

Planning Commission Meeting Minutes

March 12, 2019

The regular meeting of the East Lampeter Township Planning Commission was held on Tuesday, March 12, 2019 at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. Chairman Keylor called the meeting to order followed by the Pledge of Allegiance. Other Commissioners present were Mr. Darrel Siesholtz, Mr. Roger Rutt, Mr. Dan McCuen, and Mr. Dan Przywara. Also present was Tara A. Hitchens, Director of Planning/Zoning Officer.

Public Present:

Mark Kurowski, K&W Engineering
Marc Singley, K&W Engineering
Westley Enterline, Marotta/Main
Phyllis Flesher, CV School District
Ken Johnson, CV School District

Chris Venarchek, RGS Associates
Bill Briegel, Keystone Custom Homes
Corey Bray, Gannett Fleming
Rob Lewis, Kaplan Stewart

Minutes:

The minutes of the February 12, 2019 meeting were approved as written on a motion by Mr. McCuen and a second by Mr. Przywara with all voting in favor.

Old Business:

- a. **#2017-17 PennDOT Vehicle Wash Facility, 2105 Lincoln Highway East Land Development Plan:** Corey Bray of Gannett Fleming was present to represent the land development plan. Mr. Bray explained that PennDOT will be removing some macadam area and converting it to lawn area to reduce impervious coverage and deal with stormwater management on the site. The David Miller/Associates review letter dated February 4, 2019 with Gannett Fleming February 1, 2019 response letter and HRG review letter dated February 19, 2019, and the Lancaster County Planning Commission review dated July 11, 2017 were all reviewed. Mr. Keylor indicated that the verbal requests for deferral must be in writing before going before the Board of Supervisors. Ms. Hitchens noted that the Planning Commission should consider requiring that the escrow account for the project be brought up to date as a condition of approval. Mr. Bray noted that Gannett Fleming and PennDOT will address all items of the Lancaster County Planning Commission, HRG, and David Miller/Associates review letters.

On a motion by Mr. Siesholtz and second by Mr. McCuen with all voting in favor, the Planning Commission recommended conditional approval of the land development was recommended for conditional approval based on the LCPC review dated July 11, 2017, HRG review letter dated February 19, 2019, David Miller/Associates review letter date February 4, 2019 and the escrow account brought up to date. Ms. Hitchens added they are in need of approval from HRG with all waivers/modifications/deferrals per David Miller/Associates February 4/2019 letter and deferral agreements where necessary. Mr. McCuen added that PennDot should consider being a good neighbor and revise their fencing or planting along Hobson Road. Mr. Siesholtz amended the motion to look at planting along Hobson Road.

New Business:

- a. **#2019-04 Conestoga Valley School District Land Development Plan for Proposed Middle School Building:** Mr. Marc Kurowski of K&W Engineering was present to represent the land development plan. Mr. Kurowski stated that all comments from the David Miller/Associates letter can be addressed. Mr. Kurowski verbally requested modifications or waivers of plan scale and preliminary plan processing. Mr. Kurowski discussed the alternative pedestrian way along Horseshoe Road.
- Mr. Kurowski noted that the David Miller/Associates review posed no significant plan changes, except for the landscape islands within the parking lots. For maintenance reasons the school would like to eliminate these but if the Planning Commission doesn't agree they will be put into the land development plan. Mr. Siesholtz asked if this project has any phasing to which Mr. Kurowski responded it is one project with a hope to be out to bid late summer or early fall. Mr. Siesholtz asked if a decision was made as to what materials will be used on the walks. Mr. Kurowski stated they are still evaluating but they will be a minimum of 6' in width.
- Mr. Siesholtz have a swale in area of expanded parking lot at high school that could be used to plow into during winter storm events. This should be considered on the east side of the parking expansion to the north of the stadium.
- Mr. Keylor questioned if there was a review letter from LCPC. Ms. Hitchens read the LCPC review dated February 25, 2019. Mr. Keylor questioned if a traffic study has been completed. Mr. Kurowski indicated that it is in the process. Mr. Keylor noted that parents picking up kids stack down to Southview/Stumptown road currently at the existing middle school.
- Mr. Siesholtz questioned if a sidewalk or part of the walking path would be added out to Mount Sidney Road? Mr. Kurkowski noted that it was not considered because there are no sidewalks to connect to at this time. Mr. Keylor questioned the width of the emergency access. Mr. Kurowski noted that the entire length is paved. Mr. Keylor noted that the width may not be adequate for winter conditions.
- Mr. Siesholtz and Mr. Keylor suggested that a third entrance to the stadium be considered near the new middle school.
- Mr. Siesholtz asked that the applicant consider being generous with the radii within the parking areas for bus turning.
- Mr. McCuen questioned fullness of buses. Ms. Flesher noted that most buses are pushing 3 students to a seat.
- Mr. Siesholtz questioned if landscaping could be placed at the varsity baseball field to preclude blinding batters and catchers from headlights onto home plate.

