

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

February 02, 2021

## **CALL TO ORDER**

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

## **ROLL CALL**

Present:

Chairman

Member

Member

Member

Member

Codes Director

Township Engineer

Codes Assistant

Michael E. Thompson

Anne K. Anderson, P.E. \*

Jason Stouffer

H. Adam Williams, P.L.S.

Michael Mehaffey, P.E. \*

Stephen M. Waller

Drew Bitner, P.E.

Chris H. Strump

\* Present virtually

Absent:

None

## **APPROVAL OF THE MINUTES**

Mrs. Anderson made a motion to approve the minutes of the January 05, 2021, meeting as presented. Mr. Williams seconded. 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**

1. 624 Robins View Lane – 20-1013-SD

Mr. Waller presented the revised plans dated January 21, 2021, to the Planning Commission and read the following staff comments into the record:

### **Zoning Comments:**

1. Due to the existing Himmelwright property having two front yards, there is no requirement for a rear yard setback. The other setbacks should both be side yards (30 feet).  
ZO 300.21.A Table 5-3

**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 existing sight triangle and sight distance for driveway (Robins View Lane) is not depicted on the plans.  
SLDO 260.14.A(19) – *Applicant is requesting a modification of this requirement for Robins View Lane*
4. A replacement septic location site is required by ordinance for all lots that are contained on a subdivision plan that are being serviced by on-lot septic.  
SLDO 260.14.A(25) and 260.30.A(4)(b) – *Applicant is 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.

**Modifications:**

SLDO 260.24.B(1) – Curbing Requirement (Lewisberry Road)

SLDO 260.30.A(4)(b) – Replacement septic area

SLDO 260.14.A(19) – Sight distance / sight triangle – Lot 8 – Himmelwright

**Modification Request Action:**

1. Mrs. Anderson made a motion to approve the modification of SLDO 260.24.B(1) – Curbing Requirement (Lewisberry Road). Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.
2. Mrs. Anderson made a motion to approve the modification of SLDO 260.30.A(4)(b) – Replacement septic area – contingent upon no building being constructed on the add-on lot and that there be investigation into if there is replacement septic area on Robins View Lane; should a replacement septic area be found, this must be added to the Plan. Mr. Stouffer seconded. Vote on the motion. All Aye. The motion carried.

3. Mrs. Anderson made a motion to approve the modification of SLDO 260.14.A(19) – Sight distance / sight triangle – Lot 8 – Himmelwright. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.

**Subdivision Plan Action:**

Mrs. Anderson made a motion to approve this plan subject to Zoning Ordinance comment 1, Subdivision Ordinance comments 1 through 4, and General Comment 1 in the January 27, 2021, Memorandum by Codes Director Steve Waller. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.

**LAND DEVELOPMENT PLANS**

There were no Land Development Plans.

**OLD BUSINESS**

1. Valley/Beinhower Intermediate School – 19-1006-LD

Mrs. Anderson made a motion to untable this matter. Mr. Williams Seconded. Vote on the motion. All Aye. The motion carried.

Mr. Waller presented the revised plans dated January 18, 2021, to the Planning Commission and read the following staff comments into the record:

**Zoning Comments:**

All comments have been addressed.

**Subdivision Ordinance:**

1. The plans do not have the required seal and signatures for the 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. The submitted traffic impact study is being reviewed by our traffic consultant, please refer to any comments generated from that review.  
SLDO 260.14.A(28) & 260.34(B)(1)(b)
4. A copy of the approved York County Conservation Erosion and Sedimentation Plan and NPDES approval will need to be submitted.  
SLDO 260.14.B(1) & 260.15.B(1)
5. Ordinances require that all subdivision that abut a township or state road that are not to township standards for cartway width are required to bring that portion of the properties

- frontage up to township standards. The plans do not depict any improvements to Beinhower Road, outside of the access drive entrance, and to Valley Road frontage  
SLDO 260.22.A(7) – *Applicant is requesting a modification of this requirement*
6. Curbing is required for the road frontage of the property. (Beinhower and Valley Roads).  
SLDO 260.24.B – *Applicant is requesting a modification of this requirement*
  7. Sidewalks are required to be installed to and within the site.  
SLDO 260.25.A – *Applicant is requesting a modification of this requirement*
  8. Sewer easements cannot be blocked or impeded or be constructed upon. Proposed plans show driveways, parking areas and landscaping to be taking place within the existing sewer easement.  
SLDO 260.30(D) – *Applicant is requesting a modification of this requirement*
  9. The site will be subject to the Traffic Impact Fee ordinance requirements. The site is located within Traffic Service Area #2, which will be subject to a fee of \$1,964.00 per new PM peak hour trip. This fee will be established off the submitted TIS for the site.  
SLDO 260.50 – *Applicant is requesting an exemption to this requirement due to the project serving the overriding public interest.*  
The Planning Commission, after discussing this matter, do not recommend an exemption being granted.

