

WEST EARL PLANNING COMMISSION

Meeting minutes: November 13th, 2018

PC Attendees: Frazier, Weinhold, Gauthier and Miller

Attendees: Cory Rathman, Candie Johnson, Josele Cleary, Ron Ferris, Dave Snyder, Sandy Kime, and Nick Grandi

Member Prunoske was sick.

Call to Order at 7:00 pm

On Motion by Frazier, second by Miller, the October 16th, 2018 meeting minutes were approved. Motion passed 3-0. Member Gauthier absented.

Public Comments

None

New Business:

1. Bobby Rahal Land Development Plan. Sandy Kime from ELA reviewed the plan once again. After a brief discussion, Member Gauthier moved to recommend Conditional Approval for the Plan, Second by Member Miller.

That the Board of Supervisors grant approval to the Final Land Development Plan for Bobby Rahal Automotive Group, prepared by ELA Group, Inc., Project No. 1032-001, dated October 27, 2017, last revised 8-31-2018.

2018, subject to the following conditions:

1. Applicant shall comply with all conditions the Board of Supervisors imposed on waivers granted at the meeting of the Board of Supervisors on May 29, 2018.

2. Applicant shall address all technical issues set forth in the review letters of the Township Engineer dated July 19, 2018, and October 31, 2018.

3. Prior to the release of the Plan for recording, Applicant shall execute, and shall have all parties other than the Township execute, all of the following documents relating to the Plan and improvements associated with the Plan:

A. Storm Water Management Agreement and Declaration of Easement among Applicant, 222 Dutch Lanes, Inc., and the Township.

B. Road Relocation Agreement between Applicant and the Township concerning segment of Burkholder Drive conveyed to the Township by Agreement Providing for Grant of Public Right-of-Way recorded at Document No. 5666696.

C. Road Improvements Agreement between Applicant and the Township concerning deferral of sidewalks for Lot 2 and Lot 3.

D. Traffic Signal Maintenance and Operation Agreement between Applicant and the Township.

E. Agreement Providing for Grant of Pedestrian Easement (for sidewalk along Oregon Pike frontage of Lot 1 outside of right-of-way) by Applicant.

F. Agreement among Applicant, Herbert Rowland & Grubic, Inc. and the Township relating to relocation of utility poles.

G. Any agreements granting traffic signal easements if required by traffic signal plan approved by the Pennsylvania Department of Transportation.

H. Developer's Letter-Agreement.

I. Any agreements with impacted property owners if the Pennsylvania Department of Transportation requires the granting of additional right-of-way for improvements to Oregon Pike (SR 0272) as a condition of approval of a highway occupancy permit or if additional right-of-way is necessary for the completion of improvements which the Pennsylvania Department of Transportation may require.

4. Prior to the release of the Plan for recording, Applicant shall present evidence that Applicant has met all requirements of West Earl Sewer Authority, has executed all documents required by West Earl Sewer Authority, and has posted any required financial security with West Earl Sewer Authority relating to sanitary sewer facilities proposed by the plan.

5. Prior to the release of the Plan for recording, Applicant shall present evidence that Applicant has met all requirements of West Earl Water Authority, has executed all documents required by West Earl Water Authority, and has posted any required financial security with West Earl Water Authority relating to water facilities proposed by the plan.

6. Prior to the release of the Plan for recording, Applicant shall provide evidence of approval from the Lancaster County Conservation District for the erosion and sedimentation control plan.

7. Prior to the release of the Plan for recording, Applicant shall address all of the comments in the letter from the Pennsylvania Department of Transportation dated October 24, 2018, relating to Highway Occupancy Permit Application No. 171033 which has been submitted in the Township's name. Applicant shall be responsible for compliance with all conditions which PennDOT may impose on the granting of such highway occupancy permit

including, but not limited to, construction methods and payment of the costs of inspections during construction. If such comments require revisions to the storm water management basin serving the lands of Far & Sure, LLC, Applicant shall provide calculations to demonstrate that the basin after the changes will adequately provide storm water management for such property or shall provide necessary calculations and design for revisions to the storm water management facilities serving the Far & Sure, LLC property and implement such revisions.

8. Prior to the release of the Plan for recording, Applicant shall provide evidence of compliance with all applicable federal and state permitting requirements including, but not limited to, an NPDES permit for the earth disturbance associated with the proposed improvements and highway occupancy permits for all work involving the Pennsylvania Department of Transportation right-of-way of Oregon Pike (SR 0272).

9. Prior to the release of the Plan for recording, Applicant shall furnish financial security of the type, and in the amount, required by the MPC prior to the release of the Plan for recording. The form of the financial security shall be acceptable to the Township Solicitor.

10. Applicant shall provide the Township with a written acceptance of all conditions on the granting of approval of the Plan within five days of the date of the written decision of the Board of Supervisors.

11. Applicant shall reimburse the Township, West Earl Sewer Authority, and West Earl Water Authority for all reasonable engineering and legal fees incurred in the review of plans under the Subdivision and Land Development Ordinance, Storm Water Management Ordinance, and other governing ordinances or resolutions, review or preparation of documentation required in connection with the development, review and approval of financial security and other documents, inspection of improvements, and other costs as set forth in this conditions within 30 days after receipt of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of a written invoice for such costs, Applicant shall be in violation of this condition.

2. Brownstown Commons Land Development Plan. Nick Grandi from RGS Associates presented the Plan to the Planning Commission. Nick reviewed the plan and Township Engineer Cory Rathman review his comments. Chairman Weinhold stated that there are some items that still needed to be addressed and that Mr. Grandi should come back to the Planning Commission as soon as those comments are addressed.
3. Review of the proposed Lighting Ordinance changes, Solicitor Cleary reviewed the proposed changes to the Commission. On a motion by Member Gauthier and Second by Member Frazier to recommend the adoption of the Ordinance to the Board of Supervisors with some correction to the maximum height at 30 Feet. Motion Carried 4-0.

The Planning Commission reviewed the Engineer's report for November.

On motion from Gauthier, second by Frazier, the meeting was adjourned at 7:55 pm. Motion passed 4-0

Respectfully Submitted
Candie Johnson