

WARRINGTON TOWNSHIP
Minutes of a Regular Meeting of the Township Planning Commission
Held, pursuant to due notice, in the Municipal Building
3345 Rosstown Road, Wellsville, PA 17365
Wednesday, September 28, 2016, 7:00 PM

Presiding: Mr. Richard Bensel
Members present: Mr. Dwight Foster
Mrs. Marilyn Grafton
Mr. Len Kotz
Mrs. Carla Repman - absent

Staff Present: Attorney Christopher King, Solicitor
Mr. Terry Myers, Township Engineer
Mr. Michael Gasswint, Zoning Officer
Rebecca Bradshaw, Township Secretary

The meeting was opened with the Pledge to the Flag.

Minutes. Motion was made by Mr. Kotz and seconded by Mr. Foster to approve the minutes of the August 24, 2016 meeting. Motion carried.

ZONING HEARINGS

2016-03 Pennex Aluminum Company LLC, Mr. Harry Dillman. The property location is 110 Community Street, Wellsville, PA, Map ME Parcel 60, located in the Village Commercial Zone. The applicant is requesting dimensional Variances from Section 410.c)3 and 410.c)4 to permit the proposed access drive to be aligned with Carroll Street and a Variance from Section 603.a) to extend the time to acquire a Zoning Permit, Use Certificate and submit a Land Development Plan from six months to two years. Pennex representatives presented a plan to combine their headquarters with the adjoining property lot into one lot, demolish the existing vacant residential structure, construct an access drive aligned with Carroll Street and establish an accessory semi-trailer parking and storage on the property. There will be no loading or unloading of the semi-trailers conducted on the property. The temporarily parked and stored semi-trailers are not intended to be used as storage of any goods or materials associated with the business operations. The property will only be used for the temporary parking and storage of the semi-trailers until such time when the semi-trailers are moved to the loading facilities located on the headquarter lot.

Billie Jo Lake, 105 Community Street, a neighboring property to Pennex, attended the meeting to comment on the Plan. Some of her questions and concerns were why the access drive is not zoned as an industrial use, traffic signage at the intersection of Community and Carroll Streets, trailer storage and noise.

Mr. and Mrs. Justin Webb at 120 Community Street said their concerns include noise since their house will be next to the truck parking lot and safety for people and property who live on Community Street.

Mr. Matthew Greenstreet, 7625 Carlisle Street said he does not live near Pennex but he would like the Pennex plan to show that empty trailers will be parked on the top lot and full trailers will park on the lower lot.

Mr. Bensel commented that the Planning Commission could recommend that the new entrance will be the only entrance to the Pennex parking lot. Mr. Kotz said the standards are listed in the narrative that was submitted by Pennex.

Motion was made by Mr. Kotz and seconded by Mr. Foster to recommend that the Zoning Board approve the request for Variances from Section 410.c)3 and Section 410.c)4 to permit an access drive to be aligned with Carroll Street and to Section 603.a) for an extension of time from 6 months to two years. Motion carried unanimously.

SUBDIVISIONS/LAND DEVELOPMENT PLANS

Larry J and Gwen D Frey, 1495 Old Mountain Road, Dillsburg. The plan proposes a two lot subdivision for the purpose of creating a new residential dwelling lot. The total area of the tract is 9.99 acres. The new lot will contain 4.24 acres. The tract lies in the Rural Agricultural Zone. The applicants are asking for PA DEP Sewage Facilities Planning Module approval to Component 4A – Municipal Planning Agency Review for compliance to Township ordinances. The York County Planning Commission completed their review and approved Component 4B. Motion was made by Mr. Bensel and seconded by Mr. Foster to approve Component 4A. Motion carried unanimously.

