

MINUTES
DILLSBURG BOROUGH PLANNING COMMISSION MEETING
OCTOBER 24, 2007

Chairman Allen Reeves called the October meeting of the Dillsburg Borough Planning Commission to order on the above date at 7:30 PM. Planning Commission Members in attendance were Vice Chairman Brian Radcliffe, Paul Eurich 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: Steve Quigley from H. Edward Black representing The Sealover Group, Matt Hearn from Akens Engineering Associates representing R2 Development and Madison Hyer.

The first item on the agenda was the approval of the September 26, 2007 meeting minutes. Chairman Reeves indicated on page one, fourth paragraph, eighth line, the word “slat” should be “slant”; on page two, fourteenth line, the word “discuss” should be “discussed” and the fifteenth line should read “the private streets and “it” will be enforced and the fire and rescue people are “satisfied” with that; and on page three, thirteenth line, the word “stopper” should read “stoppers”. Vice Chairman Radcliffe moved to approve the minutes with the corrections noted by e-mail and corrections noted at the meeting. Seconded by Paul Eurich. – Motion carried.

The second item on the agenda was the Discussion/Review of the Winfield Preliminary Land Development Plans. Engineer Knoebel indicated prior to last month’s meeting KPI didn’t provide written comments on the revised plan because of issues related to the waiver requests which were previously denied by Borough Council. Those waivers were modified and the issue regarding the private streets was resolved. He indicated written comments were produced on the revised plan that was submitted prior to last month’s meeting. Engineer Knoebel stated they met with Mr. Quigley and reviewed the comments and some of those comments have already been taken care of. Paul Eurich asked if the waiver concerning private streets has been approved by the Council. Engineer Knoebel indicated it was. Paul Eurich indicated “Branfeild” was misspelled on the plans.

Mr. Quigley reviewed the comments from KPI dated October 19, 2007:

1. Would be taken care of with the recording documents.
2. Would be taken care of with the recording documents.
3. Requires no response from the developer.
4. Taken care of.
5. Was corrected.
6. The E & S plan is almost completed.
7. Utility Plan

- a. The sewage plan has been reviewed; no approval can be given until the Council approves the plan.
 - b. Copies of the approval from DAA should have been received.
 - c. The curb-cut has been adjusted to an 18' wide concrete apron and a note added any paving beyond the apron and sidewalk would be done by DAA
8. Highway occupancy permit application is underway.
 9. The slope easement was recorded in November 2005 and resubmitted by e-mail.
 10. The general permit for sewer was previously submitted; the HOP will be submitted as soon as received; and have nothing that deals with the USACOE.
 11. The agreement to bond Branfield Lane and part of Second Street; Phase 2 was revised to include all of Second Street. Leon Zeiders asked if the bonding shouldn't include all of Second Street. Engineer Knoebel indicated it wasn't discussed at the meeting in September 2007 and was approved by the Planning Committee to bond the part indicated by Mr. Quigley.
 12. The HOA documents to clarify who is responsible for maintaining the sidewalk and vegetation where no homes exist would be the property/homeowners along those sidewalks.
 13. Stormwater Management Plan: A detail of the connection to the existing catch basin which was added to the drawings.
 14. A detail for the rolled curb was added to the drawings and delivered to the engineer for review.
 15. The street traffic and speed limit signs were added.
 16. The issues with some contour work on the hillside; was pushed back and added a swale to get down to the basin.
 17. Emergency access to Butler Street has been modified as discussed; it's being straighted out and some asphalt paving added between the right-a-way line and the actual pavement. Mr. Quigley provided a sample of the material being used. Leon Zeiders asked if this would be a permanent thing. Engineer Knoebel indicated it would be; it has road base under it and paver on top which will allow the grass to grow. Leon Zeiders asked what was going to prevent the residents of Phase 1 from using the access. Chairman Reeves indicated nothing. Vice Chairman Radcliffe asked how this would tie into the alley which isn't in good shape. Engineer Knoebel indicated a piece of asphalt would flare into the alley. Solicitor Allshouse indicated the Borough could make an ordinance stating authorized vehicles only which can be enforced by the police department. Solicitor Allshouse asked if the note on the plan states "emergency access only". Mr. Quigley indicated it did.

