

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION

Minutes April 20, 2023 – 7:00 PM

The regular meeting of the West Hempfield Township Planning Commission was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue. Chairman John Rodman called the meeting to order at 7:00 PM and led the Pledge of Allegiance. Also physically present at the meeting were Commissioners James Stuckey, Carl Manelius, and Barry Carter, as well as Township Director of Planning Lindsay Gerner, and Township Engineer Melissa Kelly.

I. Pledge of Allegiance

II. Approval of Minutes for February 16, 2023 Meeting

Motion: A motion was made by Mr. Stuckey, and seconded by Mr. Carter, to approve the minutes for the February 16, 2023 Planning Commission meeting. **Carried 4-0.**

III. Communications

None.

IV. Comments from the Public

There were no comments from the public.

V. Plans

**A. WHTPC 13-2022: 315 Sylvan Retreat Rd (Patel)
Final Subdivision and Land Development Plan
Location: 315 Sylvan Retreat Rd**

Mr. Brian Cooley, Professional Landscape Architect from D.C. Gohn Associates, Inc., presented the 3 lot subdivision and land development plan on behalf of the Patel family. After presenting the plan, Mr. Campbell answered questions from the Planning Commission regarding the Township Engineer's letter.

Ms. Kelly stated that the plan is in good shape for a recommendation for conditional approval.

1. Section 305 – Preliminary Plan Processing

The applicant has requested a modification of the requirement to process a preliminary plan and in the alternative proceed directly to final plan.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Manelius, to recommend approval of this modification based upon the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township. Carried 4-0

2. Section 404.A.1- Plan Scale

The applicant has requested a modification of the requirement to provide a plan at a scale of one inch equals 20 feet (1"=20') or one inch equals 50 feet (1"=50'). In the alternative, the applicant has provided the existing conditions and demolition plan sheet at one-inch equal 40 feet (1"=40'), and the final grading

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION

Minutes April 20, 2023 – 7:00 PM

plan sheet at one inch equals 30 feet (1"=30').

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Manelius, to recommend approval of this modification based upon the justification and alternative provided. Carried 4-0

3. Section 602.K.6.b – Improvements of Existing Streets

The applicant is requesting a modification of the requirement to reconstruct Sylvan Retreat Road to its centerline with the justification that the existing 12' wide travel lane along the property frontage is adequate for traffic to travel safely.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Carter, to recommend denying the request to waive the reconstruction of Sylvan Retreat Road to its centerline but allow the applicant to defer the improvements based on the justification provided with the condition that the following note is added to the plan: "The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires Road Widening at all locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so." Carried 4-0

4. Section 609.E.8 – Street Trees

The applicant is requesting a modification to the requirement that street trees be spaced a minimum of 40 feet and a maximum of 60 feet. Street trees are provided on Lots one and three. Lot two is a flag lot with no room for a street tree in the pole portion. In addition, there are clear sight triangles and other easements which limit the areas for street trees.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Manelius to recommend approval of the modification request based on the justification and alternative provided. Carried 4-0

5. Section 122-46.D.a.4- Pipe Size

The applicant is requesting a modification of the requirement to provide all storm sewer outside of the public right-of-way but subject to vehicular loading at a minimum 15" diameter, and in the alternative proposes 8" PVC pipe. The justification provided is that the pipes are adequately sized to convey the 100-year storm event and are provided with adequate cover below the proposed driveways.

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION

Minutes April 20, 2023 – 7:00 PM

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Manelius to recommend approval of the modification request based on the justification and alternative provided. Carried 4-0

6. Section 122-48.A.2.c – Loading Ratios

The applicant is requesting a modification of the requirement to limit the loading ratios for Stormwater Management facilities underlain by non-Karst geology to 5:1 impervious drainage area to infiltration area and 8:1 total drainage area to infiltration area. In the alternative, Stone Bed 1 has 25:1 total drainage area and 6.4:1 impervious drainage area to infiltration area loading ratios, and Stone Bed three exceeds the total drainage area loading ratio at 18.8:1.

