

East Manchester Township
PLANNING COMMISSION MINUTES
August 27, 2019

At a regular meeting held at the Township Building, the following members were present: Blaine Rentzel, Robert Nace, Edward Hewitt, Mike McCowan, and Mike Scarborough. Also present: Engineer Laymon Mortorff, Zoning Officer Kristie Masemer, Recording Secretary, and 15 citizens.

Chairman McCowan called the meeting to order at 7:00 p.m.

Minutes

Motion by Rentzel, second by Hewitt, to approve the minutes of the meeting of July 2019. All members voted aye; motion carried.

Plans

A. Subdivision and Land Development Plan for 972 Canal Road Extended – Hillwood Enterprises, LP

[This plan was tabled; no action taken on the waivers at the May 28, 2019, PC meeting.]

Jim Snyder, Josh Hoffman, Gary Frederick, and Chris Bentzel, Jon Seitz, TRG, and Attorney Ron Lucas.

This plan was previously presented to the Planning Commission in May; several items were addressed; several comments were received. The sewer service is now being directed to Northeastern York County Sewer Authority; the fence exhibit was provided to the Township. The NPDES permit has been submitted, and the joint permit application was filed. Most of the stormwater comments have been addressed.

Mr. Mortorff said that some items on the YCPC comment letter dated 5/20/19 are still open: 4A, letter from Met-Ed for the 100' Met-Ed Easement stating any conditions on the use of the land or a copy of any recorded agreement (Section 208-31.A.3.9) (this will affect one waiver request); 4B, proof that public water and public sewer is available to serve the site (section 208-31.A.3.11 and 12); 4C, proof of granting of the waivers (Section 208-31.2); 4D, Erosion and sediment control plan approval (Section 208-34.C.9); 4E, approval by DEP and Army Corps of Engineers for the proposed wetland mitigation (Section 208-34.C.12); 4F, Sewage Facilities Planning Module approval by DEP (Section 208-31.3.a.6); and 4G, copy of any Owners Association documents (Section 208-34.C.12).

Discussion was held on the condition of the proposed emergency access. There was a small discrepancy between Mr. Hoffman's recollection and Mr. Nace's recollection of the conversation with the fire chief about this issue. This must be resolved to everyone's satisfaction.

Mr. Rentzel is unhappy with the number of waivers that the applicants are requesting.

Motion by Rentzel, second by Hewitt, to deny all waivers except for #4, plan sheet size. *Discussion:* Ron Lucas noted that the waivers are mostly administrative comments and are fairly typical and not unusual in a large project. Can they discuss each waiver request separately? Mr. Rentzel suggested that the applicants request these waivers of the Supervisors.

Mr. McCowan agreed that the number of waiver requests is rather excessive. Mr. Rentzel has a problem with this being submitted as a final plan, with all the open items and waivers involved.

Sewer connection/line was discussed. Mr. Hoffman showed the Planning Commission members the proposal of the location of the sewer line. Unfortunately, this plan comes close on the heels of the Zions View Road project that had a sewer line relocation problem, and the Township is keen to avoid a repeat of that disaster. The PA One Call process was discussed. [It was noted that the Zions View project did log a PA One Call contact, but the fiberoptic line that was in the way did not show up on the PA One Call report.] Mr. Mortorff feels that the applicant hasn't provided enough information to permit the Township to properly evaluate the plan. It's not fair to the Planning Commission to ask them to conditionally recommend approval of this plan before they have all the information. Plus, Gordon L. Brown's letter hasn't been discussed yet.

