

PLANNING COMMISSION MEETING MINUTES
October 19, 2023

Members: Chairman Steve Groff, Vice Chairman Garrett Weaver, Mary Stoltzfus and Scott Riekers.

Staff: DeeDee McGuire, Township Manager; Geoffrey Beers, Township Supervisor; Chuck Haley, Township Engineer; Michele Neckermann, Planning/Zoning Officer; Kim Yepremian, Planning/Zoning Officer & Recording Secretary.

Call to Order: Chairman Groff called the meeting to order at 7:00 pm, with the Pledge of Allegiance.

Minutes Approval: Garrett Weaver motioned, seconded by Scott Riekers, to approve the September 21, 2023 minutes as submitted. Motion passed 3-0, with one abstention by Commissioner Stoltzfus.

Public Comment for Subjects Not on the Agenda: none

Revised Final Plan – Country Meadows Phase IV Lots 26 & 27– WL2023-RFP-009: Consultant Andy Weaver, P.E., EnValue Engineering, presented a Revised Final Plan for changes to Rain Garden #2 on Lots 26 & 27 of Country Meadows Estates, Phase IV. The Applicant is asking for a waiver of the Township's Stormwater Management Ordinance §230-32 Volume Controls, to permit a Managed Release Control Facility in place of Rain Garden #2.

- The Rain Gardens were designed to manage water from the street and driveways of the sixteen homes constructed in Phase IV, and will be the responsibility of an HOA.
- Rain Garden #1 has great infiltration, but Rain Garden #2 has not been functioning as designed and is always saturated.
- Evaluation of RG#2 showed that the water table is above the bottom of the rain garden at the southwest corner.
- Additionally, it was discovered that water is entering RG#2 through the storm drainage pipe, even when there has been no rain and the street inlets are dry. It is also possible that the two sources of water are interrelated.
- Applicant received PADEP approval of a major modification of the NPDES permit to allow a Managed Release Control facility in place of Rain Garden #2. The MRC will release water in a small trickle, versus emptying out as would a rain garden.
- The HOA Agreement will have to be revised in order to accommodate the MRC.

Eric and Wanda Pelt, owners of Lot 27, 206 Country Meadows Drive were in attendance for public comment on the revised plan. They have many concerns over the proposed changes including the appearance of the MRC facility compared to a Rain Garden, the length of time to completion, and risk of sinkholes.

O. Juan Ramos, owner of Lot 26, 208 Country Meadows Drive, was in attendance for public comment regarding the revised plan. Mr. Ramos and his family are very frustrated with the length of time it taking for them to be able to use their property, as planned.

The Commissioners felt that there is too much information missing to make any recommendations on the Plan.

- The source of the additional water needs to be investigated immediately, because it may affect the outcome of the design.
- A cost for the HOA members must be established, so property owners are informed of the maintenance requirements and expense.
- A strict timeline must be agreed upon and kept so that these homeowners' enjoyment of their property is fully restored.

MOTIONS

Scott Riekers moved to recommend the drafting of a letter to the Developer, from the Planning Commission, stating that time is of the essence to identify the leak or flow of water entering Rain Garden #2, and take corrective action. Mary Stoltzfus seconded the motion. Motion passed 4-0. **Post-meeting note:** On October 26th, Township staff and Engineers held a meeting with the Developer and Consultant to discuss a timeline to remedy the issues raised at by Commissioners. The pipe investigation was scheduled for November 9th.

Preliminary Subdivision Plan – Lampeter Meadow – WL2023-PP-010: Applicants withdrew their appearance for this meeting.

Conditional Use – Southpointe at Lakes Expansion – WL2023-CU-003 (comments only): Consultant Craig Smith, RLA, RGS Associates, presented the modification of Conditional Use approval for a medical residential campus use in the Southpointe campus at Willow Valley Lakes. They are requesting the modification of a Conditional Use approval previously granted when Willow Valley acquired three properties along Peach Bottom Road to add nine residential cottages and a community recreation and amenities area. Land development approvals were subsequently granted; however, the plan was never recorded.

- Cultural Center Drive, where it meets Peach Bottom Road, will remove the “right in/right out” turn restrictions and convert it to allow full turning motions.
- The entrance to the former Witmer Office will still be removed.
- The changes to the Memory Care Center are mostly architectural and aesthetic, with the addition of amenities for their residents.
- Apartment building L, proposes lengthening for the addition of four more residential units for a total of 28, versus the 24 that were previously approved. Two of the previously approved five buildings are already completed, and there are no changes proposed for the two remaining apartment buildings.
- A fourth property has been acquired along Peach Bottom Road, so whereas nine cottages were approved in the last plan, this modification is proposing fifteen cottages.
- The total number of dwelling units/beds proposed is now 297, where 287 were approved previously.
- The requirement that non-residential use buildings will not exceed 3,000-sf footprint applies to commercial uses and not a hospital care facility.
- Applicants do not believe the 30% open space requirement in §285-42A(51) is applicable to the MRC.

Commissioners questioned why the plans did not depict aligning Cultural Center Drive with Main Street. Craig Smith stated that the current alignment is working, and that traffic studies do not warrant the change. Commissioner Riekers countered that regardless of the results of a traffic study, this plan is going to place a major amount of traffic along Peach Bottom Road, and this is the chance to take care of a long-standing problem area. Commissioner Weaver asked if the gate location along Cultural Center Drive will change, as stacking at the gate is always a concern. The reply was that the gate is going to be moved closer to Peach Bottom Road, but there will be room for approximately ten cars to stack.

Charles Painter of 118 Torrey Drive in Southpointe, was in attendance for public comment. Mr. Painter’s concern involved a lack of recreational/amenities in the plan. Mr. Painter is wondering if there is a Township ordinance that would require the installation of such amenities.

Jim Whitehead of 140 Gordon Drive in Southpointe, was in attendance for public comment. Mr. Whitehead’s comments regarded the re-alignment of Cultural Center Drive with Main Street, and the stacking that occurs at the gated entrances.

Zoning Ordinance Amendment Discussion

Roger Lee, 15 Strawberry Lane: his property is currently R-1, which is proposed to be rezoned as Residential Village/Traditional Village. Ken Stoltzfus, 500 Golf Road: his property is currently OSR, which is proposed to become Residential Rural. Residents were encouraged to make an appointment to meet with staff, to look through the Draft Ordinance.

Dottie & Brian Grimm, of 754 Village Road: they own a lot on the north side of Village Road, which is currently zoned Agricultural and used agriculturally. This lot is proposed to become Residential Village/Traditional Village, and they were wondering if they would still be able to enroll the lot in ag preservation. Staff explained that there is one extra step - the Ag Preserve Board would simply seek prior approval from the Township.

Staff also explained there will be no further mailings to property owners regarding the re-zoning.

Community Development Update

Adjournment: Mary Stoltzfus made a motion, seconded by Garrett Weaver, to adjourn the meeting. Motion approved 4-0. Meeting adjourned at 9:00 pm.