

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, February 24, 2021, 7:00 PM

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

Staff Present: Attorney Shane Rohrbaugh, Solicitor
Mr. Terry Myers, Township Engineer
Mr. Michael Gasswint, Zoning and Permit 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 Mrs. Repman to approve the minutes of the January 27, 2021 meeting. Motion carried.

SUBDIVISIONS/LAND DEVELOPMENT PLANS

Thomas E. Jr. & Sandra D. Farcht –115 Cedar Drive The plan proposes a land swap between existing Lot 2 (13.00 acres gross, 12.68 acres net) which contains an existing single family dwelling and frame pole barn, and existing lot 3 (42.43 acres gross, 42.21 acres net) which currently sits as a vacant lot. The swap proposes to create Lots 2A and 3A (Both 2.13 acres), and attach them to Lots 2 and 3 respectively. The lots are currently zoned Conservation (C), and the proposed use of the lots is residential. Existing lots 2 and 3 currently have access to Cedar Drive (T – 859) by means of an existing gravel drive for Lot 2 and a private drive for Lot 3. This plan has been reviewed as a Minor Subdivision plan. Engineer comments are as follows:

Subdivision and Land Development Ordinance:

1. The applicant shall include proposed lot coverage values due to changes resulting from the existing private drive section contained in the land swap. (§403.b.4)
2. The location map shown on the coversheet of plans is both upside down, and does not show the correct location of the project site. The applicant shall also include the existing Township Zoning Boundaries within the location map (§ 403.b.5).
3. The applicant shall include a telephone number for Audrey F. & Terry L. Throne on the coversheet of the plans (§403.b.6).
4. The plan shall be legibly drawn to a scale of 10, 20, 30, 40, 50, or 100 feet to an inch. The applicant may request a waiver of this section (§403.b.10).
5. The applicant shall include the existing roadway width of Cedar Drive (T-859) (§403.b.14).
6. Primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on the plan refer, shall be indicated on the plans (§403.b.18).

7. The applicant shall include the location and type of all existing and proposed lot corner markers and monuments at all exterior boundaries. The applicant shall set a new concrete monument in place of the proposed 5/8" rebar and cap at the intersection of all 4 lots, as well as at the ROW line along Cedar Drive (§403.b.19).
8. The general exterior dimensions of all existing structures and accessory buildings shall be shown on the plans. (§ 403.b.20).
9. The applicant shall include the certification with signature, seal, and date of the professional surveyor on the final plans (§ 403.b.22).
10. The applicant shall identify the primary and replacement infiltration areas, along with easements identified by bearings and distances. The Township's Right of Entry shall also be identified on the plan (§ 403.b.26).
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. (§ 403.b.27).
12. Each plan proposing residential uses within a Rural Agricultural and/or Conservation Zone as established by the Warrington Township Zoning Ordinance must contain in conspicuous form the following language: "Warning: The residential lots(s) proposed by this subdivision plan are in the Conservation Zone. One primary use of this Zone is agriculture, and residents must expect such things as the smell of farm animals and the manure they produce, the use of chemical sprays, low moving agricultural machinery on local roads, and other by-products of agricultural activity" (§ 403.b.33).
13. Certification from the Township Engineer that the developer has installed all public improvements to the specifications of this Ordinance and any conditions attached by the Board of Supervisors, or certification from the Township Solicitor that the developer has posted an improvement bond or other accepted security in an amount sufficient to assure completion of all improvements (§ 403.f.1).
14. The applicant shall complete the non-building waiver. The Township Sewage Enforcement Officer shall sign the plan prior to final plan approval. (§ 404) A note shall be added to the plans stating that sewage planning shall be completed for Lot 3 prior to building permit application.
15. Parcels of land existing as of June 5, 1985, which have their sole access by means of substandard private streets (i.e. not meeting the minor street standards set forth in the ordinance), will not be permitted to be subdivided for the creation of additional lots unless the private street is improved to conform to all standards and specifications for streets as set forth in this ordinance and provided such lots meet all applicable requirements of the Warrington Township Zoning Ordinance (§ 514.d).
16. The following on lot sewage disposal system notes shall be added to the plan (§ 515.b):

