

CLAY TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

June 24, 2013

Members present were: Bruce Leisey, Clair Beyer and Adrian Kapp. Annie Reinhart was absent from the meeting.

Also present were those listed on the attendance sheet.

Adrian Kapp called the meeting to order at 7:10 p.m.

Reading of the Minutes

Bruce Leisey made a motion, seconded by Clair Beyer, to dispense with the reading of the minutes of the May 23, 2013 meeting. *The motion was approved unanimously.

Approval of the Minutes

Bruce Leisey made a motion, seconded by Clair Beyer, to approve the minutes of the May 23, 2013 meeting. *The motion was approved unanimously.

Correspondence

None

Plan Review

1. Bethany Gardens III - Subdivision Land Development

Ted Cromleigh, Diehm & Sons, reviewed the Bethany Gardens III plan with the Planning Commission.

There was extended discussion on landscaping. Mishon & Doug Eberly, 87 Clay School Rd, voiced their concerns with the proposed screening. They are concerned about the lack of privacy from the proposed town houses. The Developers Representative appeared receptive to adding screening at the South West corner of the lot.

Bruce Leisey made a motion, seconded by Adrian Kapp to approve the following waivers and modifications. * The motion was unanimously approved.

Section 303.A - Preliminary Plan Application

The applicant is requesting a waiver of the requirement to provide a preliminary plan application. The justification provided is that the applicant feels the project is straight forward and believes there is no benefit to the Township by requiring the developer to process a separate Preliminary Plan application. The applicant further states that they believe that one (1) review process by the Township will be sufficient to ensure the plan complies with the Township Ordinances.

Section 402.A.6 - Profiles shall be at 1"=50' scale

The applicant is requesting a modification of the requirement to provide plan profiles at a scale of 1"=50'. The justification provided is that the plan view is drawn at a scale of 1"=30'. The applicant indicates that the profiles have been drawn to match the plan and provide a horizontal scale of 1"=30'. The applicant feels that this permits the profiles to be larger and provide greater clarity in addition to matching the plan view scale.

Section 402.C.3 - Significant Features within 200 feet of the Subject Tract must be shown on plan

The applicant is requesting a modification of the requirement to provide significant features within 200 feet of the subject tract. The modification is being requested because Lot 79 is part of the application, and therefore, technically, the area within 200 feet of that lot must be shown as well. The justification provided is that there is no disturbance proposed on Lot 79 other than utility and stormwater facilities at the north end of the lot, the applicant is requesting that they do not have to provide all features within 200 feet of Lot 79 where no work is being proposed.

Section 602.M.3 - Intersections with Collector Streets shall not be located closer than 400 feet

The applicant is requesting a modification of the requirement that intersections with collector streets shall be separated by a minimum 400 feet. The applicant indicates that the access drive has been centered within the development. The justification provided is that there is approximately 713 feet between the intersection of Meadow Drive and Bethlehem Lane, making it impossible to provide an access to the project that would be in compliance with the Ordinance. The proposed layout provides approximately 317 feet between Bethlehem Lane and the access drive and 396 feet between the access drive and Meadow Drive. The applicant further notes that Clay School Road is not a high speed roadway.

Section 602.M.6 - Intersections with collector streets shall have a 55 foot radius

The applicant is requesting a modification of the requirement to provide 55 foot radii at intersections with collector streets. The proposed access drive provides a 25 foot radius. The justification provided for the modification is that the access drive will not have truck traffic and the shallow depth of the property makes it difficult to provide a 55 foot radius. The applicant feels that the use of the local road radii of 25 feet is an acceptable alternative.

Section 602.N.1 - Clear sight triangles shall be measured 100 feet along the centerline in all directions from the intersection of centerlines

The applicant is requesting a modification of the requirement to provide a 100 foot clear sight triangle at the intersection of the development and Clay School Road. The applicant is proposing to provide a clear sight triangle measured 100 feet along Clay School Road and 70 feet along the access drive. The justification for the request is that if the 100 foot clear sight triangle is measured at the access, approximately four (4) parking spaces would be eliminated, as well as two (2) street trees. The 70 foot clear sight triangle allows additional parking spaces to be provided for visitors.

Section 603.A.1.c - 15 foot side buffer planting area required where parking areas are adjacent to residential properties

The applicant is requesting a modification of the requirement to provide a 15 foot wide buffer planting area where parking areas are adjacent to residential properties. The current plan layout proposes a 10 foot wide planting area between the parking lot and side lot lines. The justification provided is that if the 15 foot buffer planting is required, two (2) parking spaces would likely have to be eliminated (one at each end) in order to shift the parking away from the property lines. The applicant states that the proposed parking is less than 20 spaces and is for residential use. The applicant also feels that the 10 foot wide buffer planting area is sufficient to protect the neighbors from any impacts of the parking lot.

