

MINUTES
DILLSBURG BOROUGH PLANNING COMMISSION MEETING
SEPTEMBER 24, 2008

The September meeting of the Dillsburg Borough Planning Commission was called to order on the above date at 7:30 PM. Planning Commission Members in attendance were Chairman Allen Reeves, Vice Chairman Brian Radcliffe, Paul Eurich, Joe Robinson and Leon Zeiders. Also present were Borough Engineer Tim Knoebel, Borough Solicitor Mark Allshouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

The following visitors were present: Francis McNaughton from the McNaughton Company, Bob Fisher from R. J. Fisher & Associates, Jeannette and Daniel Mikos and Dillsburg Resident Sharon Rodemaker.

The first item on the agenda was the approval of the August 27, 2008 meeting minutes. Paul Eurich stated on page 11, the second paragraph up from the bottom, the sixth line the first “the” should be deleted. Leon Zeiders moved to approve the August 27, 2008 with one correction. Joe Robinson seconded the motion. – Motion Carried.

The second item on the agenda was the discussion and review of the Mikos’ Preliminary/Final Minor Subdivision Plan. Mr. Mikos indicated they received a letter regarding adequate lighting of the parking area and reflecting onto adjoining properties. Mr. Mikos stated there is sufficient lighting and the light will be placed on the building to illuminate under the tree. Engineer Knoebel went over the comments from the letter dated September 22nd with the Planning Commission and the Mikos. Engineer Knoebel indicated all the zoning issues have been approved by the Zoning Hearing Board. Engineer Knoebel discussed the five remaining subdivision ordinance waiver requests.

1a. (506.7.A) – To allow the access drive to be less than 18 feet. Engineer Knoebel indicated since this is a multifamily access it has to be 18 feet minimum. Engineer Knoebel indicated the plan has a dimension of 14 feet at the right-of-way line and then 18 feet back into the property, which is fine. Engineer Knoebel stated where it says 14 feet, the plan shows the access drive will be widened to 18 feet and the pole will be removed. He indicated it’s dimensioned at 14 feet and not sure what was being proposed. Mr. Mikos indicated the pole would be moved. Engineer Knoebel asked Mr. Mikos if he was going to move the pole. Mr. Mikos indicated the Borough has to request it to be moved. Engineer Knoebel asked Mr. Mikos if he was proposing the pole to be moved, and not the driveway to be 14 feet but to widen it to be 18 feet. Mr. Mikos stated yes, if they could get the pole moved. Engineer Knoebel stated to Mr. Mikos if

the pole is going to be moved and the driveway widened, the waiver isn't needed. Mr. Mikos indicated if the pole is moved, they would be able to meet the requirement. Mr. Zeiders stated it was his understanding the Borough has nothing to do with whether the pole gets moved or not. Mr. Mikos stated the electric company told him the Borough must make the request. Manager Deibler indicated the cost is \$10,000.00 to have it moved. Mr. Mikos indicated it's free if it's in the right-of-way. Engineer Knoebel verified that if the municipality requests it, they will move it for free. Mr. Mikos stated yes. Engineer Knoebel stated they will only move it in unique situations. Mr. Knoebel asked Mr. Mikos based on this, was he not going to move the pole. Mr. Mikos stated he wasn't. Engineer Knoebel stated the waiver is being requested and it's dimensioned at 14 feet and will taper to 18 feet further back into the property. Engineer Knoebel clarified to the PC, there is a waiver request for a 14 feet width access drive right at the right-of-way where it accesses Greenbrier Lane.

1b. (506.7.A(3)) – To waive the requirement that the access drive be paved. Engineer Knoebel indicated on the plan there's a request for a waiver to pave the access drive but the plan shows it being paved. Mr. Mikos indicated a dust free surface has to be used. Engineer Knoebel stated they weren't going to critique the kind of asphalt that is being used, but it shouldn't be road gravel. Mr. Mikos indicated they were going to do the back parking lot and the front access. Engineer Knoebel stated he didn't think the Mikos' needed the waiver. Engineer Knoebel indicated to the Mikos' they would have to take the comments presented to them tonight and have their engineer, Chris Hoover contact him and revise the plan.

