

# CLAY TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

### July 23, 2018

Members present were: Adrian Kapp, Clair Beyer and Josh Reist. Jon Price and Rick Gehman were absent.

Also present was Bruce Leisey, Township Manager, Jennifer Prunoske of Hanover Engineering, Inc., Township Engineer.

Also present were those listed on the attendance sheet.

The meeting was called to order by Adrian Kapp at 7:09 PM.

#### Reading of the Minutes

Clair Beyer made a motion, seconded by Josh Reist, to dispense with the reading of the minutes of the June 25, 2018 meeting. \* The motion was approved unanimously.

#### Approval of the Minutes

The May 21, 2018 and June 25, 2018 minutes were tabled until the next meeting because of no quorum.

#### Correspondence

None

#### Plan Review

##### 1. Norma Martin - Subdivision Plan #18-05

Ted Cromleigh reviewed the plan with the Planning Commission members. The Norma Martin Subdivision is located north of West Burkholder Drive, west of Wood Corner Road. The 49.813 acre project site is currently in agricultural production and contains an existing farmstead (dwelling, barns, garage and out buildings), adjacent to Wood Corner Road in the northeastern portion of the tract. The tract is proposed to be subdivided into two (2) lots. The existing farmstead will be retained on Lot No 2

(14.426 acres). Lot No 1 (35.387 acres) will continue in agricultural production and no new construction is currently proposed.

Clair Beyer made a motion, seconded by Josh Reist to approve the following modification and deferrals for the plan. \* The motion was unanimously approved.

#### Section 403.A - Drafting Standards

The applicant is requesting a modification to provide plans at a scale of not less than one hundred (100') feet to the inch. The applicant states the Martin farm is 49.81 acres. The entire boundary has been surveyed and in an effort to show the entire boundary on a single-view plan sheet the existing features are shown at 1" = 200'. The applicant states the ordinance allows for tracts over 10 acres in size to be drafted at a legible scale as a deed plotting. The applicant feels the plan sheet is legible at this scale.

#### Section 602.K.3 - Improvement of Existing Streets

The applicant is requesting a deferral of the requirement to improve the existing streets that abut the project. The applicant states Lot 1 is located entirely within the Clay township Agricultural Zoning District. The applicant further states the lot has frontage on Burkholder Drive that has an 18' wide cartway, and the land will be used for cultivation of agricultural crops at this time, no new development is proposed. A 25' wide ultimate right-of-way is offered as part of the subdivision. Lot 2 is presently improved with an existing single-family dwelling and assorted agricultural buildings. The lot is zoned LI (Limited Industrial), the lot has frontage on Wood Corner Road that has a cartway width of 25'. The ordinance would require a total cartway width of 38' or an additional 6/5' along the frontage. The applicant states at this time there is no development proposed on the lot. It is recognized that due to the zoning of the site it may be redeveloped for an industrial type use in the future. The applicant is requesting to defer roadway widening until future development plans are presented or at the discretion of the Township at a future date. A 30' wide ultimate right-of-way is offered to accommodate future road improvements.

#### Section 603.B - Sidewalks Required Along All Adjacent Streets

The applicant is requesting a deferral of the requirement to install sidewalks. The applicant states Lot 2 is located in the LI zoning district and sidewalk is required for new projects within the LI district. The applicant notes that at this time there is no redevelopment proposed on the property and the use will remain a single family residence. The applicant further states it is recognized that there could be a redevelopment of the property as LI in the future at which time development plans would be presented to the Township for approval that would identify the necessary required improvements in accordance to development plans for the site.

#### Section 603.C - Curb

The applicant is requesting a deferral of the requirement to install curbs. The applicant states Lot 2 is located in the LI zoning district and curb is required for new projects within LI district. The applicant states that at this present time there is no redevelopment proposed of the property and the use will remain as a single family

residence. The applicant further states it is recognized that there could be a redevelopment of the property as LI in the future at which time development plans would be presented to the Township for approval that would identify the necessary required improvements in accordance to development plans for the site.

#### Clay Township Stormwater Management Ordinance

The applicant is requesting a deferral of the requirement to Clay Township Stormwater Management Ordinance for Lot 1. The applicant states Lot 1 will be purchased by an adjoining property owner and continue to be farmed as cultivated crop lands as it has historically been in the past.

Josh Reist made a motion, seconded by Clair Beyer to recommend approval of the Norma Martin Subdivision plan to the Board of Supervisors, contingent on compliance with the Hanover Engineering letter dated 7/19/2018. \* The motion was unanimously approved.

Josh Reist made a motion, seconded by Clair Beyer to approve and execute the DEP Non-Building Waiver for Norma Martin Subdivision plan. \* The motion was unanimously approved.

#### 2. UMH PA Lancaster - Lot Add-On Plan #18-06

Ted Cromleigh reviewed the UMH PA Lancaster Lot Add-On Plan with the Planning Commission. UMH PA Lancaster County, LLC (UMH) is the owner of a 19.033 acre property along Snyder Lane in Clay Township. The property is currently home to the Valley View Mobile Home Park. Over the years, several of the mobile homes and accessory sheds along the eastern boundary line have been unintentionally located so as to encroach on the property line into the neighboring farm owned by Premier R&G Properties (PRGP). UMH and PRGP wish to resolve these encroachments. In lieu of the cost relocation of the mobile homes and sheds, PRGP has consented to a lot add-on that will transfer a  $\pm 15'$  wide .389 acre parcel to UMH's property. This add-on will resolve all of the encroachments, except for a single shed and a fence that will both be removed. Upon completion of the project, all mobile homes and sheds will be complete on the UMH property. Mobile home parks are permitted by Special Exception in the R2 Residential district, so a Special Exception was requested for the portion of the lot add-on that is occurring within the limits of the R2 district. Moreover, in order to minimize the loss of property to PRGP, and to minimize the land taken out of the Agricultural district, several Variances were approved.

