

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

April 2, 2013

## CALL TO ORDER

Chairman Michael A. Powers called the meeting to order at 7:08 PM.

## ROLL CALL

Present: Michael A. Powers, Chairman  
Michael E. Thompson, Vice-Chairman  
Anne K. Anderson, Member  
Kevin V. Gorman, Member  
H. Adam Williams, Member  
Drew Bitner, PE, Township Engineer  
Stephen M. Waller, Fairview Township Codes Administration Director

## APPROVAL OF MINUTES

Mrs. Anderson made a motion, seconded by Mr. Thompson to approve the minutes of the March 5, 2013, Planning Commission Meeting. Vote on the motion. All yes. The motion carried.

## DISCUSSION AND CORRESPONDENCE

Mr. Waller advised the Planning Commission that the Board of Supervisors adopted the Proposed Zoning Ordinance on March 20, 2013. The Ordinance is effective on March 25, 2013. Mr. Powers, Mrs. Anderson, and Mr. Williams requested a paper copy of the new Zoning Ordinance. Mr. Thompson and Mr. Gorman requested a digital copy of the new Ordinance.

## SKETCH PLANS

### 1. Amended Final Subdivision Plan for Olde Orchard Hill, Ph III & IV – Lots 148 to 177

Mr. Waller presented the plan to the Planning Commission. The purpose of this amended subdivision is to reduce the number of building units from eighteen (18) units to twelve (12) units.

Todd Wilson, PE, Alpha Consulting Engineers represented the plan.

Mr. Williams abstained for commenting and voting with the plan due to him being employed by Alpha Consulting Engineers, Inc.

Zoning Ordinance

No Comments

### Subdivision Ordinance

1. The seal and signature of the Registered Land Surveyor certifying the Accuracy of the plan survey is required. SLDO 402.1.L
2. Statement of ownership is required to be signed and notarized. SLDO402.1.M

### General Comments

3. The plan will have to comply with Resolution 2008-13, relating to any violations on the property or unpaid fees.

### Motion On The Plan

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval to the Board of Supervisors contingent on the Subdivision Ordinance and General Comments. Vote on the motion: Mr. Powers, Yes; Mr. Thompson, Yes; Mrs. Anderson, Yes; Mr. Gorman, Yes; Mr. Williams, Abstained. The motion carried.

### 2. Final/Minor Subdivision Plan for 800 Siddonsburg Road – Keith & Linda Wagner

Mr. Waller presented the plan to the Planning Commission.

Brett Musser, Project Manager, Hartman Engineers, represented the plan.

### Zoning Ordinance

No Comments.

### Subdivision Ordinance

1. The "Original Property Description" map is required to be at a scale of 1" = 400'. Plan shows a scale of 1' = 200'. SLDO 402.1.A. A modification has been requested.
2. The seal and signature of the Registered Land Surveyor certifying the Accuracy of the plan survey is required. SLDO 402.1.L
3. Statement of ownership is required to be signed and notarized. SLDO402.1.M
4. Verification of DEP acknowledging the Planning Module Exemption Mailer SLDO 402.2.B
5. Verification is required that the Erosion and Sedimentation Control/NPDES Plan was approved by the York County Conservation District. SLDO 403.2.A

6. Roadway widening is required by ordinance. A modification can be requested. SLDO 602.1.G & 602.2.C A modification has been requested.

#### General Comments

7. The plan will have to comply with Resolution 2008-13, relating to any violations on the property or unpaid fees.

#### Motion On The Plan

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the plan to the Board of Supervisors contingent on the Subdivision Comments 2, 3, 4, and 5; the General Comments, and Storm Water for Section 304.B

#### Action on Modification Requests

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from Section 402.1.A, the "Original Property Description", to be 1" = 200'. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend denial of the modification request from the SLDO 602.1.G and 602.2.C, roadway widening requirement. Vote on the motion: Mr. Powers, Yes; Mr. Thompson, Yes; Mrs. Anderson, Yes; Mr. Gorman, Yes; Mr Williams, No. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from SLDO 402.R, the contour interval for Lot No. 1. Vote on the motion: Mr. Powers, Yes; Mr. Thompson, Yes; Mrs. Anderson, Yes; Mr. Gorman, Yes; Mr. Williams, No. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from the Stormwater Management Ordinance Section 304.B, Rate Controls. Vote on the motion. All yes. The motion carried.