1c. (506.7.A.5(b)) – To allow the access drive to be within 10 feet of a fire hydrant. Engineer Knoebel asked the Mikos' if they are planning on moving the fire hydrant. Mr. Mikos indicated DAA will move it. Engineer Knoebel stated if the Mikos' move the fire hydrant to meet the ordinance, the waiver wouldn't be needed. Engineer Knoebel indicated the PC needs to know what the Mikos' intentions are. He told the Mikos' if they intend to move the hydrant, they need to indicate it on the plan.

1d. (506.7.B(2)) – To waive the requirement that off street parking spaces be paved. Engineer Knoebel indicated there are two parking spaces that aren't being proposed to be paved, which are next to the large Beech tree; he didn't have an issue with the two not being paved but it's a decision the PC would have to make. Mr. Zeiders asked if the other spaces are being paved. Engineer Knoebel stated yes.

1e. (506.7.A(5)(d)) – To allow an access drive to be located within 3 feet of a property line. Engineer Knoebel stated to make the plan work, the Mikos' would have to move the access drive; because it's a shared access drive and it will be on the property line. He stated since the ZHB granted the shared access drive, the PC doesn't have a choice but to consider the waiver.

Engineer Knoebel stated the waiver to discuss is the 14 feet width access drive. He indicated if the Mikos' are proposing a 14 feet access drive at the entrance and then taper to 18 feet after the pole, it would be the best they can do.

Engineer Knoebel stated the plan still indicated the Mikos' are asking for a waiver on a submission of a stormwater report, but this was resolved and needs to be removed from the plan.

Engineer Knoebel indicated the waivers needing approval are the paving of off-street parking spaces, the width of the access drive, and the access drive located within 3 feet of a property line; assuming the fire hydrant will be moved. Mr. Mikos indicated DAA said they would move it; they hadn't given them a cost yet. Mr. Eurich stated some of the off-street parking spaces will be paved. Engineer Knoebel indicated on the plan, the spaces that are striped are going to be paved, the two that are dotted will not. Vice Chairman Radcliffe asked if a letter was needed from DAA regarding the fire hydrant being moved. Engineer Knoebel stated the Mikos' will have to bond it or get it done before the plan is signed.

2. Adequate lighting – Engineer Knoebel indicated there isn't a problem; it just needs to be stated on the plan the lighting wouldn't be glaring onto any neighboring properties. Chairman Reeves asked if the light was there already. Mr. Mikos stated no. Engineer Knoebel indicated the plan is proposing a pole mounted light and he has some concern with it because the height of the pole is unknown. Chairman Reeves asked where it was located. Engineer Knoebel indicated it's next to the beech tree. Mr. Mikos indicated he didn't think one was needed there because there were three coming off the barn across the street. Engineer Knoebel indicated the Mikos' have to provide lighting for their own parking spaces; they can't rely on lighting from other properties. Engineer Knoebel indicated some of the things that are part of the shared parking should be included in the easement agreement. Mr. Mikos indicated the maintenance is going with the apartment house. Engineer Knoebel indicated it would have to be specific in the easement being referred to on the plan and to include the appropriate language regarding the common issues of the shared parking lot. Solicitor Allshouse indicated there would have to be a separate document from the deed. Solicitor Allshouse stated to make one document; make a generalize easement for parking, for stormwater management, for access and for maintenance for all three and delineate which property owner is responsible for how much.

3. Owner's Acknowledgements – Engineer Knoebel indicated this is administrative and the Mikos' will have to execute and sign the plan before it is sign by the Borough for recording.

4. Improvements – Engineer Knoebel indicated the plan shows some improvements, such as sidewalks, trees, the stormwater infiltration bed, lighting and moving the fire hydrants. He stated these items need to either be done

before the plan can be signed or post some security such as bond, letter of credit, escrow, etc. Engineer Knoebel told the Mikos' they need to let the PC know which direction they would like to proceed with.

5. Sidewalks – Engineer Knoebel indicated the width of the sidewalk on the plan (4 foot) needs to be one foot wider. He stated there is a detail for the handicap ramp the Borough has in its specifications and in the sidewalk detail section of the plan should include a note indicating the ramp shall meet all applicable state and/or federal standards.

6. Stormwater – Engineer Knoebel indicated the calculations and the report are fine. He stated the contour lines are unclear whether the water is going as shown on plan. He indicated the stormwater management needs to part of the document for any shared items. Engineer Knoebel stated somewhere on the plan there needs to be a description of what the required maintenance is for the infiltration bed.

Mr. Zeiders asked if the access drive could be paved out to the street or does part of it have to be part of the sidewalk. Engineer Knoebel stated the plan shows paving out to the street.

