

# ***STRABAN TOWNSHIP PLANNING COMMISSION***

*Alan Zepp, Roy Weaner, Patt Symmes, Darrin Catts, Mark Egloff*

**MEETING OF:** October 26, 2011, 7:00 p.m.

The Straban Township Planning Commission met this day October 26, 2011, 7:00 p.m. at 1745 Granite Station Rd. Gettysburg, Pa. Present: Alan Zepp, Patt Symmes, Roy Weaner, Jon Kilmer Township Engineer and Dale Gettel Code Enforcement. The meeting was brought to order by Alan Zepp. Motion to approve the minutes of September 28, 2011 was made by Roy Weaner 2<sup>nd</sup> by Alan Zepp. Motion was approved

## **LAND USE REVIEWS (PREL/FINAL PLANS):**

**Historic Preserve - Prel. Subdivision Plan/Planning Module** - (Rt. 15/Good Intent Rd.)

**Must act by 3/7/12**

No Action

**John M. Egloff – Final Subdivision Plan** - (Millhimes Road)

**Must act by 12/27/11**

Comment: Much discussion on shape of lot. Conditions being met.

Recommendation: 1. A motion was made by Alan Zepp to recommend to the supervisors that the Final Subdivision plan be approved with the following conditions SALDO 117-19(B) (18), SALDO 117-38.B and all properties combined into one deed. 2<sup>nd</sup> by Roy Weaner.

2. A motion was made by Roy Weaner to grant a non-building waiver the properties. 2<sup>nd</sup> by Alan Zepp.

Motion: 1. Motion was approved. 2. Motion was approved.

## **Granite Lake – Planning Module**

Recommendation: A motion was made by Alan Zepp to recommend to the supervisors that the Planning Module be approved. 2<sup>nd</sup> Patt Symmes.

Motion: Motion was approved.

**APPEARANCES:** None

## **OLD/NEW BUSINESS:**

### **Amendment to Streetscape Design**

Recommendation: A motion was made by Alan Zepp to recommended approval of the amendment to the Streetscape Design. 2<sup>nd</sup> by Patt Symmes.

Motion: Motion was approved.

### **Property Maintenance Ordinance**

Comments: Code officer would like time to review the public comments and address them.

Recommendation: A motion was made by Alan Zepp to table further discussion on the Property Maintenance Ordinance until the November 16, 2011 meeting. 2<sup>nd</sup> by Patt Symmes.

Motion was approved.

## **PUBLIC COMMENT:**

Gettysburg Crossing gave the Planning Commission an update on their progress.

- Productive work session on the 29<sup>th</sup> of September with the Twp
- Act 29 – getting construction fees in order to present to the Twp for credit. Have paid 2.7 million in fees. Need to show improvements to get credit.
- After 3 years the Traffic study has been approved.
- Have been dealing with 8 different property owners. Need to make final agreements with 2.
- There will be improvements to 15 interchange.
- The current entrance off of Rt.30 into the property will go away.
- Widening Shealer Rd. to Hull Ln.
- Improvements to Rt.30 and Shealer Rd.
- Traffic light at Hunterstown Rd. and Shealer Rd.
- Met Ed will be moving power lines on the property.
- Old abandoned gasoline pipe line owned by Sun Oil / Sunoco will be dug up, moved and put back in the ground.
- Development agreement needs to have some changes and update language.
- As of 11/16/2001 getting a lot of positive feed back from retailers.

## **Comments from Clem Malot, Zoning Code Official**

### **COMMONWEALTH CODE INSPECTION SERVICE INTEROFFICE MEMORANDUM**

**TO: STRABAN TOWNSHIP PLANNING COMMISSION**

**FROM: R. CLEM MALOT, BCO**

**SUBJECT: COMMENTS FROM THE ZONING CODE OFFICIAL FOR 10/26/11 MEETING**

**DATE: 10/25/11**

**CC:**

Comments from the Zoning Code Official:

