

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
February 28, 2007**

A meeting of the Manheim Township Planning Commission was held on Wednesday, February 28, 2007 at 6:30 p.m. The following members were present: Mr. Kevin Fry, Mr. Steven Geisenberger, Mr. Robert Wolf, Mr. Jeffrey Sturla, Mr. Cory Rathman and Mr. Donald Reed. Mr. Michel Gibeault was absent. The following Township staff was present: Ms. Lisa Greaves.

Roll Call

Mr. Fry called the meeting to order at 6:30 p.m. and conducted roll call.

Minutes

Mr. Fry asked for a motion on the January 17, 2007 meeting minutes.

On a motion by Mr. Sturla, seconded by Mr. Rathman, it was recommended to approve the January 17, 2007 meeting minutes.

Motion Approved 6-0.

Old Business

A. Development Plans

1. **Worthington PRD – Tentative Plan & Conditional Use – Oregon Pike – Zoned R-2; R-2 (Bonus Density); R-3 and B-1.**

Mr. Fry indicated that the applicant had requested to be tabled.

On a motion by Mr. Geisenberger, seconded by Mr. Wolf, it was recommended to table the requested modifications and plan.

Motion Approved 6-0.

2. IRE/McGovernville Road Tract – Preliminary/Final Subdivision and Land Development Plan - McGovernville Road and Shreiner Station Road - Zoned I-2.

Mr. Jeff Shyk, David Miller and Associates, Inc. and Mr. Dale Gingerich, applicant, were present representing this Preliminary/Final Subdivision and Land Development Plan.

Mr. Shyk indicated that the remaining review items were administrative in nature.

Mr. Fry indicated at last month's meeting that there was a stormwater related issue. Mr. Fry asked Mr. Shyk to describe how the issue was resolved.

Mr. Gingerich indicated that the building elevation remained the same but the detention facility was raised to address the issue.

On a motion by Mr. Rathman, seconded by Mr. Wolf, it was recommended to approve the requested modifications and plan contingent upon a clean review letter.

Motion Approved 6-0.

3. Franklin & Marshall College Athletic Field - Revised Preliminary/Final Land Development Plan - Harrisburg Avenue - Zoned B-4 Business. (4/27/07)

Mr. Mark Shrift of Hayes Large Architects, Mr. Keith Oris, F&M, and Ed Ostroski, Harbor Engineering were present representing this revised preliminary/final land development plan.

Mr. Shrift indicated that the remaining outstanding review items were primarily administrative in nature.

Mr. Geisenberger inquired about the low flow channel.

Mr. Shrift indicated that they had rerequested a modification which was previously granted.

Mr. Shrift indicated that best management practices go hand in hand with the Conservation District.

Mr. Rathman inquired about the percent of slope on the low flow channel.

Mr. Ostroski indicated that the low flow channel was 1% rather than 2%.

There was additional discussion about the low flow channel.

On a motion by Mr. Geisenberger, seconded by Mr. Sturla, it was recommended to approve the requested modifications and plan contingent upon a clean review letter.

Motion Approved 6-0.

B. Rezoning/Text Amendment/Conditional Use/Ordinances

1. Berkshire Development LLC - Text Amendment to amend the Zoning Ordinance to modify Article 23, Section 2319(2)(Q)(ii) of the Planned Commercial Development ordinance. (Hearing Date 3/12/07)

Mr. Charles Suhr was present to discuss the text amendment.

Mr. Suhr indicated that Berkshire Development had filed the Planned Commercial Development (PCD) conditional use application with the Township earlier in the day.

Mr. Suhr indicated that the developer could comply with either transportation related requirement of the PCD.

The Planning Commission inquired about roadway improvements.

Ms. Jodie Evans of McMahon Associates provided information relative to the recommended roadway improvements.

Ms. Evans indicated that 10 off-site intersections were studied and discussed the recommended improvements for the Manheim Pike/Route 30 interchange.

Mr. Geisenberger wondered if PADOT was involved.

Ms. Evans indicated that PADOT was not involved in the Traffic Impact Study scope area and that the studied intersections were based on conversations with the Township Transportation Engineer.

Ms. Evans indicated that the Fruitville Pike/Route 30 intersection was not considered an interchange because of the at grade collector roads.

Ms. Evans and Mr. Suhr indicated that they would get into the specifics of the Berkshire Planned Commercial Development when they present to the Planning Commission.

Mr. Geisenberger inquired about PADOT's involvement wondering why they would not have input.

Ms. Greaves provided clarification indicating that PADOT did not have involvement with the Traffic Impact Study scope area since the project was not located and would not have frontage access on a state road (Granite Run Drive is

a collector Township roadway). PADOT would have involvement for any improvements made to state roadways.

On an amended motion by Mr. Rathman, seconded by Mr. Sturla, it was recommended to approve the text amendment for the revisions to the PCD Ordinance with an indication that the text amendment is consistent with the Comprehensive Plan.

Motion Approved 6-0.