Vice Chairman Radcliffe asked if the PC should wait until revised plans are provided, since there are numerous changes that are needed yet and some issues with the fire hydrant. He indicated in prior discussions he thought DAA wasn't going to move the hydrant. Engineer Knoebel asked if the PC would entertain a waiver for the hydrant issue. Mr. Zeiders indicated his concern was if they narrow in both sides, and someone ever has to go in quickly, one might be hit. Chairman Reeves asked if the fire hydrant violates the 10 foot rule. Engineer Knoebel indicated there will be roughly 21 feet between the fire hydrant and the utility pole. Engineer Knoebel stated moving the fire hydrant is a lot of effort. Mr. Mikos stated he had asked DAA to move it to the corner of the property, but they said the lines are brittle. Engineer Knoebel stated he isn't particularly interested in having the road dug up; he'd prefer leaving it where it is. Engineer Knoebel suggested to the Mikos' they request a waiver for the fire hydrant versus moving it. Mr. Mikos agreed.

Mr. Zeiders asked how many waivers the Mikos' are requesting. Engineer Knoebel indicated 1) width of the access drive; 2) paving of the parking lot; 3) driveway being within 3 feet of a property line; and 4) fire hydrant being within 10 feet of the driveway. Vice Chairman Radcliffe asked if the access drive is being paved all the way back. Mr. Mikos stated the access drive would be paved up to where the back parking lot is, because it's already blacktop. Engineer Knoebel asked where the portions of the blacktop are satisfactory conditions, you aren't going to repave and the portions that are bad are going to be repaved. Mr. Mikos stated yes.

Mr. Mikos asked what they needed to do before the plan is recorded. Engineer Knoebel indicated before the plan is signed to be recorded by the

Borough, Mr. Mikos would have to sign the plan as the owner and any certifications that remain will have to be signed and notarized.

Mr. Eurich asked what the reasoning was for having 10 feet for an access drive to be away from a fire hydrant. Engineer Knoebel stated York County wrote the ordinance years ago and not sure why its 10 feet. He indicated the justification in his mind is 1) the edge of the driveway is already there and 2) moving the fire hydrant would potentially cause problems with the street by digging it up. Mr. Eurich asked what DAA did with the hydrant earlier in the spring. Mr. Mikos indicated there was a leak and the line was brittle. Vice Chairman Radcliffe indicated DAA didn't find a leak.

Engineer Knoebel suggested to the PC to make recommendations to Borough Council on the waivers, so when the Mikos' revise the plan, they will know exactly what to do. Joe Robinson moved to recommend approval from Borough Council for waiver (506.7.A) to allow the access drive to be less than 18 feet. Paul Eurich seconded the motion. – Motion Carried.

Vice Chairman Radcliffe moved to recommend approval from Borough Council for waiver (506.7.A.5 (b)) to allow the access drive to be within 10 feet of a fire hydrant' based on the fact the distance between the fire hydrant and the pole appears to provide adequate clearance for emergency vehicles. Joe Robinson seconded the motion. – Motion Carried.

Joe Robinson moved to recommend approval from Borough Council for waiver (506.7.B(2)) to waive the requirement that off street parking spaces be paved for only two spaces adjacent to the beech tree. Vice Chairman Radcliffe seconded the motion. – Motion Carried.

Joe Robinson moved to recommend approval from Borough Council for waiver (506.7.A (5) (d)) to allow an access drive to be located within 3 feet of a property line, based on the ZHB having approved the use of the shared access and parking. Paul Eurich seconded the motion. – Motion Carried.

Chairman Reeves stated the four waivers had been recommended to Council for approval. Vice Chairman Radcliffe asked if Council would be considering these waivers at their next meeting. Mr. Zeiders indicated the waivers would have to be granted first. Vice Chairman Radcliffe indicated that was correct, the Council would approve or disapprove the waivers that were recommended for approval. Mr. Zeiders stated Council can't approve something that hasn't been waived yet. Vice Chairman Radcliffe stated that was correct and at the next PC meeting, we would review the changes to the plan and make a recommendation. Mr. Zeiders asked if the plan has to go before the ZHB again. Solicitor Allshouse indicated the Planning Commission is done with the waivers and it doesn't go back to Council. Solicitor Allshouse stated the Planning Commission makes recommendations to the Council; Council approves the waivers; the waivers are included on the plan. Mrs. Mikos asked if the recommendations were going to the next Planning Meeting. Chairman Reeves