William D and Cynthia A Often, 180 Aspen Drive, Dillsburg. The plan shows a two lot subdivision in the Conservation Zone. Existing Lot 22A will be 3.84 acres and the proposed Lot 22B will be 15.67 acres. The lot use is proposed single family dwelling. Engineer comments are as follows:

1. The type and location of permanent reference monuments and markers should be shown on the plans. (§ 406.b.16). Northeast corner of Lot 22A needs to be labeled “To Be Set”.
2. Certification, with signature, seal and date, to the effect that the survey and plan are correct by the registered professional surveyor responsible for preparing the plan is required. (§ 406.b.17)
3. The building setback lines should be labelled and dimensioned on the plans. (§ 406.b.19)
4. A notarized signature to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same. (§ 406.b.27)
5. An easement over the primary and replacement absorption areas shall be delineated and identified on the plans, in accordance with the Warrington Township On-Lot Sewage System Management Ordinance.
6. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions shall be shown on the plan. (§ 406.b.28) Restrictions shall be listed on the plan in accordance with the Warrington Township On-Lot Sewage System Management Ordinance 2016-02.
7. A provision for signature by the Township Sewage Enforcement Officer indicating their review of the plan should be added to the plans. (§ 406.b.30)

8. Provision for signatures by the Township Planning Commission indicating their review of the Plan. (§ 406.b.31)
9. Planning Module for Land Development approval from the Pennsylvania Department of Environmental Resources should be submitted to the township prior to final plan approval. (§ 406.e.7)
10. Provisions should be made for additional right of way and roadway width when determined to be necessary for the public health, safety and convenience. (§ 506.e)
11. Pay a fee in lieu of recreation land dedication for each proposed dwelling unit and/or lot on a subdivision or land development plan. (§ 523.a.2.B)
12. Revise General Note #1 to refer to Lot #22A instead of Lot #21A.
13. Revise General Note #5 to read: “the portion of Lot #22B that lies to the north of Aspen Drive is an integral part of the overall Lot #22B; does NOT represent a separate building lot and cannot be subdivided without prior approval of Warrington Township”.
14. A note shall be added to the plan as required by Ordinance 2012-02.

The Sewage Enforcement Officer is requesting a copy of the Sewage Facilities Planning Module that the developer said was approved by PA DEP during a previous subdivision of this property.

Motion was made by Mr. Foster and seconded by Mr. Bensel to conditionally approve the subdivision pending Engineer comments are addressed. Motion carried 3-1 with Mr. Kotz opposing due to too many substantial items missing from the plan to recommend conditional approval.

Eddie E Myers and Ruth C and Phyllis J Destephano, 1655 Pinetown Road, Wellsville. The plan is to subdivide the existing dwelling and buildings with 18 acres. The remaining parcel will contain approximately 134 acres. The property is in the Rural Ag Zone. Engineer comments are as follows:

1. Reference shall be made to the recorded subdivision plans of adjoining subdivided land by record name, date and number. (§ 406.b.5) Reference to the prior subdivision plan for Lots 1, 2, 3 and 4 should be made on the plan.
2. An easement over the primary and replacement absorption areas shall be delineated and identified on the plans in accordance with the Warrington Township on-lot Sewage System Management Ordinance 2016-02. (§ 406.b.7)
3. The status of plans which involve previously subdivided land shall be titled as “Revised Final Subdivision of...”. (§ 406.b.10)
4. Certification with signature, seal and date, to the effect that the survey and plan are correct by the registered professional surveyor responsible for preparing the plan is required. (§ 406.b.17)
5. The existing and proposed density should be listed in the site data table. (§ 406.b.24). Revise General Note #5 regarding the proposed use for Lot 1. If the proposed use is for single family detached dwelling, sewage planning will be required.
6. A notarized signature to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same, shall be added to the plan. (§ 406.b.27)

7. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions shall be shown on the plan. (§ 406.b.28)
Restrictions shall be listed on the plan in accordance with the Warrington Township On-Lot Sewage System Management Ordinance 2016-02.
8. A provision for signature by the township Sewage Enforcement Officer indicating his review of the plan should be added to the plans. (§ 406.b.30)
9. Each Final Plan proposing residential uses within a Rural Agricultural and/or Conservation Zone as established by Warrington Township Zoning Ordinance must contain the required agricultural warning statement.
10. Provisions should be made for additional right of way and roadway width when determined to be necessary for the public health, safety and convenience. (§ 506.e)
11. Pay a fee in lieu of recreation land dedication for each proposed dwelling unit and/or lot on a subdivision or land development plan. (§ 523.a.2.B)
12. Show the entire 50' wide drainage easement in the "Deed Plotting" viewport. The scale for this viewport is incorrectly labeled as 1"=50'.
13. A note shall be added to the plan as required by Ordinance 2012-02.

Motion was made by Mr. Bensel and seconded by Mrs. Grafton to conditionally approve the subdivision pending Engineer comments are addressed. Motion carried unanimously.

Modification Request – Donald and Nora Clouser, 239 Thundergust Mill Road, Wellsville. Mr. and Mrs. Clouser own a 13 acre tract at the end of a private access road. The property contains the original single family dwelling plus four rental mobile homes. The mobile homes and a welding business are pre-existing and nonconforming to the Township Zoning Ordinance. The Clousers are planning to sell the property. The mobile home with the welding business is occupied by a daughter and son-in-law. The Clousers presented a Request for Modification to Section 514.d) of the Warrington Township Subdivision Ordinance to subdivide a one acre tract from the parent tract to convey to their daughter and son-in-law who have occupied the mobile home for 40 years. They are asking for relief of having to improve the existing private road to Township standards and specifications. Motion was made by Mr. Kotz and seconded by Mr. Bensel to recommend approval of the Modification Request. Motion carried unanimously.

Wellsville Elementary School, 1060 Zeigler Road, Wellsville. The applicant plans to expand the school site, construct two building additions totaling 24,000 square feet and provide new separate bus and parent drop-off loops and additional parking. The property is located in the Residential Zone.

Motion was made by Mr. Bensel and seconded by Mr. Foster to table the subdivision due to lack of representation for the project. Motion carried unanimously.

SKETCH PLANS

Martin Petratos, 910 Kunkles Mill Road, Lewisberry. Mr. Petratos owns multiple lots along Kunkles Mill Road and a private access road. He is requesting information to adjust his lot lines to give two of his parcels improved frontage to the access road. Lot MF-121 at 920 Kunkles Mill Road has no road frontage along the private road but there is land belonging to Lot MF-120 at 910 Kunkles Mill Road blocking access. The driveway to 920 crosses land belonging to 910.

Mr. Petratos could have problems when he sells the two lots. The Planning Commission said Mr. Petratos would need to apply for a Zoning Hearing. Both lots are non-conforming to area and frontage in the Conservation Zone and the nonconformities cannot be increased. He would need to provide for adequate building setbacks for existing structures. If Zoning approval is granted a subdivision plan would need to be approved to change the lines. The plan will need to comply with Subdivision Ordinance requirements.

Josh Miller, 3269, 3271 and 3275 Rosstown Road. Mr. Miller, owner of Miller Roofing, is purchasing the property along Rosstown Road to move his business from the East Berlin area. The property contains three separate parcels. One parcel contains a structure that was used as a repair garage. He would like to use the adjoining vacant parcel to install a concrete pad to place dumpsters on that will be used for his business. The Planning Commission said Zoning Ordinance does not allow an accessory use on a vacant lot. He will need to request a zoning variance to place a driveway and dumpsters on a lot that does not have a principal use. Another option is for him to combine the two lots so that the vacant lot would be combined as one with the principal use lot.

ADJOURNMENT

Motion was made by Mr. Bensel and seconded by Mr. Foster to adjourn the meeting.
Motion carried.

The meeting was adjourned at 9:15 PM.

Rebecca Bradshaw
Township Secretary