Clair Beyer made a motion, seconded by Adrian Kapp to approve the following modification, waivers and deferral for the UMH Lot Add-On plan. \* The vote was Clair Beyer, yes; Adrian Kapp, yes; Josh Reist, no.

Section 402.A.1 - Plan Scale

The applicant is requesting a modification of the plan scale requirement. The applicant notes that the properties involved with the plan total 39 acres in size. The applicant is proposing a scale of 1' = 100' to allow the entire property to be shown on a single plan sheet. The applicant notes that the plan is legible at this scale. Furthermore, the applicant feels that the plan is simple in that it is proposing the addition of a small parcel (parcel A) to an adjacent property (Lot No 1). The applicant further notes that they also provided a sheet showing the area of the add-on and Parcel A at 1" = 40' scale.

Section 402.C.4.d - The Plan shall provide the location of existing utility mains and existing stormwater management facilities on the subject tract

The applicant is requesting a waiver of the requirement to provide the location of existing utility mains and existing stormwater management facilities on the subject tract. The justification provided is that the plan proposes a minor shift to a single property line. The applicant feels that the location of the features required by the section would require additional field survey and expense to the applicant with no discernable benefit. The applicant further notes that the plan proposes no construction of any kind. The applicant notes that they have determined the approximate locations of the water and sewer mains and has the shown on the plan for reference.

Section 402.C.4.f - The plan shall provide the location of wetlands on the subject tract

The applicant is requesting a deferral of the requirement to provide the location of wetlands on the subject tract. The justification provided is that the plan proposes a minor shift to a single property line. The applicant feels that the location of the features required by the section would require additional field survey and expense to the applicant with no discernable benefit. The applicant further notes that the plan proposes no construction of any kind.

Section 403.D.17.f - Finished floor elevations of all residential units

The applicant is requesting a waiver of the requirement to provide finished floor elevations of all residential units. The justification provided is that Lot 1 contains numerous mobile homes whose floor elevations are meaningless in the context of this add-on plan. The applicant notes that no new construction, grading or excavating is proposed.

Section 607.A - Monuments shall be placed at all angles along the street

The applicant is requesting a waiver of the requirement for monuments to be placed at all angles along the street. The justification states that as applied to this project, this requirement seems to conflict with the provision of Section 402.B.6 which states that properties larger than 10 acres need not be surveyed. The applicant notes that they have not surveyed West Main Street nor Snyder Lane. The applicant notes that the location of the roadway and their associated rights-of-way are approximate and reasonable accurate as shown on the plan, but monuments can only be placed if a survey of the entire frontage is performed which is not required by Section 402.B.6

Clair Beyer made a motion, seconded by Adrian Kapp to recommend approval of the UMH Lot Add-On plan contingent on compliance with the Hanover Engineering letter dated 7/17/18. \* The vote was Clair Beyer, yes; Adrian Kapp, yes; Josh Reist, no.

### 3. HomeTowne Square Phase 4 - Land Development Plan #18-04

Kim Graybill, Pioneer Management, reviewed the plan with the Planning Commission. The plan is to develop Phase 4 consisting of 52 lots and 50 units in 9.88 acres in HomeTowne Square. This Phase has been scaled back from the original 75 lots to 50 lots.

There was discussion on Stormwater Management comment #1 in the Hanover Engineering letter dated 7/20/18.

Josh Reist made a motion, seconded by Clair Beyer to recommend approval of the plan to the Board of Supervisors contingent on compliance with the Hanover Engineering letter dated 7/20/18 and to defer the Stormwater Management comments to the Board of Supervisors. \* The motion was unanimously approved.

### 4. Paul Zimmerman, 325 W Burkholder Drive - Sketch Plan

Mr. Zimmerman reviewed the sketch plan with the Planning Commission. Mr. Zimmerman would like to add 3-4 acres to his property located at 285 W Burkholder Drive. His property is currently approximately 1 acre, the add on would make is property size non-conforming in regulations with the Zoning Ordinance.

After discussion, the Planning Commission and Staff suggested Mr. Zimmerman determine the minimum amount of land he would need to add to his property for the use he is proposing and determine if he could add land that is less productive and currently in pasture and still accomplish his goal.

No decisions were made at this time.

## New Business

### 1. Review upcoming Zoning Hearing

The Township Manager informed the Planning Commission that there are no Zoning Hearing's for August.

Old Business

None

Adjournment

Clair Beyer made a motion, seconded by Josh Reist, to adjourn the meeting at 9:10 p.m. \*The motion was approved unanimously.

\_\_\_\_\_  
Adrian Kapp, Vice Chairman

\_\_\_\_\_  
ABSENT  
Jon Price, Chairman

\_\_\_\_\_  
Clair Beyer, Secretary

\_\_\_\_\_  
Josh Reist, Member

\_\_\_\_\_  
ABSENT  
Rick Gehman, Member