

FAIRVIEW TOWNSHIP PLANNING COMMISSION

September 01, 2020

CALL TO ORDER

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

ROLL CALL

Present:

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

Absent:

None

APPROVAL OF THE MINUTES

Mrs. Anderson made a motion to approve the minutes of the August 04, 2020, 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

There were no new Subdivision Plans.

LAND DEVELOPMENT PLANS

1. 540 Industrial Drive – 20-1004-LD

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

Zoning Comments:

All comments have been addressed.

Subdivision Comments:

1. The plans do not have the required seal and signatures for the engineer/surveyor SLDO 260.14.A(12)
2. The traffic assessment is currently under review by our traffic consultant, please refer to any comments generated from that review. SLDO 260.14.A(28) & 260.34(B)(1)(b)
3. A copy of the York County Conservation Erosion and Sedimentation Plan and NPDES approval will need to be submitted. SLDO 260.14.B(1) & 260.15.B(1)
4. 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 \$1964 per new PM peak hour trip. This fee will be established off the submitted TIS for the site. SLDO 260.50

General Comments:

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

Modification Requests:

1. Stormwater facilities within setbacks – SWMO 252.10.L
2. Storage facility dewatering time – SWMO 252.10.M
3. Maximum side slopes in basin – SWMO 252.17.C(1)(c)
4. Minimum basin side slope – SWMO 252.17.C(1)(d)

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

Mr. Waller presented the Planning Commission with a letter dated August 28, 2020, and entered the following comments into the record:

Requested Alterations of Requirement

- A. Section 260-10.A – Preliminary Plan Procedures

The applicant has requested a modification of the requirement to provide a preliminary plan. In the alternative, the applicant is requesting the plan to be processed as a final plan.

- B. Section 252-10.L – Stormwater Facilities Within the Building Setback

The applicant has requested a modification of the requirement to construct two stormwater management facilities within the setback areas, one surface basin and one subsurface facility.

C. Section 252-17.C.1.d – Detention Basin Bottom Slope (*New Request This Submission*)

The applicant has requested a modification of the requirement that all detention basins shall have a minimum bottom slope of two percent unless infiltration facilities are provided.

D. Section 252-10.M – Storage Facility Dewatering Time (*New Request This Submission*)

The applicant has requested a modification of the requirement that all storage facilities shall completely drain both the volume control and rate control capacities over a period not less than 24 hours and not more than 72 hours from the end of the design storm.

E. Section 252-14.C.1.c – Detention Basin Maximum Side Slopes (*New Request This Submission*)

The applicant has requested a modification of the requirement that all detention basins shall have a maximum permitted side slope of four horizontal to one vertical.

F. Section 260-35.C.3.i – Fencing Around Stormwater Basin (*New Request This Submission*)

The applicant has requested a modification of the requirement that all detention basins shall be fenced.

Zoning

1. An hours of operation and management plan needs to be provided (§ 300-39).
2. An internal traffic flow analysis needs to be provided. The analysis needs to evaluate turning movements, and stacking analysis based upon anticipated use (§ 300-54.A.9, 300-55.D). the proposed truck turning movement needs to be provided without crossing the centerline of the access drive. Analysis of the truck turning movement needs to be provided at the access drive onto Grandview Drive as well at the intersection of Industrial Drive and Grandview Drive.
3. A Highway Occupancy Permit needs to be obtained from the Township for all access drives (§ 300-55.G).

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. The traffic impact study needs to be reviewed by the Township's traffic consultant (§260-14.A.28, 260-34).
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, 252-16.D, 252-21.F.(5)).
4. Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 260-14.B.2).

5. A cost estimate, financial security, and a financial security agreement need to be provided (§ 260-17).
6. A pavement design based upon the anticipated truck traffic needs to be provided for the proposed improvements on Industrial Road; the proposed paving detail needs to be revised based on the design (§ 260-22.B.3). the proposed widening needs to address the intersection with Grandview Drive and transition beyond the intersection. The demolition plan proposed removal of the existing rip rap at the intersection, the plan needs to address stabilization of this area.
7. A streetlight meeting the Township specifications needs to be installed at the intersection (§ 260-25.F). the applicant states the existing utility pole within the right-of-way on the west side of Grandview Drive at the intersection with Industrial Drive could be utilized to provide a streetlight for the intersection; the light needs to be provided.
8. The site is subject to the Traffic Impact Fee ordinance requirements (§ 260-52).
9. The plan identifies several existing encroachments from adjoining properties and includes removal of these encroachments; evidence of notification to the adjoining properties needs to be furnished.
10. Evidence of temporary construction easements needs to be furnished. Permanent easements for stormwater facility encroaching the adjoining property need to be furnished.
11. 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.
12. The trench restoration detail provided for impact to Township roads needs to require full depth stone backfill.

