

FAIRVIEW TOWNSHIP PLANNING COMMISSION

April 5, 2011

CALL TO ORDER

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

ROLL CALL

Present: Michael A. Powers, Chairman
Michael E. Thompson, Member
Robert P. Stanley, Jr., Member
Anne K. Anderson, Member
Seth B. Grebbien, Member
Stephen M. Waller, Fairview Township Codes Administration Officer

APPROVAL OF MINUTES

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the minutes of the March 1, 2011, Planning Commission meeting. Vote on the motion: Mr. Powers, Yes; Mrs. Anderson, Yes; Mr. Thompson Yes, Mr. Stanley, abstained. The motion carried.

DISCUSSION AND CORRESPONDENCE

Mr. Waller welcomed Seth B. Grebbien to the Planning Commission. Mr. Grebbien has filled the position vacated by the resignation Mr. Coleman.

Mr. Waller advised the Planning Commission that the Township has received the final draft of the PPL 230kV overland electrical lines. Mr. Waller advised the Planning Commission that the wooden poles are being replaced with steel poles and will be approximately five (5) feet higher.

SKETCH PLANS

1. Sketch Plan of the Walnut Hill Subdivision – Hempt Bros. – Green Lane Drive

Mr. Waller presented the plan to the Planning Commission. The sketch plan of Walnut Hill is in the Residential Single zoning district. The sketch plan shows the subdivision will be served by public sewer and public water. The proposed subdivision plan has 119 building lots, one residual lot and two or three common open lots.

General comments from staff reviews:

1. Are sidewalks proposed along the frontage of Green Lane Drive?
2. The Traffic Impact Study should include internal traffic movements; stop signs; Green Lane Farm's bridge; and should also look at the impact of a secondary access onto Limekiln Road.
3. There are several internal lots that do not have the appropriate rear yard setbacks.
4. All proposed corner lots must have one side and one rear yard in addition to the two

required front yards.

5. All proposed cul-de-sac must have the required snow easements.
6. All double frontage lots must have a planting screen easement to prevent dual access (landscaping/trees, earthen berm, etc.)
7. Why doesn't "Farm Lane Drive" line up across from the existing Equus Drive?
8. Will proposed common areas be controlled by a HOA?
9. The remaining lot or residual tract should have a lot number associated with it.
10. "Farm Lane Drive" may be too close to the existing Farmhouse Lane.
11. A traffic signal may be required at the intersection of Green Lane Drive and Limekiln Road.
12. There is a small portion of land that is bisected by Limekiln Road, will this be added onto the adjacent properties (de facto subdivision)?

Steve Quigley of H. Edward Black and Associates, Ltd. represented the plan.

Mr. Quigley stated that twenty-five (25) percent of the lots had an area of 12,500 to 15,000 square feet. Forty (40) percent of the lots are 15,000 to 20,000 square feet and thirty-five (35) percent of the lots are half an acre or larger. The Hempt farm will be on a lot that is approximately 19.50 acres.

There will be a buffered area and sidewalks along Green Lane Drive.

Initial traffic study indicated that the Walnut Hill development would generate 92 new AM peak hour vehicle trips and 122 new vehicle trips during the weekday PM peak hour. Mr. Quigley indicated that the traffic planners estimated that only 15 percent of the new development would use Green Lane Drive and the Green Lane Bridge. The rush hour traffic would be approximately 14 additional cars in the AM traffic and about 18 additional cars in the PM traffic. There is a possibility that a traffic signal will need to be installed at the intersection of Green Lane Drive and Limekiln Road.

Mr. Quigley informed the Planning Commission that the developer has met with the residents of Green Lane Farms the week prior to the Planning Commission meeting. It appears that there were three areas of concern relating to Walnut Hill:

1. Traffic on Green Lane Drive, entrance to Limekiln Road and the Green Lane Bridge.
2. Sink holes on site, erosion and sedimentation control during construction and stormwater management.
3. The possibility of blasting.

Comments from Green Lane Farm residents.

Deborah Saline, 100 Old Ford Drive: She description the community, when the communities were started. Mrs. Saline described the Green Lane Farms Homeowner's Association and its programs. She is concerned about the existing homes along Meadow Drive, and access to the Yellow Breeches Creek.

Mrs. Saline disagrees with the current traffic study.

Mrs. Saline presented to the Planning Commission a copy of the Executive Summary: State Land Use and Growth Management Report 2010.

Larry Roach, 16 Meadow Drive: Mr. Roach indicated that he has two issues with the proposed sketch plan. Mr. Roach stated the homes on the south side of Meadow Drive will lose approximately twenty-five (25) feet of what they had used as a rear yard. Mr. Roach stated that most of the property owners on Meadow Drive have been using the Hempt property to the fence line. Mr. Roach stated that people in the real estate business told him they would have an excellent case for adverse possession. The new houses will be built close to the existing homes on Meadow Drive with the minimum setback requirements.

