

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, July 24, 2019, 7:00 PM

Presiding: Mr. Richard Bensel  
Mr. James Barton  
Mr. Len Kotz  
Mrs. Carla Repman – absent  
Mr. James Smedley

Staff Present: Mr. Cory McCoy, Township Engineer  
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. Smedley to approve the minutes of the June 26, 2019 meeting. Motion carried.

SUBDIVISIONS/LAND DEVELOPMENT PLANS

RST Enterprises, LLC – 10 & 20 Old York Road. The plan proposes to combine the property at 10 Old York Road and 20 Old York Road into one lot and develop the resulting 0.852 acre tract to create a commercial garage and service facility. The lots are currently zoned Village Commercial and the proposed use of the lot is a vehicle service/repair shop. This is a permitted use by right subject to standards required in Section 307 of the Zoning Ordinance. The lot proposes to use the existing driveway. The lot is served by public sewer. Engineer comments are as follows:

1. The maximum allowable height for a freestanding sign proposed for an individual business is 10 feet (Zoning Ordinance §406.d).
2. Parking spaces shall be guarded by curbs or other protective devices, which shall be arranged so that parked cars cannot project into streets, yards, or walkways.
3. The applicant shall provide a proposed paving section detail for the proposed driveway and parking area (Zoning Ordinance §409).
4. The applicant is requesting a waiver of the submission of a preliminary plan (Subdivision Ordinance §402).
5. The 15' drainage easement shown on the plans shall be labeled as a drainage easement on the plans.
6. The applicant indicates a proposed impervious coverage value of 16,690 sqft. or 45% in the Final Site Data Table, but states the proposed impervious coverage is 13,893 sqft. or 37.4% in Note 10 on the cover sheet. The applicant shall indicate the correct proposed impervious coverage in both locations on the plan.
7. The applicant shall include the certification with signature, seal, and date of the Professional Surveyor/ Engineer (Subdivision Ordinance §406.b.17).
8. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be subdivided and the land to be subdivided shown on the Final Plan is made with their free consent and it is desired to record the same (Subdivision Ordinance §406.b.27).
9. The dates of approval for the requested waivers shall be included on the plans (Subdivision Ordinance §406.e.3).

10. The applicant shall complete a planning module for land development (§406.e.7).
11. Minimum streets widths and right-of-ways shall be as follows (§506.a & e).

Street Classification	Min. Right-of-Way Width	Min. Roadway Width (without curbs)
Old York Road (Arterial Street)	80 -120 feet	As determined after consultation with the York County Planning Commission and the Pennsylvania Department of Transportation

Where a plan is proposing development along an existing street, the Township may require the Developer to improve the portion of the roadway on which the development fronts to meet the Township’s minimum roadway standards. (Subdivision Ordinance §506.e)

12. The Township may require the dedication of land for any proposal that would result in the creation of one or more new dwelling units or any non-residential lot. As an alternative to the requirement that land be dedicated for a recreation site, the Township may request the applicant to pay a fee in lieu of dedication for each proposed dwelling unit and/or lot on a subdivision. Recreation in lieu of fees shall be paid prior to final plan approval (Subdivision Ordinance §523.a.2.B).

13. In addition to such filing fees, the developer shall pay the cost of:

- Reviewing the Land Development Plan and engineering details;
- Inspecting the site for conformance to survey;
- Preparing cost estimates of required improvements during installation;
- Inspection of required improvements during installation;
- Final inspection for completion of installation of required improvements;
- Legal services necessary for the processing of the Land Development Plan;

The Planning Commission told Mr. Troup that if the proposed sign – a sign that will be moved from his current location and used at the new location – does not meet Zoning requirements he will need to apply for a hearing. His Engineer said they will remove the sign dimensions from the plan to make it comply and deal with the sign in the future.

A modification request for Section 506.e will need to be submitted for approval.

Motion was made by Mr. Kotz and seconded by Mr. Smedley to approve modification requests for Section 402 – Preliminary Plan requirement and Section 506.e – street right of way improvement or fee in lieu of due to the property lies along a State Road. Motion carried unanimously.

Motion was made by Mr. Kotz and seconded by Mr. Bensel to conditionally approve the land development plan pending all Township Engineer comments are addressed. Motion carried unanimously.

Stephen J Jr & Ileen M Grasseti, Detters Mill Road. The plan proposes to subdivide the existing tract – 9.56 acres, into a residential lot located within the Rural Ag Zone and an agricultural lot, Lot 1-6.44 acres, located within the Conservation Zone. Lot 2 – 2.69 acres contains a dwelling and has had soil testing. Lot 2 has an existing driveway to Detters Mill Road. Engineer comments are as follows:

1. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be subdivided and the land to be subdivided shown on the Final Plan is made with their free consent and it is desired to record the same (Subdivision Ordinance §406.b.27).
2. Minimum streets widths and right-of-ways shall be as follows (Subdivision Ordinance §506.a & e):

Street Classification	Min. Right-of-Way Width	Min. Roadway Width (without curbs)
Detters Mill Road (Minor Street)	50 feet	24 feet (plus 2 - 4' shoulders)

