

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

October 2, 2018

## **CALL TO ORDER**

Mr. Thompson called the meeting to order at 7:02 PM

## **ROLL CALL**

Present:

Chairman

Michael E. Thompson

Member

Anne K. Anderson, P.E.

Member

H. Adam Williams, P.L.S.

Member

Jason Stouffer

Codes Director

Stephen M. Waller

Township Engineer

Drew Bitner, P.E.

Absent:

Member Michael Mehaffey, P.E.

Codes Assistant Chris H. Strump

## **APPROVAL OF THE MINUTES**

Approval of the September 04, 2018, Minutes was tabled until the following language by Mrs. Anderson was added to DISCUSSION AND CORRESPONDENCE on Page 5:

“Mrs. Anderson noted that recently, an applicant did not provide timely responses in accordance with the printed procedures of Fairview Township and requested a Special Meeting. If applicants are not following procedures, Special Meetings should not be granted; however, if the staff or consultants are not providing comments in accordance with procedures, then the Township should take appropriate action to ensure procedures are enforced. While there was conflicting information on whether the Township supplied comments to the applicants in a timely manner or even at all, she is satisfied with the procedures and policies that were distributed to the Planning Commission and she is satisfied that the staff and the consultants had agreed that they were in force and that they had complied with those procedures.”

## **DISCUSSION AND CORRESPONDENCE**

There was no discussion and correspondence.

## **SKETCH PLANS**

There were no Sketch Plans.

## **SUBDIVISION PLANS**

### 1. 719 Moores Mountain – 18-1010-SD

Mr. Waller presented the revised plan to the planning Commission members and read the following staff comments into the record:

#### **Zoning Ordinance:**

All comments have been addressed.

#### **Subdivision Ordinance:**

1. The plans do not include an Original Property Description plan. SLDO 260.14.A(1)  
*Applicant is requesting a modification to this requirement.*
2. The plans are required to have the Engineers/Surveyors signature and seal on them prior to recording. SLDO 260.14.A(12)
3. The plans do not have the certification and dedicatory statement signed by the owners. SLDO 260.14.A(13)
4. PA DEP module approval noted will be required for the proposed lot. Copies of the planning module should be submitted for review. SLDO 260.14.B(2)
5. Ordinance require that all subdivisions that abut a township or state road that are not to township standards for cartway width are required to bring that portion of the property's frontage up to township standards. The plans do not depict any improvements to Moore's Mountain or Siddonsburg Road. SLDO 260.22.A(7).  
*Applicant is requesting a modification to this requirement.*

#### **General Comments:**

1. A Traffic Impact Fee WILL NOT be required for each new PM vehicle trip in accordance with ordinance requirements. This is due to the subject tract being in Traffic Service Area #3, which does not require fees for impacts. SLDO 260.61.B

2. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the township must be current and not delinquent.

**Modifications:**

1. Section 260.14.A(1) – Original Property Description.
2. Section 260.22.A(7) – Cartway widening requirements.

**Modification Request Action:**

Mrs. Anderson made a motion to approve the modification of SLDO 260.14.A(1) – Original Property Description. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

Mrs. Anderson made a motion to approve the modification of SLDO 260.22.A(7) – Cartway widening requirements. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

**Subdivision Plan Action:**

Mrs. Anderson made a motion to approve the plan contingent upon the Subdivision Ordinance Comments 2, 3, and 4; and the General Comment 2 in the Memorandum by Codes Director Stephen Waller, dated September 28, 2018. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

2. 451 & 453 Lewisberry – 18-1011-SD

Mr. Waller presented the revised plan to the planning Commission members and read the following staff comments into the record:

**Zoning Ordinance:**

All comments have been addressed.

**Subdivision Ordinance:**

1. The surveyor/engineer signature and seal are required to be on the plans. SLDO 260.14.A(12)
2. The plans do not have the certification and dedicatory statement signed by the owners. SLDO 260.14.A(13)

3. The plans do not show the proposed street lighting. SLDO 260.14.A(20). *Applicant is requesting a modification of this requirement.*
4. The plans do not show the water connections for Lot 1 and Lot 2. SLDO 260.14.A(15) and SLDO 260.14.A(23).
5. Is there an existing access easement for Lot 1 and Lot 2 onto Lewisberry Road? If so, recording information is required. SLDO 260.14.A(17)
6. Sight distances and sight triangles are not depicted on the plan for the existing driveways. SLDO 260.14.A(19)
7. Approval by Pennsylvania American Water Company for water and sewer for Lots 3, 4, and 5 must be submitted. SLDO 260.14.B(6) and SLDO 260.14.B(10)
8. A copy of the approved DEP Planning Module is required. SLDO 260.14.B(2)
9. Cul-de-sac streets shall not provide access to more than 25 dwelling units. SLDO 260.22.D(4) *Applicant is requesting a modification of this requirement.*
10. The plan does not depict installation of sidewalks. SLDO 260.25A *Applicant is requesting a modification of this requirement.*

**General Comments:**

1. Pursuant to Fairview Township's Act 209 Traffic Impact Fee ordinance, a fee will be imposed for each new PM vehicular trip associated with the development at a rate of \$1,583.00/new trip. A letter should be provided assessing new traffic volumes, so that it can be reviewed by the Traffic Consultant.
2. The plan shows an existing Timber Ridge Development Sign in front of Lot #3. Will this sign conflict with driveway and sight distance requirements? If the widening takes place as shown, this will correct the sign concern. If the widening modification is granted, this concern will remain.
3. All plans have to comply with Resolution 2008-13, which states that all accounts with the township must be current and not delinquent.