Mr. Quigley indicated comments were received from Trans Associates regarding the traffic impact study. Comment #1, #7, #8 & #9 refer to the McNaughton Property.

TA has asked to include the McNaughton parcel in this study. Mr. Quigley indicated a) the study has already been done; b) the scope of the study was designed with the help of TA and c) no clue what is going to happen with the McNaughton property. Engineer Knoebel indicated the McNaughton property isn't currently pending; however, if in the future there is a need for a traffic light, the concern is that it doesn't become the Borough's responsibility to pay for it. Engineer Knoebel stated if it's only a trip or two away, shouldn't Vernon Sealover have some responsibility towards his portion. Leon Zeiders asked if the plans are approved and a light isn't required, then wouldn't it be Mr. McNaughton's responsibility. Manager Deibler asked if the people coming from Windy Heights and Pheasant Ridge have an impact on this study. Engineer Knoebel indicated it was included in the study. Paul Eurich indicated in #8 shouldn't the word "Township" be changed. Engineer Knoebel stated it should be "Borough". Mr. Quigley indicated most of the comments have been addressed at a meeting with KPI and added to the plans. The revised sheets were taken over to KPI. Engineer Knoebel indicated they had to review the sheets. Vice Chairman Radcliffe asked if the traffic impact study issues could be continued into the final. Engineer Knoebel indicated yes, obviously if the approval of the preliminary plan is conditioned upon the comments, it becomes something that has to be addressed. If it's addressed and agreed upon by the Borough and the developer it would be satisfactory. Discussion. Vice Chairman Radcliffe indicated he would like to see a letter of agreement as part of the preliminary approval that the developer is willing to discuss and reach an agreement regarding the options. Engineer Knoebel indicated the first step would be to talk with Grove Miller to take a look at the situation and provide some information.

There was a discussion regarding the police authority enforcing the no parking on the private streets.

Vice Chairman Radcliffe indicated the comments have been dealt with, which aren't outside agencies approval items. He also indicated some items with DAA needed to be settled before approval regarding the reservation. Mr. Quigley indicated Mr. Sealover and the authority have been talking.

Leon Zeiders had a comment about item #8 on page C-2 of the plan: He suggested dropping the sale part for the community center construction. He indicated the developer could go into Phase 2 and not do the community center because 27 units haven't been sold. Mr. Quigley stated the agreement was whenever the numbers of units (27) were sold no matter where they were; the community center would then be built.

Leon Zeiders also had a comment about item #22 on page C-2 of the plan: He asked if there was a commercial lot. Mr. Quigley indicated there was a commercial lot (Lot 4). Leon Zeiders stated he thought a commercial lot would kick up the traffic study. Mr. Quigley indicated only if it was being used.

Leon Zeiders asked what note #46 on page C-2 of the plan meant: Engineer Knoebel indicated the sewer mains within the private parts of the development would be owned by the condominium association and not DAA. Mr. Quigley stated the sewer mains would be owned by DAA but the Condo Association would be responsible for the restoration.

Leon Zeiders pointed out items on the plan regarding taking Branfield Lane in Phase 1 and Phase 3 to the end of Second Street. Mr. Quigley indicated it's related to dollar issues.

Paul Eurich asked if the comments from York County Planning Commission for the preliminary plans were received. Engineer Knoebel indicated they were received some time ago.

Vice Chairman Radcliffe moved to recommend approval by Borough Council of the preliminary subdivision and land development plan for the Winfield Development subject to the following conditions: 1) all open items remaining on the engineer's memo dated October 19, 2007 be satisfactorily addressed and the majority of those items are involving outside agencies to the Borough or Planning Commission; 2) prior to the final approval of the preliminary plan, the developer provides the proposed condominium association agreement addressing the points discussed with the Borough Solicitor in the September 2007 Planning Commission meeting and as agreed upon by the developer and the solicitor; 3) the developer provide a letter of agreement to carryover the discussion of the traffic study addressed in the review letter from Trans Associates dated October 11, 2007 specifically with regards to number one and we receive the letter prior to the approval of the preliminary plan and the discussion would be carried over to the final plan review period. Seconded by Leon Zeiders. – Motion Carried.