So, Gordon L. Brown's letter dated 3/19/19 was reviewed: outstanding comments: 2, line of sight drawings should be provided to evaluate the proposed buffers and screening (Section 208-55.E); 4, lot width to depth ratio (*waiver*, Section 208-43.C.5.c); 5A, owners association documents (Section 208-13) (*repeat of YCPC 4G*); 5B, Planning Module approval (section 208-31.A.3.a.b) (*repeat of YCPC 4F*); 5C, erosion and sedimentation control plan approval (Section 208-31.A.3.a.7) (*repeat of YCPC 4D*); 5D, recreation fees (Section 208-49.B); 5E, surety and developers agreement (Section 208-67.B); 5I, approval by DEP and Army Corps of Engineers for the proposed wetland mitigation (Section 208-34.C.12) (*repeat of YCPC 4D*); 5J, approved traffic study from the Canal Road Betterment Project (Section 208-31.A.3.a.13); 5L, Northeastern York County Signature (Section 208-34.B.21); 5N, Highway Occupancy Permit application approval (Section 208-34.B.22); 6, existing corner markers shall be indicated on the plan (Section 208-34.B.4); 7, setback for the top edge of the cut slop between Canal Road and Building #3 is required to be at least 30 feet. This setback should be calculated, noted, and shown on the plan. In addition, where walls and/or slopes are greater than 4:1 and 5 feet or more in height, a protective fence of 4 feet high is required (Section 208.44.F); 8, per the Township Fire Safety Regulations, access to the south side of Building #3 should be evaluated; 9, access for off-site sewage flow from Canal Road should be considered; 10, stormwater management plan comments (Section 208-34.C.13); AND (*added tonight*) revise Note SP4.1 as requested by Mr. Mortorff (reconfigure the note on the plan and remove the reference to the Canal Road Betterment Project).

Discussion was held on Item 2, Mr. Mortorff's request for additional line of sight drawings. The applicant has provided these additional line of sight drawings. There's a discrepancy with evergreen screening on the neighboring property, and the screening on the applicant's property as well. There's a need for increased height in one area of the berm. The applicant will need to prove to the Township that the sight line will be corrected. Again, looking at what happened with the Zions View project, sight lines to assure that these buildings will be hidden is important to the residents and to the Township. In discussion, Mr. Hoffman noted that the ordinance requires that the applicant show the proposed five-year growth, which they have done. Mr. Mortorff provided information that took into account the view from each residence in the area, and where the screening is perhaps lacking. This information would be classed as the "worst-case scenario" views. He noted that the farther one gets from the berm outside the building, the less effective the berm actually is.

Discussion on Item 7, Mr. Mortorff noted that the berm must be moved in accordance with the ordinance requirements. Discussion of the rooftop units was held. Due to the location of the offices, it appears the roof top units should be out of sight.

Traffic study discussion: GLB response letter dated 8/19/19.

Jon Seitz spoke, referring to the TRG traffic study response letter dated August 27, 2019. He noted that PennDOT will review the traffic study. Mr. Mortorff requested more complete information on the traffic monitoring and counting. If that needs to be an ongoing addendum to this study, so be it.

It was noted that the study recommends that the Township and PennDOT should discuss installing signs prohibiting trucks on existing state roads which currently have truck restrictions to the north of the site to prohibit trucks accessing the site on “back roads to and from Exit 28.” Mr. Mortorff noted that most of the signs that would need to be placed are outside of East Manchester Township’s jurisdiction. *He’d like to see information detailing the signs, their locations, and who should install those signs included in the study.* Mr. Seitz says this is a regional effort. Mr. Mortorff noted that there is no “regional” group. Mr. Lucas feels that this would be the responsibility of the Canal Road Betterment Task Force.

Mr. Seitz noted that he included the traffic possible from the Dermody site/use to evaluate the need for a left-turn lane, and even with that, no left-turn lane was suggested.

He also noted that Hillwood is working closely with the Canal Road Betterment project to improve conditions for all.

How many employees will be on this site? Mr. Seitz explained that they used the ITE Trip Generation manual to arrive at the numbers. The calculations are based on the square footage of the facility, which shows 272 a.m. in-and-out peak-hour trips; 275 in-and-out p.m. peak-hour trips. There would be 3,294 total trips, ins and outs per day, or about 1600 in, 1600 out. All traffic is included, trucks, and employees, too. So, how many employees will there be? Uncertain at this time, so it’s difficult to estimate, hence the use of the manual to calculate. Mr. Mortorff advised that this area is a mess now, even with far less traffic involved. Make sure that the trucks are directed properly, exiting the site AND getting to the site as well. *This monitoring and the plan information must be included before recording.* This is of paramount importance to the Township and the residents to prevent misdirected vehicles, etc.