Section 604.D.3 - Depth of lot shall not be greater than three (3) times their width

The applicant is requesting a modification of the requirement that the depth of the lot shall not be greater than three (3) times their width. The justification for the modification request is that in order to meet the minimum lot area established by the Zoning Ordinance of 3,000 sq feet, the lots need to be 150 feet deep when the width of the lots is 20 feet.

Section 609.E.4.b and Section 609.E.4.c - Parking lot interior landscape area and shade trees interior to the parking lot

The applicant is requesting a modification of the requirement to provide parking lot interior landscape area and shade trees interior to the parking lot. The justification provided is that there is insufficient space interior to the parking lot to place interior

landscape area and shade trees due to the presence of utilities, stormwater facilities, easements, and the clear sight triangle. The parking lot has 22 spaces; therefore, five (5) shade trees are required. The applicant has indicated that the required trees have been provided around the parking lot and the road.

STORMWATER MANAGEMENT:

Section 303.A.3 - Minimum pipe size of 15 inch diameter

The applicant is requesting a modification of the requirement to provide the stormwater pipes with a minimum pipe diameter of 15 inches. The applicant indicates that the proposed storm sewer pipes into and out of the Storm Tank system are 10 inches in diameter. The justification provided is that the maximum pipe opening that can be cut into the side of the Storm Tank system is 14 inches, which results in a 10 inch pipe being the largest allowable pipe diameter to be accommodated after the pipe thickness and outside diameter are factored in. The applicant further notes that the stormwater report shows that the 10 inch pipe has adequate capacity to convey the flows from the site. The pipes from Inlet 4 to Inlet 1 and Inlet 1 to the existing endwall are proposed to have 15 inch diameters.

Section 303.1.g - 24 hour dewatering time for stormwater basin

The applicant is requesting a modification of the requirement to dewater the subsurface detention basin within 24 hours. The applicant is proposing a dewatering time of 24.8 hours. The justification provided is that the outlet structure has been provided with an orifice with a 1-3/4" diameter to dewater the facility. The subsurface facility is a combination of a water quality and stormwater detention facility. The applicant feels that the slightly higher dewatering time permits the need for only one (1) orifice to dewater the entire facility.

Section 402.B.16 - Significant features within 200 feet of the subject tract must be shown on the plan

The applicant is requesting a modification of the requirement to provide significant features within 200 feet of the subject tract. The modification is being requested because Lot 79 is part of the application, and therefore, technically, the area within 200 feet of the lot must be shown as well. The justification provided is that since there is no disturbance proposed on Lot 79 other than utility and stormwater facilities at the north end of the lot, the applicant is requesting that they do not have to provide all features within 200 feet of Lot 79 where no work is being proposed.

Bruce Leisey made a motion, seconded by Adrian Kapp to recommend approval of the plan contingent on compliance with the Hanover Engineering letter dated 6/24/13. * The motion was unanimously approved.

2. Tents For Rent (formerly Countryside Enterprises) - Land Development

Ted Cromleigh, Diehm & Sons and Marlin Sensenig, Developer reviewed the plan with the Planning Commission. The plan was formerly a four (4) lot subdivision plan/land development plan. It was revised to a land development plan for Tents for Rent business. The Developers intent is to submit the four (4) lot subdivision plan in the future after this plan has been approved. The intent is to allow the developer to start construction on his building this summer.

Bruce made a motion, seconded by Adrian Kapp to approve the following waivers/modifications/deferrals. * The motion was approved unanimously.

Section 303.A - Preliminary Plan Application

The applicant is requesting a waiver of the requirement to process a preliminary plan application. The justification provided is that the plans have been prepared so they meet the criteria of both a preliminary plan and a final plan. The applicant indicates that they would like to build the new building in the Spring of 2013 and feel that by processing the preliminary plan separately the project approval would not be completed in the desired time frame. The applicant states they will grant any needed time extensions to allow the Township and applicant reasonable opportunity to work through all issues on the project prior to plan approval. The applicant wishes to process the plan as a preliminary/final plan.