The third item on the agenda was the Discussion/Review of the Winfield Phase 1 Final Land Development Plan. Mr. Quigley indicated they received a review letter from KPI dated October 19, 2007 and from YCPC dated October 2, 2007.

1 & 2. The comments were addressed on the plan and a response letter would be provided.

3 & 5. The signatures would be taken care of at time of recording.

4. The sewer plan is pending approval.

6. Mr. Quigley indicated he didn't understand this comment. Engineer Knoebel indicated on the final plan, if there would be construction details that are going to be used in the field from the preliminary plan, make sure the contractor is clear on which plan they are building. Mr. Quigley indicated the details have been included with the final plan.

7 & 8. The estimate of improvement cost would be supplied as soon as comments are received from the York County Conservation and the developer's agreement would come along with that.

9. Mike Begis of KPI was checking on the plan that should be actually recorded.

Engineer Knoebel stated the importance of item #2 tie in with the outstanding issues with the preliminary plan. Vice Chairman Radcliffe stated it seemed that everything was resolved for the final plan. Engineer Knoebel indicated it's resolved but with a final plan the issues need to be taken care of such as the conservation district. Vice Chairman stated his concern was there should be another meeting with the Planning Commission to discuss the traffic issue.

Paul Eurich asked about comment #9F from YCPC: What was the street that connected Wheatley Lane to South Second Street. Mr. Quigley indicated it was Branfield and was added to the Phase I plan. Paul Eurich indicated it's the same situation we have with Winfield Drive and Pheasant Ridge Road; each side of the road is named something different. Mr. Quigley stated if the PC would like it to be Barley Circle, he didn't think there would be any issues and would address it with addresses which the Borough Manager would provide. Mr. Quigley indicated the Post Office has approved the names of the streets and the letter was forwarded to the Borough Office.

Leon Zeiders asked if there would be a time line on the Condominium Homeowners Association. Vice Chairman Radcliffe indicated the time line would be prior to the approval of the preliminary plan. Vice Chairman Radcliffe moved to table the review of the subdivision land development plan for the Winfield Phase 1 Final Plan based on the comments of the engineer's memo dated October 19, 2007; specifically related to the sewage plan and conservation district approval; as well as the outstanding items being approved from the preliminary plan. Seconded by Paul Eurich. – Motion Carried.

The fourth item on the agenda was the Discussion/Review of the Chestnut Hollow Phase 2 Final Subdivision Plan. Matt Hearn from Akens Engineering Associates representing R2 Development indicated Chestnut Hollow Phase 2 contains 24 lots; 23 lots for single family detached homes and one lot for stormwater management facilities. He indicated they received a review letter from KPI dated October 19, 2007. Mr. Hearn stated part of Chestnut Hollow is in Carroll Township and would be reviewed by the Planning Commission and Board of Supervisors of Carroll Township.

He stated the Carroll Township Engineer requested revisions to the functions of the stormwater management system in Phase 2, so a lot of revisions have been made to the plan since it was submitted. He indicated there were no changes to the layout of the subdivision; the lot lines and location of streets are the same; the utilities are changing and the way they operate underground. Engineer Knoebel asked if the changes to the stormwater are surrounding the detention basin, which is located in Carroll Township. Mr. Hearn indicated that was correct however it was requested to take a look at how the drainage system upstream in the street worked; and the upstream end of the system is located in the Dillsburg Borough.

He also indicated DAA requested some revisions to the sanitary and water layout. Mr. Hearn went over the engineer's comments as follows:

1. The YCPC comments are being reviewed and will be addressed with the revised submission.
2. Borough approval is subject to Carroll Township approval and is noted as a general note. Engineer Knoebel indicated the concern he had was since the drainage portion of the Borough flows into Carroll Township where the stormwater basin is located; they need to review, approve and be bonded prior to building anything in the Borough. Engineer Knoebel asked what the changes were to the storm drainage in the Borough. Mr. Hearn stated CT's engineer had some questions about

pipe sizes and how the hydraulic grade lines are above the crown and whether the capacity of the system was designed with a 10-year or 25-year capacity. He indicated the system was raised and would function under a 25-year capacity.

