

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, June 23, 2021, 7:00 PM

Presiding: Mr. Richard Bensel - absent
Mr. James Barton - absent
Mr. Len Kotz
Mrs. Carla Repman
Mr. James Smedley - Chairman

Staff Present: Attorney Shane Rohrbaugh, Solicitor
Mr. Terry Myers, Township Engineer
Rebecca Bradshaw, Township Secretary

The meeting was opened with the Pledge to the Flag.

Minutes. Motion was made by Mr. Kotz and seconded by Mrs. Repman to approve the minutes of the May 26, 2021 meeting. Motion carried.

SUBDIVISIONS/LAND DEVELOPMENT PLANS

James D Maclay, Pinetown Road. The plan proposes to subdivide Lot 10 (12.89 acres) and attach it to the lands of Ryan M. Maclay, subdivide Lot 8 (15.24 acres), Lot 9 (1.75 acres), Lot 11 (13.06 acres), and leave a residual Lot 1 (32.22 acres). The lots are currently zoned Rural Agriculture. The proposed use for the new Lot 9 has been identified as residential, with other lots remaining residential or agriculture. Lot 9 proposes driveway access to Pinetown Road S.R. 4031 by means of a private street. This plan is considered a Minor Subdivision plan.

Subdivision and Land Development Ordinance:

1. The applicant shall provide the following information within the site data table: existing and proposed lot coverages, the building setback lines shall be dimensioned on the plans, and the entire zoning boundary shall be shown on all sheets of the plans. The applicant shall also provide a table on the plan indicating each lot and the proposed use. (§ 403.b.4).
2. Existing and proposed driveway locations with required and available safe sight stopping distances shall be provided on the plans. (§ 403.b.15).
3. The type and location of permanent reference monuments and markers for all new and existing lot corners impacted by the proposed subdivision shall be identified. Two concrete monuments shall be proposed and set. (§ 403.b.19).
4. The exterior dimensions of all existing and proposed buildings shall be shown on the plans and verified. (§ 403.b.20).
5. The applicant shall include the certification with signature, seal, and date of the professional surveyor on the final plan (§ 403.b.22).
6. For on-site sewage disposal systems, the location of all perc tests and probes must be shown and satisfactory tests must be identified. Primary and replacement infiltration areas must be shown and required easements identified by bearings and distances. (§ 403.b.26).
7. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be subdivided and the land to be subdivided shown on the Final Plan is made with their free consent and it is desired to record the same (§ 403.b.27).

8. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions should be shown on or accompany the plan. Will there be an easement on Lot 8? (§ 403.b.34).
9. The applicant shall provide proof of a Planning Module for Land Development approval from DEP. (§ 403.e.4). SEO shall sign the plan prior to final plan approval.
10. Minimum streets widths and right-of-ways shall be as follows (§506.a):

Street Classification	Min. Right-of-Way Width	Min. Roadway Width (without curbs)
Pinetown Road (S.R. 4031) (Minor Street)	50 feet required 60 feet provided	24 feet (plus 2 – 4’ shoulders)

In the case of a plan fronting on a public street of improper right-of-way width, the developer shall be asked to provide dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards as specified in section (§ 506.a).

11. The Township shall require the developer to improve the portion of the roadway on which the proposed development fronts to meet the minimum roadway standard as specified in Section 506.a) of this Ordinance (24 feet plus 2 – 4’ shoulders) (§506.e). **The applicant has indicated they wish to pursue a waiver of this section. A formal waiver request shall be submitted, and the waiver request shall be shown on the cover sheet of the plans with a place to indicate the date of approval.**
12. As an alternative to the requirement that land be dedicated for a recreation site, the Township may request the applicant to pay a fee in lieu of dedication for each proposed dwelling unit and \or lot on a subdivision or land development plan (§523a.2.B).
13. The applicant shall provide an executed access and maintenance agreement for the existing 10’ wide gravel drive located on proposed Lot 9.
14. Deed recording information shall be provided to the Township within 60 days of subdivision plan recording, proving that Lot 10 was created and subsequently combined with existing lands of Ryan M. Maclay.
15. In addition to such filing fees, the developer shall pay the cost of:
 - Reviewing the land development plan and engineering details.
 - Inspecting the site for conformance to survey.
 - Preparing cost estimates of required improvements during installation.
 - Inspection of required improvements during installation.
 - Final inspection for completion of installation of required improvements.
 - Legal services necessary for the processing of the land development plan.

