 and 48, 84 and 85, 27 and 28, and 14 and 15 interfere with sanitary sewer laterals. Please revise. (22-602.4.G)
- 29. The applicant shall provide a hydrogeologic study for the proposed community water supply system. (22-609.1.D)**

#### Outside Agency Approvals

30. Erosion and Sedimentation Control Plan approval is required from the York County Conservation District. (22-402.2.A)
31. Sewage planning module approval or exemption is required. (22-402.21.B)
32. The applicant has indicated at the Conditional Use hearing for the project that Lewisberry Borough will own, operate, and maintain the proposed sanitary sewer collection and conveyance system. Accordingly, the Lewisberry Borough and/or Authority engineer must review and approve the proposed improvements, and should provide an indication that adequate treatment capacity is available.
- 33. Department of Environmental Protection and Army Corps of Engineers permits are required for the proposed stream crossing and the disturbance of wetlands prior to approval of the final plan. (22-403.2.J and 22-612)**
34. A PADOT Highway Occupancy Permit is required for the proposed work within the Lewisberry Road right-of-way. It appears that separate permits will be required for the roadway and utility work (22-402.2.C)
- 35. The proposed private water system must be approved by the utility company having franchise for the subject area, and the Pennsylvania Department of Environmental Protection. (22-609.1.B)**
36. Homeowner's association documents should be submitted for review by the Township Solicitor. (22-402.1.AA)

#### Stormwater Management

37. The Stormwater Management Report must be signed and sealed by the design professional responsible for its preparation. (22-701.2)
38. Fencing is required around the proposed stormwater management basins. (22-701.2.C.(9))

39. On-site hydrogeologic testing is required to demonstrate that the infiltration BMP's are a minimum of 2' above the seasonal high water table (22-701.3.D.(4).(a).(i)) and to determine the infiltration rate. (22-701.3.D.(4).(a).(ii))
40. Calculations should be provided to show that the infiltration facilities will dewater in 48 hours or less. (22-701.3.D.(4).(f))
41. The gutter flow spread exceeds the ½ travel lane width maximum at inlets A5, C8, C9, C10, C11, and C17. (22-701.3.B.(7).(a))
42. Pavement base drains are required at low points, in cut sections, and in poorly drained areas. Inlet details should be revised to include a 4" pre-cast opening for connection to the base drains. (22-701.4.B.(1).(j))
43. For Outlet Structure 2, the detail indicates three orifices, but the report models a single "effective" orifice. It is recommended that the calculations consider the three individual orifices detailed to appropriately model the proposed entrance conditions.
44. All inlets must be provided with a 12" sump for the collection of debris, with weep holes for dewatering. Please revise. (Ordinance 2007-3)

#### General Recommendations

45. The proposed subdivision is not consistent with Cumberland County's Growth Management Plan because it is located outside of a designated growth area. Furthermore, the proposed development is also adverse to the Township's draft Future Land Use Plan, which has designated this area as "*Residential Rural with Agriculture*" with a recommended density of 1 unit per 5+ acres. Furthermore, the plan proposes extending public sewer service outside of a designated growth area, which is also contrary to the Cumberland County Growth Management Plan and the Township's draft Future Land Use Plan.
46. Two separate and different areas (16.22 Ac and 16.57 Ac) are shown for Open Space "F" on Sheet 4. Neither is consistent with what is listed on the cover sheet. (18.22 Ac.) The area of Open Space "A" shown on Sheet 6 (10.29 Ac.) is also not consistent with what is listed on the cover sheet (20.29 Ac.) Please revise to ensure accuracy and consistency.
47. It is recommended that the phasing be revised so that the water treatment building is installed with Phase I instead of Phase II. Otherwise, temporary measures for water supply for Phase I will have to be provided.
48. The proposed use on the cover sheet should be revised to indicate single family *detached* units rather than single family *attached*.
49. The plan proposes clear sight triangles on the Dorwart and Peffer properties. As such, these property owners should be added as parties to the plan, or clear sight easements should be secured.
50. It appears that storm and sanitary manholes are incorrectly labeled in Road A at approximately station 19+75.
51. The multifamily buildings and community sewer system on the adjacent Dorwart property immediately north of the site should be provided on the Existing Conditions Plan.