Section 402.A.1 - Plan scale shall be 1"=10', 20', 30', 40', 50'

The applicant is requesting a modification of the requirement to provide the plans at a scale of 1"=10', 20', 30', 40', 50'. Sheet 2 has been drawn at a scale of 1"=120' in order to show the entire property and existing site conditions 200' beyond the property limits on one (1) plan sheet. The applicant feels the plan is still legible in every detail and all other plant sheets have been provided at a scale of 1"=50'.

Section 602.E and Section 602.K.3 - Improvements to Existing Streets

The applicant is requesting a deferral of improving Wood Corner Road along the entire property frontage of the development. The deferral is requested for the improvements to Wood Corner Road along the entire frontage until such a time that the rest of the lot is developed.

Section 602.M.2 - Intersections on opposite sides of a street shall be offset by 150'

The applicant is requesting a modification of the requirement to provide a 150 foot offset between intersections on opposite sides of the street. The plan proposes an access drive to Henry Appel Drive that is offset from the Paul B. Zimmerman access street by 63 feet. The applicant states that this location was selected as it provides access into the Tents for Rent site between areas where vehicles and/or trailers will be parked, either serving the building (on the east side of the access) or in the storage

area (on the west side of the access). The proposed access drive is not intended to be the main access in/out of the Tents for Rent site, but is rather provided chiefly as an emergency access, and for occasional non-truck traffic. Signs are provided on the plan prohibiting trucks from using this access. Given the slow speeds on Henry Appel Drive (a private street) and the good visibility between the intersections, the applicant requests permission to allow the intersections to be offset less than the required 150 feet.

Section 602.V.12 - Sidewalks required along frontage and within a development

The applicant is requesting a deferral of the requirement to provide sidewalks in the proposed development. The justification provided is that the surrounding area has no sidewalks anywhere within 1,000 feet of the site. The proposed business, and other industrial businesses that will eventually locate in this development, will not generate much, if any, pedestrian traffic. The applicant requests a deferral of the requirement until such a time that the Township deems it necessary to install sidewalks. A plan note has been provided on the cover sheet to clarify the requirement.

Section 603.A.1.g - Parking lots shall be lighted to a minimum average two (2) foot-candles

The applicant is requesting a modification of the requirement to the light the proposed parking to a minimum average of two (2) foot candles. The justification provided is that the Tents for Rent business will only be open during the daytime hours. The public will not be entering this facility except on a very rare basis. The applicant discussed a reduction of this requirement with the Planning Commission. The plan will propose that the parking lot will be lighted to a minimum average of 1.0 foot candles.

Section 603.A.1.j - Parking lots with more than 20 spaces shall be divided by raised permanent curbing

The applicant is requesting a waiver of the requirement to provide raised curbing and/or planting strip in the parking lot. The justification provided is that the parking lot has been designed to sheet flow into the rain garden. The applicant also notes that curbing has not been required in the adjacent property of Paul B. Zimmerman, Inc., so the applicant feels that it is reasonable that he, too, not be required to install curbing around the landscape islands in the parking lot.

Section 603.A.2.e - Parking shall be set back 30' minimum from a building in the LI zone

The applicant is requesting a modification of the requirement to provide a 30 foot parking setback from any buildings in the Limited Industrial zoning. The justification provided is that the plan proposes to subdivide the property by placing a new street roughly through the center of the property. The road has been moved south as far as possible, but there is insufficient room between the proposed street and Henry Appel

Drive to provide for the new building and parking lot and provide the required separation between the parking and building.

Section 603.B.1 - Sidewalks

The applicant is requesting a deferral of the requirement to provide sidewalks in the proposed development. The justification provided is that the surrounding area has no sidewalks anywhere within 1,000 feet of the site. The proposed business, and other industrial businesses that will eventually be located in this development, will not generate much, if any, pedestrian traffic. The applicant requests a deferral of the requirement until such a time that the Township deems it necessary to install sidewalks. A plan note has been provided on the cover sheet to clarify the requirement.

Section 603.C.1 - Curbs

The applicant is requesting a deferral of the requirement to provide curbs in the development. The justification provided is that the plan proposes the installation of curbing on Wood Corner Road along the frontage of Lot 1, (which is being developed for Tents for Rent) and along Enterprise Road from the intersection with Wood Corner Road ending at Access Drive A. Additionally, both entrance radii of Access Drive B are proposed to be curbed. The applicant wishes to defer the installation of curb along the remaining portion of Enterprise Road, including the area between Access Drive A and Access Drive B, the remainder of the frontage west of Access Drive B and the entirety of the south side of the street. These curbs will be installed as the remainder of the lots are developed.

