

East Manchester Township
PLANNING COMMISSION MINUTES
July 25, 2023

At a regular meeting held at the Township Building, the following members were present: Edward Hewitt, Mike McCowan, Mike Scarborough, Herb Nix, and Troy Rentzel. Also present: Engineer Laymon Mortorff, Zoning Officer Gary Mayfield, Manager Kristie Masemer, Recording Secretary, and ten citizens.

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

Minutes

Motion by Scarborough, second by Rentzel, to approve the minutes of the meeting of March 28, 2023. All members voted aye; motion carried.

Plans

A. Molt, LLC --- 4044 North George Street, Extended; Final Land Development, proposed Sheetz store #233 rebuild.

Eric Mountz, Traffic Planning Design, was present on this plan. At the last Planning Commission meeting, conversation was about traffic, turning lanes, the signal at Beshore School Road, etc. Since that meeting, revisions have been made to restrict left-hand turn movements. The applicant met with PennDOT to review the concerns, particularly regarding Brickyard Road. There's already a center-turn lane in this vicinity; does it make sense to extend that center-turn lane to this site? Mr. Mountz presented the striping option with peak-hour traffic, per PennDOT's request. PennDOT is comfortable with this plan with this striping option, provided the Township approves of it. Mr. Nix had some questions about the traffic study.

Terri Delo, Project Manager, explained some items on the plan. Mr. Scarborough had a suggestion for the striping on the pavement to 'guide' vehicles approaching the signal. Mr. Mountz noted that this was a point of conversation with PennDOT, and unfortunately, there's not enough room on the road to accomplish this. Plus, the current proposal is consistent with an intersection farther up the road, and that consistency is appealing. Discussion was held on how traffic will proceed if and when the next lot is developed.

The Gordon L. Brown letter dated March 8, 2023, was reviewed. Open items: 3A, sewer authority approval (§208-34.B.21); B, surety and executed developer's agreement (§208-34.C.13 and §208-11); C, use and maintenance agreement for the access easement (§208-34.C.11); F, E&S plan approval (§208-34.C.9); H, traffic study finalization (§208-31.A.3.13); and 4, stormwater management plan approval (§208-34.C.10).

YCPC's letter dated March 8, 2023, was reviewed. Open 1C, deed restrictions (§208-34.C.11); D, proof of granting the waivers (§208-34.C.12); E, E & S plan review/approval by YCCD (§208-34.C.9); F, sewage facilities planning module approval (§208-31.A.3.a.6); G, NEYCSA approval (§208-34.B.21); H, traffic impact study finalization (§208-31.A.3.a.13), and I, permits from the US Army Corps of Engineers and PADEP for the wetland removal (§208-34.C.8).

Waivers requested:

§208-21.A, preliminary plan

§208-44.A, minimum 2% slopes

lines §208-44.F, minimum separation between top/bottom edge of slopes and property ROW

§208-46.G.4, minimum curb radii

§208-47.A.2, curbs (vertical curbing)

§208-48.D, shared access drive

§208-49.E.1, shade trees

The waiver for the slope was discussed. Of note, waiving the degree of a slope makes it difficult to maintain the increased slopes, so that the area tends to look unkempt. The Board of Supervisors urged the Township to take a hard look at granting this type of waiver for all plans. Ms. Delo explained why this plan involves a slope waiver. Does Mr. Mortorff agree with her explanation/reasoning? He agreed that this situation will be different in that the slope will be in the applicant's front yard and will most likely be well maintained to present a decent face to the public and this waiver is not regarding the slope ratio but for the distance to a distance to a Right-of-Way line. This waiver does not break the spirit of the township's intent.

From Mr. Hewitt, there's an area near his house with a very steep slope for which the applicant received a waiver, and yes, that slope seems impossible to mow, so yes, definitely, let's take a hard look at any waiver requests.

From the audience, Dean Kohr asked questions about Beshore School Road on the plan.

Will there be EV charging stations? No.

How about the wetlands? Per Ms. Delo, this is still a work in progress. She showed the location of the wetlands on the plan and explained its maintenance. Stand by. Per Mr. Mortorff, document on the plan how the wetlands situation is resolved and approved.

