

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, July 28, 2021, 6:00 PM

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

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 June 23, 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) containing the existing dwelling and agricultural buildings, Lot 9 (1.75 acres) to create a new lot for Mr. Maclay's residence, Lot 11 (13.06 acres) to separate an existing second dwelling onto its own lot, and leave a residual Lot 1 (32.22 acres) for agricultural use. 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. Engineer comments are as follows:

Subdivision and Land Development Ordinance:

1. The applicant shall provide the following information on: The building setback lines shall be dimensioned on the plans, and the entire zoning boundary shall be shown on all sheets of the plans. (§ 403.b.4).
2. The applicant shall provide a note on the plans indicating that the existing driveway on Lot 8 does not have the required available sight distance, and is an existing non-conforming driveway.(§ 403.b.15).
3. The applicant shall include the certification with signature, seal, and date of the professional surveyor on the final plan(§ 403.b.22).
4. 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).
5. 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.

6. 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). **The applicant is requesting a waiver of this section.**

7. 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.**
8. 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 orland development plan (§523a.2.B).
9. The applicant shall provide an executed access and maintenance agreement for the existing 10' wide gravel drive located on proposed Lot 9.
10. 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.
11. 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.

Mr. Maclay is requesting a modification to Section 506.a and Section 506.e – Road improvements to Pinetown Road. Motion was made by Mr. Bentzel and seconded by Mr. Kotz to approve the request for modification. Pinetown Road is a state road and the new lot will use an existing right of way to Pinetown Road. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mr. Kotz to approve the Sewage Facilities Planning Module Component 4A Municipal Planning Agency Review. Motion carried unanimously.

Motion was made by Mr. Kotz and seconded by Mr. Barton to conditionally approve the plan pending Engineer comments are addressed. 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. Engineer comments are as follows:

Subdivision and Land Development Ordinance:

1. The applicant shall indicate the existing and proposed lot coverages (§ 403.b.4).
2. 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).
3. Deed recording information shall be provided to the Township within 60 days of subdivision plan recording, proving that Lot 3 was created and Lot 4 was combined with the residual Lot 1.
4. 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.

Motion was made by Mr. Bensel and seconded by Mr. Kotz to approve a modification request to Section 514.e and 403.e.4 and accept the PA DEP Planning Waiver & Non-Building Declaration because both lots are existing and no new sewage is planned. Motion carried unanimously.

Motion was made by Mr. Kotz and seconded by Mrs. Repman to conditionally approve the subdivision pending Engineer comments are addressed and a note added to the plan that the property lies within the Airport Hazard Zone. Motion carried unanimously.

Caden Properties, LLC – 265 Big Rock Drive Lots 1 and 3. The plan proposes to subdivide the existing Lots 1 and 3 – 10.26 acres gross to create Lot 3A(7.36 acres) and the remainder of Lot 3(2.9 acres). Lot 3A will be attached to existing Lot 1(2.86 acres) to create the proposed Lot 1(10.22 acres). The lots are currently zoned Conservation and Village Commercial. The proposed use of the lots is Commercial/Single Family Residential. Lot 1 has existing driveway access to Big Rock Drive and Lot 3 is proposing driveway access to East Camping Area Road. The plan is considered a Minor Subdivision plan and no preliminary plan is required. The plan will be reviewed as final. Engineer comments are as follows:

Subdivision and Land Development Ordinance:

1. The applicant shall provide the existing Tax Parcel numbers for all lots on the plan. (§ 402.b.3}.
2. The applicant shall provide safe sight stopping distances for all existing and proposed driveway locations. (§ 402.b.15}. Sight distances shall be provided for the existing driveway on Lot 1.
3. Clear sight triangles shall be provided for the existing driveway on Lot 1 (§ 402.b.16}.
4. The applicant shall indicate the primary control points utilized on the plan (§ 402.b.18}.
5. The isolation distance for the existing well on Lot 1 shall be shown on the plans(§ 402.b.26}.
6. The applicant shall include the certification with signature, seal, and date of the professional surveyor (§ 402.b.22}.

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 (§ 402.b.27).
8. The applicant shall provide a copy of the new recorded deed indicating the attachment of Lot 3A to existing Lot 1.
9. 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.
 - Legal services necessary for the processing of the land development plan.

Motion was made by Mr. Kotz and seconded by Mrs. Repman to conditionally approve the plan pending all Engineer comments are addressed and that the prior granted modifications block is removed from the cover sheet. Modifications for this plan will need to be granted. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mr. Kotz to approve modification requests to Section 402.b.33-Submission of a wetland study, 506.e-Widening of existing streets, and 511.G-Planting of street trees. This note should be added to the plan. Motion carried unanimously.

ZONING ORDINANCE REWRITE

Zoning Ordinance. Mr. Smedley said there are four items that he would like to resolve during this meeting.

1. Solar Energy – The Planning Commission will present a proposed ordinance to the Board of Supervisors regarding establishing reliable standards for Solar Energy Systems within the Township. Motion was made by Mr. Smedley and seconded by Mr. Kotz to present the proposed ordinance to the Board of Supervisors for their review. Motion carried unanimously.
2. Wireless Communications Facilities – The Planning Commission will present a proposed ordinance to the Board of Supervisors regarding establishing reliable standards for wireless communications facilities within the Township. Motion was made by Mr. Kotz and seconded by Mr. Smedley to present the proposed ordinance to the Board of Supervisors for their review. Motion carried unanimously.
3. Section 311 – Agricultural Preservation Overlay Zone. The Planning Commission agreed to the proposed changes made by Mr. Kotz to subsection d, f, g and i. The changes were minor wording changes regarding an example written for the maximum number of lots in subsection d. and existing buildings on each lot in subsection f, removal of a portion of the paragraph regarding subdivision involving existing buildings in g, and a portion of the paragraph regarding location of development lots in subsection i. Motion was made by Mr. Kotz and seconded by Mrs. Repman to recommend sending the revised version of Section 311 to the Board of Supervisors for their approval. Motion carried with Mr. Kotz, Mrs. Repman and Mr. Barton approving. Mr. Bensel and Mr. Smedley voted in favor of the wording changes but opposed the total minimum acreage of 25 to be included in the Overlay Zone rather than 12 acres.

4. Zoning Ordinance Changes.

Motion was made by Mr. Bensel and seconded by Mr. Kotz to recommend the Board of Supervisors add Section 762 – Warehouse, Distribution or Fulfillment Facility in the VC Zone with the understanding that the consultant will be given the opportunity to recommend additional requirements. Motion carried unanimously.

Motion was made by Mr. Bensel and seconded by Mr. Smedley to forward the revised Zoning Ordinance with the Planning Commission changes to the Board of Supervisors for their approval. Motion carried unanimously.

Motion was made by Mr. Smedley and seconded by Mr. Kotz to recommend the Board of Supervisors revise the Comprehensive Plan to include the revisions made to the Zoning Ordinance including the addition of Section 311. Motion carried with Mr. Bensel opposing due to the 25 acre minimum lot size in the Overlay Zone.

Motion was made by Mr. Kotz and seconded by Mr. Smedley to move Section 411 of the Zoning Ordinance regarding Landscaping and Screening to Section 520 of the Subdivision and Land Development Ordinance. Motion carried unanimously.

Motion was made by Mr. Kotz and seconded by Mr. Barton to modify Section 519 of the Subdivision Ordinance regarding Watercourses and Drainageways to cross reference Section 512 of the Zoning Ordinance. Motion carried unanimously.

ADJOURNMENT

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

The meeting was adjourned at 7:15 PM.

Township Secretary