

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

June 06, 2017

## AGENDA

### CALL TO ORDER

Mr. Powers called the meeting to order at 7:00 PM

### ROLL CALL

Present:

Chairman	Michael A. Powers
Vice-Chairman	Michael E. Thompson
Member	Adam Williams, P.L.S.
Member	Anne K. Anderson, P.E.
Codes Director	Stephen M. Waller
Township Engineer	Drew Bitner, P.E.
Codes Assistant	Chris H. Strump

Absent:

Member	Michael J. Mehaffey, P.E.
--------	---------------------------

### APPROVAL OF THE MINUTES

Chair made a motion, seconded by Mr. Thompson, to approve, with a few noted changes, the minutes of the April 8, 2017, meeting. Vote on the motion. All Aye. The motion carried.

### DISCUSSION AND CORRESPONDENCE

There was no Discussion and Correspondence.

### SKETCH PLANS

There were no Sketch Plans.

### SUBDIVISION PLANS

There were no new Subdivision Plans.

## **LAND DEVELOPMENT PLANS**

### **1. Plasterer Equipment Co., Inc. – 17-1006-LD**

As there wasn't a representative for the plans in attendance, Mr. Thompson made a motion to table this matter until the next regularly scheduled Planning Commission Meeting. Ms. Anderson seconded the motion. Vote on the motion. All yes. The motion carried.

### **2. Fairview Township Recycling Center**

Mr. Waller presented the Planning Commission with a copy of a letter from the Project Manager, Cathy Lee, P.E., at Rettew. Ms. Rettew then addressed the Planning Commission and request for modifications to the following:

1. 252-10.G --Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated or otherwise altered without written notification from the adjacent property owner(s). Such stormwater flows shall be subject to the requirements of this chapter.

*JUSTIFICATION: We are diverting flows in the impervious areas along the south side of the property to the infiltration basin to allow for Water Quality Treatment and Peak Rate Management in the Stormwater Infiltration Basin. There will be less flow going to the adjacent property. This should benefit the property owner by minimizing wet or muddy conditions in his side yard and unpaved drives.*

2. 252-10.L --All stormwater management facilities (excluding individual residential underground infiltration facilities) are considered structures and must comply with building setback requirements. The outside top of slope of the embankment in a fill condition or the top of embankment in a cut condition shall be considered as the point that must meet the setback requirements. Individual residential underground infiltration facilities shall be a minimum of 10-feet from the property line. Discharge of controlled flows can be no closer to an adjacent property than two times the length of the required discharge rip-rap apron. This requirement applies to discharge aprons that do not outlet to a defined waterway or an existing storm sewer. Minimum distance is 10-feet.

*JUSTIFICATION: The property has a large 85' front setback due to an existing building on the property. The natural flow of the water currently drains toward the front of the property and to an existing swale in the PennDOT right-of-way. In the proposed design the water flows to a forebay and infiltration basin for water quality treatment and peak rate management, which then outlets to the same swale. The basin is situated in the lowest area of the site.*

3. 252-17.C(1)(c) --The maximum permitted side slopes for detention or retention basins shall be four horizontal to one vertical. In order to obtain a waiver for slopes steeper than 4:1, the plan must include a planting schedule to stabilize the embankments. The proposed vegetation shall be low-maintenance varieties.

*JUSTIFICATION: The proposed embankments are designed at 3:1 slopes due to tight design environmental constraints, such as forest and steep slopes. The 3:1 embankments will be vegetated and stabilized in Temporary and Permanent conditions.*

4. 252-17.C.(1)(f) --Discharge dispersion. Discharges from piping outlets of stormwater management facilities shall be provided with a concrete "level spreader" to convert point discharge back to simulated sheet flow. The length of the spreader shall be equal to 10 times the outlet pipe diameter (e.g., an 18-inch discharge pipe would require a 15-foot-wide level spreader).

*JUSTIFICATION: There is little to no water discharging from the infiltration basin during all design storm events. The water is infiltrating thru the amended soils and into the sub stratum below. The outlet of the pond is 30-feet above an existing swale. Any water that will discharge will flow through riprap outlet protection and spread out to approx. 12.5' at the end of the outlet protection. The level spreader would be approx. 15-20' above the swale, which doesn't allow much room to make simulated sheet flow. This would work if the pond was discharging to a field or lawn where it could achieve water quality treatment thru sheet flow.*

5. 260-35.D(2)(a)[4] --A waiver of the minimum 18-inch diameter pipe size for drainage facilities for on-site collection.