52. Verification should be provided that there are no additional setbacks or other conditions associated with the PP&L easement shown in the northeast corner of the site.
53. The line along the northern property boundary should be revised to indicate a zoning boundary. It currently appears as a phase boundary.
54. The length of each proposed road should be added to the cover sheet.
55. Accessible curb ramp details should be revised to comply with most recent PennDOT requirements. Specifically, truncated dome warning devices are required, and double curb ramps are recommended.
56. The Typical Road Section indicates a slope of 1 to 2% from the curb line toward the right of way line. The typical Township roadway section slopes at 2% from the right of way line toward the curb line.
- 57. The multiple small cross pipes under Roadway A may increase the incidence of pipe obstructions, and require more maintenance than a small number of larger pipes. It is recommended that the plan be revised to employ fewer, larger pipes in this location.**
58. The Superintendent of Public Works has requested that storm manholes C2, D2, D3, A1 A2, A3, and A4 be replaced with Type C inlets to improve access and provide additional points for sediment removal.
59. The plan will not be approved unless the application is in compliance with Resolution 2008-13.

John Murphy, PE, and Todd Wilson, PE, Alpha Engineering represented the plan.

The developer's engineer intends to submit a modification request for sidewalks only along the side of the streets that will have building lots. The side of the street that would border wetlands will not have sidewalks.

John Murphy indicated there will be a modification request for a flat bottom basin to promote infiltration.

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

## 2. Preliminary Subdivision Plan for New View Corporation – Martin Lane & Limekiln Road – 4 Lots

Mr. Waller presented the plan to the Planning Commission. Mr. Waller indicated that the Board of Supervisors will be changing the name of Martin Lane to Shawnee Court.

Mr. Stalnecker discussed the Township Engineer's and York County Planning Commission comments. Due to the number of comments, Mr. Stalnecker highlighted the most important comments at this time. These comments are in bold type.

### Zoning

1. Building setbacks in the Site data table are not clear. Please revise table to improve legibility (22-904.3, 22-904.4, and 22-904.5)
- 2. The required minimum lot width for the Commercial Highway (CH) zone is 100 feet. The proposed lot width for Lot 3 is listed as 61 feet. The plan must be revised to provide the required lot width, or a variance is required. (27-904.2)**

3. A 20' rear setback line should be provided for lot 3 along the northern property line. (27-904.6)
4. A 30' front setback should be provided for lot 1 along Limekiln Road. (27-904.4)
5. A 30' front setback should be provided for lot 3 along I-83. (27-904.4)

#### 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 original property description plan references that the property is comprised of lots 1 and 2. The existing property line between the two lots should be provided on the plan, and a note should be added to indicate that the lots are to be consolidated with the current plan prior to subdivision. (22-402.1.A)
9. The location map should be revised to indicate the boundary line with Cumberland County, and to include Commerce Drive. (22-402.1.B)
10. The zoning district boundary line should be shown on the plan, and the adjacent Residential Single District should be shown west of the subject property. (22-402.1.F)
11. **Screening and Buffering is required along the western property line, adjacent to the RS district.** (27-1205)
12. The right-of-way, cartway and Township Road number for Commerce drive must be provided on the plan, as well as the right-of-way and cartway for Interstate 83. (22-402.1.D)
13. **A wetlands delineation report should be submitted. Any wetlands identified on the site must be provided on the plan. (22-612)**
14. All wooded areas and steep slopes must be identified on the plan. It appears that the Soils Information on sheet 2 incorrectly provides the slopes for Duffield and Hagerstown Silt Loam (DwD). According to the York County Soil Survey, the slopes for these soil types range from 15 to 25%. (22-4021.1.P)
15. The flood elevations for the 100-year floodplain should be provided on the plan, and the floodplain boundary adjusted accordingly. The floodway for the Yellow Breeches Creek should also be shown on the plan. In addition, General Note 24 should be revised to reference map panel 02F. (22-402.2.D.(2) and 22-402.2.D.(3))
16. Easements should be provided for the three quarry pits and the stormwater management facility. Geometric data for each easement should be provided. (22-402.1.Q)
17. The location of sewer laterals for the proposed lots should be provided on the plan. (22-402.1.W)
18. **Potential driveway locations and sight distance data should be provided for each lot to demonstrate that safe access is feasible. In addition, clear sight triangles, as well as the available and required sight distance should be provided for the Proposed**