On a motion by Mr. Siesholtz and second by Mr. Przywara with all voting in favor, the East Lampeter Township Planning Commission recommended conditional approval based on the David Miller/Associates review letter dated February 13, 2019, the HRG review letter dated February 8, 2019 and the LCPC review letter dated February 25, 2019; deferral agreement will include connection to internal pathway when the improvements are placed along Mount Sidney Road. In addition, the applicant is to look at the emergency access and be sure it can handle the types of apparatus that would utilize it, that a TIS/TIA will be required and that the Township traffic engineer will review prior to going before the Board of Supervisors and consider landscaping on road and visual barrier to athletic fields where needed.

Discussions of motion: Mr. McCuen questioned if the connection to the internal pathway from Mount Sidney Road should be done immediately or if it should be part of the deferral agreement for the improvements along Mount Sidney Road. Mr. McCuen noted that the emergency access could be used in the interim. Mr. Siesholtz stated that sight distances and crossings would have to be looked at for the emergency access to be used.

b. Conditional Use Application: Devon Creek

Rob Lewis of Kaplan Stewart, Chris Venarchek of RGS Associates, and Bill Briegel of Keystone Custom Homes were present to represent the change in the conditional use application. The project was previously known as Warrington and it is now known as Devon Creek. There were four phases which required public water and sewer for the development. In the original conditional use the applicant noted that the public water would be served through the City of Lancaster. The applicant now proposes to serve the development with a well and underground 300,000-gallon tank. Through the process, other changes to the conditional use have been requested: zoning ordinance/saldo conflicts; 2015 amendment to modify phasing and unit mixes; 2011 final land development phase 1A of which construction is now complete. Mr. Lewis noted that this is the result of the City of Lancaster refusing to provide water service in 2017. Ultimately an agreement was reached to support an alternative for emergency reasons. DEP recognizes community water suppliers. Miller & Sons has completed analysis of well on site which they drilled, the analysis indicates that the well is capable of producing enough water and thus the applicant is seeking a public supply water permit. When asked, the City has declined to take over the proposed underground system. Mr. Lewis noted that the system could be money generating to Homeowner's Association (HOA) in the future. It was noted that there would be no changes to the existing dwellings that are currently served by the City of Lancaster. Additional infrastructure-well head, 100-foot wellhead protection, large 300,000-gallon underground tank, filtration system, utility building (much like sewer pump station) proposing utility building be identical to the current sewer pumping station. Water utility lines have changed slightly. Phase 2 line ran with creek but need to now provide access to utility building and underground tank will need to amend NPDES permit.

Comment in the DMA review letter as to whether this area can be part of open space area to which Mr. Lewis noted that he believes this to still allowed to be open space per ordinance requirements.

Mr. Lewis noted that what the Planning Commission has in front of them tonight is an amendment to the phasing plans and alternative public water supply. Mr. Lewis also noted that PADEP ultimately is the arbiter here. The applicant submitted to DEP and in end they decide if the well and system meets the criteria and requirements. The review comments from DMA regarding the well are reiterated in the comments from DEP and will need to be answered by Miller & Sons and their consultants. Mr. Lewis stated that the City of Lancaster through the emergency agreement is not able to provide water pressure for fire protection but is able to provide such for general use.