Motion: A motion was made by Mr. Manelius, seconded by Mr. Stuckey to recommend approval of the modification request based on the justification and alternative provided. Carried 4-0

Plan:

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Manelius, to recommend approval to the Board of Supervisors. Carried 4-0

B. WHTPC 01-2023 Kinderhook (90 days: May 3, 2023)

Final Subdivision Plan

Location: 4440 Marietta Pike

Mr. Rick Jackson, Professional Landscape Architect from ELA Group, Inc., presented the 2 lot subdivision plan on behalf of Kinderhook Farm LP. After presenting the plan, Mr. Jackson answered questions from the Planning Commission regarding the Township Engineer's letter.

1. Section 305 – Preliminary Plan Processing

The applicant has requested a modification of the requirement to process a preliminary plan and in the alternative proceed directly to final plan.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Carter, to recommend approval of this modification based upon the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township. Carried 4-0

2. Section 402.D – Community or on-lot sewage disposal

The applicant has requested a modification of the requirement to provide on-lot sewage disposal. Kinderhook Farm, LP will retain ownership of the lots and intends for them to remain in agricultural production. If sold in the future, subsequent purchasers will be required to provide on-lot sewage disposal if a non-agricultural use is proposed. The applicant has applied for a DEP Non-Building Declaration.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Manelius, to

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION

Minutes April 20, 2023 – 7:00 PM

recommend approval of this modification based upon the justification provided with the condition that the following plan note, as required by DEP, be provided on the plan:

“AS OF THE DATE OF THIS PLOT PLAN RECORDING, THE PROPERTY/SUBDIVISION DESCRIBED HEREIN IS AND SHALL BE DEDICATED FOR THE EXPRESS PURPOSE OF AGRICULTURAL USE. NO PORTION (OR LOT NUMBERS 1-3) OF THIS PROPERTY/SUBDIVISION ARE APPROVED BY WEST HEMPFIELD TOWNSHIP OR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE INSTALLATION OF ANY SEWAGE DISPOSAL FACILITY. NO PERMIT WILL BE ISSUED FOR THE INSTALLATION, CONSTRUCTION CONNECTION TO OR USE OF ANY SEWAGE COLLECTION CONVEYANCE, TREATMENT OR DISPOSAL SYSTEM (EXCEPT FOR REPAIRS TO EXISTING SYSTEMS) UNLESS THE MUNICIPALITY AND DEP HAVE BOTH APPROVED SEWAGE FACILITIES PLANNING FOR THE PROPERTY/SUBDIVISION DESCRIBED HEREIN IN ACCORDANCE WITH THE PENNSYLVANIA SEWAGE FACILITIES ACT AND REGULATIONS PROMULGATED THEREUNDER. PRIOR TO SIGNING, EXECUTING, IMPLEMENTING OR RECORDING ANY SALES CONTRACT OR SUBDIVISION PLAN, ANY PURCHASER OR SUBDIVIDER OF ANY PORTION OF THIS PROPERTY SHOULD CONTACT APPROPRIATE OFFICIALS OF WEST HEMPFIELD TOWNSHIP, WHO ARE CHARGED WITH ADMINISTERING THE ACT TO DETERMINE THE FORM OF SEWAGE FACILITIES PLANNING REQUIRED AND THE PROCEDURE AND REQUIREMENTS FOR OBTAINING APPROPRIATE PERMITS OR APPROVALS.” Carried 4-0

3. Section 402.E – Community water system or individual water supply

The applicant has requested a modification of the requirement to provide a community or individual water system. Kinderhook Farm, LP will retain ownership of the lots and intends for them to remain in agricultural production. If sold in the future, subsequent purchasers will be required to provide on-lot water supply if a non-agricultural use is proposed. A note to this effect is provided on the plan.

Motion: A motion was made by Mr. Carter, seconded by Mr. Stuckey, to recommend approval of this modification based upon the justification provided. Carried 4-0

4. Section 404.A.1- Plan Scale

The applicant has requested a modification of the requirement to provide a plan at a scale of one inch equals 20 feet (1"=20') or one inch equals 50 feet (1"=50'). In the alternative, the applicant has provided a plan scale of one-inch equals 100 feet (1"=100').