Discussion was held on the bypass lane and the 'no-left-turn' situation onto North George Street. Perhaps some signs could be added within the parking lot to inform motorists that there's 'no right-turn' from the bypass to get to Beshore School Road.

Motion by Scarborough, second by Nix, to recommend approval of the waiver requests as presented. All members voted aye; motion carried.

Motion by Scarborough, second by Rentzel, to recommend approval of the Final Land Development Plan for Sheetz/Molt, LLC, subject to the satisfactory resolution of the following items from the GLBA and YCPC letters referred to above, AND the satisfactory resolution of any comments from the solicitor's letter: GLBA 3A, B, C, F, H, 4; YCPC 1C, D, E, F, G, H, and I

AND obtaining a waiver from DEP (documenting it on the plan). All members voted aye; motion carried.

Mrs. Masemer noted that currently on this site an illegal business is operating, and the Board of Supervisors will likely not entertain this plan until this enforcement issue is resolved. This was unwelcome news to those present on this plan tonight and they will certainly be investigating this information.

B. Orchard Business Park Phase II, Lot 2, Canal/Bear Roads; Preliminary Subdivision and Land Development Plan

Chairman McCowan noted that there's a scoping meeting with PennDOT in mid-August to discuss improvements that will be occurring in this area. He doesn't want to go too much further into this plan pending the outcome of this meeting, particularly with regard to the waiver requests. Mrs. Masemer reported that YCPC issued a letter of regional significance concerning this plan which showed a significant traffic impact.

Brian Johnson, Kinsley Properties, asked what's being scoped. Mrs. Masemer noted that the applicants are proposing larger facilities than originally considered in the Canal Road Betterment Project.

Josh Hoffman, Pennoni Associates, was present on this plan. Three parcels at 390 Canal Road Extended; 85.5 acres; open farmland and woods; one residence to be removed; consolidate lots and re-subdivide; realign Bear Road (vacate, then dedicate to Township).

Existing properties include some wetlands, Conewago Creek, other streams, inclusion in the Canal Road Betterment Project; stream-crossing permit already requested from DEP. Overall project: small lot goes to Township; one lot has stormwater basin; then two lots, each with a building. Access driveway (private, shared) between two buildings/lots.

Larger building, docks on both sides of building; smaller building with docks on one side only. Industrial, Commercial, and Conservation zones on the sites. Six stormwater management facilities. NPDES permit application filed. Realigned Bear Road will line up with the opposite driveway/road entrance for Regional Way. Revisions have been made to accommodate the new proposed Exit 26 ramp. Public sewer. Utility permits, etc., have been filed. Likely start in spring 2025.

GLBA letter dated June 22, 2023, was reviewed. Open items: SALDO 6, stormwater management plan approval (§208-31.A.3.a.7.c); 7a, owners' association documents (§208-13); b, planning module approval (§208-31.A.3.a.6) (need Township signature); c, E&S plan approval (§208-31.A.3.a.7); 9, Drainage note 6 should specifically indicate that the owner's association will be responsible for and maintain the stormwater facilities on Lot 4 and this should be reflected in the developer agreement (§208-13); 10, traffic impact study resolution.

It was noted that the Township shouldn't take dedication of a road that is 'level of service: F'. Discussion was held on this condition and how the applicant ended up with four lots instead of three lots, and the changes that took place that affected this proposal. Mr. Hoffman said that it's not the applicants' fault that that section of road is classified as F. He asserted that the applicant didn't know about the plans for the new ramp/exit.

From Mrs. Masemer, Mr. Hoffman's assertion that the applicant didn't know about the exit ramp plan is false. Mr. Hoffman said he meant that the applicant thought the changes would be *at a different location on their site*.

From the audience, Dean Kohr asked if the Canal Road Betterment Project will extend to the Susquehanna Trail location for safety reasons. From Mr. Johnson, permits are underway, and, yes, the improvements extend to Susquehanna Trail.

