

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

June 4, 2024

## **CALL TO ORDER**

Mr. Williams called the meeting to order at 6:00 PM

## **ROLL CALL**

### **Present:**

Chairman	H. Adam Williams
Member	Ron Flowers
Member	Tom Richey
Member	Jeffrey Piccola
Member (alternate)	Bob Kostosky
Codes Director	Stephen M. Waller
Township Engineer	Drew Bitner, P.E.
Stormwater Engineer	Mike Knouse, P.E., Rettew Associates
Township Solicitor	David Jones, Esq., Stock and Leader

### **Absent:**

Vice-Chairman	Mark Koellner
Secretary	M. Renee Holt

## **APPROVAL OF THE MINUTES**

Mr. Piccola made a motion to approve the May 7, 2024 Planning Commission meeting minutes. Mr. Flowers seconded the motion. Vote on the motion, Mr. Williams, Mr. Flowers, Mr. Piccola – all yes, The motion carried. Mr. Richey and Mr. Kostosky abstained due to their absence at the May meeting.

## **PUBLIC COMMENT**

There was no public comment.

## **DISCUSSION AND CORRESPONDENCE**

There was no discussion and correspondence.

## **SKETCH PLANS**

There were no new sketch plans.

## **SUBDIVISION PLANS**

### **1. Sheldon Rogers – 305 York Road #24-1006 SD**

Mr. Waller provided a brief overview of the plan and read into the record his remaining staff comments from a Staff Memo dated May 30, 2024. Mr. Knouse of Rettew Associates, read into record his comments, dated May 31, 2024.

The applicant – Mr. Sheldon Rogers was in attendance to provide any information and explanations to the Planning Commission.

**Action on the Modification Requests:**

Mr. Piccola made a motion to recommend approval of modification request SLDO 260.22.A.7 Cartway widening requirement along frontage of York Road. Mr. Ritchey seconded. Vote on the motion, all yes. The motion carried.

Mr. Kostosky made a motion to recommend approval of modification request SLDO 260.24.B(1) Curbing requirement along frontage of York Road. Mr. Piccola seconded. Vote on the motion, all yes. The motion carried.

Mr. Flowers made a motion to recommend approval of modification request SLDO 260.25.A Sidewalk installation requirement along frontage of York Road. Mr. Ritchey seconded. Vote on the motion, all yes. The motion carried.

**Action on the Plan:**

Mr. Ritchey made a motion to recommend approval of the plan contingent on modification request details as well as Staff review Memo dated May 30, 2024 and Rettew comment letter, dated May 31, 2024. Mr. Piccola seconded the motion. Vote on the motion, all yes. The motion carried.

**LAND DEVELOPMENT PLANS**

There were no new Land Development plans.

**OLD BUSINESS**

**1. Southern Crossings #22-1011 SD/LD**

Mr. Ritchey made a motion to untable the plan. Mr. Kostosky seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Waller provided a brief overview the revised subdivision plans for the Southern Crossing Development. He noted the revised plans reflected the discussed modification requests letter from Atty Dissinger, which took place at the May meeting. Mr. Waller also noted that staff (Waller, Bitner and Jones) had attended a meeting with the developer, their design engineer and attorney, to discuss the aforementioned request and changes to the plans. Mr. Waller noted that staff was of the opinion that they would support the numerous modifications, taking into account that the safety concerns of the ordinances (pedestrians, stormwater and intersection improvements to Cameron and Beinhower) as well as the noted concerns of the residents would be the least intrusive to the adjacent property owners on Cameron Road.

Ms. Delo of Integrated Consulting, and Mr. Dissinger, Esq. of Barley Snyder, Attorneys at Law, were in attendance to provide information and give additional explanations to the Planning Commission.

Mr. Jonathan Yost spoke on behalf of several of the Cameron Road residents. Mr. Yost noted that there had been a web based meeting with several of the residents on Cameron and Beinhower Roads which was hosted by representatives of the development. There was

discussion regarding the effects of the requested modifications and to explore the possibility of attaining additional ROW along Beinhower Road for possible roadway improvements.

While most residents would still not prefer development, which in turn is the reason for the proposed improvements (road widening, grass strips and sidewalks) on Cameron Road, the consensus was that what was being requested would be “the lesser of the evils” as it relates to the improvements to Cameron Road. The discussion about the additional ROW and improvements along Beinhower, was it received well by the residents that would be affected.

### **Action on the Modification Requests:**

Mr. Flowers made a motion to approve the request for SLDO 260.10 – Preliminary Plan submittal. Mr. Ritchey seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Ritchey made a motion to approve the request for SLDO 260.11.B(1) – Final Plan Sheet size. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Flowers made a motion to approve the request for SLDO 260.25.A – Placement sidewalk along one side of Cameron Road and on one side of the proposed Florida Ave. Mr. Ritchey seconded the motion. Vote on the motion: Chairman Williams – no, Mr. Flowers – yes, Mr. Ritchey – yes, Mr. Piccola – yes, Mr. Kostosky - yes. The motion carried by a 4-1 vote.