Mr. Roach stated he is professional geologist licensed in the Commonwealth of Pennsylvania, and does environmental consulting for Groundwater Sciences. Mr. Roach indicated that the geologic formation on which the proposed subdivision is situated is prone to sinkholes, closed depressions and caves. These geologic features along with a 100 gpm spring could prove to be problematic for stormwater management.

Daniel Sullivan, 101 Oak Drive: Not against having neighbors. He would like to see sidewalks along Green Lane Drive.

The extended traffic study should include the traffic from I-83 because motorists will use Green Lane Drive to drive into Lower Allen Township and bypass the bottleneck at the York split.

Mr. Sullivan indicated that during the recent winter, there was an ice storm that prevented traffic from using the Green Lane Bridge. The issue was there was only one point ingress and egress.

Mr. Sullivan has a concern about blasting because of the underlying rock formations.

Deborah Roach, 16 Meadow Drive: Mrs. Roach's typed comments are attached to the minutes.

Mr. Powers advised the audience that the Planning Commission does not take any action on a Sketch Plan. The next step for the developer will be a Preliminary Plan, which the Planning Commission will take action on.

2. Sketch Plan for Keares Restaurant Group – Limekiln Road

Mr. Waller presented the plan to the Planning Commission.

1. The proposed plan is showing multiple principle uses on the property and will require Zoning Hearing Board approval. Zoning ordinance only allows for one principle use on a property.

2. The proposed Sheetz and the restaurant will require a loading space per zoning ordinance requirements. This should be reflected on the plans as well as the plan should be reviewed to ensure truck traffic can move through the site (restaurant deliveries, gas pumps, trash vehicles, emergency equipment).
3. The plan shows access through an existing private easement onto Beacon Hill Boulevard. A copy of the approved access/maintenance easement will be required.
4. Traffic should be limited to one way in and dual access onto the private ROW (former Cliffside Drive). There may have to be a traffic light reconfiguration at the existing access drive point of connection with Limekiln Road and at intersection of Beacon Hill Boulevard and Limekiln Road. A detailed Traffic study will be required.
5. Because the proposed subdivision land development is located within the ROW of PennDOT, will PennDOT have to approve the proposed access point and traffic volumes?
6. There does not appear to be a trash pickup location shown for the bank.
7. What happened to the existing access to the hotel located on the lands of BAS Associates?
8. Due to the plans close proximity to several hotels, a safe assumption is that there will and could be pedestrian traffic to the proposed uses, the plan should incorporate pedestrian walkways throughout the site.
9. An additional accessible parking space will be required for the Sheetz location since the parking for this site is clearly defined and separated from the rest of the site (53 total spaces provided = 3 accessible spaces req.)

3. Sketch Plan for John Semones – 245 Old York Road

Mr. Waller presented the plan to the Planning Commission.

1. Will there be multiple structures on the proposed Lot No. 3 after subdivision? If so, what are or will those structures be? Ordinance only allows for one principle use on a property.
2. There appears to be several existing access roads across the proposed Lot No. 3 and the adjacent Hickock tract. Are there easements associated with these drives?
3. There is also a defined access drive from Old York Road to the US Government Property, why can't that be utilized to create access for Lot No. 2?
4. Because the proposed subdivision is located on Old York Road, which is a PennDot Road, have HOP's been applied for with them? If they have and they have been denied, this may help any future request for the proposed access easement.

5. The proposed plans odd configurations of Lot No. 3 seems to show that access can be attained for Lot No. 3 to the south of Lot No. 1? Why the access easement?

SUBDIVISION PLANS

1. Preliminary Subdivision Plan of Oakhill – Oak Hill Road – 60 Lots

Mr. Waller presented the plan to the Planning Commission.

Zoning Ordinance:

1. There is a fence shown that appears to be directly on the common property line with Patricia Brown and Jeremy Knox properties. If it is directly on the line an agreement needs to be in place or a maintenance easement should be created so that whoever owns it has the right to maintain the fence. ZO 1304.3
2. A note needs to be added to the plans indicating that the structures will be removed prior to final plan approval. The subdivision plan cannot create new non-conformities ZO 1700

Subdivision Ordinance:

