

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, September 27, 2017, 7:00 PM

Presiding: Mr. Richard Bensel
Members Present: Mr. George DeFrain – alternate member
Mrs. Marilyn Grafton - absent
Mr. Len Kotz
Mrs. Carla Repman

Staff Present: Attorney Peter Haldeman, 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. Bensel and seconded by Mrs. Repman to approve the minutes of the August 23, 2017 meeting. Motion carried unanimously.

SUBDIVISIONS/LAND DEVELOPMENT PLANS

Donald A. and Nora E. Clouser, 239 Thundergust Mill Road, Wellsville, PA. The plan proposes to separate an existing lot from the parent tract. Both lots are served by on-lot sewage systems and wells. The property is non-conforming to the Township Zoning Ordinance with consideration to the existing structures. Engineer comments are as follows:

Subdivision and Land Development Ordinance

1. The location of all existing buildings, sewers, water mains, culverts, and other significant man-made features within or adjacent to the parcel shall be shown on the plans. It appears that an existing well will be placed within the proposed private right-of-way for the private drive (§ 406.b.9). Revise the waterline easement note on the plans to state the easement shall be centered over the waterline.
2. Where there is no public water supply, each lot in the development must be supplied with an individual on-lot water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Protection (§ 516.b).
3. Certification, with signature, seal and date, to the effect that the survey and plan are correct by the registered professional surveyor responsible for preparing the plan (§ 406.b.22).
4. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same (§ 406.b.27).
5. An improvement bond or other accepted security in an amount sufficient to assure completion of all improvements (corner monumentation) is required to be posted (§ 406.e.6)

6. Payment of any outstanding fees to the Township is required prior to plan recording. (Subdivision Ordinance §806.b)

A modification request was submitted to request a waiver from Section 516.b – On-lot water supply. This water supply to the mobile home on Lot 2 has adequately served the use for 41 years. A note on the subdivision plan is to require a well to be drilled on Lot 2 upon conveyance of Lot 2 or the next conveyance of Lot 1. A use and maintenance agreement shall be executed between the owners, their heirs and assigns of Lots 1 and 2 and recorded with the subdivision plan.

Motion was made by Mr. Bensel and seconded by Mrs. Repman to conditionally approve the subdivision plan if the Use and Maintenance Agreement is acceptable to the Township Supervisors. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mr. DeFrain to approve a request for modification to Section 516.b regarding a waiver to the requirement that each lot have individual on-lot water supply. Motion carried unanimously.

Motion was made by Mr. DeFrain and seconded by Mr. Bensel to approve a request for planning waiver and non-building declaration that the subdivision is not proposing new sewage generating structures. Motion carried unanimously.

Larry L. & Jane V. Hatter – 2101 Pinetown Road, Lewisberry, PA. The plan proposes to consolidate two lots together and ultimately subdividing the lot into two residential use lots. The lots are currently zoned Rural Agriculture and the existing and proposed use of the lots is single family residential.

Subdivision and Land Development Ordinance

1. The following should be added to the site data note #16:
“tax parcel 49-OE-40A shall not be separated therefrom without prior approval from the Warrington Township Board of Supervisors.”
2. For clarity on the plans, the wetlands should be delineated with a hatched area and the boundary markers removed from the plans (§ 406.b.6).
3. An easement over the primary and replacement absorption areas, if required, shall be delineated and identified on the plans, in accordance with the Warrington Township On-Lot Sewage System Management Ordinance No. 2016-02 (§ 406.b.7). Bearings and distances should be provided for the proposed easements and ultimately be located for future reference (§ 406.b.8).
4. Clear sight triangles shall be shown for all driveways; a typical detail may be utilized. (§ 406.b.13)
7. Signature, seal, date and certification of the responsible, registered professional surveyor shall be added to the plan (§ 406.b.17).
8. For on-site sewage disposal systems, the location of all perc tests and probes must be shown and satisfactory tests must be identified. For on-site water supply, wellhead protection radii should be shown on the plans. Perc and probe for the replacement sewage system should be shown on the plans, if required (§ 406.b.25).

9. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same (§ 406.b.27).
10. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions shall be shown on the plan, or shall accompany the plan if such text is too lengthy to place on the plan. In the latter case, a note shall be placed on the plan referencing such restrictions or covenants (§ 406.b.28). The following restrictions shall be listed on the plan in accordance with the Warrington Township On-Lot Sewage System Management Ordinance No. 2016-02, if a replacement absorption area is required:
 - 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. Provisions must be made to obtain signatures for the Township Sewage Enforcement Officer (§ 406.b.30).
12. An access drive maintenance agreement, which includes all affected property owners, shall be provided and recorded with the plan.
- 13. What is the status of the 20' wide access easement? Is there a maintenance agreement in place for the easement?**
- 14. The existing buildings located near the pond should be shown on the plan (§ 406.b.6).**

Motion was made by Mr. Bensel and seconded by Mrs. Repman to approve a request for modification to Section 406.e.7 and 515.b – requirement for alternate site sewage testing for non-building waiver. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mrs. Repman to approve a request for modification to Section 506.e. – Road improvements. Pinetown Road is a Penn DOT road. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mrs. Repman to conditionally approve the subdivision plan pending engineer comments are addressed. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mr. Kotz to approve a request for planning waiver and non-building declaration that the subdivision is not proposing new sewage generating structures. Motion carried unanimously.

