

**HOPEWELL TOWNSHIP
YORK COUNTY PA
PLANNING COMMISSION MEETING
MINUTES FOR NOVEMBER 17, 2015
MUNICIPAL BUILDING
7:00 PM**

Chairman Ann Yost called the meeting to order at 6:57 p.m. Also in attendance were Joe Shanabrough, Larry Knott, Nancy Blevins, and Zoning Officer Keith Hunnings.

Approval of Minutes:

Knott motioned to approve the September 3, 2015 Planning Commission minutes. Shanabrough seconded the motion. Motion carried unanimously.

#04-2014 Kurtz School Villas

Monti Joines was in attendance to discuss the Kurtz School Villas. DEP allowed them to move the road and home down 25 feet towards Kurtz School Road. The area was previously very tight and would jeopardize the natural tree line that they wanted to save. The 100 feet buffer was relaxed, and they allowed the buffer to move to 75 feet as long as they work with the storm water management. The backyards will be 25 feet larger away from the tree line. Mr. Joines was not asking for any additional waivers, but he wanted to state that the 722 feet cul-de-sac will now be 698 feet and moved downhill. He stated the Supervisors asked him to bring it back to the Planning Commission for any specific questions. Yost asked if they were going with a retention pond instead of infiltration. Mr. Joines responded that it would be both, and directed the board to the portion of the plans. The commission and Mr. Joines reviewed the plan amongst themselves. Yost asked for Martin and Martin comments. Zoning Officer Hunnings replied that he did have the comments from Martin and Martin and YCPC did not need to review the plans again. Seven waivers were approved. One waiver was removed because Mr. Joines stated they intended to put in sidewalks now. Knott asked if Mr. Joines was working with DEP on the water runoff. Martin and Martin reviewed and the stormwater comments were received. Zoning Officer Hunnings reviewed Martin and Martin's comments from their November 11, 2015 letter as follows:

1. DEP Planning Module required for final plan.
2. YCCD approval is required. This is an outstanding item.
3. Owner Certification Statement is still open and needs to be signed.
4. Approval from Sewer and Water Authority. This is an outstanding item.
5. Surveyor seal needs to be signed.
6. Payment and fee in lieu of recreation is still an open item.
7. Township Solicitor needs to review the HOA documents. They have not yet been drafted. It is still an open item.
8. Two possible waivers: the length of the cul-de-sac and the street tree spacing. As the cul-de-sac shrunk, that shouldn't be an issue. The commission previously stated that as long as the number of trees stayed the same, the spacing wouldn't be an issue.

Zoning Officer Hunnings went on to review Martin & Martin's stormwater comments dated November 17, 2015 as follows:

1. NPDES plan is still open.
2. Financial construction security for installation and construction of stormwater facilities must be provided in a form suitable to the Township Solicitor prior to approval of the subdivision plan.
3. As-built plan and certification will be required prior to the release of financial relation securities.
4. Operation and Maintenance Agreement must be prepared by the applicant and executed prior to final subdivision plan approval. This is a final plan requirement.
5. The forbade detail shown on sheet SW7 of 8 of the post-construction stormwater management plan indicate a 2:1 side slope. This must be revised to show a 3:1 side slope.
6. The hatch patterns representing the soil around the proposed housing needs to be updated to match current subdivision plans. It appears the hatch patterns were not shifted when the lots and the cul-de-sac shifted to the east.
7. Applicant needs to complete and sign the Owner Certification Block provided on sheet SW1 of 8.
8. Add engineer signature block to sheet SW1 of 8 of the post construction stormwater management plan.

YCPC comments dated August 21, 2014 are as follows:

1. Minimum lot size for any use other than residential is 9000 square feet and the minimum required lot width is 80 feet. The lot proposed for the sewer pump station is 4989 square feet and the width was 60.48. They shifted it and there is a lot that will now be dedicated to the sewer authority with an area a little over 10,000 square feet and the lot width will be over 80. Zoning Officer Hunnings stated the sewer authority wants the lot as small as possible, but they will work with the ordinance. Yost recommended that would be something that would be possibly granted a waiver, however they will wait for any comments from the sewer authority.
2. Front setbacks on lots 16, 17, 18, and 19 have been increased from 25 feet to 35 feet. The reason is that the chart in the residential district requires single family homes to be 35 feet. A semi detached would be able to shrink down to 25 feet.
3. A partial history chart must be added to sheet 1 of 12 as a portion is located in an agricultural zone. That has been added. The property reference plan was assigned 4 dwelling rights; 3 have been used to date to create lots 2B, 2C and 2D as shown on the reference plan. One dwelling right remains in the agricultural zone as lot 2A.
4. Certification with signature and seal. This is done.
5. Proposed density must be on the plan. This is now on the plan.
6. Lines and lots, parcels and tracts, included within the subdivision as of June 20, 1974. On sheet 3 of the plan, a plotting was provided of what the farm looked like during that time.
7. Statement of ownership must be signed, dated, and notarized. This is still open.
8. Certification of planning module and/or any waivers have been approved by DEP. This is still open.