stated no, to the next Borough Council meeting. Mrs. Mikos reiterated its going to Borough Council and then to the Planning Commission. Solicitor Allshouse stated it would go back to the Planning Commission for plan approval. Mrs. Mikos indicated a letter was sent to Borough Council for a thirty day extension expecting the extension would cover tonight's PC meeting and the next Borough Council meeting. Mrs. Mikos asked if another letter requesting an extension would be needed. Engineer Knoebel stated yes. Mrs. Mikos indicated she thought thirty days would have been sufficient. Solicitor Allshouse indicated generally the request should for sixty to ninety days; thirty days might suffice but to talk with the manager on the dates of the upcoming meetings. Joe Robinson moved if written request is received from the Mikos' for a sixty day extension of the plan, the PC recommends the Borough Council grant the extension; if a letter isn't received, the PC recommends the Borough Council disapprove the plan. Leon Zeiders seconded the motion. – Motion Carried.

The third item on the agenda was the Discussion/Review of the Chestnut Hollow Phase 2 time extension. Manager Deibler indicated a letter was received from the developer requesting a 91 day extension which would give them until January 13, 2009. Manager Deibler stated the developer is hoping by October 13th, they would have received a final decision from Carroll Township and be presented to the Planning Commission before January. Vice Chairman Radcliffe moved to recommend the Borough Council approve the 91 day extension requested for Chestnut Hollow Phase 2 development. Paul Eurich seconded the motion. – Motion carried.

The fourth item on the agenda was the update on the Final Minor Subdivision Plan for Fred Smith. Engineer Knoebel indicated the PC and Council have already acted on this plan. The surveyor did contact KPI and stated they exceeded the density and would apply for a variance. He stated the ZHB will be hearing their request for the variance to the density tomorrow night (9/25/08). Engineer Knoebel indicated they had received a revised plan and have taken care of mostly everything; the DEP sewage planning exemption was sent into DEP. Chairman Reeves indicated the revised plan indicates the ZHB has already approved the density waiver, which is premature.

The fifth item on the agenda was the discussion of Preliminary Subdivision/Land Development Plans for Meadows Edge. Mr. Bob Fisher indicated since the last meeting revised plans have been submitted and had received additional comments from York County Planning Commission and Carroll Township after the submission of the revised plan. Mr. Fisher indicated they needed some answers and directions in order to move forward. He indicated there has been some discussion as far as the interpretation of the zoning

ordinance with the solicitor. Mr. Fisher indicated the Borough's ordinance defining a town home as a multi-family structure is the only one he's ever seen.

Mr. Fisher indicated Mr. Knoebel had pointed out a section of the stormwater ordinance mentions Erosion and Sediment Control Plan; however it's not a requirement of a preliminary plan for a subdivision land development plan. He stated they typically do an E&S Control Plan and the NPDES permit as part of the final plan. Mr. Fisher stated the Conservation District is a detailed and long process to get through and would like to know if the street widths, the sidewalks, the curbing, etc are worked out. Engineer Knoebel stated he understood what Mr. Fisher was saying, but the plan could change by the time the YCCD is through reviewing it. Mr. Fisher stated they could potentially do is a Phase 1 E&S plan which would address what the Phase 1 construction would be and address the overall NPDES.

Mr. Fisher went over some of the comments from KPI's letter dated September 22nd.

#4 - An easement being offered for consideration in the event that West Hanover Street is ever to be extended should consider sidewalks. Mr. Fisher indicated a sidewalk is being shown and a 33 foot easement coming back for that. He indicated the sidewalk isn't all located within the right-of-way, but the HOA would be responsible for the maintenance and construction. Mr. Eurich asked why the HOA would be responsible for the constructing of the sidewalks. Mr. Fisher indicated the home owners would be responsible for the sidewalks in front of their home. Engineer Knoebel asked if sidewalks were going to be added to the other side of Drive A. Mr. Fisher stated they weren't planning on it because there is only one unit, so if sidewalks were added they would only be in front of the units only. Discussion. Engineer Knoebel indicated getting back to the questions at hand, as to why we suggested considering sidewalks regarding the easement on Drive A had to do with the fact the ordinance does require having sidewalks on both sides. He indicated he didn't know how that was going to go, because a waiver is being requested. Engineer Knoebel stated the easement on the lower part of Drive A doesn't encompass the sidewalk that is shown. Mr. Fisher stated it looks like its one foot into and could be push out. Engineer Knoebel stated the sidewalks are normally within the right-of-ways for new streets. Mr. Fisher pointed to the plan and discussed the sidewalk issue.