**Street/Martin Lane intersection and the Martin Lane/Commerce Drive intersection. (22-402.1.S)**

19. Roadway widening is required for Limekiln Road, or evidence must be provided from PennDOT Publication 70 to demonstrate that the existing cartway width is adequate. (22-602.1.G, 22-602.2.A, and 22-602.2.C)
20. Trip generation data should be provided to demonstrate that the proposed cul-de-sac meets the maximum daily trip requirements. (22-602.4.D, 22-614.21.A.(2)) In addition, if the trip generation data shows that 75 or more new vehicle trips will occur during the peak hour, a Traffic Impact Study is required. (22-614.2.A.(2))
21. A cul-de-sac street will not be approved when a through street is feasible. It is recommended that the plan be revised to eliminate the Martin Lane right of way between the subject site and Limekiln Road. The proposed road should then be constructed as a single "L" shaped roadway instead of two intersecting roadways. (22-602.4.A)
22. If Martin Lane is to be constructed as a dead-end street, a cul-de-sac must be provided. (22-602.4.F)
23. A cul-de-sac street is not permitted to intersect another cul-de-sac street. The plan proposes two such instances; at the Martin Lane/Commerce Drive intersection, and at the Martin Lane/Proposed Street intersection. (22-602.4.B)
24. Concrete monuments should be provided at the intersection Martin Lane/Limekiln Road right of way lines, and at the intersection of the southern property line and the I-83 right-of-way line. (22-611.3)
25. Paving section should include 4" of 25 mm superpave base course and 1.5" of 9.5 mm superpave wearing course in accordance with the most recent PennDOT specifications. (22-604.1.A)
26. The standard note regarding sanitary sewer easements contained in section 22-610.4 should be added to the plan.
27. The curbing at the snow removal easement should have no reveal to permit snow to be pushed into the area. A note and detail should be added to the plan. (22-602.4.G)
28. A note should be added to the plan indicating that no driveway access to Limekiln Road is permitted for Lot 1. (22-606.4.F)
29. It appears that portions of the existing guide rail at the Martin Lane/Commerce Drive intersection will need to be relocated to accommodate the proposed roadway construction. The plan should provide a detail for the new guide rail, including end treatment, and indicate the location of the new guide rail on the plan. (22-402.1.CC)
30. **Because of the potential for truck traffic at the intersection of Martin Lane and the proposed drive, turning templates should be submitted to demonstrate that the proposed curb radius is adequate. (22-603.3)**
31. Prior to approval of the final plan, the name of the proposed street must be submitted for review. (22-403.1.E) In addition, the Board of Supervisors may wish to re-name Martin Lane due to the potential for confusion with the existing Martin Drive.

## Outside Agency Approvals

32. Erosion and Sedimentation Control Plan approval is required from the York County Conservation District. (22-402.2.A)
- 33. Department of Environmental Protection and Army Corps of Engineers permits are required for the proposed stream crossing and the disturbance of any wetlands. (22-403.2.J and 22-612)**
34. Sewage planning module approval or exemption, as well as approval by the Municipal Authority is required. (22-402.2.B, 22-402.2.J)
35. Because the subject property flows to the Lower Allen wastewater treatment plant, a letter indicating the availability of treatment capacity should be submitted from the Lower Allen Authority.
36. A letter of intent to provide water service for the site should be provided from the applicable water company. (22-402.2.F)

## Stormwater Management

37. The stormwater management plan must be signed and sealed by the design professional responsible for its preparation. (22-701.2)
38. It appears that drainage areas 3 and 4 are exempt from stormwater management requirements as they discharge directly to the Yellow Breeches Creek. (22-702.9.A)
39. Portions of the proposed 60" CMP culvert have less than the required slope of 0.5%. (22-701.3.B.(6).(f))
40. Figure 1 in the Stormwater Management Narrative references watershed 2 twice, but does not reference watershed 4. Please revise or clarify.
41. The stormwater management narrative references drainage discharges onto the subject property from an adjacent property and indicates that the drainage through the subject property will not be impacted. The location of the discharge and the downstream drainage path should be provided on the plan so that this claim can be evaluated. (22-701.2.C)
42. Provide runoff coefficient calculations. The plan indicates that the runoff coefficient for watersheds 1a and 1b decrease from 0.3 to 0.14, but no alteration of these watersheds is proposed. Please revise or explain. (22-702.2.M)
43. For watersheds using the existing quarries as stormwater control facilities, the residual water surface elevation should be used as the lowest storage elevation. In addition, how will drainage from these areas occur between storm events? (22-702.2.D.4).(A))
44. Groundwater recharge calculations must be provided, and the plan must demonstrate that the proposed storage facilities will discharge within 48 hours of the end of the design storm. (22-702.2.D and (22-702.2.D.(4).(f))
45. Infiltration testing data is required. (22-701.3.D.(a).(ii) and 22-701.3.3.D.(5))
- 46. Fencing is required around the stormwater detention facilities. (22-701.3.C.(9))**