9. Stormwater management plan in accordance with Hopewell Township's ordinance is still open.
10. Erosion and sedimentation control plan and NPDES permit approved by YCCD. This is still open.
11. Private street may only be utilized when there are 5 or fewer lots in a subdivision. There are 32 lots in the subdivision but they were granted a waiver on October 2, 2014.
12. No more than 3 dwellings may be served on a private street. Twenty-nine dwellings were proposed for access on a private street. A waiver was granted October 2, 2014.
13. Use-of-maintenance agreement must be provided for the proposed private street outlining who has the right to use the street and who is to maintain it. This is still an open item.
14. The cul-de-sac street should not exceed 500 feet in length. The proposed cul-de-sac was 722 at the time; it is now 698. This should be back in front of the supervisors for approval so the numbers can be correct on the waiver.
15. The name "Dave Ann Drive" must be proposed to Harrisburg and the York County Control. The street addresses must be assigned by Hopewell Township. This is an open item to make sure this is not a duplicate street.
16. Monuments are required to be set on the intersection lines. A waiver was granted on October 2, 2014.

Mr. Joines asked if Eric received copies of the correspondence Zoning Officer Hunnings read to which he responded yes. Eric issued a formal response to all the comments.

Yost mentioned that she still doesn't see a waiver for section 504B. Shanabrough motioned to send to the Supervisors for the needed waivers and approval of the plan as long as the outstanding comments were met. Knott seconded the motion. Yost declined the motion.

Christine Schuefele had a few questions for the commission and Mr. Joines. She first inquired about house #15 regarding its distance from her property line. Yost responded with 30 feet. Ms. Schuefele asked why the houses moved but the cul-de-sac did not. Yost stated that was because the stream has a curve to it, but it could have been accommodated with removing one unit. Ms. Schuefele asked Mr. Joines if they could move the house so it meets the 35 foot line more at an angle. Mr. Joines responded that he didn't see a problem with that and he would ask. Ms. Schuefele asked what it will look like when it's done, pointing to part of the plan. Yost responded saying it would be lawn and angling the house would be better because they will have more room in their backyard. Ms. Schuefele asked about losing the tree lines due to utilities. Mr. Joines stated that they are trying to have as little change to the tree line as possible. Yost stated the tree line will be lost at the end of Runningboard Road. Ms. Schuefele asked if they were digging up the front of the other side of the street to run utilities. Mr. Joines stated they have to, but they are in the utility right of way. He doesn't know what they will do for gas yet. Ms. Scheufele inquired to why the lots of land were still green on the York County site. Yost stated that the plan has not been approved so there are no new deeds. Ms. Scheufele asked if they were building the complex and then selling them or building as they sell. Mr. Joines is not sure, but they will most likely have to put the roads and curbs in prior to selling them. Ms. Scheufele wanted to clarify with Mr. Joines that he would consider moving house 15's position, and he stated that he would.

Byron and Brenda Grossman Property:

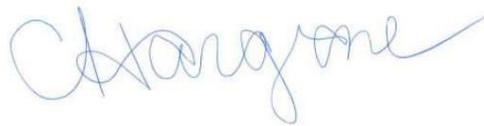
Neither Josh Myers nor Byron Grossman were present to discuss this property. Yost tabled.

Public Comment:

Christine Scheufele asked the Planning Commission if they were aware that the commission's recommendation regarding the chicken ordinance was thrown out at the prior Supervisor's Board meeting. Knott had heard through the grapevine. Ms. Scheufele wanted to know if, since it was their recommendation, they had to be told officially that it was thrown out. Blevins asked if it was thrown out because it was changed from one acre or less than one acre. Ms. Scheufele said it was changed to 5 per half acre and unlimited for an acre or more. Ms. Scheufele stated that YCPC recommended that it not be adopted and they should adopt the Planning Commission's recommended amendment. She stated that after Mr. Eddahmoni, his father, and his wife spoke at the Board meeting, the Supervisors dropped the amendment all together. Blevins stated that the ordinance wouldn't have applied to the Eddahmonis. Blevins asked if it could be recommended again. Zoning Officer Hunnings replied they can push it through again and to talk to the Board, as they are ultimately making the decision. The Supervisors feel it's getting pushed because of one complaint. Knott stated that he believed Supervisor Wolf once stated that unless he was getting multiple complaints, there was not a reason to change it. Blevins stated "that's like fixing it after there's already a huge problem." This would prevent a huge problem. Zoning Officer Hunnings stated the chicken ordinances are the worst debated ordinances in every municipality. Knott stated he was disgusted with the Supervisors over this ordinance. Ms. Scheufele commented that she is concerned about how much the Township spent in attorney fees due to redrafting and resubmitting the amendment at \$125/hour for it to be thrown away. Yost stated if the Supervisors wanted to look at it again, the planning commission would do so, also.

Adjournment:

Yost motioned to adjourn at 7:39 p.m. Knott seconded. Adjourned.



Courtney Hargrave, Recording Secretary