A question was presented concerning the status of an access easement on a previous plan. Motion was made by Mr. Bensel and seconded by Mrs. Repman to include the following engineer comments to the conditional approval: Check the status of a 20 foot wide access easement and add existing buildings in the pond area to the plan. Motion carried unanimously.

Martin W. Petratos – 910 & 920 Kunkles Mill Road. The plan proposes to consolidate four tracts having four tax parcel numbers together and ultimately subdividing the lot into two residential use lots. The lots are currently zoned Conservation and the existing and proposed use of the lots is single family residential. Engineer comments are as follows:

Zoning Ordinance

1. All uses within Warrington Township shall be required to comply with the Warrington Township Floodplain Ordinance, as may be amended. (§ 309)
2. Access drives shall require a twenty-four (24) foot right-of-way. The minimum pavement width for access drives shall be twenty-four (24) feet [two (2) twelve (12) foot traffic lanes]. (§ 410.a)
3. All access drives shall be paved with concrete or a bituminous paving material unless another suitable paving material is approved by the Township. (§ 410.d)

Subdivision and Land Development Ordinance

15. The following note should be added to the plan:

“Parcels 119, 120, 120A, and 121 will be combined and shall not be separated therefrom without approval from the Warrington Township Board of Supervisors.”

16. What is the status of ownership of the existing garage shown on the adjacent lot?
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 (§ 406.b.7). Bearings and distances should be provided for the proposed easements and ultimately be located for future reference (§ 406.b.8).
18. A maintenance access agreement shall be provided for the proposed access drive right-of-way to Kunkles Mill Road. (§ 406.b.10).
19. The right-of-way for Kunkles Mill Road should be provided on sheet no. 2. (§ 406.b.11).
20. Certification, with signature, seal and date, to the effect that the survey and plan are correct by the registered professional surveyor responsible for preparing the plan (§ 406.b.17).
21. For on-site sewage disposal systems, the location of all perc tests and probes must be shown and satisfactory tests must be identified. For on-site water supply, existing wellhead protection radii should be shown on the plans. Perc and probe for the replacement sewage system should be shown on the plans (§ 406.b.25).

22. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same (§ 406.b.27).
23. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions shall be shown on the plan, or shall accompany the plan if such text is too lengthy to place on the plan. In the latter case, a note shall be placed on the plan referencing such restrictions or covenants (§ 406.b.28). Reference shall be made to the operation and maintenance requirements of the property owner for the private drive. 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.
24. An improvement bond or other accepted security in an amount sufficient to assure completion of all improvements (corner monumentation) is required to be posted (§ 406.e.6).
25. A non-building waiver shall be completed and submitted to the Pennsylvania Department of Environmental Protection (§ 406.e.7).
26. Requests for modification(s) shall be made in writing by the applicant and shall be submitted to the Township Secretary with the application for subdivision or land development for review by the Planning Commission and Board of Supervisors (§ 801). If approved by the Board of Supervisors, said modification(s), including any imposed conditions and the date the modification was granted, shall be clearly noted on the preliminary and/or final plan.
27. Payment of any outstanding fees to the Township is required prior to plan recording. (Subdivision Ordinance §806.b)

There was no one present to represent the plan. Motion was made by Mr. Bensel and seconded by Mr. Kotz to table the plan until a revised plan can be submitted with less outstanding comments. Motion carried unanimously.

ZONING HEARINGS

Pennex Aluminum Company, LLC, 50 Community Street, Wellsville, PA. Location of Property affected is 110 Community Street, Wellsville, PA. The applicant is requesting an extension of time to obtain the Zoning Permit or Use Certificate as required in Section 604.a. of the Warrington Township Zoning Ordinance. The applicant was granted an extension of time of one

year by the Zoning Hearing Board on November 15, 2016. The Land Development Plan for this project has been submitted but it is unlikely that the plan will be approved and recorded prior to November 15, 2017. A recorded plan is necessary to obtain the Zoning Permit or Use Certificate. Attorney John Andrews and Harry Dillman, were present to represent Pennex Aluminum. Attorney Andrews said the Pennex project has a subdivision plan that has been conditionally approved by the Warrington Township Planning Commission but the extended time granted by the Zoning Hearing Board will not allow them to finish in time to obtain a Use Certificate. Motion was made by Mr. Bensel and seconded by Mrs. Repman to recommend that the Zoning Board approve the request for a one-year extension of time. Motion carried unanimously.

MODIFICATION REQUESTS

Mr. Randy Hermany, 212 Kralltown Road, Dillsburg, PA. Mr. Hermany is requesting a modification to Section 203 – waiver to submit a land development plan to construct a 1600 square foot building for residential storage. Motion was made by Mr. Kotz and seconded by Mr. Bensel to approve the request for modification. Motion carried unanimously.

ADJOURNMENT

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

The meeting was adjourned at 8:00 PM.

Rebecca Bradshaw
Township Secretary