

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, March 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. Barton and seconded by Mrs. Repman to approve the minutes of the February 24, 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 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).
2. The applicant shall include the certification with signature, seal, and date of the professional surveyor on the final plans (§ 403.b.22).
3. 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).
4. Certification from the Township Engineer that the developer has installed all public improvements including concrete monuments 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).
5. 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.
6. 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.

7. 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.

A request for modification was submitted for Section 403.b.10 – Plan scale size 1” = 150’ for depiction of overall parcel clarity. Parcels are 13 acres and 42 acres. Motion was made by Mr. Bensel and seconded by Mr. Kotz to approve the request for modification. Motion carried.

Motion was made by Mr. Barton and seconded by Mrs. Repman to conditionally approve the subdivision pending all Engineer comments are addressed. Motion carried.

Motion was made by Mr. Bensel and seconded by Mrs. Repman to approve the request for planning waiver and non-building declaration for Lot 2 and Lot 3 that do not propose new sewage generating structures. Motion carried.

David W. & Faye L. Kitzmiller –930 Alpine Road. The plan proposes to attach a portion of existing Lot 11, aka tax parcel 49-1-11 (1.08 acres) , which contains an existing block garage, to Lot 10 aka tax parcel 49-1-10 (0.75 acres). The portion to be attached (Lot 11B 0.33 acres) shall leave Lot 11A (0.75 acres). The resulting tax parcel 49-1-11 shall measure 0.75 acres, and tax parcel 49-1-10 shall measure 1.08 acres. The plan also proposes to attach existing Lot 8 to existing Lot 9 to eliminate the driveway intrusion into Lot 8. The lots are currently zoned Rural Agricultural (RA) and the proposed use of the lots is residential/commercial. Existing lots 9, 10, and 11 currently have driveway access to Alpine Road (S.R. 4019). As this plan involves the subdivision of 4 total lots, it has been reviewed as a Major Subdivision plan. Engineer comments are as follows:

Zoning Ordinance comments:

1. A note shall be added to the plan listing the Zoning Hearing Board case number and results. (§ 402.c.6).

Subdivision and Land Development Ordinance:

1. The general exterior dimensions of all existing structures and accessory buildings shall be shown on the plans. (§ 403.b.20).
2. The applicant shall include the certification with signature, seal, and date of the professional surveyor on the final plans (§ 403.b.22).
3. 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).
4. Existing significant natural or existing or proposed manmade features within the parcel and within 400 feet of the area proposed to be subdivided or developed. Significant natural features include watercourses, 100 year floodplains, flood hazard areas, tree mases, steep slopes and wetlands delineated in accordance with the “federal Manual for Identifying and Delineating Jurisdictional Wetlands” (January 1989) and other features of note. Manmade features include location, size, and invert elevations of all existing or proposed water mains, sanitary or storm sewers, buildings, petroleum, gas or electric lines, and the location of all manholes, inlets, and culverts (§ 403.c.2). Pipe size and material of the culvert located at the rear of Lot 11B shall be provided.

5. PA DEP sewage planning approval, exemption or waiver thereof shall be obtained prior to final plan approval. The Township Sewage Enforcement Officer shall sign the plan prior to final plan approval. (§ 404)
6. 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.”

7. 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.
8. Deed recording information shall be provided to the Township within 60 days of subdivision plan recording, proving that Lot 11B has been combined with Lot 10 and that Lot 8 has been combined with Lot 9.
9. The applicant shall tie the existing rear property line/ street ROW line into the centerline of Rainbow Trail Avenue.
10. 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.

The following modification requests were received:

Section 403.C.2 – Show existing or manmade features within 400 feet of property.

Section 515.C. – Show easement around existing septic systems.

Motion was made by Mr. Bensel and seconded by Mrs. Repman to approve the requests for modification. Motion carried.

Motion was made by Mr. Kotz and seconded by Mr. Barton to conditionally approve the subdivision pending all Engineer comments are addressed. Motion carried.

Motion was made by Mr. Smedley and seconded by Mrs. Repman to approve the request for planning waiver and non-building declaration for this plan that does not propose new sewage generating structures. Motion carried.

SKETCH PLANS

James Maclay – Pinetown Road. Mr. Maclay would like to subdivide 2 acres from his 75 acre farm to build a new house. His proposed driveway will enter from Pinetown Road but will also

have an exit onto a private road to the rear of the new dwelling. The Planning Commission said as long as there is a driveway shown to a public road the private road access is allowed.

Teresa Stevens, Zeigler Road. Mrs. Stevens owns a 35.6 acre tract that she would like to subdivide for her son to build a house. She expects to subdivide 12 acres for him and asked what she needed to do. The Planning Commission said she should contact the Sewage Officer for septic testing unless she plans to hook into the municipal sewer, and next to hire a surveyor who will instruct her how to proceed.

Erik Riddle – Lot 4 Caden Subdivision. Mr. Riddle is looking to purchase Lot 4 of the Caden plan and would like to construct two buildings, one for his business and a second building to use as a storage rental business. He was told he would need Zoning Hearing Board approval for a second use on the property.

BUSINESS

Zoning Ordinance re-write discussion. The Planning Commission reviewed changes that were made to the Ordinance during previous meetings.

It was decided that the Telecommunications section of the ordinance would be removed and a separate Wireless Communications ordinance will be written.

A separate section regarding Solar Facilities will be included within the ordinance.

A member of the audience from the Jim Eisenhower family read a letter requesting that agricultural preservation language should be included in the Ordinance. A property owner can achieve additional points in the County ranking system when the municipal zoning ordinance adopts agricultural preservation zoning. Mr. Bensel said he is in favor of adding stronger language to the ordinance.

Mr. Kotz said the Driveway and Access Drive requirements should be removed from the ordinance and adopted into a separate ordinance.

Mr. Smedley said Tim Cormany will be asked to attend the next Planning Commission meeting, scheduled for April 28th. Mr. Smedley said the meeting should be advertised for 6:00 PM to add extra time for the Zoning Ordinance discussion. He would like to see the meeting attended by the Board of Supervisors and Zoning Board members also for their input.

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

The meeting was adjourned at 9:10 PM.

Rebecca Bradshaw
Township Secretary