#### Motion On The Plan

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the plan to the Board of Supervisors. Vote on the motion. All yes. The motion carried.

### 3. Final Subdivision Plan of 611 Nauvoo Road – Harold & Sharon Stoneberger

Mr. Waller presented the plan to the Planning Commission.

Christopher Hoover, PE, of Hoover Engineering Services, Inc., represented the plan.

#### Zoning Ordinance

All comments have been addressed.

### Subdivision Ordinance

1. The "Original Property Description" map is required to be at a scale of 1" = 400'. Plan shows a scale of 1' = 200'. SLDO 402.1.A A modification has been requested.
2. The seal and signature of the Registered Land Surveyor certifying the accuracy of the plan survey is required. SLDO 402.1.L
3. Statement of ownership is required to be signed and notarized. SLDO402.1.M
4. A well location is required for Lot No. 1. SLDO402.1.X A modification has requested.
5. A preliminary and replacement septic test area is required for Lot No. 1. A replacement septic test area is required for Lot No. 2-A. SLDO 402.1.Y and 610.1.D(2) & (3) A modification has been requested.
6. Roadway widening is required by ordinance. A modification can be requested. SLDO 602.1.G and 602.2.C A modification has been requested.

### General Comments

7. The plan will have to comply with Resolution 2008-13, relating to any violations on the property or unpaid fees.

### Action On Modification Requests

Mrs. Anderson made a motion, seconded by Mr. Gorman, to recommend approval of the modification request from the SLDO 402.1.A, the "Original Property Description" requirement to be 1" = 200'. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from SLDO 402.1.X for Lot No. 1, the well location requirement. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from SLDO 402.1.Y and 610.1.D(2) & (3), The primary and replacement test area requirements. Primary and secondary sites for Lot No. 1, and only the secondary site for Lot No. 2. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend denial Of the modification request from SLDO 60.2.1.G and 602.2.C, the roadway widening requirements. Vote on the motion. All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Gorman, to recommend approval of the modification request from SLDO 606.4, the future subdivision of land easement requirement , the driveway for Lot No. 1. Vote on the motion. All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Gorman, to recommend approval of the modification request from SLDO 612, the wetland delineation report requirement. Vote on the motion. All yes. The motion carried.

#### Action On The Plan

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the plan to the Board of Supervisors contingent on the Subdivision Comments 1 thru 6, and General Comment No. 7. Vote on the motion. All yes. The motion carried.

### **SITE AND LAND DEVELOPMENT PLANS**

#### 1. Final Land Development Plan for 584 Grandview Drive – Michael L. Martin, Inc.

Mr. Waller presented the plan to the Planning Commission.

Christopher Hoover, PE, of Hoover Engineering Services, Inc., represented the plan.

#### Zoning Ordinance

No Comments

#### Subdivision Ordinance

1. The seal and signature of the Registered Land Surveyor certifying the accuracy of the plan survey is required. SLDO 402.1.L
2. Statement of ownership is required to be signed and notarized. SLDO402.1.M
3. Roadway widening is required by ordinance. A modification can be requested. SLDO 602.1.G and 602.2.C A modification has been requested.
4. Plan should propose connection to Public Water as required for all plans within 1000 feet of public water system. SLDO 609.1.A A modification has be requested.
5. Plan should propose connection to Public Sewer as required for all plans within 1000 feet of public sewer system, SLDO 610.1.A A modification has be requested.