Mr. Ritchey made a motion to approve the request for SLDO 260.35.C(3)(g)[1] – Emergency spillway depth. Chairman Williams seconded the motion. Vote on the motion, all yes. The motion to carried.

Mr. Kostosky made a motion to approve the request for SWMO 252.10.L – Stormwater Facility Setback requirements. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion to carried.

Mr. Ritchey made a motion to approve the request for SWMO 252.17.C(1)(c) and SLDO 260.35.C(3)(k) – Basin side slope requirements. Mr. Kostosky seconded the motion. Vote on the motion, all yes. The motion to carried.

Mr. Ritchey made a motion to approve the request for SLDO 260.22.B – Street design width requirement for Cameron Road. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion to carried.

Mr. Flowers made a motion to approve the request for SLDO 260.22.B(2) – Street design abutting street. Mr. Kostosky seconded the motion. Vote on the motion, all yes. The motion to carried.

Mr. Kostosky made a motion to approve the request for SLDO 260.22.F(1) – Street design grades for Cameron Road. Mr. Ritchey seconded the motion. Vote on the motion: Chairman Williams – no, Mr. Flowers – yes, Mr. Ritchey – yes, Mr. Piccola – yes, Mr. Kostosky - yes. The motion carried by a 4-1 vote.

Mr. Ritchey made a motion to approve the request for SLDO 260.22.F(2) – Street design Vertical Curves for Cameron Road. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Ritchey made a motion to approve the request for SLDO 260.22.H – Street design cross slope for Cameron Road. Mr. Kostosky seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Ritchey made a motion to approve the request for SLDO 260.23.C – Intersection curve radius for Cameron Road. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Williams made a motion to deny the request for SLDO 260.25.A(1) – Sidewalk location to curb for Cameron Road. Mr. Piccola seconded the motion. Vote on the motion: Chairman Williams – yes, Mr. Flowers – no, Mr. Ritchey – no, Mr. Piccola – yes, Mr. Kostosky - no. The motion failed by a 2-3 vote.

Mr. Flowers made a motion to approve the request for SLDO 260.25.A(1) – Sidewalk location to curb for Cameron Road. Mr. Ritchey seconded the motion. Vote on the motion: Chairman Williams – no, Mr. Flowers – yes, Mr. Ritchey – yes, Mr. Piccola – no, Mr. Kostosky - yes. The motion carried by a 3-2 vote.

Mr. Ritchey made a motion to approve the request for SLDO 260.25.A(3) – Sidewalk grass planting strip for Cameron Road with a condition that the grass planting strip be reduced to 2 feet and a 5 foot sidewalk be installed. Mr. Williams seconded the motion. Vote on the motion, all yes. The motion carried.

Mr. Ritchey made a motion to approve the request for SLDO 260.26.D(10) – Driveway Slopes along Cameron Road. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion carried.

**Action on the Plan:**

Mr. Ritchey made a motion to table the plan. Mr. Flowers seconded the motion. Vote on the motion, all yes. The motion carried.

**NEW BUSINESS**

No new Business.

**ZONING HEARING BOARD**

**Docket No. 2024-03:** The applicant, Robert Smeigh, Sr., seeks the following zoning relief: (i) an Appeal of the Zoning Officer’s Decision that a private outdoor recreational use is not permitted by right in the RL Zone because it would not be open to the public; or alternatively (ii) a Variance from (either or both) Section §300.30.A – Accessory buildings and similar structures to construct a two (2) story, 14x28 storage shed for storage of a tractor, ATV as well as other miscellaneous items at otherwise vacant property without a defined principal use or from Table 4-2 to permit a “Park, playground, and other noncommercial outdoor recreational use” that is not open to the public. Applicant proposes to use the subject property as a private outdoor recreation facility for hiking, hunting, ATV riding, and similar outdoor activities. The subject property is located at Tax Parcel No. 27-000-RF-0110.A0-00000 - Steigerwalt Hollow Road, New Cumberland, PA 17070, which is located within the (RL) Rural Living Zoning District.

**Docket No. 2024-04:** The applicant/equitable owner, Triple Crown Corporation Inc., is requesting an Appeal of the Zoning Officers Decision prohibiting a right-out only exit onto Wyndamere Road pursuant to Section §300.55.A – Driveways and access drives and Section §300.42.B(2) – Multiple frontage lots. Alternatively, applicant seeks variances from Section §300.55.A – Driveways and access drives and Section §300.42.B(2) – Multiple frontage lots to permit said right-out only exit onto Wyndamere Road. The applicant intends on developing the property as a convenient store and proposes a right-out only access drive to Wyndamere Road. The subject property is located at Tax Parcel No. 27-000-QG-0120.X0-00000 – New View Way – Lot No. 3, Lewisberry PA 17339, which is located within the (CB) Commercial Business Zoning District.

### **ADJOURNMENT**

Mr. Ritchey made a motion to adjourn the meeting. Chairman Williams seconded. Vote on the motion. All yes. The motion carried and the meeting adjourned at 7:30 PM.