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.
2. The plan shall include an operation and maintenance plan for all existing and proposed physical stormwater facilities, as required by Subsection 260-35.G. This plan shall address long-term ownership and responsibilities for operation and maintenance in an executable agreement, as well as schedules and costs for operation and maintenance activities (§ 252-21.F.(9)). An agreement will need to be provided.
3. The use of plastic pipe is prohibited for basin discharge pipes (§ 260-35.C.3.m). the MRC outlet structure detail needs to be updated to show RCP.
4. As per Section 252-10.C, the Township may, after consultation with DEP, approve the measure for meeting the state water quality requirements other than those in this chapter, provided they meet the minimum requirements of, and do not conflict with, state law including, but not limited to, the Clean Streams Law.
5. The effect of the project in terms of runoff volumes and water quality needs to be provided (§ 252-24.F.(6)). The applicant is proposing a Managed Release Concept for the basin as a post construction BMP. The applicant will need to consult with York County Conservation District and PA DEP on the use of the Managed Release Concept in conjunction with NPDES permitting.

6. The inlet drainage area map needs to include the offsite areas tributary to Pipe Run 2.
7. A note on the plan needs to be provided citing the operations and maintenance plan for stormwater management facilities and indicating the parties responsible for implementing the plan (§ 260-35.B.(8)). BMP Facility #1, Basin B cross property lines, and the responsibilities need to be clear in the event the properties are under separate ownership.
8. The outlet structure configuration for the MRC basin used in the routings needs to be revised to match the outlet pipe slope of one (1) percent shown in the profile.
9. The weir elevation for the subsurface outlet structure detail needs to be revised to match the elevation used in the routings.
10. The storm sewer system design calculations need to account for the offsite drainage area flowing into the system at inlet 2-4 (§ 252-15.A). The calculations appear to use an assumed flow of 30 cfs but it is unclear how this was determined.

Modification Request Action:

1. Mrs. Anderson made a motion to approve the modification of SWMO 252.10.L – Stormwater facilities within setback – with the contingency of having the appropriate easements delineated and in place. Mr. Stouffer seconded. Vote on the motion. Mr. Thompson – Aye; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Nay. The motion carried with 4 Ayes and 1 Nay.
2. Mrs. Anderson made a motion to approve the modification of SWMO 252.10.M – Storage facility dewatering time – contingent upon its compliance with the Manage Release Program with DEP. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.
3. Mrs. Anderson made a motion to approve the modification of SWMO 252.17.C(1)(c) – Maximum side slopes in basin – to a maximum of 3 to 1 slopes. Mr. Mehaffey seconded. Vote on the motion. All Aye. Motion carried.
4. Mrs. Anderson made a motion to approve the modification of SWMO 252.17.C(1)d) – Minimum basin bottom slope – contingent upon it being consistent with the Managed Release Program by DEP. Mr. Stouffer seconded. Vote on the motion. All Aye. Motion carried.
5. Mrs. Anderson made a motion to approve SLDO 260.10.A – Preliminary Plan. Mr. Mehaffey seconded. Vote on the motion. All Aye. Motion carried.
6. Mrs. Anderson made a motion to approve SLDO 260.35.C(3)(i) – Fencing requirements basin. Mr. Mehaffey seconded. Vote on the motion. All Aye. Motion carried.

Subdivision Plan Action:

Mrs. Anderson made a motion to table the matter. Mr. Stouffer seconded. Vote on the motion. All Aye. The motion carried.

2. FTWP Yard Waste – 19-1007-LD

Mr. Thompson recused himself from discussing and acting on this Plan because there is a conflict of interest due to him being employed with Rettew.