Written modification requests were not submitted by the developer. Motion was made by Mr. Kotz and seconded by Mrs. Repman to table approval of the modification requests until they are received in writing. Motion carried unanimously.

Motion was made by Mr. Kotz and seconded by Mrs. Repman to table the plan pending submission of a completed PA DEP Planning Module. Motion carried unanimously.

Michael J. Barndt, 180 E Spring Valley Road. The plan proposes to subdivide Lot 3 (2.41 net acres) from Lot 1 (93.21 net acres). Lot 4 (3.115 net acres) shall be attached to the residual Lot 1. The lots are currently zoned Rural Agriculture. The proposed use for the lots is residential and agriculture. Proposed Lot 3 has an existing driveway access to East Spring Valley Road (T-857). This plan is considered a Minor Subdivision plan.

Subdivision and Land Development Ordinance:

1. Although the Tax parcel information for Lot 4 is shown, it is unclear which parcel it is for and therefore requires clarification (§ 403.b.3).
2. The applicant shall show building setback lines on the overall tract plan and indicate the existing and proposed lot coverages (§ 403.b.4).
3. All existing streets on, adjacent to, or within four hundred (400) feet of any part of the parcel, including name, right-of-way width, and roadway width shall be shown on the plan (§ 403.b.14).
4. The exterior dimensions of all existing and proposed buildings shall be shown on the plans (§ 403.b.20).
5. Existing contours in the area affected by the proposed new lots or development, at vertical intervals of 2 feet except where the slope is greater than 20%, in which case the contour interval shall be 5 feet shall be shown on the plans. Ten (10) foot contours shall be provided for the remaining tract. Datum to which the contour elevations refer shall be US Coast and Geological Survey datum or other source approved by the Township Engineer. (§ 403.b.23). **The applicant is requesting a waiver of this section.**
6. For on-site sewage disposal systems, the location of all perc tests and probes must be shown and satisfactory tests must be identified. Primary and replacement infiltration areas must be shown and required easements identified by bearings and distances. The Township's right of entry shall be identified on the Plan. For on-site water supply, proposed well locations and required one hundred (100) foot isolation distances must be shown (§ 403.b.26). **The applicant is requesting a waiver of this section.**
7. A notarized statement to the effect that the applicant is or represents the owner of the land proposed to be subdivided and the land to be subdivided shown on the Final Plan is made with their free consent and it is desired to record the same (§ 403.b.27).
8. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions should be shown on or accompany the plan. An access easement for Lot 1 should be shown on the plan. (§ 403.b.34).
9. Existing significant natural and existing features or proposed manmade features within the parcel and within four hundred (400) feet of the area proposed to be subdivided or developed shall be added to the plan (§ 403.c.2). **The applicant is requesting a waiver of this section.**
10. The applicant shall provide proof of a completed non-building waiver or Planning Module for Land Development approved by DEP (403.e.4). **The applicant is requesting a waiver of this section.**
11. Minimum streets widths and right-of-ways shall be as follows (§506.a):

Street Classification	Min. Right-of-Way Width	Min. Roadway Width (without curbs)
East Spring Valley Road (T-857) (Minor Street)	50 feet	24 feet (plus 2 – 4' shoulders)

In the case of a plan fronting on a public street of improper right-of-way width, the developer shall be asked to provide dedication of land for widening the existing right-of-way to meet the minimum right-of-way standards as specified in section 506.a. **The applicant is requesting a waiver of this section.**

12. The Township shall require the developer to improve the portion of the roadway on which the proposed development fronts to meet the minimum roadway standard as specified in Section 506.a) of this Ordinance (24 feet plus 2 – 4' shoulders) (§506.e). **The applicant is requesting a waiver of this section.**

