CLAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
November 25, 2024

The Planning Commission of Clay Township met on an advertised meeting date of November 25, 2024, at 7:00 PM at the Clay Township Municipal Office, 870 Durlach Road, Stevens, PA, at a time and place duly established to hold such a meeting and advertised and posted in accordance with the Second-Class Township Code and Sunshine Law. The meeting agenda was posted in accordance with the Second-Class Township Code and Sunshine Law.

Members present were Jon Price, Adrian Kapp, Josh Reist, Jay Zimmerman and Donna Bollinger.

Bruce Leisey, Township Manager, Wendy Hackman, Administrative Assistant and Bob Lynn, Hanover Engineering were present.

Also present were those listed on the attendance sheet.

The meeting was called to order by Jon Price at 7:00 PM.

Approval of the Minutes

Jay Zimmerman made a motion, seconded by Donna Bollinger to approve the minutes from the October 28, 2024 meeting. * The motion was approved unanimously.

Correspondence

None

Plan Review

1. Tyler Enck – Lot Add-On Plan #24-09

Tom Matteson, Diehm & Sons reviewed the plan with the Planning Commission. The plan proposes to reconfigure the boundaries of three parcels located on the West side of Seglock Road, resulting in a 5.828 acre parcel Lot 3B, a 1.648 acre parcel lot 3A and a 2.631 acre parcel Lot 4. Lots 3B and 4 are already developed with existing single family dwellings and no construction is planned at this time for Lot 3A. Testing for primary and replacement sewage systems has been provided on Lot 3A.

Donna Bollinger made a motion, seconded by Adrian Kapp to approve the following waivers, modification and deferral as outlined in the Hanover Engineering letter dated 11/21/24. * The motion was unanimously approved.

Section 402.C(4)(f) and Section 407 – Wetlands Study
The applicant is requesting a deferral of the requirement of providing a wetland study until such time that construction is proposed on Lot 3A. The justification provided states that there is no new construction or earthwork proposed as part of the plan. The applicant feels that the location of any potential wetlands has no bearing on the lot add-on. The applicant notes that they have included Note #10 on the plan to ensure that the wetlands are identified before any construction or earthwork is ever undertaken on the Lot 3A.

Section 403.D.17(f) – Finished Floor Elevations of Residential Units
The applicant is requesting a waiver of the requirement to provide the finished floor elevation of all residential units. The applicant notes that Lots 3B and 4 have existing dwellings. The applicant feels that the finished floor elevations for the dwelling are meaningless in the context of the add-on plan and states that no construction, grading or excavation is proposed.

Section 602.K.2 – Dedication of Additional Right-of-Way
The applicant is requesting a modification of the requirement for the dedication of additional right-of-way. The applicant states that the plan provides the additional right-of-way at the required widths along the frontage, but it is not to be dedicated at this time, in accordance with the Commonwealth Court's decision in Board of Supervisors vs. Fiechter (1989). The applicant notes that instead of "proposed" right-of-way, which is dedicated to the Township, the plan shows the full required right-of-way as "reserved". The applicant feels that this ensures that the setbacks are other aspects of the plan respect the full right-of-way width, should it ever be dedicated, but does not require the actual dedication of the additional right-of-way at this time.

Section 610.A.3(b) – Replacement Sewage Location
The applicant is requesting a waiver of the requirement to provide replacement sewage system locations for Lots 3B and 4. The justification provided states that Lots 3B and 4 are already developed with existing single-family dwellings with sewage systems. The applicant further states that parcels are being added to Lots 3B and 4 only making

them larger and increasing the area available for replacement sewage systems in the future. The applicant indicates that testing for primary and replacement sewage systems has been provided for Lot 3A.

Adrian Kapp made a motion, seconded by Jay Zimmerman to recommend the plan to the Board of Supervisors for approval as outline in the Hanover Engineering letter dated 11/21/24. * The motion was unanimously approved.

2. PaulB – Waiver of Land Development

Jere High, Facilities and Safety Manager for Paul B Zimmerman Inc, reviewed the waiver of land development with the Planning Commission. The plan proposes to construct a 75' x 200' gravel trailer parking area which currently a grass area. A portion of the trailer parking is within a utility easement, which includes the water, sewer and gas services to the property. The area would have 2A stone installed. Based on recorded plans, Stormwater Note #1 documents that 0.75 acres of additional future impervious can be installed and accommodated in the stormwater management design for the detention basin. Additional lighting will be added for the area.