Above Motion withdrawn.

Public Comment:

Tracy Osenbach asked when the traffic study was performed, using what data, and was the DHL data included? Each day he sees truck traffic on the Strinestown exit. He sees the roads deteriorating with the increased use, and it might be impossible to direct trucks. Also, at the time of the study, Manchester Road might well have been closed. Mr. Seitz clarified that the study was done in May (school was still in session); other roads were done in June, when school was out, but Manchester Road was indeed open. He feels that their numbers were calculated properly. They did take into account the DHL and other sites at their full build-out stages. [Mr. Osenbach apologized later for his aggressive comments made in the heat of the moment.]

Mr. Hewitt is afraid that the applicant’s presenters are leaving the Township with a big mess. The projected completion date: Summer 2021, depending on the road improvements and permit granting.

Dave Naylor, 1070 Canal Road Extended, asked about the screening of Building #3--why not tuck the building into the bank? Why not lower the building to prevent any line of sight issues? Mr. Snyder feels that lowering the building would affect sewer issues, etc. Mr. Naylor also feels that the developers might well leave the Township and residents with a mess. Mr. Frederick said they can work on this to find a solution. Mr. Hewitt referred to the current mess with the Zions View Road project with sight lines, noise, etc.

Richard Humbert, 1090 Canal Road Extended, moved to his property in 1974, and at that time, it was nothing but pasture and a dairy farm. So many bird species were on these meadows. Now the owls and the bluebirds are gone because their food sources have been destroyed. He's saddened by this fact.

Roger Zirkle, 1055 Canal Road, thinks they don't need the third warehouse and its increased traffic that he will see from his front porch.

Waivers requested:

Section 208-21, preliminary plan

Section 208-31.A.3.a.4, utility profiles

Section 208-31.A.3.a.13, traffic impact study [removed]

Section 208-34.A, plan size

Section 208-44.D, cut face slopes maximum of 3:1 [They will need a letter of approval from Met-Ed]

Section 208-44.F, setbacks of slopes and fencing required at 4:1 or steeper

Section 208-43.C.5.c, lot depth

Section 46.B.1, road widening

Section 208-47, curbs and sidewalks on Canal Road Extended and Locust Point Road

Section 208-61.A, monuments required at intersecting lot lines and street ROW lines [removed, except for mid-stream locations]

Section 199-20.B, riparian buffer zone widths

Additional 208-46.J, private streets, private access drives or private driveways serving more than one property or dwelling unit

Mr. Lucas summarized the waivers. These are administrative: preliminary plan; utility profiles (Mr. Mortorff recommended); sheet size (Mr. Mortorff recommended); cut slopes max 3:1 (want some to be 2:1) plus the Met-Ed letter; fencing for 4:1 slopes; lot depth to width ratio (unique to the site);

Why does the shape and uniqueness of the lot need four lots? Economics—more lots are economically better, which permits the applicant to contribute so much to the Canal Road Betterment Project. Are there alternatives that aren't financial? Met-Ed's easement runs through the property. Mr. Hewitt said that the Township wouldn't permit a resident to get away with flag lots or panhandle lots, as the applicant proposes. Mortorff: wasn't this originally three buildings on one lot? Yes, at the ZHB stage. It might have been simple to ask for a Variance to have more than one building on one lot at that time, proposed Mr. Mortorff. Mr. Lucas disagreed, noting that ownership and site financing require separation or site condominium.