#5 - Common area ownership and maintenance. Mr. Fisher indicated they had copies of some Home Owners Association documents to present to the solicitor. Mr. Eurich indicated he was confused about the maintenance and construction of the sidewalk. He asked if the sidewalks wouldn't be constructed until after the townhouses were built and a HOA established; the HOA would construct the sidewalks. Mr. Fisher stated no, the sidewalks would be built as part of the townhouse construction. Mr. Eurich

stated the HOA would be responsible for the maintenance and reconstruction and not the original construction. Mr. Fisher stated that was correct.

#12 – Sidewalks should be provided on both sides of Winfield Drive and Drive A. Mr. Fisher asked if they could move the sidewalks against the curbs on Winfield Drive would that affect the overall E&S plan and the grading plan. Mr. Zeiders asked if there was any reason why they couldn't go this route. Engineer Knoebel stated no. Chairman Reeves asked how it was in the Winfield Development. Engineer Knoebel stated it's a grass strip, but it doesn't have to be this way. Mr. Zeiders asked if there was a grass on the private drives. Engineer Knoebel stated he didn't know. Vice Chairman Radcliffe indicated some are and some aren't. Mr. Zeiders thought on the private streets they were right against the curbs. Mr. Fisher stated on the private streets the sidewalks are against the curbs. Discussion on what Winfield has.

#14 – The development contains one access. Mr. Fisher indicated he thought they got around this when they agreed to provide the easement and the connection to West Hanover Street; the plan shows three accesses 1) on Gettysburg Street, 2) on West Hanover Street and 3) the eventual access on Winfield Drive. Engineer Knoebel asked if the plan actually shows the road being physically connected to West Hanover Street. Mr. Fisher stated yes. Engineer Knoebel stated he sees it showing an easement. Mr. Fisher stated there is the easement and the road is actually being shown connecting. Engineer Knoebel indicated the PC doesn't consider West Hanover Street suitable for that; the idea was should it ever be upgraded, it would be nice if the developer had the easement or the right-of-way on Drive A in order to be extended through. He continued by stating the PC never indicated that this was acceptable at this point. Mr. Fran McNaughton indicated this wasn't his understanding when they met; it was his understanding that everyone recognized it was a nonconforming street and we would be permitted to connect. Mr. Zeiders stated not without getting part of someone's property. Engineer Knoebel indicated they could look into what would be needed to get it upgraded if that's the route the developer would like to take. Mr. Fisher asked if he meant within the existing right-of-way. Engineer Knoebel stated yes and what he could remember it's not acceptable for the amount of traffic. Mr. Eurich stated he doesn't remember the PC ever saying this was acceptable access. Mr. McNaughton indicated some of the current PC members were here when he came before Council many years ago. Mr. Eurich indicated the Meadows Edge and the Winfield Developments are so closely connected and the Winfield Drive access needs to be finished first. Engineer Knoebel stated Winfield Drive is proposed to be bonded from South Baltimore Street back to the extension of South Second Street; there is a short distance from that point and the Meadows Edge Development that would need to additionally be bonded, which would be the second access. Discussion on the bonding of Winfield Drive. Mr. McNaughton asked if the Borough had an

