

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, June 24, 2020, 7:00 PM

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

Staff Present: Attorney Shane Rohrbaugh, Solicitor
Mr. Terry Myers, 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 Mrs. Repman to approve the minutes of the May 27, 2020 meeting. Motion carried.

SUBDIVISIONS/LAND DEVELOPMENT PLANS

Perry A. and Carolyn L. Witmer - 320 Fickes Road. Michael White of D.A. Hoffman, Surveying, was present to represent the plan. The plan proposes to subdivide existing Parcel 64 (Lot 1 from Plan Book 2490 6850 recorded Oct 9, 2018) into two residential lots. Lot 1 (13.076 acres) shall be subdivided to create Lot 3 (7.488 acres) and Lot 4 (5.588 acres). The lots are currently zoned Rural Agricultural (RA) and the proposed use of the lots is residential. Lot 4 currently has a single family residence and driveway access to Fickes Road (SR 4039) and Lot 3 proposes a new single family residence and intends to have driveway access to Fickes Road also. Engineer comments are as follows:

Zoning Ordinance:

1. All proposed driveways shall meet the driveway requirements. (Section 409 - Driveways)

Subdivision and Land Development Ordinance:

1. Existing and proposed lot coverages shall be added to the Site Data Table. (§ 403.b.4)
2. The scale of the location map provided on the plans is not less than or equal to one thousand feet to the inch. (§ 403.b.5)
3. Email address for the owner shall be provided. (§ 403.b.6)
4. The safe sight stopping distance calculations shall be provided for existing and proposed driveways. A profile of the proposed driveway shall be provided on the plans. (§ 403.b.15)
5. Clear sight triangles shall be shown on the plans for both the existing and proposed driveways (403.b.16).
6. Type and location of permanent reference monuments and markers for all new and existing lot corners impacted by the proposed subdivision shall be shown on the plan. (§ 403.b.19)

7. Location and general exterior dimensions of existing and proposed principal and accessory buildings shall be shown. (§ 403.b.20)
8. The certification with signature, seal, and date of the professional surveyor shall be provided. (§ 403.b.22).
9. Location of all perc tests and probes must be shown and all satisfactory tests must be identified. Primary and replacement infiltration areas must be shown and required easements identified by bearings and distances (§ 403.b.26).
10. Ordinance 2016-02, establishing regulations for the installation, inspection, and ongoing maintenance of on-lot sewage disposal systems, requires that right-of-entry easements be established for all new on-lot sewage disposal systems. The following note shall be added to the plan:

"Any property on which an on-lot system presently exists, or on which an on-lot system is proposed or under construction, shall not be conveyed by the Owner without the inclusion of language in the deed establishing and assigning a non-revocable grant of Right of Entry by the Owner, his heirs, successors, and assigns to the Township for the limited purpose of inspecting, maintaining, sampling, testing, evaluating or repairing the on-lot disposal system described in the application and permits."

In addition, the following restrictions shall be listed on the plan in accordance with the Warrington Township On-Lot Sewage System Management Ordinance No. 2016-02:

- 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 traveling over or operating upon the surface of the absorption area easement.
 - The final cover or improvement to every absorption area easement shall be limited to shallow-rooted plant matter.
11. 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. The Township's Right of Entry shall also be identified on the plan (§ 403.b.27).
 12. No plan which will require access to a highway under the jurisdiction of the PA DOT shall be finally approved, unless the plan contains a notice that a highway occupancy permit is required pursuant to §420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law" (§ 403.b.28).
 13. Any existing deed restrictions or any proposed by this plan shall be included on the plans. (§ 403.b.34).
 14. The applicant shall complete a sewage planning module for the proposed lots. (§ 403.e.4).