Jay Zimmerman made a motion, seconded by Adrian Kapp to recommend approval of the request to the Board of Supervisors. * The motion was unanimously approved.

3. Gary Martin – Waiver of Land Development

Bruce Leisey reviewed the request with the Planning Commission. The plan is to construct a 20x46 addition to an existing storage building on the property located at 180 Woodcorner Rd. No new impervious will be added with the addition. The addition would be used for warehousing and storage of supplies for plumbing, heating and air conditioning repair and installation business.

Adrian Kapp made a motion, seconded by Josh Reist to recommend approval of the request to the Board of Supervisors. * The motion was unanimously approved.

4. Clayland Commons – Preliminary Plan #23-04

Craig Smith and Aaron Bricker, RGS Associates, reviewed the plan with the Planning Commission.

Jay Zimmerman made a motion, seconded by Adrian Kapp to approve the following modifications as outlined in the Hanover Engineering letter dated 11/22/24. * The motion was unanimously approved.

Section 402.A.6 – Profile Scale

The applicant is requesting a waiver of the requirement that states that "all street profiles as well as the design of sanitary sewer facilities, water supply facilities and storm water drainage facilities shall be drawn at a horizontal scale of 1' = 50' and a vertical scale of 1" = 10'." The applicant is proposing to allow the utility profiles to be shown at a 1" equals 50' horizontal and 1" equals 5' vertical scale. The applicant has provided stormwater profiles at 1" equals 5' vertical and indicates this is a standard convention on land development plans. The applicant feels that the exaggerated vertical scale more clearly represents the proposed condition and that a vertical scale of 1" equals 10' would appear flat and be much more difficult to decipher. The applicant notes that the alternative scale exceeds the ordinance requirement and allows for the drawings to be more legible which they feel is equal to or better that the ordinance requirements.

Section 602.K – Street Width, Cartway Design

The applicant is requesting a modification of the requirement to provide a 38 foot cartway. The applicant is proposing to widen the cartway on Snyder Lane to 15', which shall include an 11' travel lane and 4' shoulder. The justification provided is that the Ordinance requires a 19' cartway from the centerline of the road, the existing road is 15' and is consistent with the circulation patterns in the vicinity of the site. Due to the desire to limit the number of vehicles that use Snyder Lane the narrower configuration would be less attractive to motorists. Narrower streets enhance safety by naturally reducing vehicle speeds due to limited space which lowers the risk of collisions and increases driver awareness. The applicant feels the constrained environment encourages drivers to be more cautions and attentive, increasing pedestrian visibility within a residential area.

Section 602.M.6 – Street Intersections; Collector Road Intersection Radius (New Request)

The applicant is requesting a modification of the requirement that states that "the cartway edge street intersections shall be rounded by a tangential arc with a minimum radius of 30' for the local streets or alleys and 55' for intersections involving collector or arterial streets. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway". The applicant is proposing to reduce the cartway edge radius to 30' at the intersections of Clay School Road and Snyder Lane. The justification provided states that Snyder Lane intersects Clay School Road at an acute angle when measured from the eastbound travel lane and given the existing geometry of the roadway, the applicant feels that a 55' radius is unnecessary and excessive, as it would result in 24' of additional pavement at the curb line and an overall intersection which measures 166' from curbline tangent to curbline tangent. The applicant feels that the revised Turning Movement Exhibit demonstrates that a fire truck can maneuver around the proposed turn. The applicant feels that the provided 30' curb radius provides for safe and convenient circulation, as intended by the Ordinance.

Section 602.N.1 – Clear Sight Triangles

The applicant is requesting a modification of the requirement that states that "there shall be provided and maintained at all street intersections a clear sight triangle of at least 100' as measured from the intersection of the street centerlines in all directions…". The applicant is proposing to reduce the clear sight triangle to 50' by 100' at the intersection of the proposed access drive with Clay School Road. The applicant states that the access drive connection with Clay School Road is intended to be private and proposed as a boulevard entrance to encourage low travel speeds. The applicant notes that adequate sight distance is shown in accordance with Section 602.N.2 of the Township's Ordinance. The intersection will also be stopped controlled by installing a stop sign and painted stop bar, and therefore they feel a clear sight triangle measure 100' from intersection would provide very little benefit. Furthermore, the applicant feels that for safety, it is more important that there is adequate sight distance when the driver comes to a stop and looks both directions. The applicant feels that the provided site distance and 50' by 100' clear sight triangle provides for an equivalent level of safety and the proposed intersection as intended by the Ordinance.