6. Compliance with Parks and Recreation portion of the Ordinance will be required. SLDO 613

#### General Comments

7. The plan will have to comply with Resolution 2008-13, relating to any violations on the property or unpaid fees.

#### Action On The Modification Requests

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend deny the modification request for SLDO 602.1G, the dedication of additional right-of-way requirement. Vote on motion. All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from SLDO 609.1.A, for the connection to public water within 1000 feet. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from SLDO 610.1A, for the connection to public sewer system within 1000 feet. Vote on the motion. All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Gorman, to recommend approval Of the modification request from Stormwater Management Ordinance, Section 302.A, the disconnected impervious areas. Vote on the motion. All yes. The motion carried.

#### Action On The Plan

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the plan to the Board of Supervisors contingent on the Subdivision Ordinance comments 1, 2, 5, and 6; General Comment No. 7, and the Stormwater Ordinance Section 302.A. Vote on the motion. All yes. The motion carried.

### **OLD BUSINESS**

#### 1. Preliminary/Final Land Development Plan for Holiday Inn Express & Suites

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.

Ronald Secary, PE, of Snyder Secary & Associates, LLC represented the plan.

## Zoning Ordinance

1. A note should be added to the plans indicating the plans compliance with the Airport Hazard District Regulations. ZO 602
2. A note should be added to the plans indicating the plans compliance With the Scenic River Overlay regulations associated with the Yellow Breeches Creek. ZO 604

## Subdivision Ordinance

3. Township and county line should be depicted on sheet 2 of 14. SLDO 402.1.D
4. The established Flood Plain Boundary is not noted on the plans. A detailed Flood Plane Study has been conducted along the Yellow Breeches Creek. The elevation should follow the actual flood plain elevation line and not an approximate as depicted on the plans SLDO 402.2.D.2 and 402.2.D3
5. The plans do not have the engineer/surveyor signature and seal. SLDO402.1.L
6. The plans do not have the certification and dedicatory statement signed by the owners. SLDO402.1.M
7. DEP Sewage Facilities Planning Module Exemption approval will be required. SLDO402.2.B
8. An improvement guarantee estimate prepared by the applicant's engineer and subsequent placement will be required. SLDO 502.A.(2)(B)
9. An executed Improvement guarantee security agreement will be required. SLDO 50.2.A(3) and Appendix 11
10. Compliance with Park and Recreations requirements. SLDO613

## General Comments

11. A Sewage Pre-treatment application will be required in accordance with Lower Allen Treatment facility standards. In the past, an oil separator and grease interceptor have been required.
12. The proposed segmented wall design should be submitted with the land development plan due to the fact that the wall is integral to the functioning of parking and access to the hotel. A note has been added to the plan.
13. The plans indicate that the maximum employees on the largest shift will be 3. This number seen relatively low. Are there industry standards that support such a low number? (desk clerk, manager, and a housekeeper)

14. The plan depicts grading taking place in a private right-of-way associated with the Lower Allen Authority property. The authorizing agreement or document should be submitted which grants this grading to take place. Applicant notes an agreement is in place and will provide a copy for the file.
15. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the Township must be current and not delinquent.

Members of the Planning Commission questioned how the wetland area was determined. Mr. Secary indicated the determination was done by field survey.

Comments from CET Engineering Services provided the following comments in letter dated April 1, 2013:

1. Prior to any sanitary sewer construction, the planning exemption must be approved by the Township and by DEP.
2. A private sewer extension agreement should be signed by the developer and the Township.
3. Prior to any sanitary sewer construction, the developer must provide insurance certificates naming the Township as additional insured. The minimum liability limits are shown on the standard manual.