Motion: A motion was made by Mr. Manelius, seconded by Mr. Stuckey, to recommend approval of this modification based upon the alternative provided. Carried 4-0

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION

Minutes April 20, 2023 – 7:00 PM

5. Section 405.C.1 – Existing features: Contours

The applicant has requested a modification of the requirement to provide existing contours. The contours provided are based on web-based topographic data.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Carter, to recommend approval of this modification based upon the justification provided with the conditions that a note indicating the source of the exiting contours be added to the plan and the survey plan note on sheet one needs to be revised to clarify the extent and purpose of the survey noted. Carried 4-0

6. Section 501 – Completion of improvements or guarantee thereof prerequisite to final approval.

The applicant has requested a modification of the requirement to provide monuments and markers prior to the final plan approval in lieu of posting financial security. The applicant proposes to provide the monuments and markers within 90-days of Final Plan approval.

Motion: A motion was made by Mr. Carter, seconded by Mr. Stuckey, to recommend approval of this modification request based on the justification and alternative provided with the condition that the plan note on sheet one indicates they will be set within 90- days of Final Plan approval. Carried 4-0

7. Section 602.K.5 – Dedication of additional right-of-way

The applicant is requesting that the widening of the right-of-way of Marietta Avenue from 50-feet (existing) to 60-feet (required for a Collector Road) be deferred until such time as one) the Township or the Pennsylvania Department of Transportation (PennDOT) requires such an additional right-of-way and/or two) a future owner of a lot or lots proposed a building and/or non-agricultural uses of a lot or lots. The applicant is providing additional right-of-way for Kinderhook Road south of Marietta Avenue. In this area, an additional 8.5 feet of right-of-way is proposed yielding an effective right-of-way of 25' from the centerline.

Motion: A motion was made by Mr. Manelius, seconded by Mr. Carter, to recommend approval of the request to defer additional right-of-way along Marietta Avenue based on the justification and alternative provided. Carried 4-0

8. Section 602.K.6.b – Improvement of Existing Streets

The applicant requests that improvements to the existing streets and intersection upon which Kinderhook Farm fronts be deferred until such time as one) the Township or PennDOT requires such improvements to be made and/or two) a future owner of a lot or lots proposes a building and/or non-agricultural use of a lot or lots which might require such improvements to be made.

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Carter, to recommend approval of this modification based upon the justification with the condition the following note is added to the plan stating “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION

Minutes April 20, 2023 – 7:00 PM

construction of Road Widening at all locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six (6) months of the date of notice to do so." Carried 4-0

9. Section 607.A – Survey Monuments and Markers

The applicant has requested a modification of the requirement to provide ten concrete monuments along the southside of Marietta Avenue. In the alternative, the applicant will provide three concrete monuments and seven markers. Mr. Jackson revised the modification to state that the applicant will provide 2 concrete monuments and 7 markers.

Motion: A motion was made by Mr. Manelius, seconded by Mr. Carter, to recommend approval of the revised modification request based upon the alternative provided. Carried 4-0

Plan:

Motion: A motion was made by Mr. Stuckey, seconded by Mr. Carter, to recommend approval to the Board of Supervisors. Carried 4-0

**C. WHTPC 02-2023 The Preserve at Silver Spring (90 days: June 27, 2023)
Pre/Final Land Development and Lot add-on Plan**

Applicant: CBD Group
Location: 3733 Marietta Pike
Zone: TV – 8.35 acres

Ms Gerner provided an explanation of the Plan. The site received a Conditional Use approval (CU-83) in September 2020. As shown on the plan, there are 80 apartment units, garages (to be used by the residents), parking, walking trails, and common open space. Currently, there are three lots which will be combined as part of this plan. The site is to be accessed from Marietta Avenue with a single full movement access drive. An emergency access drive is also proposed on the west side of the site and will provide a connection from Marietta Avenue to the internal access drive. The proposed apartments will be served with public water and public sewer. Sewer capacity will be requested from Lancaster Area Sewer Authority following the completion of the Silver Spring pump station upgrade and water capacity will be requested from Columbia Water.

VI. Updates – None

VII. The next regular meeting will be held on May 18, 2023 at 7:00 P.M.

WEST HEMPFIELD TOWNSHIP PLANNING COMMISSION
Minutes April 20, 2023 – 7:00 PM

VIII. Adjournment

Motion: A motion was made by Mr. Carter and seconded by Mr. Manelius to adjourn the meeting. **Carried 4-0.**

Chairman Rodman adjourned the meeting at 7:50 PM.

Respectfully submitted,

Barry Carter
Secretary