47. Pavement base drains are required at low points, in cut sections, and in poorly drained areas. Inlet details should be revised to include a 4" pre-cast opening for connection to the base drains. (22-701.4.B.(1).(j))
48. Inlets should be provided with a 12" sump for collection of sediment and a series of weep holes for dewatering instead of a concrete flow channel. (Ord. 2007-3)
49. It is recommended that reinforced concrete pipe or polymer or bituminous coated CMP be utilized for the proposed culvert under Martin Lane. (22-402.3.E)

#### General Recommendations

**50. It is recommended that the grading be revised so that a retaining wall within the right-of-way is not necessary, as it would present an ongoing maintenance issue for the Township.**

51. Sanitary sewer manhole numbers should be revised to be consistent with Township designations, which are available from the Department of Public Works.

52. It is recommended that the sanitary sewer connection to the existing manhole be lowered 0.4' or more to provide a minimum 5' of cover.

53. The plan will not be approved unless the application is in compliance with Resolution 2008-18.

Mr. Thompson made a motion, seconded by Mr. Stanley, to table the plan contingent on the abandoning the portion of the right-of-way of Martin Lane, from the proposed street behind the veterinary hospital to Limekiln Road, and coordinating the configuration of the proposed street with the Township. Vote on the motion: All yes. The motion carried.

### SITE/LAND DEVELOPMENT PLANS

#### 1. Preliminary/Final Land Development Plan for Bonnie Plants – Limekiln Road

Mr. Waller presented the plan to the Planning Commission. The expansion of the existing building is to create a 1,000 square foot loading dock.

Mr. Stalnecker discussed the Township Engineer's and York County Planning Commission comments.

#### Modifications

1. Provide roadway widening and additional right-of-way along Limekiln Road. (22-602.1.G, 602.2.A and 602.2.C) Applicant is requesting a modification to this requirement of the Ordinance.
2. Provide a preliminary plan. (22-303) Applicant is requesting a modification to this requirement of the Ordinance.
3. Provide two concrete survey monuments. (22-611.3) Applicant is requesting a modification to this requirement of the Ordinance.

#### Zoning

4. The Township Zoning Officer should determine whether the existing parking lot should be improved to provide the required 5% landscaped green area. (27-1206.1)
5. Two parking spaces must be labeled as accessible parking, with a corresponding accessible pathway. (27-1403.1)
6. Verification should be provided that a vertical clearance of at least 15 feet will be provided for the proposed loading space. (27-1407.A)

### Subdivision and Land Development

7. Professional Signatures and Seals must be provided, and the certification blocks must be completed prior to recording the plan. (22-402.1.L)
8. The Certification of Ownership and Dedicatory Statement must be signed prior to recording the plan.
9. The restrictions pertaining to the PP&L right-of-way are required to be listed on the plan, as well as any recording information. (22-403.1.E)
10. A typical E&S drawing should be added to the plan to address erosion and sedimentation control requirements. (22-403.2.A)
11. General note 3 should be revised to include a reference to the previous subdivision plan for this site; i.e. "900 Limekiln Road" (Hoover File 205147), which was responsible for the property line information along the western boundary of the property. The lot number (Lot 1) should be removed from this plan, as it does not apply to the subject plan, but to the previous plan. (22-402.1.H)
12. Available and required sight distances, as well as clear sight triangles must be provided for the two access drives. (22-402.1.S)

### General Recommendations

13. Because the property directs runoff from additional impervious area to the Pennsylvania Turnpike right-of-way, plans should be reviewed and approved by the Turnpike Commission.
14. Spot grades indicate that the proposed loading dock will be constructed with a slope of 0.1%. The dock should be constructed with adequate slope to ensure positive drainage away from the building.
15. The plan will not be approved unless the application is in compliance with Resolution 2008-13.