Further, street widening/curbs and sidewalks – Locust Point Road is part of the Betterment Project and it's better to have PennDOT's improvements on this road, rather than the applicant proposing its own improvements. Canal Road Extended is to remain as is; they are providing additional ROW in case it's needed. Mr. Nace suggested improving Canal from the access to Locust Point, just in case the emergency access is needed for any extended length of time if the Locust Point access is blocked. He also suggested widening the emergency access

and paving the front of it, for the same reason. Mr. Seitz spoke, noting that if the road looks “truck-friendly,” the truck traffic will indeed get the idea to keep going. How about just enlarging the radius on the south side but not pave? The applicants want that entrance/area to be as unobtrusive as possible, so that no truck traffic is tempted. Mr. Seitz feels that any widening of Canal Road would be bad. They will look at widening the access.

Riparian buffer zone width is a technical requirement. Mr. Scarborough has a problem with this waiver, because of the ecosystem that exists in that area. He might not be in favor of this waiver.

The applicant added a verbal waiver tonight: Section 208.46.J, shared driveway. An official waiver request will be filed.

The archeological activity study was reviewed by the PHMC. A clearance letter will be obtained from PHMC, and testing will be done. No bog turtle habitat was discovered on this site.

David Naylor noted that for three seasons out of the year, water flows at the one end of the property. This project will “cut off the water” to some of the properties. He’s had contact with DEP; no recent response. What will the applicants do to prevent this? Answer: they’ve accounted for this in the plan.

Gene Garrod, the property owner, provided photographic proof that the area that Mr. Naylor’s talking about is dry right after a storm. Mr. Humbert disagrees, and so does Mr. Osenbach, who provided a photo indicating quite a lot of water running on his property, which he feels is coming from the applicant’s site. Dave Naylor also provided a cell phone photo to show the water that runs during the rain. He agrees that it’s dry now, but he feels that it stays wet longer than Mr. Garrod says.

Keith Zeigler, 1065 Canal Road Extended, asked about the stormwater situation along Canal Road. Mr. Snyder explained to Mr. Zeigler’s satisfaction.

Mr. Scarborough is concerned with the volume of water coming down the creek – if the waiver is approved (Section 199-20.B, riparian buffer zone widths); where’s the water going to go? Mr. Snyder explained the plans for the flood way and the flood fringe. Mr. Mortorff asked how they know where the boundary of the flood way is. Mr. Snyder explained the geologic study information/calculations. But how will it be marked in the field so that the construction crew knows where it is? Use the calculations on the plan and stake it off. How much volume of water is being displaced? Can this be calculated? Yes, per Mr. Snyder.

The applicant requested that the plan be *tabled* at this time. *Plan tabled.* Mr. Scarborough urged the applicant to produce the capacity letter and assurance from the Sewer Authority with as many details as possible for the next appearance.

B. Review of proposed amendment to Zoning Ordinance for Chapter 165—Rentals, Short-Term; due to the changes the Planning Commission made, this needs to go back to both Planning Commissions again.

Motion by Scarborough, second by Hewitt, to recommend approval of the proposed amendments to the Zoning Ordinance to create Chapter 165—Rentals, Short-Term, as presented. All members voted aye; motion carried.

Additional New Business

Dallmeyer, North Sherman site plan update – Mr. Mortorff heard unofficially that this plan will not move forward because of the results of the scoping meeting that the applicant had with PennDOT.

For September's agenda: Subdivision and Land Development Plan for Codorus Quarry Site; Core5 Industrial Partners, LLC.

Mr. Naylor still wants the Board of Supervisors to consider increasing the size of the buffer area between Industrial and R1 zones.

Mr. Osenbach complimented the PC members for the good job they're doing. He feels that the PC members have the same concerns that the residents have. He also noted that there's an odor of laundry detergent coming from the drain pipe from the stream at his house. He feels it's coming from the construction in the area. He has a sample of the water and wants to have it tested.

Mr. Zirkle recalled Hurricane Agnes's destruction of 1972 in this area. Big trouble if there's another storm like that.

Motion by Rentzel, second by Nace, to adjourn. All members voted aye; motion carried. The meeting adjourned at 10:22 p.m.

Respectfully submitted,

Julie B. Maher, Recording Secretary