Josh Reist made a motion, seconded by Jay Zimmerman to approve the following modifications from the Stormwater Management Ordinance as outline in the Hanover Engineering letter dated 11/22/24. * The motion was unanimously approved.

Section 11-303.C – Rate Controls, Dewatering Time

The applicant is requesting a modification of the requirement that states that "normally dry, open top, storage facilities shall completely drain the rate control storage volume over a period of time less than or equal to 24 hours from the peak 100-year water surface design elevation." The applicant is requesting to permit stormwater management facilities BMP-003, BMP-004 and BMP-008 to dewater over a period of no more than three (3) days (72 hours) in accordance with PADEP MRC Design Standards for vegetated MRC BMPs. The applicant states that PADEP stipulates that vegetated MRC systems should dewater to the ISW (internal water surface) storage level in no more than three (3) days. The MRC target release rate results in dewatering times which exceed the 24-hour timeframe identified in the above-referenced ordinance section. The applicant states that using the target MRC release rate of 0.02 cfs, BMP-003 dewaters in 69.09 hours/2.88 days. Using the target MRC release rate of 0.01 cfs, BMP-004 dewaters in 60.38 hours/2.52 days and BMP-008 dewaters in 49.78 hours/2.07 days. The applicant feels that a design cannot meet both DEP and Township standards and that the impact of including MRC BMPs in the rate control model is negligible and insignificant. The applicant feels that the peak inflow rate to an MRC BMP during larger storm events is essentially equivalent to the peak discharge rate, as the larger volume of water simply passes through the facility; stating that in other words, the vegetated MRC BMPs have very little impact on the peak rate reductions at storm events which exceed the 2-year/24-hour event. The applicant feels that integrating the MRC BMP into the project's rate control model is an accurate approach to depict how the site will respond at any given storm event. The applicant states that PADEP finds MRC BMPs to meet the regulatory intent of 25 PA Code 102.8(g)(2) and 102.8(g)(3) pertaining to rate and volume control and therefore, the

use of the MRC Design Standards is considered to be an acceptable alternative to the Township's ordinance as the use of such will not cause environment degradation and provides for an equivalent means of managing runoff.

Section 11-307-B(1)(d)[3] – Facility Design Standards; Above Ground Storage Facilities
The applicant is requesting a modification of the requirement that states that "for aboveground facilities that do not rely in infiltration to dewater the runoff, a flow path length to width ratio of 2:1 shall be provided to maximize the treatment time before the inflow point and the outlet structure." The applicant is requesting to permit vegetated MRC BNPs to rely on the IWS in lieu of the 2:1 flow length. The applicant states that the PADEP design guidance for the Managed Release Concept stipulates that internal water storage (IWS) be provided with an MRC BMP. In addition, the IWS is required to be at least 1' deep below the lowest structural outlet (i.e., the outlet for the underdrain) to encourage evapotranspiration, infiltration, and denitrification. The underdrain is to also be located at the bottom of the IWS to promote movement of water from previous storms. The applicant notes that the vegetated MRC BMPs, such as BMP-003, BMP-004, and BMP-008, an internal water storage (IWS) has been provided in accordance with the applicable PADEP design standards. The applicant further notes that the facilities are designed to be flat so that the entire bottom area is accessed at prescribed 1/2'"/2-hour design storm. The applicant indicates that the function of the IWS and the location of the underdrain negate any potential benefits of the elongated flow path and that the stormwater enters the facility and spreads out within the vegetation and soil media, before eventually percolating down into the soil media into the IWS. The applicant feels that based on the outlet structure design; runoff must flow through the soil media into the underdrain before it can exit the facility. The described low sequence provides the same benefits as a 2:1 flow length. The applicant feels that the use of the IWS within the vegetated MRC BMPs (BMP-003, BMP-004, and BMP-008) is more effective and therefore consistent with the intent of the above-referenced ordinance section.