### ACTION ON MODIFICATION REQUEST(S)

Mr. Stanley made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from 22-602.1.G, 602.2.A and 602.2.C, the existing roadway width and additional right-of-way width. Vote on the motion: All yes. The motion carried.

Mr. Stanley made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from 22-330, the preliminary plan requirement. Vote on the motion: All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mr. Coleman to recommend denial of the modification Request from 22-611.3, the concrete monument requirement. Vote on the motion: All yes. The

motion carried.

## ACTION ON THE PLAN

Mrs. Anderson made a motion, seconded by Mr. Coleman, to recommend approval of the plan contingent of the Township Engineer's comments, with the exclusion on No. 4 and 10, and a letter from the PPL Utility. Vote on the motion: All yes. The motion carried.

## 2. Final Minor Land Development Plan for Diocesan Publications – Limekiln Road

Mr. Waller presented the plan to the Planning Commission.

Mr. Stalnecker discussed the Township Engineer's and York County Planning Commission comments.

### Modifications

1. Provide Stormwater Management Facilities. (22-403.(2).(D) and (22-701.6) The applicant is requesting a modification to this requirement of the Ordinance.
2. Provide a separate sheet titled "Original Property Description." (22-402.1) The applicant is requesting a modification to this requirement of the Ordinance. It is recommended that this modification request be revised to include only section 22-402.1.A as section 22-402.1 lists all Preliminary Plan Specifications.
3. Provide cartway widening along the road frontage. (22-602.1.G) The applicant is requesting a modification to this requirement of the Ordinance. It is recommended that this modification request be expanded to include section 22-602.2.C, which also requires roadway widening.
4. Provide a minimum 40' separation distance between driveways and the right-of-way lines of intersecting streets. (22-606.3.C.(1)) The applicant is requesting a modification to this requirement of the Ordinance.

### Zoning

5. The lighting plan must provide a minimum illumination level of 0.75 foot-candles for all parking and loading areas. It appears that areas south of the building have inadequate illumination. (27-1203.2.C)
6. Site lighting must be provided so that no direct or indirect glare occurs on adjacent properties. The lighting calculations appear to indicate significant illumination on adjacent properties. Please revise or explain. (27-1203.2.A)

### Subdivision and Land Development

7. Professional Signatures and Seals must be provided, and the certification blocks must be completed prior to recording the plan. (22-402.1.L)
8. The Certification of Ownership and Dedicatory Statement must be signed prior to recording the plan.
9. A separate sheet, titled "Original Property Description" is required. (22-402.1)

10. Any easement associated with the existing gas line along the southern property line must be provided on the plan. A note has been added to the plan regarding this easement, but the location of the easement line(s) should be provided (22-402.1.Q)
11. Any encroachment easement for the extension of the rear parking lot at the southeastern corner of the property into the Turnpike Right of Way must be provided on the plan. (22-403.1.D)

### General Recommendations

12. Because the property abuts the Pennsylvania Turnpike, plans should be reviewed and approved by the Turnpike Commission.
13. The plan will not be approved unless the application is in compliance with Resolution 2008-13.

Mr. Stalnecker indicated that Zoning Comments 5 and 6 are no longer comments. The applicant has provided additional information.

The plan was represented by Seth Beaver, PE, of Century Engineering. Mr. Beaver indicated there is a blanket easement from TEPPCO for the Diocesan property, and there is not metes and bounds associated with the easement on the property.

Mr. Stalnecker stated there should be another comment on the plan for a stormwater agreement on adjacent properties. The stormwater agreement shall replace the TEPPCO agreement in comment No. 10.

### ACTION ON MODIFICATION REQUEST(S)

Mrs. Anderson made a motion, seconded by Mr. Stanley, to recommend approval of the modification request from 22-403.2.D and 22-701.6, the stormwater management facilities requirement. Vote on the motion: All yes. The motion carried.

Mr. Stanley made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from 22-402.1, the "Original Property Description", requirement. Vote on the motion: All yes. The motion carried.