Comments from CET Engineering Services provided the following specific comments:

1. A comment should be shown on at least one sheet of the future recorded sheets, under the General Notes on sheet 4 – Grading and Utilities, and under the sanitary sewer pump station detail on Sheet 13 stating that the pump station and force main shall remain private and the operation and maintenance shall be the responsibility of Moonstone Hospitality, LLC or its assignors and/or successor; not Fairview Township.
2. On Sheet 4: The 6- inch diameter service lateral shall be PVC SDR 35 pipe.
3. On Sheet 4: The diameter of the force main should be shown and the type of PVC force main that is proposed (e.g. polyethylene).
4. On Sheet 4: Please show the location of the pump controls and alarms.
5. On Sheet 4: A note should be placed stating that a pre-core vacuum test shall be performed by the contractor on the existing manhole. If the manhole passes the pre-core vacuum test that a post core vacuum test on the manhole must be performed by the contractor and the manhole must pass the vacuum test.
6. On Sheet 4: A note should be placed on the drawings stating that the contractor is to provide a least 48 hours notice to Fairview Township prior to

coming into the existing manhole. The force main shall enter into the manhole at the bench of the manhole. The contractor shall perform any all flow channel modifications necessary by the Township for the wastewater from the force main to enter the wastewater flow in the sewer main.

7. On Sheet 13: The elevation for the top of the pump station, invert out, and bottom of the pump station should be shown on the detail or a moment on the detail stating the means for determining the elevations.
8. The developer is to submit to the Township for review the proposed model of the E-One pump station, the pump controls and alarms, and pump curve and head calculation.
9. A profile of the low-pressure force main should be shown to determine if an air release chamber is or is not required.

Century Engineering Consulting Engineers, Stormwater Management and Drainage Design comment summary dated April 2, 2013:

1. All signature blocks must be signed by the Owner and/or signed and sealed by the Professional. Comment was acknowledge.
5. SLDO 22-701.5, Other approvals. Compliance with this section does not preclude the need to obtain other permits and approvals as required by Fairview Township, York County Planning, York County Conservation District, the Commonwealth of Pennsylvania, the federal government and other agencies. Other permit and approvals my include, but not limited to, an erosion and sedimentation control plan, NPDES Permit, water obstruction and encroachment permits, etc. The most stringent of all pertinent requirements shall apply. Provide all permit and document approvals to the Township prior to final plan approval. Comment Acknowledged.
9. Sheet 8 of 13: Revise the sediment trap notes to reflect this project, i.e., drainage area size, remove into pertaining to HQ and EV streams. Sheet 6 of 14 calls out a detail for the compost sediment trap, but the detail is not provided.
12. Chapter 8, Section 8-201: Permits shall be required before any construction or development is undertaken within any floodplain, as defined by the Township. Comment acknowledged.

Additional Comments;

13. The retaining wall is being constructed directly up against the wetlands. Place protective fencing along the wetlands to keep the area from being disturbed. If the wetland does become disturbed, the contractor must apply for a General Permit for the Wetland Encroachment. Place notes on the plan that reflect this information. Note 3 under Staging of Major Construction Activities states that existing wetlands and floodway boundaries shall be

staked/marked. Change part of this comment to state "Install protective fencing along the existing wetlands."

#### Action On The Plan

Mr. Thompson made a motion, seconded by Mr. Gorman, to recommend approval of the plan to the Board of Supervisors contingent on the following:

1. Zoning Ordinance comments 1 and 2
2. Subdivision comments 3 thru 10.
3. General comments 11 thru 15.
4. Comments from the CET Engineering Services dated April 1, 2013
5. Stormwater Comments from Century Engineering letter, dated April 2, 2013.

And the wetland to be protected as noted in the comments.

### **ZONING HEARING BOARD**

Case No. 2013-02 Charles and Melinda Lafferty, 490 Old Stage Road, Lewisberry, PA 17339. The Applicants are requesting a special exception pursuant to the Fairview Township Zoning Ordinance, Section 401.C, Personal Service in the Rural Area Zoning District. The Applicants wish to operate nail boutique. The property is owned by the Applicants, and is in the Rural Living Zoning District.

### **ADJOURNMENT**

Mr. Thompson made a motion, seconded by Mrs. Anderson, to adjourn the meeting at 8:37 PM. Vote on the motion. All yes. The motion carried.