**Modifications:**

1. SLDO 260.22.A(7) – Roadway widening – *Plans currently show the widening. If widening is required, this will require a review by the SWM Engineer to ensure the stormwater regulations are being met.*

2. SLDO 260.24.B(1) – Installation of curbing – *Plans currently show the curbing. If curbing is required, this will require a review by the SWM Engineer to ensure the stormwater regulations are being met.*
3. SLDO 26.25A – Installation of sidewalk.
4. SLDO 260.14.A(12) – Street lights.
5. 260.22.D(4) – Cul-de-sac

**Modification Request Action:**

Mrs. Anderson made a motion to deny the modification of SLDO 260.22.A(7) – Roadway widening requirements. Mr. Stouffer seconded the motion. Vote on the matter. All Aye. Motion carried.

Mrs. Anderson made a motion to deny the modification of SLDO 260.24.B(1) – Installation of curbing. Mr. Stouffer seconded the motion. Vote on the matter. All Aye. Motion carried.

Mrs. Anderson made a motion to approve the modification of SLDO 260.25.A – Installation of sidewalk. Mr. Stouffer seconded the motion. Vote on the matter. All Aye. Motion carried.

Mrs. Anderson made a motion to deny the modification of SLDO 260.14.A(12) – Street lights. Mr. Stouffer seconded the motion. Vote on the matter. All Aye. Motion carried.

Mr. Williams made a motion to approve the modification of SLDO 260.22.D(4) – Cul-de-sacs. Mr. Stouffer seconded the motion. Vote on the matter. Three Ayes (Mr. Thompson, Mr. Williams, and Mr. Stouffer) and One Nay (Mrs. Anderson). Motion carried.

**Subdivision Plan Action:**

Mrs. Anderson made a motion to table this plan. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

3. 592 Old Trail – 18-1013-SD

Mr. Waller presented the revised plan to the Planning Commission members and read the following staff comments into the record:

**Zoning Ordinance:**

All comments have been addressed.

**Subdivision Ordinance:**

1. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the township must be current and not delinquent.
2. As part of the review for this plan, staff noted that a plan of the residual tract of land in Newberry Township should be submitted. That plan has been submitted and is available for review. Based on that review, there are a couple of concerns that staff has:
  - How does our Traffic Impact Ordinance affect a development of this nature? All the proposed traffic will be using Fairview Streets for ingress/egress to the development in Newberry Township. The solicitor has been asked for his opinion regarding this.
    - It is the solicitor’s opinion that our Traffic Impact Ordinance would NOT apply to development that takes place outside of Fairview Township.
  - Due to the proposed development utilizing the existing sewage facilities in Fairview Township (which are now owned by PAWC), this will require a Planning Module review and approval by DEP.

**Modifications:**

None requested.

**Subdivision Plan Action:**

Mrs. Anderson made a motion to approve this plan contingent upon the Subdivision Ordinance Comments 1 and 2; and the General Comments 1 and 2(B) in the Memorandum by Codes Director Stephen Waller, dated September 28, 2018, and with a note being added to the plan that any future development to this parcel in Newberry Township be presented to the Fairview Township Planning Commission for review. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

**LAND DEVELOPMENT PLANS**

1. Allied Auto Body – 18-1012-LD

Mr. Waller presented the revised plan to the Planning Commission members and read the following staff comments into the record:

**Zoning Ordinance:**

1. A buffer yard is required by ordinance between the subject tract and the Murray Property. The plans only indicate proposed buffering along the existing shop building; buffering should take place along the front portion of the property that WILL NOT be encompassed by the proposed easement. ZO 300.33 Table 7-1

**Subdivision Ordinance:**

1. The plans are required to have the Engineers/Surveyors signature and seal on them prior to recording. SLDO 260.14.A(12)
2. The plans do not have the certification and dedicatory statement signed by the owners. SLDO 260.14.A(13)
3. The plans do not indicate the existing septic system drain field. SLDO 260.14.A(15)
4. The existing shared portion of the driveway between the subject property and the Murray property does not show an access easement? If this is to remain (with the lots now under separate ownership) reference should be made to any recorded easement OR, if there is none, an easement should be reflected on the plan similar to the parking easement that is now shown. SLDO 260.14.A(17)
5. Ordinance require that all subdivisions that abut a township or state road that are not to township standards for cartway width are required to bring that portion of the property's frontage up to township standards. The plans do not depict any improvements to Big Spring Road. SLDO 260.22.A(7). *Applicants are requesting a modification of these requirements.*

**General Comments:**

1. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the township must be current and not delinquent.