### **LAND USE REVIEWS (PREL/FINAL PLANS):**

- 1) Historic Preserve – Preliminary Plan & Planning Module
  - a) I have not reviewed the plans; I understand there is no activity on this project at this time. Recommend tabling to the next regular meeting.
- 2) John M. Egloff – Final Subdivision Plan
  - a) I have reviewed the proposed project, referenced above. I have the following concerns:
  - b) The project appears to propose the creation of a side lot addition to the Charles Criswell property (DB 5616 PG 362). The project however appears to keep the lot (Lot B) as a separate tract with simply the notation on the plan that the purpose is to “Designate Lot B as a Lot addition for Lot 3 for continued single family residential/agricultural use. As of the date of recording of this plan Lot B shall become part of Lot 3 and may not be separately sold, conveyed, leased, or used or possessed or enjoyed pursuant to this plan.” I recommend review by the Municipal Solicitor for comment on this procedure, before final approval.
  - c) SALDO 117 – 19 (B)(38) requires a statement of intended use of all non-residential lots to include a reference to restrictions on any type that exist or will exist as covenants in the deed or other document for the lots. The statement provided makes no reference to any restriction or covenant to be placed on the deed. I recommend review by the Municipal Solicitor prior to final approval.
  - d) The creation of Lot B and the “1.75 Acres reserved for future subdivision in 2012” does create a property with irregularly shaped lots. Irregularly shaped lots, while serving an immediate purpose may create potential problems in the future including but not limited to set back issues.
  - e) SEO should provide written verification of properly functioning septic system on the residual property and also acknowledge a suitable replacement area has been identified for the septic drain field at existing house on the residual tract.
  - f) The plot plan does not accurately locate the entire existing (parent) tract or its features, including existing house, well, and drain field.

- g) It is noted from the Engineering comments and the Adams County Planning Commission comments that the parent tract is apparently enrolled in "Clean and Green". Applicant should verify that the proposed final configuration of three lots, under one ownership, will meet the requirements and intent of Clean and Green if future enrollment is desired.
- h) Plot plan has been modified as per engineer comments to provide notarized signatures (SALDO 117-19(B) (18)). However, the boxes only identify the individuals as owner. Clarify if the Engineers intent here to delineate between owner and receiving owner.
- i) Lot B and the future 1.75 acre lot carry additional set back requirements not otherwise noted on the plot plan but identified at 140-7 (C)(1) of the Municipal Ordinance relating to non-farm parcel setbacks located contiguous to agricultural lands. Those setbacks include: (a) Shrubs shall be set back 20 feet. (b) Trees shall be set back 30 feet. (c) All wells shall be set back 50 feet.
- j) It is recommended that these set back issues be addressed before final approval; of special concern is the identified woods line prevalent on the plot plan for Lot B, which appears to occur at the proposed property line. Also of concern is the failure to identify proposed set backs on the residual tract portion identified as 1.75 acres reserved for future subdivision in 2012. That flag portion of the residual would now have a very limited usable area if all set backs are identified as the total width of the proposed residual at this point is only about 82.76'.