Mr. Waller presented the revised plans to the Planning Commission and read the following comments from Chad D. Peters, P.E., at C.S. Davidson, Inc., into the record:

Subdivision and Land Development Ordinance comments:

1. **Section 260-10** – A preliminary Plan is required of all land developments. The Applicant has formally requested a **modification** of this requirement and is proposing the approval of a Preliminary/Final Land Development.
2. **Section 260-10.D** – The Applicant has formally requested and noted on the plans a modification of the following section(s) of the ordinance:

Section 260-22.A(7) – Abutting Street Improvements.
Section 260-35.C(3)(g)[1] – Minimum depth of an emergency spillway.
3. **Section 260-10.F** – The Board of Supervisors is to review comments provided by the York County Planning Commission prior to taking formal action on the plan.
4. **Section 260-14.A(13)** – The provided certification and dedicatory statements must be signed by the property owners.
5. **Section 260-14.B(1)** – York County Conservation District and DEP approvals are required for the Erosion and Sedimentation Control Plan and NPDES Permit prior to plan approval.
6. **Section 260-14.B(3)** – A Highway Occupancy Permit is required for the proposed driveways along Old Forge Road (SR 4020) and Spanglers Mill Road (SR 4027).
7. **Section 260-22.A(7)** – Required road improvements as prescribed in this section of the ordinance must be provided. Road improvements for all adjacent state roads were discussed during the original consolidation plan process. The outcome of the PennDOT’s intent with these roads and their desire to improve or not improve the cartway along the property’s frontage must be noted on the plans. A **waiver** of this requirement was granted by the Board of Supervisors on 3/25/19.
8. **Section 260-30.A(1)** – All Land developments within 1,000 feet of an existing public sanitary sewer system must be provided for the installation of a complete sanitary sewer system connected to the existing public sewer system. The proposed facility does not propose the use of sanitary sewer. It should be discussed if a modification should be requested of this requirement.
9. **Section 260-34.B** – The review of the provided traffic impact assessment will be provided under separate letter from McMahon Associates.
10. **Section 260-35.B(11)** – The Storm Drain Certification note as shown in Appendix 13 is provided on the plans. Design Engineer shall sign and seal this note prior to Plan Approval.

11. **Section 260-35.C(3)(g)[1]** – The minimum permitted spillway depth for detention facilities is two feet. Both proposed facilities do not meet this requirement. The Applicant has requested a **Modification** from this requirement.

Stormwater Management Ordinance comments:

1. **Section 252-10.F** – For all regulated activities, implementation of the volume controls in section 252-12 is required. Due to unsuitable infiltration rates on the project site infiltration BMPS are not being proposed. The Applicant may wish to request a **Modification** from this section of the ordinance.
2. **Section 252-16.D** – All proposed earth working activities must be approved by the York County Conservation District prior to final plan approval.
3. **Section 252-17.C(1)(C)** – The Maximum permitted side slopes for detention facilities is four horizontal to one vertical. The Applicant has requested a **Modification** from this requirement.
4. **Section 252-17.C(1)(d)** – Minimum permitted bottom slope for detention facilities is 2% unless infiltration is provided. The Applicant has requested a **Modification** from this requirement.

Modification Request Action:

1. Mr. Mehaffey made a motion to approve the modification of SLDO 260.10 – Preliminary plan. Mr. Williams seconded. Vote on the motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Aye. The motion carried.
2. Mr. Mehaffey made a motion to approve the modification of SWMO 252.10.F – Volume controls – because alternate water quality facilities are provided.. Mr. Stouffer seconded. Vote on the motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Aye. The motion carried.
3. Mr. Mehaffey made a motion to approve the modification of SWMO 252.17.C(1)(C) – Maximum side slopes. Mr. Williams seconded. Vote on the motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Aye. The motion carried.
4. Mr. Mehaffey made a motion to approve the modification of SWMO 252.17.C(1)(d) – Minimum basin bottom slope. There was no second, so the Motion died.

Mr. Mehaffey made a motion to approve the modifications of SWMO 252.17.C(1)(d) – Minimum basin bottom slope – contingent on a positive slope being provided. Mr. Stouffer seconded. Vote on the motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Nay. The motion carried.

5. Mr. Mehaffey made a motion to approve the modification of SLDO 260.22.A(7) – Abutting street improvements – because the State is not requiring any improvements . Mr. Williams seconded. Vote on the motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Aye. The motion carried.