3. There is an existing strip of land which includes “Lisa Lane” that does not include ownership information. SLDO 402.1.G
4. Easements with metes and bound are required to be shown on the plans. The easements that are shown or required on the plans associated with the streams would have to comply. SLDO 402.1.Q Staff has supported a generic width easement that is shown to be established off of the banks of the stream on the subject property.
5. Home Owners Associations documents mentioned in notes #23 and #24 must be submitted for review of any deed restrictions and covenants. SLDO 402.1.AA
6. There are several lots (7, 14, 48,) that are missing bearings and distances from the proposed property lines. SLDO 402.1.D
7. There is no probe or perc information for lot # 41. SLDO 402.1.Y
8. The plans do not show septic replacement areas on the proposed lots. SLDO 402.1.Y & 610.D.3
9. The proposed snow easement located in the cul-de-sac of Street C is shown to be graded uphill, which will direct the snow melt towards the street, thus possibly causing a freezing issue. This easement should be re-evaluated. SLDO 602.4.G
10. Street lights shall be located at each intersection and with a maximum spacing of 300 ft. The street light should be shifted to the intersection of Street A and Oak Hill Road. SLDO 605.6
11. A street light should be added to the frontage of lots 25 through 27 along Oak Hill Road. SLDO 605.6

12. Lots #2, #3 & #60 should have a note on the plan as well as a deed restriction not permitting access onto Oak Hill Road due to them being double frontage lots. SLDO 608.2
13. A planting screen easement should also be placed onto Lot #60 due to it being a double frontage lot and this should also comply with comment number 6. SLDO 608.2
14. Why are there so many proposed concrete monuments? Two or more are required by ordinance. SLDO 611.3
15. There are at least two stormwater point discharges that could affect the adjacent property owners (Foster, Knox and Brown) with stormwater. Have agreements been established with the adjacent property owners? SLDO 701.1.E
16. Fencing is required around all proposed stormwater management ponds. SLDO 701.3.C.9
17. Vehicular access is required to all proposed SWB's. Plans do not show means of access. SLDO 701.3.C.16
18. The stream that traverses the property on the eastern point adjacent to the land owned by Philip Foster, is required to have a minimum of 25ft easement associated with it. SLDO 701.3.F.2
19. Home Owner Association documents regarding maintenance of the stormwater facilities as well as the easements must be submitted for review by Township Solicitor SLDO 701.7

General Comments:

20. Note #1 indicates "preliminary/final" should reflect preliminary only.
21. Note #14 should be revised to remove the portion that refers to the "Fairview Township sewer and water authority".
22. Will the plan be phased? If so a phasing plan should be submitted.
23. The detail for a stream appears to be incorrect. The detail shows one thing, and the plans show another.
24. There is a proposed street light located in the intersection of Street B and Street C.
25. There are several errant lines that are shown on the plans. Do they correspond with anything? (page 4.05 in cul-de-sac of Street D;
26. Why has the plan been designed to have small portions of two of the proposed lots (37, 38) bisected by the interior stream?
27. The proposed septic system location on Lot#52 appears to be in the path of the stormwater from the SWB on Lot # 48.

28. In two areas the proposed snow easements will be draining directly towards the proposed home locations. If basements or finished floor levels are proposed in these locations that are lower than the easements, this could cause water infiltration issues.
29. It appears that the proposed swale "9" will direct stormwater onto the adjacent Don King property?
30. End Wall # 19 is directed directly to the proposed home location on Lot # 40?
31. There are several areas where the proposed well locations as well as septic locations are located in close proximity to the tract property lines. Have separation distances from the existing well and septic systems on the adjacent landowners properties been taken into consideration?
32. Due to the amount and additional detail required to address some of the aforementioned comments, additional comments may arise based on the re-review of the plans.

Action On The Plan

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

2. Preliminary/Final Subdivision Plan for Darrell & Georgeann Ritchey – 3 Lots

Mr. Waller presented the plan to the Planning Commission.

Zoning Ordinance Comments

1. Zoning Data chart incorrectly list the "minimum" lot coverage at 30%. This should be "maximum". ZO 405.3

Subdivision and Land Development Ordinance Comments

2. The PA Turnpike ROW as well as the power line ROW are required to be dimensioned on the plans. SLDO 402.1.D
3. The existing ROW associated with Thorley Road is not indicated on the plans. SLDO 402.1.D
4. The required setbacks are not dimensioned on the proposed new lot reconfigurations. SLDO 402.1.D
5. The township road number(T-858) for Thorley Road is not indicated on the plans. SLDO 402.1.D
6. Tax map and parcel numbers are not on the plans for all the affected lots. SLDO 402.1.I
7. The plans will need to be signed and sealed by the professional engineer/surveyor responsible for the plan prior to recording. SLDO 402.1.L.