Section 603.F.1 - Bicycle parking facilities

The applicant is requesting a waiver of the requirement to provide bicycle parking facilities for the Tents for Rent business. The justification provided is that the Tents for Rent business is not a retail or commercial use that draws the public. The site is best described as a “base of Operations” for the erection of tents at various locations all over the region. The applicant indicates that none of the employees ride their bikes to work. There are ample areas around the site for any future employees to park a bicycle.

Section 605.B - Setback lines along private streets shall be the required setback as per the Zoning Ordinance plus one half (1/2) of the proposed cartway

The applicant is requesting a modification of the requirement of providing an additional 14 feet of setback distance (one half (1/2) the cartway width of Enterprise Road). The justification is that there is insufficient depth between Enterprise Road and Henry Appel Drive to provide the additional 14 feet of setback distance without leading to the loss of a needed and substantial area of the proposed building. The plan indicates that the right-of-way along Henry Appel Drive is already 60 feet wide, which is already wider than what is being proposed for Enterprise Road. The applicant

believes sufficient room exists for any needed future improvements without adding the additional required 14 feet of setback.

Section 609.E.4 (b) - Interior parking lot landscaping

The applicant is requesting a waiver of the requirement to provide landscaping within the interior areas of the parking lots. The justification provided is that in lieu of parking lot landscaping located on islands within the parking lot, the plan proposes landscaping to be placed between the parking lot and Enterprise Road. The applicant feels the disbursement of the landscaping along the frontage will provide aesthetic, environmental and buffering functions that trees planted in interior islands would provide, whilst allowing the owner more efficient snow plowing operations without the required islands. The Planning Commission reviewed this layout of landscaping at their November 19, 2012 meeting where they indicated it was acceptable.

Section 609.E.4 (d) - Landscape islands within the parking lot and along the periphery of the parking compound

The applicant is requesting a waiver of the requirement to provide landscape islands within the parking lot and a 10 foot strip around the entire periphery of the parking lot. The justification is that the applicant has provided the 10 foot strips along three (3) sides of the parking lot, but has not provided it along the building. The applicant feels that there is insufficient room to expand the green space around the parking lot given the width of the lot and the need of the building to be a certain size.

Section 609.F.2.a - 30' landscape screen around the perimeter of the property

The applicant is requesting a waiver of the requirement to provide a 30 foot landscape screen around the perimeter of the site. The plan proposes the installation of landscaping along Woodcorner Road and Enterprise Road to buffer the proposed use from the roadways. The requested waiver is for relief of the requirement to provide the landscaping along the western and northern side of the property. The justification is that the western and northern sides of the property face other industrial lots/uses, making screening unnecessary. The applicant believes that the adjacent use of Paul B. Zimmerman, has provided several and development plans in recent years, and has never been required to provide buffer landscaping from the subject tract. The applicant also believes it is only fair that he, too, be relieved of screen his use from adjacent industrial uses. The Planning Commission reviewed this layout of landscaping at their November 19, 2012 meeting where they indicated it was acceptable.

STORMWATER MANAGEMENT:

Section 303.A.6 - Tee joints, elbows and wyes in stormwater conveyance pipes are prohibited

The applicant is requesting a modification of the requirement that tee joints, elbows and wyes within stormwater conveyance systems are prohibited. The applicant indicates that the plans only propose tee connections within the roof leader drains, the rain gardens and detention basin under drain systems which are customary. The plan proposed inlets and manhole within the main stormwater conveyance systems and a riser with atrium top in each rain garden.

Section 402.B and Section 402.B.12 - Plan scale shall be 1"=50'

The applicant is requesting a modification of the requirement to provide the plans at a scale of 1"=10', 20', 30', 40' or 50'. The applicant indicates that Sheet 2 has been drawn at a scale of 1"=200' in order to show the entire property and existing site conditions 200' beyond the property limits on one (1) plan sheet. The applicant feels the plan is still legible in every detail and all other plans sheets have been provided at a scale of 1"=50'.

Bruce Leisey made a motion, seconded by Adrian Kapp to recommend approval of the plan contingent on compliance with the Hanover Engineering letter dated 6/24/13. * The motion was unanimously approved.

New Business

1. Rt 322 Corridor

Bruce Leisey updated the Planning Commission on recent activities.

Old Business

None

Adjournment

Adrian Kapp made a motion, seconded by Bruce Leisey, to adjourn the meeting at 9:30 p.m. *The motion was approved unanimously.

Bruce Leisey, Member

Clair Beyer, Vice-Chairman

ABSENT
Annie Reinhart, Member

Adrian Kapp, Secretary