easement to cross their property for the road. Engineer Knoebel stated their (Winfield) Subdivision Plan provides it. Mr. McNaughton asked if their Subdivision Plan goes up to the property line with the easement. Engineer Knoebel stated yes. Solicitor Allshouse indicated once it's dedicated. Mr. McNaughton indicated if the plan shows it's submitted for dedication and it's a final plan; it constitutes consent. Solicitor Allshouse stated a proposed dedication is never accepted until it's accepted. Mr. McNaughton stated if it's a final plan. Solicitor Allshouse stated a street isn't accepted for dedication until it's paved and completed. Mr. McNaughton stated he wasn't talking about the street; he was referring to the additional property that's not being surfaced. Solicitor Allshouse indicated until the street is taken for dedication it's not public. Mr. McNaughton stated if the plan shows the road being extended as an easement; the Borough has the right to that. Solicitor Allshouse stated it's between him (Mr. McNaughton) and Mr. Sealover in order to pave on his property. He stated the Borough has no right to do anything to that property until it is dedicated by the Borough. Mr. Fisher clarified the short section isn't bonded. Engineer Knoebel stated yes, and that none of it's bonded as of yet. Solicitor Allshouse indicated it is not part of the Phase 1 development either. Solicitor Allshouse indicated when Mr. Sealover begins building, it won't be paved; he will be making a loop. Engineer Knoebel stated they would like nothing more for this additional section to get worked out and taken care of. Mr. Zeiders indicated their concern is that Mr. Sealover has been working on his development for twenty years and we're not led to believe the problems are going away soon. Mr. Fisher indicated it was the Penn DOT issue Mr. Sealover is working on. Mr. Zeiders stated the two developers are connected at the hip as far as resolution to the connection. Mr. McNaughton asked if the extension to west Hanover Street as an emergency access constitute two accesses. Mr. Zeiders stated no. Mr. McNaughton stated he thinks it does. Mr. Eurich indicated an emergency access means it would be used once in a while. Mr. McNaughton stated they would pave the emergency access or we could connect to West Hanover Street. He indicated they recognize that West Hanover Street is a substandard street, but when we do that it constitutes two accesses. Mr. Eurich stated it wasn't the intent of the Planning Commission to allow West Hanover Street be an acceptable daily access. Mr. McNaughton indicated they could do a condemnation. Solicitor Allshouse indicated that wasn't going to happen. Chairman Reeves stated the preferred way is through the Winfield Development and he would like to see it developed. Chairman Reeves stated eventually for the good of the Borough, there should be a third access through Hanover Street. He continued by indicating even now if Hanover Street was improved and considered the second access; it's not a good traffic pattern. He indicated from a planning standpoint, it's extremely important to have Winfield Drive go from Gettysburg Street to South Baltimore Street. Chairman Reeves indicated the

concern is that Meadows Edge being built ahead of the Winfield Development, which is possible. Mr. McNaughton indicated the Planning Commission had the power of condemnation. Solicitor Allshouse stated not for a private entity, it has to serve a public service. Mr. McNaughton stated it's not a private entity; it's a public use to connect the streets. Mr. McNaughton stated the Borough could take the section of land in question and do a condemnation and have the road extended on the plan. Engineer Knoebel indicated the problem is they haven't bonded the other portion yet, it's their proposal. Mr. McNaughton stated he understood that, but he needs his plans to move forward as well. Engineer Knoebel suggested to the Planning Commission, when the Winfield Plans come before the board again, they should strongly suggest to them that an arrangement be made to provide the last section of Winfield Drive be followed through with Phase 1. He commented to Mr. McNaughton that Mr. Sealover would have the right to participate with the bonding of the portion because it's being done to facilitate your site. Discussion on condemnation. Chairman Reeves stated in order for Winfield to be able to construct Phase 1, they have to have Winfield Drive come in from Baltimore Street and have to build a new section of South Second Street, to attached it to what is there presently; if the PC were to allow them to connect, would that not serve as the other entrance to their property and then wouldn't have to connect to Second Street with Phase 1. Engineer Knoebel stated as long as the portion was bonded through the site. Mr. McNaughton asked if they should connect to West Hanover Street with the understanding it's a substandard street. Engineer Knoebel stated they want the right-of-way. Mr. Fisher indicated he thought the connection onto West Hanover Street was wanted and they could place a gate there for emergency access only. Mr. McNaughton asked if the Planning Commission wanted to see a connection with a gate. Chairman Reeves stated it would be the preferred way.

#22f – Slope to the rear of Building 9 - Mr. Fisher indicated on the back of building #9, a fence has been added. Engineer Knoebel asked how many feet in elevation was there from the bottom of the basin to the back of the units. Mr. Fisher stated 20 feet. Engineer Knoebel indicated the concern is the basin could have water sitting in it and be a safety hazard. He stated the fence doesn't prevent the safety issue. Chairman Reeves asked if a chain link fence around the whole basin is preferred. Engineer Knoebel indicated he was doing his job and doesn't want to see a disaster happen. Mr. Robinson asked what the stormwater level is. Engineer Knoebel assumed during a two to ten year storm there could be several feet of water in it. Mr. Fisher stated there would be water in it for a short period of time and they would place the fence half way down the slope. Discussion on the slope and fence.