Mr. Mortorff requested a schedule for this plan since it's not slated to begin for another two years. This project cannot begin until after the Canal Road Betterment Project is completed.

Mr. Hewitt wanted to make sure that the road improvements will be completed before the occupancy permit is granted to prevent a repeat of a previous plan before the Township.

YCPC letter dated June 28, 2023, was reviewed. Mrs. Masemer requested confirmation of the zoning data table on sheet CS1001 which appears to use the I-83 frontage to use the minimum lot width as this is not allowed. Mr. Hoffman will confirm.

Open items: SALDO 5A, partial waiver for curb/sidewalks (§208-47); B, E&S control plan approval (§208-31.C.9); F, owners' signatures/seals/etc., (§208-31.A.2.a.3); H, proof that the waivers were granted (§208-31.A), I, sewage facilities planning module approval (§208-31.A); J, proof that the required permits and approvals were granted (§208-31.A); Transportation 7, "Proposed Exit 26 Interchange: The PennDOT Bureau of Design and Delivery and the FHWA gave preliminary approval to a CPOA study dated March 18, 2022, for a proposed interchange on I-83 at Canal Road (PA921) in York County. Several contingencies must be met before FHWA gives final approval of the POA study. The CPOA doesn't preclude the development of the OBP Phase II, Lot 2 as currently proposed in the Preliminary Subdivision and LDP.

Although the proposed warehouse #1 on Lot 2 may inhibit certain alternatives for the potential construction of the I-83 Exit 26 interchange, all design alternatives featured in the Exit 26 POA study should be factored into any analysis. The approval of this development and the use of this land cannot be inhibited by the potential of a future interchange at this location; and 8, In the traffic Analysis Narrative for OBP, Phase II, Lot 2, dated January 24, 2023, the letter states, "The CRBP Design Team, spearheaded by Erdman Anthony is currently coordinating with PennDOT on the design on this new four-legged intersection, which will include a 275' westbound left turn lane and a 75' eastbound left turn lane on Canal Road to facilitate turning traffic onto Regional Way and the OBP driveway. Accommodations are also being made for future signalization of the intersection, with the installation of signal conduits and the reservation of the necessary ROWs, though signalization of this intersection is not anticipated. **If the original traffic signal warrant analysis for Orchard Park was conducted before the Manchester Commerce Center land development proposal, the YCPC recommends that East Manchester Township request an update traffic signal warrant analysis be completed with this new development included to ensure all vehicle movements at this location can occur safely and expeditiously through this area before the project is built out.** In the event that the new traffic signal warrant analysis recommends a signal at the location of the relocated Bear Road and Canal Road intersection, the YCPC fully supports the construction of a signal. However, if no signal is warranted, we recommend EMT not require a signal at the location.

Mr. Scarborough requested that the applicant show how the off-ramp would affect this plan, including the proposed location and how it would change the proposed plan. This information might have already been presented to the Township; Mrs. Masemer will check.

From request by Mr. Mortorff, Mr. Hoffman explained how the Township needs to vacate that portion of Bear Road. This needs to be done as part of this plan. There's a formal process to vacate the road, although Mr. Johnson would prefer to do this informally by agreement to realign the road, not necessarily vacate it.

Waivers requested:

§208-34.A, plan size

§208-44.F, minimum separation between top/bottom edge of slopes and property ROW lines

§208-46.J, private access driveway

§208-47, curbs and sidewalks (partial)
SWMO §199-20.B, riparian buffer zone 2 width

Mr. Mortorff noted that the Township would like to see PennDOT's approval letter before the Township grants the waiver for §208-44.F, the minimum separation between top/bottom edge of slopes and property ROW lines.

No recommendation made by the Planning Commission at this time.

Additional New Business

Welcome to Gary Mayfield, shiny new Zoning Officer!
Very likely to have a meeting in August, FYI.
Nothing going on for Americold at this point.

Motion by Hewitt, second by Scarborough, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:28 p.m.

Respectfully submitted,

Julie B. Maher, Recording Secretary

And Gary Mayfield, Zoning Officer

And Kristie Masemer, Manager