Mr. Stanley made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from 22-602.1.G, the cartway widening along the road frontage requirement. Vote on the motion: All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from 22-606.3.C.1, the minimum 40' separation distance between driveways and the right-of-way lines of intersecting streets requirement. Vote on the motion: All yes. The motion carried.

### ACTION ON THE PLAN

Mr. Stanley made a motion, seconded by Mr. Coleman, to recommend approval of the plan to the Board of Supervisors contingent on modification requests, comments 7, 8, 11, 13, and comment 10 written as a stormwater easement with adjacent property owner and general recommendation. Vote on the motion: All yes. The motion carried.

### OLD BUSINESS

#### 1. Final Land Development Plan for ACME Trailer Works – Ross Avenue

Mr. Waller advised the Planning Commission the plan is requested to remain tabled.

## 2. Final Land Development Plan for Red Land High School – Fishing Creek Road

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

Mr. Waller presented the plan to the Planning Commission.  
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, R) Applicant is requesting a modification to this requirement of the Ordinance.

### Subdivision and Land Development

5. Professional Signatures and Seals must be provided, and the certification blocks must be completed prior to recording the plan. (22-402.1.L)
6. The Certification of Ownership and Dedicatory Statement must be signed prior to recording the plan.

### Outside Agency Approvals

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

### General Recommendations

8. The plan will not be approved unless the application is in compliance with Resolution 2008-13.

Mr. Waller advised the Planning Commission that Board of Supervisors acted on all the modification requests.

### ACTION ON THE PLAN

Mr. Thompson made a motion, seconded by Mr. Stanley, to recommend approval of the plan to the Board of Supervisors contingent on the Township Engineer's comments. Vote on the motion: Mr. Powers, Yes; Mr. Coleman, Yes; Mr. Thompson, Yes; Mr. Stanley, Yes; Mrs. Anderson, Abstained. The motion carried.

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

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

Mr. Waller presented the plan to the Planning Commission.

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. Accessible route from the designated parking spaces to the building appears to have a slope of approximately 6%. A maximum of 2% is required. (27-1403.2.D)

### 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.

### Outside Agency Approvals

10. Provide York County Conservation District approval of the Erosion and Sedimentation Control Plan and NPDES Permit (22-403.2.A.).

### MOTION ON THE PLAN

Mr. Stanley made a motion, seconded by Mr. Thompson, to recommend approval of the plan to the Board of Supervisors contingent on the Engineer's comments. Vote on the motion: All yes. The motion carried.

## **NEW BUSINESS**

Mrs. Anderson addressed the Planning Commission concerning modification requests. Some municipalities are granting deferrals instead of modification requests. If developers were granted deferrals instead of modification requests, then the developers would recognize that they will be responsible for roadway widening, curbs and sidewalks if the Township initiated a project in the vicinity of the development.

Mr. Waller indicated deferrals would transfer with a deed. A similar situation occurred with the Yellow Breeches Office Center. There was a note on the plan that transferred to the new property owner. Deferrals should come up in the title search of the property. Mr. Stalnecker stated deferrals are definitely an option. Mr. Waller indicated tracking the deferrals would not create any problems.

The above mentioned comments were discussed prior to adjournment, but moved to New Business.

## **ZONING HEARING BOARD**

Case No. 2009-05: Triangle Communications, 99 Fifteenth Street, New Cumberland, PA 17070. The Applicant is requesting a special exception pursuant to the Fairview Township Zoning Ordinance, Section 1603.12, Telecommunication Signal Facilities. The Applicant wishes to add two (2) additional self-supporting telecommunications towers to the existing facility. One (1) 250 foot tower is accompanied by a prefabricated building housing communication equipment and a generator. One (1) 180 foot tower will be served by an existing equipment shelter. Two (2) existing towers will be removed and two (2) existing towers will be lowered. One (1) existing tower will be lowered by fifty (50) feet and another existing tower by twenty (20) feet. The property is owned by the Applicant, tax parcel numbers 27000RF0111A000000 and 27000RF0114C000000 with address of 369 Pleasant View Road, New Cumberland, PA 17070. The property is located in the Residential Rural District.

## **ADJOURNMENT**

Mr. Thompson made a motion, seconded by Mrs. Anderson, to adjourn the meeting at 8:21 PM. Vote on the motion: All yes. The motion carried.