15. Note 7 shall include the following: (§ 403.e.6):
"Any development within a floodplain or flood prone area must be in compliance with the provisions of the Warrington Township Floodplain Management Ordinance."
16. Pay a fee in lieu of dedication for each proposed dwelling unit and/or lot on a subdivision or land development plan which fees shall be established by resolution of the Board of Supervisors and amended only by the Board of Supervisors (§ 523).
17. Note 8 shall include the following:
"If wetlands are determined to be present and permits are needed, acquisition of any applicable permit(s) must occur prior to building permit application and the commencement of any earthmoving or construction activities" .
18. In accordance with Pa. Code, Chapter 71, Section 71.62(c)(2)(iv), a Preliminary Hydrogeologic Study, Component 2-L, may be required if the proposed subdivision is located in an area identified in the Township's Act 537 plan with known geological conditions conducive to groundwater pollution or located near wells known to have high ground water nitrate levels.
19. 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.
 - Legal services necessary for the processing of the land development plan.

Mr. White said he is waiting for additional documents that need to be included in the Sewage Planning Module.

Motion was made by Mr. Kotz and seconded by Mr. Bensel to table the subdivision pending missing documents are received. Motion carried unanimously.

Harry H Fox, Jr, Stone Jug Road, Lewisberry. Mr. Aaron McKonly and Attorney Brian Linsenbach represented the plan. The plan proposes to subdivide an existing 23.77 acre parcel into two residential lots. Lot 1 – 13.63 acres and Lot 2 – 10.15 acres. Lot 1 will be consolidated with 3.32 acre Parcel 29G to create a new Parcel 29G equaling 16.95 acres. Lot 2 will be consolidated with Parcel 31A (to be purchased prior to plan recording and equals 0.30 acres to create a new Parcel 29C equaling 10.45 acres. The lots are currently zoned Rural Ag and the proposed use of the lots are single family residential which is a permitted use by right in the Rural Ag Zone. Both lots are proposing driveway access to Stone Jug Road. The plan was previously conditionally approved by the Planning Commission on June 27, 2018 as follows: *Motion was made by Mr. Smedley and seconded by Mrs. Repman to approve the plan conditionally pending all Engineer comments are addressed and with regards to the Non-Building clause that the developer include a note on the plan cover to make a buyer beware that a DEP Sewage Planning Module and a hydro-study will be required to satisfy sewage requirements. Motion carried unanimously.*

Attorney Linsenbach requested that the plan be reconsidered under Section 312 of the Subdivision Ordinance as two lots that are being reconfigured to split the property in half. Mr. Kotz said Section 312.b)1. states “the adjustment of a property line between two or more parcels results in a de minimus, non-impactful change in lot sizes and boundaries as determined and approved by the Township Board of Supervisors upon recommendation of the Township Planning Commission, etc. He said these parcels are 3.3 acres and 21.18 acres and that should not be considered de minimus.

Motion was made by Mr. Kotz to deny the request because it does not fall with the meaning of Section 312 of the Township Subdivision Ordinance. Mr. Smedley seconded. Motion carried unanimously.

BUSINESS

Zoning Ordinance update. The Planning Commission prepared an outline of changes and corrections that they suggest be made to the Zoning Ordinance. They recommend that a consultant be hired to prepare and present updates to the Board of Supervisors. They met with Mr. Tim Cormany, Martin and Martin, Inc. on June 19 to discuss the scope of work and request a proposal for a cost to prepare an update per the outline of changes that were presented to him. He said the cost would not exceed \$13,750.00. Some of the items to be addressed are: senior housing, accessory dwelling units, tiny homes, solar farms and windmills, stormwater and Chesapeake Bay requirements, agricultural preservation. Current uses by zone could be adjusted as necessary. Definitions could be improved. A request was called in to the Township office by Mr. Craig Weaver to expand the Village Commercial Zone so that his property that joins Wellsville Borough would be commercial rather than residential. The land is attached to his business in Wellsville Borough and has no road frontage. Mr. Weaver asked if this property could be changed at the same time as the Zoning Ordinance update. The Planning Commission said they did not want to add this request to the list of changes. They suggested that Mr. Weaver request a map change on his own. It was suggested that the request for approval of the proposal submitted by Mr. Cormany be added to the Board of Supervisors agenda for the July 15, 2020 meeting.

ADJOURNMENT

Motion was made by Mrs. Repman and seconded by Mr. Barton to adjourn the meeting. Motion carried.

The meeting was adjourned at 8:00 PM.

Rebecca Bradshaw
Township Secretary