3. The executed owner's acknowledgement; holding off on the signing, sealing and notarization until the final plan would be closer to getting approved.
4. An exemption mailer has been submitted and a sewage plan module will be done.
5. Signing and sealing will be held up until final plan would be closer to getting approved.
6. DAA will receive the revised plan to review at the same time the Borough does.
7. The tree between lots 9 and 10 has been removed.
8. The developer will be taking care of paying the fee. YCPC had a concern with the lots that are split by the municipal boundary. Engineer Knoebel indicated the lots are considered either a Borough lot or a CT lot.
9. Specific instructions will be included on the E&S Control Plan as well as sheet 5 of the plan.
10. Requested dimensional requirements from Mike Begis of KPI.
11. The plan is being reviewed by the York County Conservation.
12. Costs will be changed and resubmit an estimate.
13. In the process of putting it together and finalizing the surety amount.
14. Sheets for recording are going to be Sheets 1-5.
15. The pavement specs will be changed to superpave specs.
16. Locations of inlets 13 & 14 were moved so the only thing crossing the municipal line is a reinforced concrete pipe.
17. Number 9 of the general notes is being revised to say "For construction the final plan will be used".

Vice Chairman Radcliffe asked if the Historic Dillsburg Borough has the authority to make the decisions of changing trees. Engineer Knoebel indicated it was really addressed to the Borough and the trees have already been changed on the plans so no approval is necessary. Mr. Hearn indicated the plans do not show the trees being requested. Vice Chairman Radcliffe asked if the trees are accepted and Engineer Knoebel indicated they are on the list of approved trees.

Paul Eurich asked about comment one from the YCPC regarding the density and was it approved prior or is a concern. Mr. Hearn stated the density Amy Hill refers to is only for Phase 2; the whole subdivision was designed considering the whole subdivision not just a phase. The density for the whole subdivision (Phases 1 & 2) is 2.63 houses per acres. Mr. Hearn indicated another statement needs to be added to the site data.

Leon Zeiders asked if Lot 59 on page three is all of Phase 2 or not. Mr. Hearn stated Phase 2 is the further subdivision of Lot 59 and what is left over on page four and five the proposed features show Lot 59 but it's reduced in size. He also stated the portion

of Lot 59 contains conservation usage and drainage. Solicitor Allshouse asked if a note could be placed on Lot 59 in order to differentiate between the two pages. Leon Zeiders asked who would own what is left of Lot 59. Mr. Hearn indicated the Homeowners Association would.

Leon Zeiders asked about removing the timer switch on post lights outside of each lot (Note #21). Mr. Hearn indicated it wouldn't be a problem to go with the photocell.

Vice Chairman Radcliffe moved to table the plan for the Chestnut Hollow Phase 2 Final Plan subject to developer addressing all of the engineer's comments in his memo dated October 19, 2007 and recognizing the need to resubmit the correct plans with revisions requested by Carroll Township for review by the Borough Engineer. Seconded by Paul Eurich. – Motion Carried.

Old Business: Vice Chairman Radcliffe asked who was to represent the PC at the next Council Meeting. Chairman Reeves indicated it was Joe Robinson. Manager Deibler stated the Council Meeting had been changed to Monday, November 12, 2007.

Vice Chairman Radcliffe indicated the PC Meeting schedule in November is usually changed to the third Wednesday, but it won't this year because of Thanksgiving being the third Thursday. Manager Deibler indicated the meeting would occur on Wednesday, November 28, 2007.

New Business: Manager Deibler asked if the PC had any problems with Chestnut Hollow changing the street trees to a mix of maple trees instead of using Zelkovas. The Planning Commission didn't have any problems.

Adjournment: As there was no further business, Paul Eurich moved to adjourn at 9:00 PM. – Motion Carried.

Debbi L. Beitzel, Sec/Tres

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