3. 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 No. 2016-0. Bearings distances, and ties to the property line need to be established for all absorption areas. In addition the following easement restrictions shall be listed on the plan:
  - No improvements, whether permanent or temporary, shall be constructed upon or within the replacement absorption area easement.
  - No permanent or temporary alterations, grading, excavation, stockpiling of any soil or any other material shall take place on or in the replacement absorption area easement.
  - During any construction or other activities, the replacement absorption area easement shall be so marked to prevent equipment with greater wheel loadings than a common garden tractor/riding mower from travelling over or operating upon the surface of the absorption area easement.
  - The final cover or improvement to area absorption easement shall be rooted plant matter.
4. The Township Planning Commission and Township SEO shall determine whether sewage planning is required for the creation of Lot 1, proposed for agricultural use.
5. In addition to such filing fees, the developer shall pay the cost of:
  - Reviewing the Land Development Plan and engineering details;
  - Inspecting the site for conformance to survey;
  - Preparing cost estimates of required improvements during installation;
  - Inspection of required improvements during installation;
  - Final inspection for completion of installation of required improvements;
  - Legal services necessary for the processing of the Land Development Plan;

Motion was made by Mr. Kotz and seconded by Mr. Bensel to approve a request for modification to Section 506.e – Street improvements or fee in lieu of due to the plan will not create a new lot. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mr. Kotz to conditionally approve the subdivision plan pending Township Engineer comments are addressed and Lot 1 is connected to the adjoining property owned by Mr. and Mrs. Grassetti so that a new lot is not created without sewage planning. Motion carried unanimously.

### ZONING HEARINGS

2019-03 Harold & Sharon Stoneberger, 75 Quarry Road, Wellsville, PA 17365

The applicant is requesting an appeal and review of a decision of the Township Zoning Officer dated May 6, 2019 and a Special Exception as required by the Zoning Ordinance to Section 304(c.)(3) for placement of a "Park" as an accessory use. Mr. and Mrs. Stoneberger were represented by their attorney, Charles Suhr and engineer, Chris Hoover. Attorney Suhr said the Stonebergers were served a Notice of Violation on May 6, 2019 for hosting events that did not have zoning approval. They are appealing that notice claiming that the events center is a permissible use as a right in the RA Zone as a Club Room, Club Grounds or Meeting Hall. They are requesting a special exception to Section 304.C.3 – for a Park. The property plans no new construction or development. Weddings will be reserved only on Saturdays. Mr. Kotz, a Planning Commission member, said the Zoning Ordinance allows one principal use per property. It was noted by the Planning Commission that this property has a number of principal uses that include shooting, weddings, agriculture, club house, single family dwelling and bed & breakfast. The Planning Commission did not agree with Attorney Suhr that these uses are accessory to the principal use which he stated is a shooting grounds, as these uses do not meet the requirement of being customarily incidental to the principal use.

Attending the meeting with input was Pastor Patrick Rooney who said as a neighbor he is unhappy with the nuisances that are generated by the illegal activities being held on the property that cause vehicle traffic, annoying lights and noise sometimes until 2:00 AM. He said he does not have a problem with the shooting because that was something that was established prior to zoning.

Another neighbor, Elizabeth Tauser, said she has a problem with shooting when shotgun pellets are falling on her when she is using Yeager Road. She said the character of the neighborhood has changed since the time the prior owner listed his non-conforming uses.

Motion was made by Mr. Bensel to recommend that the Zoning Hearing Board not grant the request for a Special Exception to Section 304.C.3 because of the number of principal uses already existing on the property and that the uses are not accessory to shooting, that the barn to be used as an events center does not qualify as a Park and that the Notice of Violation should be enforced and the appeal to it denied. Mr. Barton seconded. Motion carried unanimously.

### SKETCH PLANS

Mr. James Spangler, property at 7530 Carlisle Road. Mr. Spangler would like to reconfigure lot lines on three lots owned by his family with the intention of straightening the lines and adding acreage to be purchased from an adjoining property. The Planning Commission told him to meet road frontage and lot area requirements to avoid any problems.

Mrs. Janice Brunner, 1740 Pinetown Road. Mrs. Brunner said her intention is to propose a dog agility business on her 19 acre residential property in the RA Zone. Dog training is included in the definition of “kennel” in the Township Zoning Ordinance. Her hours of operation will be 8 AM until 8 PM and she will enforce a “no bark” policy. The Planning Commission told her she would need to make application for a zoning hearing to establish a kennel in the RA Zone.

Miller Roofing, 3265 Rosstown Road. In 2016, Mr. Miller combined two of his lots to create a single lot containing 1.45 acres. He also owns an adjoining lot of 0.34 acres that he now wants to add to the 1.45 acres to create one parcel of land. He said he needs to construct a garage to house equipment that is standing outside. The Planning Commission told him he may need a zoning variance. Issues he will need to address include the definition of driveway vs access drive, how much of the parcel will need to be paved, establishment of the front setback line, a means to install a stormwater facility and screening of the neighboring residential property.

### BUSINESS

Modification to Stoneberger motion. Mr. Kotz said he would like to modify the reasons for objecting to the Stoneberger request for a Zoning Special Exception to include the proposed use is inconsistent with the Township Comprehensive Plan and does not qualify as a Club Room, Club House or Meeting Hall. The Planning Commission agreed.

### ADJOURNMENT

Motion was made by Mr. Kotz and seconded by Mr. Smedley to adjourn the meeting. Motion carried.

The meeting was adjourned at 8:50 PM.

Rebecca Bradshaw  
Township Secretary