

WARRINGTON TOWNSHIP  
Minutes of a Special Meeting of the Board of Supervisors  
Held, pursuant to due notice, in the Municipal Building  
3345 Rosstown Road, Wellsville, PA 17365  
Monday, February 20, 2017, 6:00 PM

Presiding:           Supervisor Dean Trump, Chairman  
                          Supervisor David Calderone  
                          Supervisor George DeFrain  
                          Supervisor John Dockery  
                          Supervisor Thomas Hawkins

Staff Present:        Attorney Donald Hoyt, Township Solicitor  
                          Terry Myers, P.E., Township Engineer  
                          Michael Gasswint, Zoning and Codes Enforcement Officer  
                          Rebecca Knaub-Bradshaw, Township Manager and Secretary-Treasurer

The meeting was opened with the Pledge to the Flag.

The special meeting was scheduled to discuss changes proposed by the Township Planning Commission to the Subdivision and Land Development Ordinance. The Board suggested that the discussion begin at the beginning of the Ordinance and will proceed through to the end. Additional meetings will be scheduled as necessary.

Article I. Section 103 – Authority and Jurisdiction. The current ordinance establishes approval by the Township Board of Supervisors and Review by the Township Planning Commission. The proposed change suggests that the authority to approve or disapprove minor subdivision and land development plans with provision that decisions may be appealed within 15 days to the Board of Supervisors for reconsideration.

Article II, Section 203 – Definitions; Specific Words and Phrases.

The definition for the word “Building” was expanded to differentiate the type of building to include:

**Accessory Building** – A building subordinate in use to and detached from the main building on the lot and used for purposes customarily incidental to the principal building.

**Residential Building** – A dwelling, as defined by this ordinance, and/or ancillary type building whose size, design, character and function typically serve to enhance the usefulness and enjoyment of a property for residential purposes.

**Non-Residential Building** - A building whose size, design, character, and function are not suitable for use as a dwelling, as defined by this ordinance, and/or typically not included on a residential property. Any commercial, industrial or similar building.

The definition and/or phrasing for Land Development is proposed to change to the following:

## **Land Development**

1. The following activities are excluded from the definition of land development only when such land development involves:
  - a. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be condominiums; or
  - b. The addition of a residential accessory building, or the addition of an agricultural accessory building, on a lot or lots where such a building is subordinate to an existing or planned principal building.

**Major Land Development** – a residential land development with ten thousand (10,000) square feet or more of impervious surface, whether existing or proposed, or less than 10,000 square feet of impervious surface involving new streets or other public improvements, or any non-residential land development.

**Minor Land Development** – a residential land development with less than ten thousand (10,000) square feet of total impervious surface, whether existing or proposed that does not involve new streets or other public improvements.

The definition and/or phrasing for the word “Plan” is proposed as follows:

**Final Plan** – a complete and exact subdivision or land development plan, prepared as for official recording, to define property rights and proposed streets and other improvements that meets the requirements of Section 402.

**Preliminary Plan** – A subdivision or land development plan that meets all the requirements of Section 403, showing salient existing features of a parcel and its surroundings and the proposed street and lot layout as a basis for consideration prior to preparation of a Final Plan. Detailed engineering drawings of all proposed public improvements, however, shall accompany a Preliminary Plan.

**Sketch Plan** – An informal plan, not necessarily to scale, that meets all the requirements of Section 401 indicating salient existing features of a parcel and its surroundings and the general layout of the proposed subdivision or land development for discussion purposes only and not to be presented for approval.

The following word was proposed to be added but was decided not to be added because it could cause confusion to the Riparian Buffer Section of the ordinance.

**Streambed** – The channel bottom of a stream, creek or river that is covered by water during typical weather conditions.

The definition of “Major Subdivision” and “Minor Subdivision” were proposed to be changed as shown below:

**Major Subdivision:** Currently is a subdivision involving six (6) or more lots, or a subdivision involving five (5) lots or less and requiring new streets or other public improvements.