Section 11-307.D(1)(a) and Section 11-307.D(1)(o) – Conveyance Facilities in Public Right-of-Way; Construction Standards
The applicant is requesting a modification of the requirement that states "…inlets…within the public street right-of-way or proposed for dedication shall conform to the requirements of PennDOT Standards for Roadway Construction, Publication No. 72M." And, Section 307.D.(1)(o) states that "all inlets placed in paved areas shall have heavy duty bicycle-safe grating consistent with PennDOT Publication 72M, latest edition." The applicant is requesting to permit the use of 2' X 6' Type-C Inlets within Snyder Lane. The applicant notes that the roadway improvements on Snyder Lane require widening and vertical curb and that the off-site drainage area to the low point is significant and requires adequate accommodations to ensure that gutter depth and spread meets the requirements within the Township's Ordinance. The applicant states that to ensure the gutter flow does not exceed the permitted 3" (0.25') depth, three 2' X 6' Type-C inlets are proposed. The applicant notes that the current PennDOT RC Standards do not include a C-Top inlet with a larger grate area and that the proposed inlet is a standard inlet produced by Monarch Concrete products with reinforcement that matches that of their standard inlet boxes. The applicant feels that the use of the

2' X 6' Type-C Inlet provides for the necessary stormwater management with the Township's right-of-way without requiring oversized boxes in accordance with PennDOT RC-45 standards which are otherwise unnecessary. The applicant eels that the approach represents an acceptable alternative to stormwater conveyance while providing an equivalent structure from a structural standpoint.

Section 11-307.D(2)(a)(3) – Conveyance Facilities; Within Public Right-of-Way; Minimum Cover

The applicant is requesting a modification of the requirement that states that "A minimum 1' of cover to the stone subgrade shall be provided over the conveyance pipes." The applicant is requesting to permit storm drain to be installed with a minimum cover of 1' measured from the bottom of asphalt to the crown of the pipe. The applicant notes that the proposed conveyance design considers minimum cover to be 1' measured from bottom of asphalt to the crown of the pipe. The applicant feels that this alternate standard is consistent with the requirements for HS-20 loading, per the manufacture's (ADS) specifications. The applicant notes that the manufacturer's recommendations for pipe installation provide the required vehicular loading within pave areas of site. The applicant eels that the relief also allows the storm drain to be installed without unnecessary disturbance and rock excavation within the utility trenches, if encountered. The applicant notes that the reduced cover condition is proposed in 10 locations.

Section 11-307.D(2)(b)(3) – Conveyance Facilities; Outside Public Right-of-Way; Minimum Cover

The applicant is requesting a modification of the requirement that states, "A minimum 1' of cover to the stone subgrade shall be provided over the conveyance pipes." The applicant is requesting to permit storm drain to be installed with a minimum cover of 1' measured from bottom of asphalt to the crown of the pipe. The applicant notes that consistent with the justification above, the proposed conveyance design considers minimum cover to be 1' measured from bottom of asphalt to the crown of the pipe, per the manufacturer's (ADS) specifications. In addition, the applicant states that for pipe outside the public right-of-way, the conveyance systems are to remain private and are not intended to be dedicated to the Township. The applicant notes that the reduced cover condition is proposed in 19 locations.

Section 11-307-D(2)(b)(4) – Conveyance Facilities; Outside Public Right-of-Way; Minimum Diameter

The applicant is requesting a waiver of the requirement that states that "The minimum pipe diameter shall be 15". The applicant is requesting to permit storm drain to be installed at diameters less that 15' based on design flow, however no pipe shall have a diameter of less than 8". The applicant states that in areas where drainage will be minimal, catch basins are proposed with smaller diameter pipes, rather than the minimum 15' diameter pipes required by the ordinance. The applicant states that the MRC BMPs also utilize diversion structures to convey a specified peak flow rate to the facilities and that in these instances, smaller diameter pipes have been proposed based on the orifice equation. The pipe diameter is then determined by the associated calculations to ensure a specified flow is directed to the facility. In addition, the

applicant notes that, as demonstrated by the calculations within the project's Post Construction Stormwater Management Report, a 15" pipe is not necessary in these instances to provide safe conveyance. The applicant states that these systems were designed to provide adequate capacity in accordance with the ordinance requirements for the drainage areas and runoff volumes reaching the conveyance pipes. The applicant further notes that the conveyance systems show that the 100-year storm event is contained within the proposed structures and safely conveyed to the proposed rate control facility, or equivalent. The applicant feels that the smaller pipe sizes shown on the plan only occur in limited locations on-site, or as a part of the roof leader systems conveying small drainage areas and that these smaller pipes have adequate capacity in accordance with the ordinance requirements, demonstrating that larger pipe sizes in these areas are unnecessary, thereby meeting the intent of the ordinance.