13. Each lot to be created shall be of adequate size and shape to accommodate the necessary sewage disposal system and a replacement system at a safe distance from any proposed or existing building and/or water supplies in accordance with Title 25, Chapter 73, Rules and Regulations of the Pennsylvania Department of Environmental Protection, as amended, and the Pennsylvania Sewage Facilities Act 537 of 1966, as amended. The property owner shall insure that the established soil absorption test areas (primary and replacement) remain undisturbed during and after any structure construction or earth disturbance which may occur upon the Lot. (§ 514.e). **The applicant is requesting a waiver of this section.**
14. The following on lot sewage disposal system notes shall be added to the plan (§ 515.b):

“Any property on which an on-lot system presently exists, or on which an on-lot system is proposed or under construction, shall not be conveyed by the owner without the inclusion of language in the deed establishing and assigning a non-revocable grant of inspecting, maintaining, sampling, testing, evaluating or repairing the on-lot disposal system described in the application and permit.”

15. The following easement restrictions shall be listed on the plan:
 - “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 travelling 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 shall rooted plant matter.”
16. In a subdivision where the slopes on the site average more than fifteen percent (15%) change in elevation, the Planning Commission may recommend larger lot sizes than otherwise required by the Warrington Township Zoning Ordinance. (§ 518.e.4). **The applicant is requesting a waiver of this section.**
17. The standard non-separation clause shall be added to the plans: “Lot 4 shall be attached to the Residual Lot 1 (Tax Map Parcel (49-MD-51) and shall not be separated there from without prior approval of Warrington Township.
18. In addition to such filing fees, the developer shall pay the cost of:
 - Reviewing the land development plan and engineering details.
 - Inspecting the site for conformance to survey.
 - Preparing cost estimates of required improvements during installation.
 - Inspection of required improvements during installation.
 - Final inspection for completion of installation of required improvements.

Request for Planning Waiver & Non Building Declaration. The PA DEP Request for non-building declaration was submitted in lieu of an alternate septic site. The Planning Commission requested that the Sewage Officer verify that there is a suitable backup site available on this site without perc test verification since the dwelling site property is being reduced.

The following modifications were requested:

Section 506 (a and e) – Road improvements. The plan is to separate an existing dwelling from the agricultural portion of the property and will not create a new impact. Motion was made by Mrs. Repman and seconded by Mr. Smedley to approve the request for modification. Motion carried unanimously.

Section 403.b.23 – Existing contour information. The plan is to separate an existing dwelling from the agricultural portion of the property that is a very large tract of land. Motion was made by Mrs. Repman and seconded by Mr. Smedley to approve the modification request. Motion carried unanimously.

Section 403.c.2 and Section 518.e.4 – Steep slopes. The plan is to separate an existing dwelling from the agricultural portion of the property. Motion was made by Mrs. Repman and seconded by Mr. Kotz to approve the modification request. Motion carried unanimously.

Motion was made by Mr. Smedley and seconded by Mrs. Repman to table the subdivision until the requested information is received from the Sewage Officer and York County Planning Commission comments are received. Motion carried unanimously.

ZONING HEARINGS

Zoning Ordinance re-write. Discussion continued regarding the re-write. Mr. Tim Cormany submitted seven updated maps to the Comprehensive Plan that include the zoning updates.

1. Zoning Map – 2021 Comprehensive Plan Update
2. Prime Agricultural Land/Soils Capability Classes
3. County Clean and Green Program
4. Agricultural Security Area
5. Conservation Easements
6. Significant Property Acreages
7. Proposed Agricultural Preservation Zoning Overlay

The Number 7 map was suggested as a result of meeting discussion regarding Ag Land Preservation. Mr. Cormany included a Section 311 – Agricultural Preservation Overlay Zone to the Zoning Ordinance. Mr. Kotz said his opinion is that 12 acre parcels are too small to be included as farm preservation. He submitted a fact sheet stating demographics that show minimal growth in Warrington Township of 1.9% increase in the past 7 years. He's suggesting that 12 acres in the Rural Ag Zone will place an undue burden of regulations on smaller property owners who are not farming and would like to subdivide for family or other reasons. Mrs. Repman suggested 25 acre lots. Discussion will continue at the July meeting when the entire board will be present.

ADJOURNMENT

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

The meeting was adjourned at 9:00 PM.

Rebecca Bradshaw
Township Secretary