6. Mr. Mehaffey made a motion to approve the modification of SLDOO 260.35.C(3)(g)[1] – Permitted spillway depth. Mr. Williams seconded. Vote on the motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Aye. The motion carried.

Subdivision Plan Action:

Mr. Williams made a motion to approve the plan subject to the Subdivision and Land Development Ordinance comments 3 through 10 and Stormwater Management Comment # 2 in the letter dated May 13, 2020, from Chad D. Peters, P.E., at C.S. Davidson, Inc., and further contingent upon approval of the Erosion and Sedimentation Control Plan approval from York County Conservation District and HOP approval from PennDOT. Mr. Stouffer seconded. Vote on the Motion. Mr. Thompson – Recused; Mrs. Anderson – Aye; Mr. Mehaffey – Aye; Mr. Stouffer – Aye; Mr. Williams - Aye. The motion carried.

OLD BUSINESS

1. New Cumberland Federal Credit Union – 19-1011-LD

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

Mr. Waller presented the revised plans to the Planning Commission 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. Approvals from York County Conservation District and PA DEP will need to be provided to the township prior to plan approval. SLDO 260.15.B(1)&(10)
4. The required PennDOT HOP notes will need to be added to the plan based on the proposed improvements to the existing entrance along Lewisberry Road. SLDO 260.15.B(2)(a)
5. An Improvement Guarantee estimate will need to be submitted for the Township Engineers approval (SWM features and pavement). Subsequently, the approved amount will need to be provided to the township in an appropriate form as outlined by ordinance. SLDO 260.17

6. 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 properties frontage up to township standards. The plans do not depict any improvements to Keystone Drive frontage. SLDO 260.22.A(7). *Applicants are requesting a modification of the ordinances.*

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. SLDO 260.10 – Preliminary Plan
2. SLDO 260.22.A(7) – Roadway Widening

Engineer Comments from Mike Knouse, P.E., at Retiew:

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 approval needs to be provided.
2. An easement needs to be provided around stormwater facilities (§ 252-17.C.1.m).
3. Certificates need to be signed prior to recording the plan (§ 252-21.D).
4. The expected project time schedule needs to be provided (§ 252-21.F.4).
5. The plan shall include a notarized signature of the owner of the parcel for which the stormwater management site plan is proposed indicating that they are aware of, and will be responsible for, operation and maintenance of the facilities. The statement shall also acknowledge the stormwater management system to be a permanent fixture that can be altered or removed only after approval of a revised plan by the Township (§ 252-21.F.11).
6. An Operation and Maintenance (O&M) Plan needs to be provided (§ 252-30).
7. Financial guarantee in an amount equal to 110 percent of the estimated cost of all stormwater management BMPs needs to be provided (§ 252-31).

Modification Request Action:

1. Mrs. Anderson made a motion to approve the modification of SLDO 260.10 – Preliminary Pan. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.
2. Mrs. Anderson made a motion to approve the modification of SLDO 260.22.A(7) – Roadway Widening. Mr. Williams seconded. Vote on the motion. All Aye. The motion carried.

Subdivision Plan Action:

Mrs. Anderson made a motion to approve the plan subject to Subdivision Ordinance Comments 1 – 6 and General Comment 1 in the August 27, 2020, Memorandum by Codes Director Steve Waller, and subject to Stormwater Management Comments 1 – 7 in the August 27, 2020, letter from Mike Knouse, PE, at Rettew. She further made the approval subject to adding a right-turn only at the top of the proposed entrance off of Keystone Drive. Mr. Mehaffey seconded. Vote on the motion. All Aye. The motion carried.

NEW BUSINESS

There was no New Business.

ZONING HEARING BOARD

Case No. 2020-06: Jacob and Lindsey Helmick, 503 Big Spring Road, New Cumberland, PA 17070. The Applicants are requesting a variance to the Fairview Township Zoning Ordinance, §300-30.C(1)(b) “Accessory buildings and similar structures”. The Applicants are proposing to build an accessory structure with a footprint of 3,600 square feet which would exceed the footprint of the principal building. The property is located at 503 Big Spring Road, New Cumberland, PA 17070, and is in the Single Family Residential (RS) District.

ADJOURNMENT

Mrs. Anderson made a motion to adjourn the meeting, seconded by Mr. Williams. Vote on the motion. All Aye. The motion carried at 7:22 PM.