

FAIRVIEW TOWNSHIP PLANNING COMMISSION

October 5, 2010

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, Vice Chairman
Bernard J. Coleman, Member
Robert P. Stanley, Jr., Member
Anne K. Anderson, Member
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 of the September 7, 2010, Planning Commission meeting. Vote on the motion: Mr. Powers, Yes; Mr. Thompson, Yes; Mr. Coleman, Yes; Mr. Stanley, Yes; Mrs. Anderson, abstained. The motion carried.

DISCUSSION AND CORRESPONDENCE

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

SKETCH PLANS

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

SUBDIVISION PLANS

1. Preliminary/Final Subdivision Plan for William R. Haines, Sr. – Pinetown Road – 3 Lots

Mr. Waller presented the plan to the Planning Commission.

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

Subdivision and Land Development Ordinance:

1. There is no plan listed or indicated that complies with an original property description plan. The submitted drawing makes it hard to distinguish the existing lot lines. SLDO 402.1.A (*Modification requested*)
2. Certificate of ownership must be signed prior to plan approval. SLDO 402.1.M
3. The existing septic system located on lot #6 is shown as an "approximate location" and also note #13 indicates it was located by the owner. This system should be field verified so that isolation distances can be verified from adjacent well locations and the proposed property line. SLDO 402.1.O and DEP Sewage Disposal Facilities Regulations Chapter 73.
4. The access easement agreement that appears on the plan (lot #4 to the "other land of William R. and Muriel G. Haines" to the south) will need to be submitted for review and recorded prior to the plan being recorded. SLDO 402.1.Q

5. The existing driveway located on lot #6 is indicating that it does not currently comply with PennDOT standards for clear sight distance. The township engineer has indicated that he cannot certify that this driveway will meet clear sight distances as required by the ordinance. SLDO 403.2.B.2

Mr. Hoover advised the Planning Commission that the existing septic system located on proposed Lot No. 6 was installed by the owner and the existing septic system pre dates current regulations.

6. The existing and proposed driveways do not depict the required clear sight triangles. SLDO 402.1.S and 603.4
7. Typical roof drain seepage pit detail should have notes added to indicate: who is responsible for installation and when installation is to take place as well as a note indicating that the final report on the pit noted will be submitted prior to occupancy of the home. SLDO 701.3.D.4
8. DEP Planning Module Exemption is required.
9. Compliance with Resolution 2008-13.

General Comment:

1. The configuration of the line for lot #5 appears to be circumventing the intent of the subdivision ordinance. Consideration should be given to a possible reconfiguration of the lots so that they are closer to the intent of the ordinance.

Modification request:

1. Applicants have requested a modification from submitting the original property description plan. SLDO 402.1.A
2. Applicants have requested a modification from showing the existing features on the adjacent tracts requirements of the ordinance. SLDO 402.1.O
3. Applicants have requested a modification for submission of a stormwater management plan SLDO 403.2.D
4. Applicants have requested a modification from the street widening and cartway improvement requirements of the ordinance. SLDO 602.1.G, 602.2.A and 602.2.C.

MOTION ON THE MODIFICATION REQUEST(S)

Mr. Coleman made a motion, seconded by Mr. Stanley, to recommend approval of the modification request from SLDO Section 402.1.A, the original property description requirement. Vote on the motion: All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mr. Stanley, to recommend approval of the modification request from SLDO Section 402.1.O, the showing of existing features on adjacent tract 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 SLDO Section 403.2.D, the submission of a stormwater management plan requirement. Vote on the motion: All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mr. Stanley, to recommend approval of the modification request from SLDO Sections 602.1.G, 602.2.A and 602.2.C, the street widening and cartway improvement requirements. Vote on the motion: All yes. The motion carried.

MOTION ON THE PLAN

Mr. Thompson made a motion, seconded by Mr. Stanley to recommend approval of the plan to the Board of Supervisor's contingent on SLDO comments 1 to 4, 7. The applicant will obtain approval for a shared driveway from the Board of Supervisor's and Outside Agencies. Vote on the motion: All yes. The motion carried.

SITE/LAND DEVELOPMENT PLANS

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

OLD BUSINESS

1. Conditional Use Application for the Fager Tract – Lewisberry Road – 89 Units

Mr. Stanley 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.

Mr. Waller advised the Planning Commission the conditional use application for the plan was still active.