8. The plans will need to be signed and notarized prior to recording. SLDO 402.1.M.
9. Well locations, existing buildings and existing septic systems are not indicated on the plans for the proposed lots or on the adjacent lots. SLDO 402.1.O
10. Existing natural features are not indicated on the plans (soils, steep slopes >15%, wooded areas, wetlands, floodplains). SLDO 402.1.P
11. Are there any easements associated with the properties (stormwater, access, etc.). If so, they are required to be shown and described on the plans. SLDO 402.1.Q
12. Plans do not indicate the required contour lines (2ft -5ft) for the lots. SLDO 402.1.R
13. Plans do not indicate the required driveway locations; sight distances and clear sight triangles. SLDO 402.1.S
14. The plans do not indicate the Primary Control Point which was used to establish the property lines and changes. SLDO 402.1.V
15. Are there any restrictions on the deed or any covenants? If so, they are to be noted on the plan OR copies of them are to be provided. SLDO 02.1.AA
16. The DEP Planning Module would have to be revised to reflect the lot size changes and any new testing as a result of the property lines new proximity to the existing testing. DEP has also acknowledged the townships Act 537 plan results. This could also limit the size of the lots due to possible high nitrates in the area. SLDO 402.2.B
17. The typical stormwater note required in SLDO 402.2.E is not noted on the plan.
18. The ordinance requires the highway occupancy note noted in SLDO 403.2.C to be placed on the plan.
19. The plans do not reflect the two concrete monuments as required by ordinance. SLDO 611.3

General:

20. The cover page has a list of approved waiver from previous subdivision plans. These previous approvals do not apply to this plan and the chart should be removed. Any NEW modification request(s) can be placed in a chart form on the cover page and would have to be accompanied by applications for the modifications.
21. The plans do not have a legend or key associated with it. Assumptions were made as to the line types and other items. A legend or key should be added to verify the assumptions.
22. The lot acreage for lot 4 is shown as 2.000 acres, however 87,105 sq ft is 1.999 acres. Please clarify.
23. There is a discrepancy between pages 3 & 4. Page 3 shows two new pins with bearings and distances along lots 4 & 5. Page 4 shows a different distance and no

new pins? Lot #5 is not part of the plan, why are new pins being placed on the eastern property line?

24. The new lot line for lot # 4 appears to create a conflict with the minimum 10 setback distance from a property line for a septic system based on the noted probe locations.

25. What is the purpose of page sheet 2 of 4? Is it possible to incorporate another engineer/surveyors complete page into a submitted plan? This same page is not to scale, is not legible and applies to a previous plan that has no merit being included with this plan.

Action On Modification Request

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification requests from 22-402.Q, the wetland investigation requirement. Vote on the motion: All yes. The motion carried.

Motion On The Plan

Mr. Stanley made a motion, seconded by Mr. Thompson, to recommend approval of the plan to the Board of Supervisor's, contingent on comments 1, 3, 4, 7 and 8. Vote on the motion: All yes. The motion carried.

SITE/LAND LAND DEVELOPMENT PLANS

There being no Site/Land Development Plan, Mr. Powers moved to Old Business

OLD BUSINESS

1. Final Land Development Plan for New Life Baptist Church – Big Spring Road

Mr. Stanley 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.

Zoning Ordinance Comments

1. All comments have been addressed.

Subdivision and Land Development Ordinance

1. Certification of ownership and dedicatory statement will need to be signed by the owner prior to plan recording. SLDO 402.1.M.
2. Place bearings and distances along the building on the northern easement in order to close the easement when preparing a description. SLDO 701.3.F.3
3. Two bearings on the ease end of the pond easement should have the bearing reversed N 44° 09' 11" W and should be S 44° 09' 11" E, and N 32° 54' 34" W. SLDO 701.3.F(3).

1. All plans have to comply with Resolution 2008-13, which indicates that all account

General Comments

with the Township must be current and not delinquent.

Modifications Requests

1. Stormwater Basin Pond Fencing – The Applicant is requesting relief from the pond fencing requirements of SLDO 701.3.C(9).

Action on Modification Request

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from 22-401.3.C.(9), the stormwater basin fencing requirements. 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 Supervisor's contingent on outstanding comments 1, 2, and 3, and the General Comments. Vote on the motion: All yes. The motion carried.

NEW BUSINESS

There being no New Business, Mr. Powers moved to Zoning Hearing Board.

ZONING HEARING BOARD

Case No. 2011-02: Anna M. Caylor, 504 Ross Avenue, New Cumberland, PA 17070. The Applicant is requesting a variance to the Fairview Township Zoning Ordinance, Section 1304.1, Fences and Walls. The Applicant wishes to erect a fence in the front yard four (4) feet from the edge of the right-of-way, within the front yard building set back area. The property is owned by Leonard and Michele Schwartz and is in the Residential Village District.

ADJOURNMENT

Mr. Thompson made a motion, seconded by Mrs. Anderson, to adjourn the meeting at 9:22 PM. Vote on the motion: All yes. The motion carried.