2. Manheim Township - Text Amendment to amend the Zoning Ordinance by increasing the number of required Transferable Development Rights for Planned Commercial Developments. (Hearing Date 3/12/07)

Ms. Lisa Greaves, Township Staff provided a history of the language changes in the Planned Commercial Development text amendment relative to transferable development rights. Ms. Greaves indicated that the language has changed such that under the Planned Commercial Development provisions two (2) transferable development rights would be required for each acre of impervious coverage. Ms. Greaves also indicated that the language to provide an alternative method for preserving farmland and prime agricultural soils was also strengthened.

Ms. Greaves distributed a summary sheet of development in the Township based on the acreage of the residential receiving areas used when the transferable development rights program was first established and the current area available for development. Ms. Greaves indicated that if you follow through on each table it is evident that although transferable development rights have been used for many projects, the land available for development compared to the number of available transferable development rights is out of balance.

Ms. Greaves reminded the Planning Commission of some other attempts to amend the zoning ordinance in order to provide additional opportunities to utilize transferable development rights referring to a prior proposed text amendment to allow apartments in the R-1 District when utilizing the Planned Residential Development provisions and the proposed text amendment allowing for an increase in building height for apartment buildings.

The Planning Commission members inquired as to the number of available transferable development rights compared to those previously purchased by the Township and sold by the Township.

Mr. Reed indicated that the Township still holds transferable development rights but that they have been retired.

Mr. Rathman wondered what alternative methods the Township might consider for securing transferable development rights.

Ms. Greaves indicated that it might be a monetary contribution by the developer to the Township to purchase transferable development rights in the future if transferable development rights aren't available when the developer is ready to move forward.

Mr. Rathman wondered if there was an opportunity for preservation through another organization.

Ms. Greaves referred to Warwick Township's transferable development program indicating that they work with the Agricultural Preservation Board. Ms. Greaves indicated that Warwick's program is very successful.

Ms. Greaves indicated that Warwick Township is working with the Brandywine Conservancy to create a transferable development rights hand book. The project is funded through the county and a steering committee has been created to help develop the program. Ms. Greaves indicated that she serves on the steering committee and that the document will ultimately be used as a tool in the County's tool box.

Mr. Sturla indicated that originally he struggled with the "out-of-balance" concept but with the information provided it is evident that the program is out-of-balance.

Mr. Geisenberger wondered if Mr. Flanagan (Township Commissioner, in attendance) wanted to offer a few words.

Mr. Flanagan spoke of farmland preservation and indicated that transferable development rights are a key component in farmland preservation. Mr. Flanagan expressed concern over the timing of the proposed text amendment as it relates to the timing of the Planned Commercial Developments. Mr. Flanagan expressed a strong commitment to preserve farmland and hoped the developers would share in this commitment.

Mr. Fry indicated that the Planning Commission had reservation about the proposed text amendment and had requested additional information. Mr. Fry indicated that they had received the information they requested and the additional information answered their questions.

On a motion by Mr. Reed, seconded by Mr. Wolf, it was recommended to approve the text amendment.

Motion Approved 6-0.

New Business

A. Development Plans

1. Spring Haven - Preliminary Subdivision/Land Development Plan - Buch Avenue and Raleigh Drive - Zoned R-1 Residential. (5/28/07)

Mr. Jeff Shyk, David Miller Associates and Mr. Steve Artz were present representing this preliminary subdivision and land development located on the corner of Buch Avenue and Raleigh Drive.

Mr. Shyk provided a brief overview of the project indicating that fifteen (15) transferable development rights would be utilized in developing the site.

Mr. Shyk indicated that they were also requesting a number of modifications and would like some direction from the Planning Commission.

Mr. Shyk began to describe the configuration of the tract and access to the adjacent tract to the north via Thunderbird Lane.

Mr. Reed wondered how long the access was in its current configuration.

Mr. Artz indicated that access to the rear of the site has been in existence in its current configuration for 43 years.

Mr. Reed wondered whether the adjacent property owners were in favor of the access.

Mr. Artz indicated that the rights-of-way in this vicinity are for ingress and egress or for utilities. Mr. Artz indicated that the access to the properties is still provided in its current condition.

There was further discussion about the rights-of-way with an indication that three separate rights-of-way follow the common property line.

Mr. Artz indicated that these areas are easement areas and in no way do the adjacent property owners have any rights other than rights-of-access.

Mr. Fry indicated that the right-of-way information should be provided to the Township as requested so that the technical experts could review the information. There was some discussion relative to modifications specific to roadway improvements.

There was discussion about the improvements along Raleigh Drive as it relates to roadway widening and the existing inlet in Raleigh Drive.

Mr. Artz indicated that the inlet was installed by the Township and it wasn't the developer's responsibility to correct the situation.

There was discussion about proposed sidewalk.

Mr. Artz indicated that sidewalk was being provided internally and that they would make a connection between the two proposed streets on Raleigh Drive.