The proposal is to change the definition to a subdivision involving four (4) or more lots, or a subdivision involving three (3) lots or less and requiring new streets or other public improvements.

**Minor Subdivision:** Currently is a subdivision involving five (5) lots or less and involving no new streets or other public improvements.

The proposal is to change the definition to a subdivision involving three (3) lots or less and involving no new streets or other public improvements.

**Undeveloped Land.** Land in parcels sufficiently large for future subdivision which is presently in agriculture, woodland, or lying fallow.

Supervisor Dockery said that land that is farmed and used for agriculture is not undeveloped land.

### Article III – Procedure.

The following additions and changes were proposed.

Section 301 – Pre-application consultations.

Add: Copies of the Ordinance may also be downloaded from the Warrington Township website at no charge.

Section 303 – Submission of Preliminary and Final Plans.

Add: Applications for approval ..... shall be filed with the Township Secretary at least thirty (30) days prior to the next regularly scheduled meeting.....

Add: For a major subdivision or major land development that will occur in phases and/or where any public improvement is proposed, the initial subdivision or land development plan filed with the Township for formal review and approval shall be considered as a Preliminary Plan.

For major subdivision/land development plans not occurring in phases and/or not proposing any public improvement, or for a minor subdivision plan or land development, as defined in Section 203 of this Ordinance, the developer shall submit a Final Plan in compliance with the requirements in Section 402. The processing of a plan shall be consistent with the procedures for processing a Final Plan as required in this Article.

Add: The applicant shall submit to the Township the appropriate filing fees, ten (10) copies of the plan .....

#### Section 304 – Referral of Plans

- b) 2. Change: DER to DEP – Department of Environmental Protection.
- c) Change: The Secretary shall also retain two copies (2) copies of all documents and one (1) digital copy for the Township file.

#### Section 306 – Public Hearings

Before acting on any land development or subdivision plan, the Board of Supervisors and/or Township Planning Commission may hold a public hearing thereon pursuant to public notice.

#### Section 307 – Approval of Plans

- a) **Plan Approval:** ..... At a scheduled public meeting, the Board of Supervisors shall render its decision on the plan, whether Preliminary or Final, and communicate its decision to the applicant not later than ninety (90) days following the date of the regular meeting of the Warrington Township Planning Commission next following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30<sup>th</sup>) day following the day the application has been filed.

#### Section 310 – Recording of Final Plan

Upon approval of the Final Plan, or upon satisfaction of the conditions of a conditional approval of the Board, the township shall within ninety (90) days of such approval, record such Plan in the Office of the Recorder of Deeds of York County and furnish proof to the developer within thirty (30) days after such recording.

#### Section 312 – Additions to Existing Lots

- b) The Plan prepared for the addition of this parcel shall follow the procedures as outlined in c).
  - 1. The adjustment of a property line between two or more parcels results in a de minimus, non-impactful change in lot size as determined and approved by the Township Board of Supervisors upon recommendation of the Township Planning Commission, provided that the resulting parcels do not create any non-conformity under any Township ordinance, or

2. The elimination of a property line for the sole purpose of consolidating existing parcels that does not create any non-conformity under any Township ordinance is approved by the Township Board of Supervisors upon recommendation of the Township Planning Commission.
- c) The applicant shall have prepared a single deed and a survey plan sealed by a registered surveyor, creating one (1) property from the previous two (2) or more, .....
- d) The Township will hold a fee, as established by resolution of the Board of Supervisors, in escrow to cover the cost of recording until proof of recording is received.

At this time the Board opted to stop discussion and continue with Article IV during a future meeting. The Manager was directed to advertise the regular meeting on March 15, 2017 to begin at 6:00 to allow adequate time to continue the Subdivision Ordinance discussion.

#### ADJOURNMENT

Motion was made by Supervisor Hawkins and seconded by Supervisor DeFrain to adjourn the meeting. Motion carried.

The meeting was adjourned at 7:45 PM.

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Township Secretary