Section 307.D.1(d) and Section 307.D.1(e) – Conveyance Facilities; Junctions
Inlets or manholes shall be placed at all points of changes in the horizontal or vertical directions of conveyance pipes. The applicant is proposing to utilize plastic ADS Nyloplast structures to be used as cleanouts. The justification provided is that in areas where the drainage will be minimal, Nyloplast catch basins or inline drains are proposed as junctions or access points along the conveyance lines. The pipe connections at these structures are limited in depth and diameter, eliminating the need for larger access points. The applicant feels that the plastic structures ae proposed in lawn or landscaped areas away form vehicular traffic as the structures will not be subject to heave vehicle loads.

Section 307.D.2(c) (6) – Conveyance Facilities; Outside Public Right-of Way (non-vehicular loading); Manhole Construction
The Ordinance require manholes shall be concrete. The applicant is requesting to use Nyloplast structures to be used where practical. The applicant indicates that they proposed to use the Nyloplast inlets in areas where drainage will be minimal. The applicant notes that the pipe connections at these structures are limited in depth and diameter, eliminating the need for larger access points. The proposed structures are proposed in lawn or landscaped areas away from vehicular traffic. The conveyance systems are not intended to be dedicated to the Township and shall remain private.

Adrian Kapp made a motion, seconded by Jay Zimmerman to approve the following Stormwater Ordinance waiver request as outlined in the Hanover Engineering letter dated 11/22/24. * The motion was approved with a 4-1 vote. Jon Price voted no to the motion, citing he feels that the ordinance requirements could be met in this instance.

Section 11-304.I – Performance Standards; Roof Drains
The applicant is requesting a waiver of the requirement that states that "roof drains shall not be connected to streets, sanitary or storm sewers or roadside ditches. Roof drains shall discharge to infiltration areas or vegetative BMPs to the maximum extent practicable." The applicant is requesting to permit the roof leaders from the planned apartment buildings to tie into the conveyance piping. The applicant states that the site design proposes 8 apartment buildings with surrounding parking and sidewalks.

The applicant feels that discharges at grade to vegetated areas is not practical for many of the buildings as this would direct runoff onto walking surfaces and create potential icing conditions in the winder months. The applicant notes that the proposed design creates a safer condition as the runoff will be conveyed directly into a pipe system, rather than over sidewalk and pavement. Furthermore, the applicant states that PADEP MRC Design Standards dictate that the net increase in pre – vs. post – development impervious coverage shall be equal to or greater that the sum of the equivalent impervious area managed by the MRC BMPs on a project site. This applicant notes that this approach ensures that undetained impervious areas do not contribute to channel-eroding flows in receiving surface waters. The applicant states that the building area must then be routed to and treated by the MRC BMPs to meet this requirement. The applicant further notes that the outfall from all conveyance piping is to a stormwater management BMP and that each BMP has been designed to manage the volume of stormwater in accordance with PADEP standards, which is equivalent to the intent of the ordinance which is to direct roof water to infiltration area. Furthermore, the applicant notes that PADEP views an MRC BMP as an alternate means of managing volume, which is consistent with the intent of the above-reference ordinance standard. The applicant feels that the use of the MRC BMPs to treat runoff from the proposed buildings is an acceptable alternative to the Township's ordinance as the use of such will not cause environmental degradation and provides for an equivalent means of managing runoff.

There was discussion on Rec Fund fees in lieu of open space/recreation area in the amount $2,550.00. At this time, the Planning Commission was not interested in giving credit for recreation facilities constructed on site.

Adrian Kapp made a motion, seconded by Jay Zimmerman to recommend approval of the plan contingent on compliance with the Hanover Engineering letter dated 11/22/24 to the Board of Supervisors. * The motion was approved unanimously.

New Business

None

Old Business

1. R3 Zoning Amendment Language

Tabled at this time. Township Staff is still working on the Ordinance language.

Adjournment

Jay Zimmerman made a motion, seconded by Josh Reist, to adjourn the meeting at 8:20 p.m. *The motion was approved unanimously.

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Jon Price, Chairman Adrian Kapp, Vice Chairman

_____ _____

Josh Reist, Secretary Donna Bollinger, Member

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Jay Zimmerman, Member