Mr. Sturla inquired about sidewalk along Buch Avenue.

Mr. Artz indicated that sidewalk doesn't exist along Buch Avenue now and there is no reason to install sidewalk.

One of the Planning Commission members inquired about accessibility to the ornamental ponds.

Mr. Geisenberger wondered if sidewalk could be provided to the ponds.

Mr. Artz reminded the Planning Commission members that the property is private property and that if someone wants to look at the ponds they could do so from the street.

After additional conversation relative to development of the property, Mr. Geisenberger stated that the Planning Commission is willing to work with all parties but in order to do that there needs to be mutual cooperation and that attitudes would not be tolerated.

Ms. Greaves indicated that the consultant and developer were meeting with Township staff on Friday to discuss some of the outstanding issues.

Mr. Wolf inquired about the retaining walls.

Mr. Shyk identified the location of the retaining walls.

There was discussion about the large retaining wall located near the woods.

Mr. Shyk indicated that the wall was as high as 14' in some locations.

Mr. Wolf wondered if the wall was 14' high for the entire length of the wall.

Mr. Shyk indicated that it was not.

There was discussion about a protective device along the top of the wall. There was discussion about the overall construction of the wall and the responsibility of ownership and maintenance.

Mr. Artz indicated that they may likely do a Versa-lok wall with terraces but they were not certain of the design at this point.

Mr. Wolf wondered whether the neighbors would be impacted by the wall.

Mr. Artz indicated that they would not. Mr. Artz indicated that the subdivided lots would be impacted by the wall.

Mr. Wolf expressed his concern over safety because of the height of the wall. Mr. Artz indicated that they might terrace the wall in which case the safety issue would be resolved.

Mr. Rathman inquired about the ownership and maintenance of the wall.

Mr. Artz thought the wall would be installed all at one time and that each individual property owner would be responsible.

There was some discussion about drainage behind the wall since a swale is proposed behind the wall.

Mr. Rathman inquired about the ownership and maintenance responsibilities for the guiderail proposed along Thunderbird Lane.

Mr. Shyk indicated that the adjacent property owner would still be responsible for maintenance of the roadway but that the property owner in the proposed development would be responsible for the guide rail and storm system.

Mr. Fry called for questions from the audience.

Mr. Bruce Baker indicated that he was the third house from Raleigh Drive. Mr. Baker inquired about the guiderail and curb wondering whether that would create an obstruction when paving the roadway.

Mr. Reese Riley indicated that he was at the end of the lane. Mr. Riley expressed his concern over the development and Mr. Artz's approach in handling the neighbors and access.

Mr. Riley provided a brief history and indicated that he had concern with access.

Mr. Fry thanked the residents for their comments.

Mr. Geisenberger indicated that the Township staff would be contacting their technical experts on many of the issues.

Mr. Sturla wondered whether any portion of Thunderbird Lane would change. Mr. Shyk indicated that the roadway would remain in its current location and configuration.

Mr. Fry indicated that there were four neighbors to deal with and that it would be important to involve them.

Mr. Rathman inquired about the detention basin and the floodplain location. Mr. Rathman wondered whether there were any issues relative to the floodplain and the detention basin discharge.

Mr. Shyk indicated that ARRO had made a comment relative to the detention basin discharge.

There was discussion relative to elevations.

Mr. Reed inquired about the impact of the stormwater detention basin for Lots 8 and 9.

Mr. Shyk indicated that the detention basin was predominately on Lot 8 but a small portion of the detention basin is within Lot 9.

Mr. Shyk indicated that the ownership and maintenance responsibilities would be addressed through the required stormwater maintenance agreement.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to table the modifications and plan.

Motion Approved 6-0.

Mr. Artz apologized to the Planning Commission indicating that he is very passionate about the project.

B. Rezoning/Text Amendment/Conditional Use/Ordinances

**1. The Crossings at Conestoga Creek - Planned Commercial Development
Conditional Use request - Harrisburg Pike and Farmingdale Road - Zoned I-1**

Mr. Fry indicated that representatives of The Crossings requested to be removed from the agenda.

C. Lancaster Intermunicipal Comprehensive Plan, "Growing Together".

Ms. Lisa Greaves, Township Staff indicated that the final draft of the LIMC Comprehensive Plan is on the agenda for adoption by the Board of Commissioners on April 9, 2007.

Ms. Greaves advised that Mr. Sean Molchany will be present at the March Planning Commission meeting to provide a brief update and to answer any new questions that may have arose since the last discussion was held.

The Planning Commission expressed some concern over traffic congestion and density.

Mr. Geisenberger suggested holding a special meeting to discuss the LIMC Comprehensive Plan. Mr. Geisenberger expressed concern over allowing the residents more time to discuss the plan.

On a motion by Mr. Geisenberger, seconded by Mr. Reed, it was recommended to adjourn the meeting.

The meeting adjourned at 9:02 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, March 21, 2007 at 6:30 p.m.

Respectfully submitted,

Lisa A. Greaves