*JUSTIFICATION: Due to lower elevations of the driveway and lack of cover to allow for an 18-inch pipe, a trench drain was added across the entrance drive to collect stormwater runoff and discharge into the Stormwater Infiltration Basin. The trench drain will require a smaller 8-inch PVC diameter pipe for discharge to the Infiltration basin to provide adequate cover over the pipe.*

Modification Request action:

Ms. Thompson made a motion to approve the modification of 252-10.G. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

Ms. Anderson made a motion to approve the modification of 252-10.L. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

Mr. Thompson made a motion to approve the modification of 252-17.C(1)(c). Ms. Anderson seconded the motion. Vote on the motion. All Aye. The motion carried.

Ms. Anderson made a motion to approve the modification of 252-17.C(1)(f). Mr. Thompson seconded the motion. Vote on the motion. All Aye. The motion carried.

Mr. Thompson made a motion to approve the modification of 260-35.D(2)(a)[4]. Mr. Williams seconded the motion. Vote on the motion. All Aye. The motion carried.

#### Land Development Plan Action:

Mr. Thompson made a motion to table this matter until the Land Development Plan is submitted. Ms. Anderson seconded the motion. Vote on the motion. All yes. The motion carried.

### **OLD BUSINESS**

#### **1. Postupack – 16-1007-LD**

Mr. Thompson made a motion to untable this matter. Ms. Anderson seconded the motion. Vote on the motion. All yes. The motion carried.

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

Township Engineer's Comments:

1. Handicap ramps at Bruce Alley and the corner of Miramar St. and Ross Ave. are required.

Zoning Ordinance:

1. This plan was subject to a ZHB decision on January 15, 2009, Docket 2008-29, in which relief was granted to the applicant for rear yard setbacks. This relief was granted in part due to the parking and floodplain regulations in effect at the time. Act 45 – Permit Extension Act will have direct implications on this submittal in that the approval of the ZHB is covered and the time has been “tolled” till July 2, 2016. The expiration of the decision on this particular docket will be July 2, 2017.

Subdivision Ordinance:

1. Ordinance requires that the Original Property Description plan be depicted at a scale of 1" = 400'. SLDO 260.14.A(1). *Applicant has requested a modification of this requirement.*
2. The surveyor/engineer signature and seal are required to be on the plans. 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. There is no area depicted on the drawings which propose recreation, therefore, a fee in lieu of recreation will be required. The fee is \$5000 and is assessed on the number of homes being proposed. SLDO 260.33.B(2) *Applicant acknowledges this comment and will comply.*

General Comments:

1. Pursuant to Fairview Township Act 209 Traffic Impact Fee ordinance, all fees 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. ACT 209 Traffic Impact Fee Ordinance. *Applicant acknowledges this comment and has indicated that supporting documentation will be provided showing there is no net increase in traffic proposed with the new project based on the old use.*
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 260.14.A(1) – Tract Scale.
2. SLDO 260.22.A(7) – Roadway Widening.

Modification Request action:

Ms. Anderson made a motion to approve the modification of SLDO 260.14.A(1). Mr. Thompson seconded the motion. Vote on the motion. All Aye. The motion carried.

Ms. Anderson made a motion to approve the modification of SLDO 260.14.A(2). Mr. Thompson seconded the motion. Vote on the motion. All Aye. The motion carried.

Land Development Plan Action:

Ms. Anderson made a motion to approve the plan subject to the Township Engineer's Comments dated May 19, 2017, the Memorandum by Codes Director Stephen Waller, dated May 22, 2017, and with the addition to the plan of curbs and sidewalks along Ross Avenue subject to SLDO 260.24B(1) and SLDO 260.25A. Mr. Williams seconded the motion. Vote on the motion. All yes. The motion carried.

**2. 674 Gaumer Rd. – 16-1011-LD**

Mr. Thompson made a motion to untable this matter. Ms. Anderson seconded the motion. Vote on the motion. All yes. The motion carried.

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

Township Engineer's Comments:

1. Need 2 concrete monuments.
2. Location of PennDOT's 24-inch pipe should be confirmed. You do not want to damage the pipe while excavating for the wall.

Zoning Ordinance:

1. Buffering requirements will be required along the property line that is adjacent to the residential use on the southern property line. The plan is showing some trees. Will they be continued along the property line or will they supplement existing trees? ZO 300.33.A
2. There appears to be a new or temporary use established on the property associated with firewood preparation and sales? The plans should be revised accordingly to reflect any changes to the property as it relates to this.