**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.

**Modifications:**

1. Preliminary Plan requirements – SLDO 260.10.A
2. Final Plan sheet size – SLDO 260.11.B(1)
3. Street design requirements – Cartway – Beinhower/Valley Roads – SLDO 260.22.A(7) & 260.22. B(2)
4. Curbing requirements – Beinhower/Valley Roads – SLDO 260.24.B
5. Sidewalks – Valley/Beinhower Roads – SLDO 260.25.A
6. Easement improvements – SLDO 260.30(D)
7. Stormwater Basin outlet structure orifice size – SWMO 252.14.C(1)(e)

**Engineer Comments from Mike Knouse, P.E., at Rettew:**

**ZONING**

1. The adjacent zoning district boundaries need to be clearly indicated on the plan (§ 300-33.A).

## **SUBDIVISION AND LAND DEVELOPMENT**

1. All certificates need to be completed prior to recording the plan (§ 260-14.A.12, 260-14.A.13).
2. A traffic impact study needs to be provided (§ 260-14.A.28, 260-34). The Township's traffic consultant needs to review the submitted study.
3. Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit, if applicable, by the York County Conservation District needs to be provided (§ 260-14.B.1, 260-15.B.1)
4. Typical sections, plans, and cross sections need to be provided for the improvements to Beinhower Road (§ 260-14.C.1 & 2). The applicant states that the TIS indicates the improvements including road widening and new lane construction are not needed. If roadway improvements are not provided along Beinhower Road, it is recommended that the heavy-duty pavement be extended to the existing roadway edge.
5. A cost estimate, financial security, and a financial security agreement need to be provided (§ 260-17)
6. The site is subject to the Traffic Impact Fee ordinance requirements (§ 260-52). The applicant is requesting to be exempt from this requirement, the Township needs to review.
7. The plan needs to consider connectivity to the adjacent residential developments for pedestrians. The applicant states this is not necessary, the Township needs to review.
8. The date, final action, and conditions of approval by the Board of Supervisors on any approved modification requests need to be included on the plan.
9. All signs and posts need to conform to PennDOT TC Standards; details need to be revised accordingly. All signs need to be provided with breakaway posts.

## **STORMWATER MANAGEMENT**

1. All earthmoving activities shall be reviewed and approved by York County Conservation District (§ 252-16.D, 252-21.F.(5)). Evidence of E&S and NPDES permit approval will be needed. A copy of the E&S/NPDES submission will need to be provided to the Township.
2. All signature blocks and certificates will need to be completed (§ 252-21.D, 252-21.F).
3. An Operations and Maintenance Agreement needs to be executed prior to recording the plan (§ 252-30).
4. An easement needs to be provided around each stormwater management facility (§ 252-17.C.(1)(m), 260-35.C.6(a))

5. Stormwater basins shall be fenced (§ 260-35.C.3.i)

**Modification Request Action:**

1. Mrs. Anderson made a motion to approve the modification of SLDO 260.10.A – Preliminary Plan Requirements. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.
2. Mrs. Anderson made a motion to approve the modification of SLDO 260.11.B(1) – Final Plan sheet size. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.
3. Mrs. Anderson made a motion to approve the modification of SLDO 260.22.A(7) & 260.22.B – Street design requirements – Cartway – Beinhower/Valley Roads. Mr. Mehaffey seconded. Vote on the motion. Mr. Thompson – Nay; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Williams – Nay; Mr. Stouffer – Aye. The motion carried 3 Ayes to 2 Nays.
4. Mrs. Anderson made a motion to defer SLDO 260.24.B(7) & 260.22.B – Curbing requirements – Beinhower/Valley Roads, until Fairview Township requests installation for safety. This deferment will remain in effect until the expiration of a timeline established by the Fairview Township Board of Supervisors. Mr. Stouffer seconded. Vote on the motion. Mr. Thompson – Aye; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Williams – Nay; Mr. Stouffer – Aye. The motion carried 4 Ayes to 1 Nay.
5. Mrs. Anderson made a motion to defer SLDO 260.25.A – Sidewalks – Beinhower/Valley Roads, until Fairview Township requests installation for safety. This deferment will remain in effect until the expiration of a timeline established by the Fairview Township Board of Supervisors. Mrs. Anderson further noted that the applicant should investigate and try to enact adequate pedestrian access to surrounding subdivisions. Mr. Mehaffey seconded. Vote on the motion. Mr. Thompson – Aye; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Williams – Nay; Mr. Stouffer – Aye. The motion carried 4 Ayes to 1 Nay.
6. Mrs. Anderson made a motion to approve the modification of SLDO 260.30.(D) – Easement improvements contingent on written approval being received by Pennsylvania American Water Company. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.
7. Mrs. Anderson made a motion to approve the modification of SWMO 252.17.C(1)(e) – Stormwater Basin outlet structure orifice size. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.

**Subdivision Plan Action:**

There was a discussion regarding Traffic Impact Fees (TIF) for this property and whether it should be exempt. The Ordinance regarding TIF was put in place as a fee rather than a tax so that it could be applied to all properties which would have an effect on traffic regardless of tax exempt status.

Mrs. Anderson made a motion to approve this plan subject to Zoning Ordinance comment 1, Subdivision Ordinance comments 1 through 4, and General Comment 1 in the January 27, 2021, Memorandum by Codes Director Steve Waller. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.

### **NEW BUSINESS**

Mr. Waller addressed the Planning Commission regarding an upcoming Rezoning Request that will be discussed at the March, 2021, meeting. The purpose of the Rezoning Request is to change the zoning from Village Business (VB) to Airport Business (AB) for 173 Old York Road, 183 Old York Road, and 191 Old York Road. Documents relating to the Rezoning Request will be emailed to the members.

### **ZONING HEARING BOARD**

There were no new Zoning Hearing Board applications.

### **ADJOURNMENT**

Mrs. Anderson made a motion to adjourn the meeting, seconded by Mr. Stouffer. Vote on the motion. All Aye. The motion carried at 7:10 PM.