**Modification:**

1. SLDO 260.22.A(7) – Roadway widening

**Modification Request Action:**

Mrs. Anderson made a motion to approve the modification of SLDO 260.22.A(7) – Roadway widening requirements. Mr. Stouffer seconded the motion. Vote on the matter. All Aye. Motion carried.

### **Stormwater Comments from Cathy Lee at Rettew:**

Mrs. Lee presented the Planning Commission with “Plan Review No. 2” and read the following comments into the record:

3. Plan Sheet 7 of 7 – SLDO Section 260-35.C.(6)(^c) - Easements that do not follow property lines shall be identified by metes and bounds. Provide Meets and Bounds along the proposed drainage easement. Provide an access easement (or extend the drainage easement) from the property line to the proposed drainage easement, preferably from the main driveway.

**HEI Response: The Drainage easement has been described on sheet 7.**

***RETTEW Comment: Drainage Easement Line EL8 appears to be incorrect. The table says 20.55’ but the line appears to be +/- 32’.***

### **Land Development Plan Action:**

Mrs. Anderson made a motion to approve this plan contingent upon Zoning Ordinance Comment 1; Subdivision Ordinance Comments 1, 2, 3, and 4; and General Comment 1 in the Memorandum by Codes Director Stephen Waller, dated September 28, 2018, and contingent upon Cathy Lee’s comment 3 in the Stormwater Management and Erosion Control Plan Review Letter dated September 28, 2018. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

## **OLD BUSINESS**

### **1. 101 Spanglers Mill – 18-1009-SD**

Mrs. Anderson made a motion to un-table this matter. Mr. Williams seconded the motion. Vote on the motion. All Aye. Motion carried.

Mr. Waller presented the revised plan to the Planning Commission members and read the following staff comments into the record:

*\*\*\*\*NOTE – This plan is the precursor of a larger development surrounding both of these lots. Lot # 2 will be fully included and re-subdivided into a part of the larger development. The comments generated are based on this subdivision plan. Many, if not all, of the remaining comments will be addressed by the development of the residual tract.*

### **Zoning Ordinance:**

All comments have been addressed.

**Floodplain Ordinance:**

All comments have been addressed.

**Subdivision Ordinance:**

1. The plans do not have the signature and seals of the certifying engineer/surveyor. SLDO 260.14.A(12)
2. The plans do not have the certification and dedicatory statement signed by the owners. SLDO 260.14.A(13)
3. Ordinances require that all subdivisions that abut a township or state road that are not to township standards for cartway width are required to bring that portion of the property's frontage up to township standards. The plans do not depict any improvements to Spangler's Mill Road. SLDO 260.22.A(7). *Applicant is requesting a modification of this requirement.*
4. Minimum driveway setback from a property line is 5 feet. There are several locations where this will not be the case. SLDO 260.26.D(7). *Applicant is requesting a modification of this requirement.*

**General Comments:**

1. Note #10 indicating an easement being granted for the respective well/spring house location on the adjacent lot #1 has been created. The note now includes a 2 year limitation on the use and easement itself. Clarification should be added to the note indicating that at the expiration of the 2 years, the owner of lot # 2 will be required to either connect to PW or provide an on-site well. The proposed lot # 2 has plenty of space for a well and should depict a future well location IF the site is not developed or provided with PW.
2. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the township must be current and not delinquent.

**Modifications:**

1. SLDO 260.22.A(7) – Cartway widening requirements.
2. SLDO 260.26.D(7) – Driveway setbacks

### **Modification Request Action:**

Mrs. Anderson made a motion to approve the modification of SLDO 260.22.A(7) – Cartway widening requirements. However, should there be any future development of the property, this modification will be revisited. Mr. Williams seconded the motion. Vote on the matter. All Aye. Motion carried.

Mrs. Anderson made a motion to approve the modification of SLDO 260.26.D(7) – Driveway setbacks. Mr. Williams seconded the motion. Vote on the matter. All Aye. Motion carried.

### **Subdivision Plan Action:**

Mrs. Anderson made a motion to approve this plan contingent upon Subdivision Ordinance Comments 1 and 2; and General Comments 1 and 2 in the Memorandum by Codes Director Stephen Waller, dated September 28, 2018. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

2. 575 Old York – 17-1012-LD
3. Fairview Crossroads – 17-1008-LD
4. Fairview Township Yard Waste/Recycling Center
5. Fairview Summit – 17-1003-LD
6. Crossroads Middle School – 18-1007-LD

### **NEW BUSINESS**

There was no New Business.

### **ZONING HEARING BOARD**

There were no new hearings.

### **ADJOURNMENT**

Mrs. Anderson made a motion to adjourn the meeting, seconded by Mr. Williams. Vote on the motion. All Aye. The motion carried at 8:16 PM.