Mr. Przywara questioned if the City can provide 35 psi, then why can't they supply new service?

Mr. Lewis noted that this is part of the litigation between the City and Keystone. The City had other services to provide, wouldn't release data, weren't allowed to do inspections, costs were wholly disproportionate.

Mr. McCuen inquired as to what happens if City expends commitments and can't provide in emergency in the future as back-up.

Mr. Lewis stated that the City is contractually obligated to provide this, has to be factored into and future "will serve" for the City service area.

Mr. Lewis noted that the system could be purchased in the future as it will be a revenue source.

Mr. Siesholtz questioned how long Keystone will own this?

Mr. Lewis stated that part of the permitting process for DEP is to demonstrate that the owner and/or operator can financially sustain until HOA ready to take over.

Mr. Lewis stated that there are nearby wells which were identified and must be monitored and this well and system can't affect these existing wells. There was one well the homeowner wouldn't allow to monitor. Should the HOA take over the system, the wells will continue to be monitored and investigation of any complaints will need to be completed.

Mr. Lewis noted that the applicant intends to provide plantings and landscaping around the utility building that will be need for the well and system.

Mr. Przywara questioned if there could be a development sign near this with landscaping.

Mr. McCuen noted that it behooves the applicant to make this proposed utility building as attractive as possible and make it look as close to one of the dwellings within the development.

Mr. Lewis indicated that the materials used for the sewer pump station is what is proposed for the required utility building for the community water system.

Mr. Lewis stated that the traffic impact analysis provided in 2015 with the revised conditional use application and no other construction has taken place so will ask the Board of Supervisors to extend the condition because of the lack of development at the project site.

Mr. Rutt stated that this was the first TND for East Lampeter Township and the Township in wants to see this project continue to move forward and the Planning Commission should hold this up for a different public water system.

Mr. Keylor questions why the piping throughout Greenfield Business Park was to be connected and looped to this development. Mr. Lewis noted that the City wanted a massive water tower at a cost of \$4 Million, hydrant upgrades, on site booster pumps, and off-site booster pumps, but he didn't recall any loop discussion from Greenfield Business Park.

Mr. Siesholtz stated that the application states this is for revised phasing plan and public water supply, but phasing plan has not been noted in the conditional use application. Mr. Lewis stated that this will be noted at the Conditional Use Hearing.

Mr. Siesholtz noted that the agreement with the City is not dated, further it has a five-year limit, but it is not known when this agreement begins. Mr. Lewis is not sure that the termination time frame is appropriate because there would not even be buildings and the City could back out of the agreement.

Mr. Keylor questioned how the Township would be told that the HOA would be taking over the water system. Mr. Lewis noted that this would be stipulated within the development agreement that the Township will have with Keystone Custom Homes.

On motion by Mr. McCuen and second by Mr. Rutt with all voting in favor, the Planning Commission recommended conditional approval of the conditional use application to move forward with an alternative water source and phasing of the development of Devon Creek based upon approval of a public water source permit by DEP, continuing to meet the ODI ordinance, satisfying 3/11/19 & 3/12/19 DMA review comments either with testimony at conditional use hearing or securing a DEP permit, provide a dated agreement with the City of Lancaster; building as attractive as possible, residential as possible utility building, and reapplying the traffic condition from the prior approved conditional use hearing.

Briefing Items:

None at this time

Other Business:

LUAB was cancelled for March 2019. Mr. Keylor shared appreciation for LUAB and its function.

Announcements:

Invitation to the groundbreaking ceremony for Building 24 has been provided to the PC members.

Active Transportation Plan is available on the Township website to review.

Mr. Siesholtz will not be able to attend the April Planning Commission meeting.

Adjournment:

On a motion by Mr. McCuen and a second by Mr. Siesholtz with all voting in favor, the meeting was adjourned at 10:19 pm. The next Planning Commission meeting will be held on Tuesday, April 9, 2019 beginning at 7:30pm in the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602.

Respectfully submitted,

Tara A. Hitchens, AICP
Director of Planning/Zoning Officer