### 3) Granite Lake Planning Module –

- a) Sheet 2 Note 20C; the language "Developer may choose..." is ambiguous and vague. It does not provide clear direction to the Planning Commission and does not produce a defined image of the finished development. One could also substitute the language "Developer may not choose..." as a replacement language giving the same result while seeking approval of the planning commission. I recommend a more definite plan be provided so it is clear to the community what is approved. Ordinance allows for future modifications by going through the approval process for proposed changes in the future, when they become apparent and necessary.
- b) Lot D has poorly crafted property lines. Although Ordinance does not prevent it the creation of odd shaped lots it discourages them. Indeed Article 117-34 indicates that lots should endeavor to, insofar as practical have lot lines at right angles to straight street lines or radial to curved street lines.
- c) Lot D does not front on a public street or private street either existing or proposed. 117-34 (B) (1). Indeed if and when completed as a cluster development Lot D will be a "Flag Lot" in the midst of the cluster development. 117-34 (d) (2) prohibits panhandle or flag lots or lots that are otherwise unconventional in shape or size.
- d) Lot D appears to be intended for further subdivision at some future time. The Subdivided portion of the Lot is also an irregular lot without street frontage suggested or provided.
- e) There appears to be about 0.67 acres of developable area in front of Lot D that will be cut out if and when the future street is put into place continuing to isolate Lot D as a flag lot.
- f) Sheet 3 of 5 notes a "Dock Easement" be approved for Lot D. There is no further description of this easement or what it is intended to provide or do for or with this lot or the adjoining lot(s).
- g) Sheet 3 of 5 notes measurement L41 is 45 feet wide at the intersection with the future street with Lot D. The clear sight triangle is not clearly defined. The width of the flag portion of the lot that appears to be the interconnector tot the future street does not clearly depict if it meets the width/set back requirements for an intersection as defined at 117-32 (3) in that there may not be sufficient room or width on either side to meet that requirement depending on the conditions of the Walking Easement and the proposed location of the Access Driveway.
- h) The clear sight triangle for entrance onto Hanover Road, Pa Route 116, at either proposed Right of way entrance and the Clear Sight Triangle at Natural Springs Road for either access point is not clearly defined on the drawings and may be owned by others.
- i) Sheet 3 of 5 depicts a "Walking Easement" that if approved appears to be over the same flag portion of the proposed lot that may be reserved for future use as a Access Driveway to the future street. No further description of the walking easement is provided on the plans.
- j) The location of the Subdivision Access point onto Natural Springs Road and the alternate access point also depicted onto Natural Springs Road has a physical separation of merely 250 feet. While this is something

for others to review it is my opinion that the slight separation of 250 feet and the discharge onto the same arterial road, near the same intersecting road does not provide the level of separation intended by the ordinance.

- k) All access points to Hanover Road and natural Springs Road should be considered minor streets as the potential clearly exists for traffic to flow in either direction due to the proposed configuration of the lots.
- l) Sheet 3 of 5 illustrates a 50 foot street right of way that necks down to what appears to be 33 feet; to be then further expanded into Lot E addition sometime in the future. It is my recommendation that all rights of way and easements that are proposed as future be put in place at the time of the present subdivision as there is no guarantee that the adjoining lots may not be sold prior or have other restriction placed upon them that would prevent the future proposed changes.
- m) No Septic Testing was shown for Lot E and no Notification was included on the plot plan that Lot E was a non-building lot. Perhaps it is to be served by Public water and sewer? That was not clearly indicated.
- n) Sheet 4 of 5 illustrates six (6) 5' x 20' Stone pull off's at the edge of the 50' Right of Way and Utility Easement coming from Hanover Road; Pa Route 116. It is noted on Sheet 2 note 20(a) that the developed portion of the cart way is only intended to be 12 feet in width. The International Fire Code recommends a minimum road width for fire apparatus roads of 20 foot plus shoulders; it is my recommendation that the Planning Commission not approve any road with a finished width of 20 feet of road surface.
- o) Additionally the aforementioned 6 pull offs do not even meet the minimum for clearance around a fire hydrant let alone having sufficient width to allow for safe passage of two emergency vehicles or an emergency vehicle and other possible traffic along the route. See previous comments.

**OLD/NEW BUSINESS:**

1) Amendment to Streetscape Design

*a. I concur with the changes and recommend adoption. This will facilitate the efforts to standardize the viewscape along the Route 30 corridor and provide for better long term access to the buried utilities.*

2) Property Maintenance Ordinance

*a. I recommend tabling the ordinance to the next meeting or the December meeting. Public Comment that has been received reveals that there are areas of concern to the local agricultural community. I believe we, the township, need more time to evaluate the concerns and make any necessary adjustments in the ordinance prior to moving it forward for adoption.*

END OF COMMENTS BY ZONING CODE OFFICIAL.

Sincerely,

R. Clem Malot, MCP

Chief Code Official

Straban Township Zoning Officer

Commonwealth Code Inspection Service

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Meeting was adjourned at 7:50 pm

**NEXT MEETING:** SUPERVISORS: November 7, 2011

PLANNING BOARD: November 16, 2011