

Maidencreek Township Planning Commission
Wednesday, December 4, 2013

Attending: Jim Schoellkopf, Jr., Joel High, Zack Moore, Matt Davenport, Karen Pollock – Systems Design Engineering, Inc., Eugene Orlando, Jr. – Orlando Law Office, and Diane Hollenbach – recording secretary

Guests: Doug Kramer, William Gross, Liz Magovern

REGULAR MEETING

Jim Schoellkopf, Jr. called the Maidencreek Township Planning Commission Regular Meeting to order at 7:04 p.m. and asked everyone to rise for the Pledge to the Flag.

APPROVAL OF THE AGENDA

A motion was made by Zack Moore to approve the agenda for the Maidencreek Township Planning Commission Regular Meeting. The motion was seconded by Joel High. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

APPROVAL OF PRIOR MEETING MINUTES

A motion was made by Joel High to waive the reading of the November 6, 2013 regular meeting minutes and approve the minutes as presented. Matt Davenport seconded the motion. Hearing no questions on the motion, all members voted, "Aye." Motion carried.

ACCEPTANCE OF PLANS - None

COMMUNICATIONS - None

PUBLIC COMMENT – None

ENGINEER'S AGENDA

Subdivision Status Checklist – Karen Pollock reported that the Esbenshade Land Development Plan expires on December 21, 2013.

Plan Reviews

Brandywine Transportation Sketch Plan/Zoning Relief Application

Liz Magovern, lawyer for the applicant informed the Commission that a variance and special exception application was submitted and the Zoning Hearing Board would meet on the matter on December 18th at 4 pm. The project consists of a service garage for buses and office. The applicant plans on using the site, which consists of two parcels extending from W Wesner Road in Maidencreek Township to Rte. 222 in Ontelaunee Township, to service buses, do CDL training for bus drivers and occasionally wash and fuel buses. Ms. Magovern stated that she does not agree with the Zoning Officer's determination that vehicle servicing is not a permitted use in the Special Intensified Agriculture zoning district but will seek a special exception for the use and a variance on setbacks since the property is only 200 feet wide and the zoning district setback in SIA is 100 feet. Doug Kramer, surveyor stated that the project had been pushed into the SIA district due to the Planning Commission's input on the gas line on the site. The existing access easement does not quite match the existing gravel lane. Areas on the plan have been reserved for stormwater management. Jim Schoellkopf suggested turning the parking spaces for easier access. Mr. Kramer

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added that the property will be fenced and lit. Matt Davenport stated that he has less concerns with the use since the applicant has clarified that this will not be a bus depot. Karen Pollock clarified that the CDL training will be for the bus drivers. Mr. Kramer stated that the property will tie into the public sewer but will use a private well. Ms. Magovern asked if the Commission would send a letter supporting the project to the Zoning Hearing Board. Mr. Orlando suggested that probes be done sooner rather than later due to the extensive fill brought into the site by the previous owner. Mr. Kramer added that a waiver may be requested for the driveway.

A motion was made by Matt Davenport to send a letter to the Zoning Hearing Board in support of the submitted sketch plan and requested zoning relief as the Commission feels that the project is a good fit for the area. Joel High seconded the motion. All members voted, "Aye." Motion carried.

Esbenshade's Greenhouse Preliminary/Final Land Development Plan – Karen Pollock distributed the review letter and commented that the last time this plan was reviewed was in 2009. The use of the well to water the plants has been determined by the Attorney General's office under the ACRE law. Issues from the 2009 review remain unaddressed and the note that Solicitor Orlando requested be placed on the plan has not been added. Items that need to be address are:

1. The mulch storage area, an accessory structure, is encroaching in the front and side yard setbacks and needs to be moved. This was built after plan submittal and is not considered an existing non-conforming structure.
2. The name of the owner of Lot 7 is labeled incorrectly and the property line between Lot 7 and Lot 7A must be shown.
3. The gravel parking lot on Lot 7 must be addressed through a note or by combining Lot 7 with the Main Facility.
4. A note shall be added to the plan – "The water well is not a potable water supply and it is to be used solely for agricultural activities consistent with the Attorney General's letter," with final wording of the note to be subject to the Township's Solicitor approval.
5. Revision to the note regarding the waivers.
6. Application and review fees must be submitted to the Maidencreek Township Authority and the Authority must review the plan.
7. Certification of Ownership and Certification of Accuracy must be completed. The date 2008 must be removed from the certification block.
8. A signature block for the Maidencreek Township Authority must be added to the plan.
9. The parking spaces on the north side of the parking lot must be adjusted in light of the new restricted area proposed for the entrance and the total spaces indicated on the plan changed from 46 to 43.
10. The swale on the northeast corner of the property should be identified on the plan and the pile of stones blocking the swale outlet removed from the swale.

The Commission recommended that the Zoning Officer should issue a notice of violation for the mulch storage structure immediately.

A motion was made by Matt Davenport to recommend the Board of Supervisors reject the Esbenshade Land Development Plan for failure to comply with the December 4, 2013 Systems Design Engineering review letter and for failure to address the similar issues raised in the July 1,

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2009 Systems Design Engineering Inc. review letter, both of which are incorporated by reference unless an extension of time is received by December 12, 2013. Zack Moore seconded the motion. All members voted, "Aye." Motion carried.

SOLICITOR'S COMMENTS – None

NEW BUSINESS

Annual Report

A motion was made by Zack Moore to approve the 2013 Annual Report and forward it to the Board of Supervisors. Matt Davenport seconded the motion. All members voted, "Aye." Motion carried.

2014 Meeting Dates

A motion was made by Joel High to advertise the monthly meeting dates for 2014 with the July meeting being eliminated. Matt Davenport seconded the motion. All members voted, "Aye." Motion carried.

OLD BUSINESS - None

Having no other business, a motion was made by Zack Moore to adjourn the regular meeting. Joel High seconded the motion. All members voted, "Aye." Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Diane E. Hollenbach, secretary

CC: Board of Supervisors
Planning Commission
Park & Recreation
Authority

Tom Unger, SDE
Eugene Orlando, Solicitor
Patrick Donovan
Zoning Hearing Board & Alt.

Barbara Hassler
Chief Scott Eaken
Dan Miller