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

1. The cluster plan is not in compliance with current SLDO ordinances in that the plan reflects 89 building lots having a single access point onto Old Quaker Road. The maximum number of lots permitted by ordinance to be on a cul-de-sac is 25 lots. SLDO 602.4.D. A modification request would need to be submitted and acted on favorably by the BOS.
2. If the proposed emergency access drive is approved, the access drive should be creatively delineated so the drive is identifiable to emergency personnel in the rare case that it would need to be utilized. This delineation will also help the adjacent property owners to be able to distinguish their properties from the easement. Also if permitted, a maintenance agreement and parking restrictions would be required to be submitted for review.
3. Conditional Use Plan, Sheet 6 of 10 and Sheet 10 of 10, indicate a Clear Sight Triangle of 75' X 150' at the intersection of Road A and Old Quaker Road. Has an agreement been recorded in the York County Courthouse whereas the Fager Tract Developers have the right to remove items within the Clear Sight Triangle on property owned by Pepper (East Side) and Dorwart (West Side)? SLDO 603.4

4. A transportation impact assessment has been submitted but it appears that the consultant reviewed the direct impact to Old Quaker Road in the vicinity of the development only. Staff has previously noted that there is very limited sight distance at the intersection of Old Quaker Road and SR 0177, within Newberry Township. An Assessment study is not the same as a Traffic Impact Study (TIS). Recommend revising the assessment study and adding specified boundaries OR submittal of a TIS based on input from both entities. That information should be submitted for review. SLDO 614.4

GENERAL COMMENTS:

1. As with all proposed plans, the township prefers minimal amounts of cul-de-sac streets. The applicants have removed one of the original cul-de-sacs. Planning Commission members should review the revised plans and recommend any additional changes of the cul-de-sacs accordingly.
2. The applicant has an active preliminary cluster development plan for this property which was submitted to the township and based on a previous conditional use approval in 2008. That plan is currently tabled at the Planning Commission.
3. The applicant has an agreement from Lewisberry Borough for the connection to the public sewer system in the borough. Application to DEP will be made for the community water (public) system that is indicated in the application.

ACTION ON THE PLAN

Mr. Thompson made a motion, seconded by Mr. Stanley, to recommend approval of the plan to the Board of Supervisor's contingent on Road A being installed as a boulevard street from Old Quaker Road to the intersection of Road B. The boulevard street shall have an access opening for a right turn into Lot No. 1. The emergency access easement shall be better defined and readily identifiable from both the Fager Tract and the Dorwart Tract. Vote on the motion: Mr. Powers, Yes; Mr. Thompson, Yes; Mr. Stanley, Yes; Mrs. Anderson, Yes; Mr. Coleman, No. The motion carried.

SITE AND LAND DEVELOPMENT PLANS

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

OLD BUSINESS

1. Final Minor Subdivision of 107 Old York Road – Ramsay Property – 2 Lots

Mr. Waller advised the Planning Commission the plan will remained tabled.

NEW BUSINESS

There being no New Business, Mr. Powers moved to Discussion and Correspondence.

ZONING HEARING BOARD

Case No. 2010-14: Leon J. Ciambotti, 40 Violet Drive, Eters, PA 17319. The Applicant is requesting a variance to the Fairview Township Zoning Ordinance, Section 802, Permitted Uses in the Commercial Neighborhood District, or alternatively, a special exception to the Fairview Township Zoning Ordinance, Section 1704.1.A, Extension, Expansions and Enlargements of a non-conforming use of land. The Applicant wishes to operate an

automotive sales business on a lot occupied with an existing non-conforming use of land in the Commercial Neighborhood District. The property is owned by Matthew D'Agostino, 64 Springer Lane, New Cumberland, PA 17070, and is located at 3 Lewisberry Road, in the Commercial Neighborhood District.

Case No. 2010-15: Max and Amy McAllister, 709 Florence Circle, Mechanicsburg, PA 17050. The Applicants are seeking a special exception to the Fairview Township Zoning Ordinance, Section 403(8) to operate a dog kennel for the purpose of training and housing of dogs. The property is the proposed Lot No. 3 of the Shettel Farm Subdivision dated February 6, 2009, and is owned by Michael L. Martin. The property is located along School House Lane and is located in the Residential Rural District.

ADJOURNMENT

Mr. Thompson made a motion, seconded by Mr. Coleman, to adjourn the meeting at 8:12 PM. Vote on the motion: All yes. The motion carried.