Engineer Knoebel indicated the slope on the other side of Winfield Drive is also substantial and the concern is from a drainage standpoint. The water could come down the hill and jump onto the sidewalk; they placed a pipe system

to the rear of the units to collect the roof water and route it down to the storm drain system via a pipe and a swale along the edge of Winfield Drive. Engineer Knoebel stated they are still looking at and want to make sure it won't cause any problems. Mr. Fisher indicated the only water going to the swale is the water that falls directly onto the slope; all the roof leaders and the impervious areas are being collected right into the storm sewer system. Mr. Eurich asked if the stormwater system was adequate to handle this. Engineer Knoebel stated yes. Mr. Fisher indicated it was suggested to add some inlets on Gettysburg Street; there are some problems and have some issues.

Engineer Knoebel indicated another concern deals with the proposed culvert pipe that goes underneath Drive A. The culvert pipe will pipe the swale through there and because of the depth; there would be a substantial headwater at the inlet to the culvert pipe that will build up.

Mr. Fisher indicated they are meeting with Carroll Township's engineer regarding their comments.

#23f – Rain Gardens - Mr. Fisher indicated the rain gardens are in place because NPDES requirements. Engineer Knoebel stated his concern is they can ultimately drain if something happens and asked if under drains could be put into place. Mr. Fisher stated he would look in to it.

#1 Zoning Ordinance - Mr. McNaughton asked about the issue regarding the residential uses isn't listed as permitted in the MC district. He indicated the ordinance was interpreted as being progressive. Solicitor Allshouse stated it isn't interpreted or developed that way in the Borough. Mr. McNaughton indicated the MC district is a problem. Engineer Knoebel indicated there were some discussions with a prior Zoning Officer about this and had an interpretation on this. Mr. Eurich asked if the Borough checked their records to see if there was anything in writing pertaining to this issue. Manager Deibler stated they checked through what they had. Engineer Knoebel indicated they should make a request to the Zoning Officer for determination on this.

Engineer Knoebel indicated the issue with the private streets was dealt with this through Winfield and they had to request a waiver to the Subdivision Land Development ordinance to utilize private streets. Mr. Fisher stated York County suggested addressing them as access drive and the Borough would remove the waiver. Mr. McNaughton indicated a waiver is an alternative to this.

Mr. Eurich asked about #27 from the letter dated September 3, 2008 from R. J. Fisher and Associates regarding the Borough reviewing and approving the street lights type. Engineer Knoebel indicated they submitted a proposed light fixture on their plan and are asking the Borough if they are in agreement with the fixture. Mr. Zeiders asked if it's for the private or public streets. Engineer Knoebel indicated it's for the street lights that would run through Winfield Drive. Mr. Eurich indicated where there are no street lights, like in Greenbrier

Glen, just the post lights isn't adequate lighting. Engineer Knoebel indicated the Borough doesn't have a standard fixture.

Mr. Eurich asked if Winfield Drive is considered a collector street. Engineer Knoebel stated yes.

Mr. Eurich asked about #21 from the York County Planning Commission comments regarding sidewalks being required along all existing street frontages (Gettysburg Street in this instance) in all subdivisions and land developments. He indicated the only issue that affects Gettysburg Street is the entrance and the other lot that is in Carroll Township. Chairman Reeves indicated Carroll Township mentioned it in their comments also. Chairman Reeves stated there aren't any sidewalks past the car wash. Engineer Knoebel stated it actually does and the only gap is the car wash property. There was discussion regarding the sidewalks on Gettysburg Street. Engineer Knoebel indicated the developer would have to build the handicap accessible ramps to standards.

Vice Chairman Radcliffe stated they shouldn't push any waivers to the Borough Council in case more waivers come through. Mr. Fisher indicated they needed to get some clarifications from the Zoning Officer in order to see what is and isn't a waiver. Vice Chairman Radcliffe moved to table the plan for continuing review of the engineering issues. Joe Robinson seconded the motion. – Motion carried.

Old Business: There was none.

New Business: Solicitor Allshouse indicated he would not be attending the November 19th meeting.

Adjournment: As there was no further business, Member Joe Robinson moved to adjourn at 9:18 PM. – Motion Carried.

Debbi L. Beitzel
Secretary/Treasurer

cc: A. Reeves M. Allshouse
 B. Radcliffe Mayor Snyder
 J. Robinson K. Deibler, Borough Manager
 P. Eurich Council
 L. Zeiders T. Knoebel