

LANCASTER TOWNSHIP
BOARD OF SUPERVISORS
CONDITIONAL USE HEARING MINUTES

ARDEN DEVELOPMENT PARTNERS – PLANNED UNIT DEVELOPMENT MODIFICATION

January 15, 2018

The Lancaster Township Conditional Use Hearing was called to order by Chairman Joseph Plesniak at 6:15PM. Those in attendance were, Supervisor(s) Joe Plesniak and Dennis Kerr. Township Secretary-Treasurer Chrissy Senft, Township Manager Benjamin Kramer, Roadmaster Mike Spiker, Patrolman Christopher Altman, Township Engineer Gannett Fleming represented by Tom Thompson, Solicitor(s) Phil Lope and Chris Reese, and Court Reporter Keri Lawrence. Arden Development Partners was represented by Don Rodgers, Greg Heineman of NVR Ryan Homes, Bud Sheffler (Sheffler Engineering) and Allan Beechey (Sheffler Engineering). The following property owners and other guests were Harmony Fire District Chief Scott Garing, Tim Allman, Beth Allman, Jay Wack, John Fogle, Carol Fogle, Mike Wisniewski, Ashleigh Wisniewski, and Joyce DiPietro. Supervisor Kristopher Kniess was absent.

Chairman Joe Plesniak introduced himself as Supervisor and Chairman of the Board and requested the Township Officials and Staff rise and state their name to the audience. Upon completing the introductions. All those planning to give testimony or speak on the record during the hearing were asked to remain standing and be sworn in by Court Reporter Keri Lawrence.

Chairman Plesniak requested that Solicitor Lope explain why the hearing was being held and the process that would be followed for the duration of the hearing. Mr. Lope provided all those in attendance an explanation regarding use by right and conditional uses.

Chairman Plesniak requested Arden Development Partners to present their application. At this time, Allan Beechey showed an overall site plan and discussed the site. Mr. Beechey indicated that the revised plan has a total of 340 dwelling units and includes 1 clubhouse facility. The clubhouse facility will be located adjacent to the quad home location which is proposed on the south side of Arden Drive. Mr. Beechey indicated that due to the passage of time various environmental and mapping studies needed to be completed again. Upon completing those studies, the applicant and Ryan Homes determined that their request needed to include home sites consisting of single family lot widths that were 55-65 feet wide. Mr. Beechey explained that the quad homes would be similar to a neighboring development in Lancaster Township. The application indicates 18 quad buildings, consisting of a total of 72 dwelling units. The project is proposed to be completed in 4 phases, but the initial project will be to construct Arden Drive to allow access to the existing R.E. Gas Development facility located to the east of this site. Phase I would include 18 quad buildings, consisting of 72 dwelling units, 35 additional single family home sites, and 1 estate lot adjacent to Perry Hwy. Phase II would consist of 96 single family homes, Phase III would consist of 41 single family homes, and Phase IV would consist of 91 homes.

Chairman Plesniak asked Zoning Officer Benjamin Kramer if there were any exhibits he would like submitted on the record. Yes, I have the following exhibits to submit.

- (1) Notice of Public Hearing. This Notice of Public hearing was advertised in the Butler Eagle on November 7 and November 14. Additionally, the Notice of Public Hearing was posted on Perry Hwy at Parcel A16GD and on Salt Works Road at Parcel A20A, at the Lancaster Township Municipal Building, and sent to all property owners of record within 200' of parcels A16GD and A20A
- (2) Listing of notified property owners
- (3) Butler Eagle Proof of Publication
- (4) Lancaster Township Planning Commission meeting minutes from December 14, 2017
- (5) Lancaster Township Zoning Ordinance #29, Article VI, Sections A – I. This outlines the Planned Unit Development requirements that this plan was originally submitted under
- (6) Gannett Fleming Engineering Review Letter Dated December 8, 2017 addressing the Arden Development Partners, LP PUD Revised Conditional Use Request
- (7) Application submitted by Arden Development Partners, LP dated November 15, 2017