"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 inspecting, maintaining, sampling, testing, evaluating or repairing the on-lot disposal system described in the application and permit."
17. 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. 2016-02. 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 (§ 515.c):

- No improvements, whether permanent or temporary, shall be constructed upon or within any absorption area easement.
 - No permanent or temporary alterations, grading, excavation, stockpiling of any soil or any other material shall take place on or in any absorption area easement.
 - During any construction or any other activities, the 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 areas easement.
 - The final cover or improvement to every absorption area easement shall be limited to shall rooted plant matter.
18. A minimum of two (2) concrete monuments must be installed prior to Final Plan approval, unless financial security is posted in accordance with Section 602 and 603 of this Ordinance (§ 522.c)
19. Deed recording information shall be provided to the Township within 60 days of subdivision plan recording, proving that Lot 2A and 3A have been created and subsequently combined with existing Lots 2 and 3 respectively.
20. 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 Mrs. Repman and seconded by Mr. Kotz to table the subdivision to give the preparer time to address some of the comments. Motion carried unanimously.

ZONING HEARINGS

David W. and Faye L. Kitzmiller, Alpine Road. The property at this address was created by the Gilbert and Ila Stambaugh subdivision in 1959. At that time Warrington Township had no Zoning Ordinance and the structures were established within today's setback areas. Mr. and Mrs. Kitzmiller would like to sell the eating establishment and keep the single family dwelling and detached garage. The variance requested is for relief from the lot size requirement of 60,000 square feet and lot coverage requirement of 30%. This relief would help the property obtain a reduction in nonconformity. Mr. and Mrs. Kitzmiller have scheduled a hearing with Zoning Board on March 4, 2021. Motion was made by Mr. Bensel and seconded by Mr. Barton to ask the Zoning Board for approval of the requested variances. Motion carried unanimously.

SKETCH PLANS

Mr. Troy Swartz, 265 Beaver Creek Road. Mr. Swartz owns 20 acres with one dwelling. The property has 50 feet of road frontage to Beaver Creek Road and Mr. Swartz asked if he would be able to subdivide for his daughter and use a shared driveway. The Planning Commission and Engineer said a lot cannot be created that does not have public road frontage. The Ordinance allows for construction of a street that is built to Township standards. A zoning application could be filed if the property owner can show hardship.

BUSINESS

Zoning Ordinance rewrite. The following discussion took place.

1. Subdivision and Land Development Ordinance Section 312 – Additions to Existing Lots. York County Planning Commission will not acknowledge this section. Attorney Rohrbaugh will contact the County Solicitor to discuss options.
2. During the July 2020 Board meeting, Craig Weaver asked the Board to consider a change to the Township Zoning Map to include his property in the Township Village Commercial Zone. He said he is taxed by Wellsville Borough and the Borough does not have Zoning but each time he adds to his building he needs a Zoning Hearing to comply with Township Residential Zone regulations. The Board agreed to a contract change to allow Martin and Martin, Inc to update the Official Map at the same time as the Zoning Ordinance. Mr. Kotz asked if other neighboring property could be included in the Village Commercial. Mr. Smedley said the neighboring properties have access to Township roads. Mr. Weaver and an adjoining property owned by Benjamin Koppenhaver accesses using Wellsville Borough public streets and the part of the property in Warrington Township is landlocked. Motion was made by Mr. Smedley and seconded by Mr. Bensel to notify the Board of Supervisors that the Planning Commission is in favor of rezoning the Weavers of Wellsville tract and the tract adjoining his that is owned by Benjamin Koppenhaver. Motion carried.

Other discussion included adding definitions and regulations for clear-cut; residential dumpster; and outdoor furnace. Telecommunications and driveways will be moved into a separate ordinance.

It was decided to continue reviewing the changes and for the Planning Commission members to bring any discussion to the next meeting.

ADJOURNMENT

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

The meeting was adjourned at 9:15 PM.

Rebecca Bradshaw
Township Secretary