Subdivision Ordinance:

1. Ordinance requires that the Original Property Description plan be depicted at a scale of 1" = 400'. SLDO 260.14.A(1). *Applicant has requested a modification of this requirement.*
2. The plans do not have the seal and signature of the Surveyor/Engineer who prepared the plans. 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. A wetland analysis is required for the depicted wetlands on the site. SLDO 260.14B(7) & 260.32. *Applicant has requested a waiver from these requirements.*
5. Approval of York County Conservation E & S Plan approval is required SLDO 260.15.B(1)
6. Ordinance requires the widening of the cart-way of Gaumer Road. SLDO 260.22.A(7) and 260.22.B(2). *Applicant is requesting a waiver from these requirements.*

7. Curbing is required along the entire frontage of Gaumer and Lewisberry Roads. SLDO 26.24.B
8. Plans will need to show compliance with the Township recreation requirements noted in SLDO 260.33. *Applicant's representative has indicated that his comment is acknowledged and they will pay a fee in lieu of dedication.*
9. Proposed plans show improvements (wall & parking lot) that will take place over existing stormwater and public utility easements. Ordinance requirements restrict this from taking place. A modification could be requested with supporting documentation from the utilities that will be affected by the crossings. SLDO 260.35(6)(d).

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.
2. There is an existing portion of paving along the arc of the Gaumer Road junction to Lewisberry Road that is outside of the existing or dedicated right-of-ways. This should be evaluated by the Township Engineer to determine the necessity of the paved area.
3. There are concerns that the existing intersection of Gaumer Road to Lewisberry Road could become a right-in, right-out intersection due to increases of existing and proposed traffic along Lewisberry Road. These possible improvements should be taken under consideration by the applicant and their representative as to how it may affect the development and access to this site.
4. Pursuant to Fairview Townships 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. Ord 2015-4 ACT 209 Traffic Impact Fee Ordinance.
5. During the review of the plans, the Planning Commission noted four access drives on the plan contrary to the two that is allowable per SLDO 260.26.C(2). *Applicant's representative verbally requested a modification to this requirement and stated that he will deliver a formal, written request to the Township.*

Modifications:

1. SLDO 260.14.A(1) – Original Property Description.
2. SLDO 260.14.B(7) and 260.32 – Wetland Analysis.
3. SLDO 260.22.A(7) – Cartway Improvements to Gaumer Road.

4. SLDO 260.26.C(2) – Other Street Provisions, Number of Access Drives.

Modification Request action:

Ms. Anderson made a motion to approve the modification of SLDO 260.14.A(1). Mr. Thompson seconded the motion. Vote on the motion. All Aye. The motion carried.

Mr. Thompson made a motion to approve the modification of SLDO 260.14.B(7) and 260.32. Ms. Anderson seconded the motion. Vote on the motion. All Aye. The motion carried.

Mr. Thompson made a motion to approve the modification of SLDO 260.22.A(7). Ms. Anderson seconded the motion. Vote on the motion. All Aye. The motion carried.

Ms. Anderson made a motion to deny the modification of SLDO 260.26.C(2). Mr. Thompson seconded the motion. Vote on the motion. All Aye. The motion carried.

Land Development Plan Action:

Ms. Anderson made a motion to approve the plan subject to the Township Engineer's Comments dated May 19, 2017, the Memorandum by Codes Director Stephen Waller, dated May 22, 2017, the comments noted in a letter from Cathy Lee at Rettew dated May 22, 2017, and with the addition to the plan of language stating that curbs can be deferred provided that within two years of the date of application, the developer will install the required curbing within 6 months from the date the Township requests. Mr. Thompson seconded the motion. Vote on the motion. Ms. Anderson – Aye; Mr. Thompson – Aye; Mr. Williams - Nay. The motion carried.

3. (NO REVISIONS) - Westhafer Suidivision – 3 Lots – Heck Hill Rd.

4. (NO REVISIONS) – Fairview Summit – 17-1003-LD

**NEW BUSINESS**

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

**ZONING HEARING BOARD**

Docket No. 2017-03: Kenneth and Susan Puller, 307 Woodbridge Drive, Etters, PA 17319. The applicants are requesting a variance to the Fairview Township Zoning Ordinance, § 300-21A, "Area and design requirements RS Single-Family Residential Zoning District" and § 300-30, "Accessory buildings and similar structures". The Applicants are requesting to build an

attached deck within the 35 foot rear setback. The property is owned by the applicants and is in the Single-Family Residential (RS) Zoning District.

## **ADJOURNMENT**

Mr. Thompson made the motion to adjourn the meeting, seconded by Ms. Anderson. Vote on the motion. All Aye. The motion carried at 8:17 PM.