At this time, Chairman Plesniak asked those in attendance if there were any questions. Seeing none, Chairman Plesniak asked the Solicitors if they had any questions or comments. Mr. Lope wished to clarify the ownership of the 2 parcels in question, as Ordinance 29 does require a PUD applicant to be one entity. Mr. Lope referenced Ordinance 29, Section 601 (C) (3). Mr. Don Rodgers explained that different ownership interests and previous sales necessitated the two entities. However, he indicated that should that be a concern that it could be listed as a condition of any approval as well as be included in the developer's agreement that it must be transferred to one entity. Following a brief discussion on the parcel sizes, Mr. Kramer indicated that the total acreage was approximately 193 +/- acres and that there were roughly 93 acres remaining undisturbed. Mr. Lope inquired about the usability of that land. Mr. Beechey described the topography as usable, but, passive mostly wooded recreational space. Further, Mr. Beechey indicated that the average lot size for single family homes was approximately 7500 square feet. Mr. Lope asked if there was an estimated timeline. Mr. Heineman explained that historically with recent projects in Jackson Township they were taking down 35 single family homes a year. After a few moments it was indicated that it was possible to have a 7-10 year build out for a development of this scope. Lastly Mr. Lope discussed the excess cul-de-sac length. Mr. Beechey pointed out that there was discussion occurring to accommodate a turn around area in the event of a public emergency to be located nearby to lots 275 and 276. The applicant indicated that its shown on the revised plan set, but its construction and exact location would be identified once the land development goes to engineering for the submission of the tentative plan. Mr. Lope also noted that the Lancaster Township Zoning Ordinance at the time, Ordinance 29 was in conflict with the MPC of the Commonwealth of Pennsylvania. The MPC provides for 45 days from the close of the hearing to render a decision. The Ordinance indicates a decision will be made in 30. Arden Development Partners indicated that this was not a concern to them. It was decided that Arden Development Partners would provide a notarized document indicating they had no concern with a decision being made within 45 days of January 15, 2018.

Chairman Plesniak asked the Township Engineer, Tom Thompson if he had any questions. Mr. Thompson briefly discussed the snow chute easements and proposed locations. The applicant discussed that an easement would be provided for this around all streets and would consist of 10'.

Chairman Plesniak asked Township Zoning Officer if there were any questions for Arden Development Partners, at the moment Ben had no questions and then presented the zoning requirements that the Arden Development Partners Planned Unit Development are governed under and stated they can be found in Zoning Ordinance #29, Article VI, Sections 601, Parts A - I. Ordinance #29 required that a PUD have a density less than 12 dwelling units per acre and be a minimum of 10 acres. The plan as presented has 1.77 dwelling units per acre, situated on approximately 193 acres. Ben noted that the proposed density is less than the requirements of the present day zoning ordinance. The Ordinance does not restrict lot size, however does require that no structure or group of structures shall be erected within 20 feet of another structure or group of structures. Additionally, there is a yard setback requirement of 20 feet along the entire perimeter of the development tract. Ben recommended that this revised plan be granted conditional use approval subject to the findings of fact and conclusion of law as well as any additional conditions established by the Lancaster Township Board of Supervisors.

Chairman Plesniak again asked the public audience if there were any questions. Scott Garing, Chief of the Harmony Fire District discussed looping the water system to establish isolation zones, to prevent not having access to water should there be an emergency. Ryan Homes stated this would be dictated by Pennsylvania American Water Company, but, that the request is typical and should not be an issue. Mr. Garing asked about storm water management after noting there were no facilities identified. Mr. Beechey indicated that this would be completed upon engineering the tentative and final plan submissions and that for the purposes of this use hearing is not required. Township Engineer Tom Thompson also confirmed that they will be required to follow the Stormwater Management Ordinance and that all the designs will be done so that they accommodate the new impervious surfaces. Discussion with respect to the location of future water lines and minimizing the impact to existing roadway surfaces occurred between Mr. Garing and members of the Township staff. Mr. Beechey indicated that this would all be identified on the utilities plan that will be submitted for the tentative and final plan.

Mr. Plesniak again asked the members of the Board, Engineer, Solicitor, and other Township staff if they had any additional questions for the applicant. Seeing none, Mr. Plesniak asked Arden Development Partners if they had any additional questions or concerns for the Township. They offered their appreciation to the Board and indicated they had no further concerns. Mr. Plesniak made a motion to close the testimony, seconded by Mr. Kerr and approved by a majority vote. Supervisor Kniess was absent. Mr. Plesniak announced a recess and indicated that the Township Officials and staff would return shortly. Mr. Plesniak called the meeting to order and asked for a motion to approve with conditions or deny the application submitted. Hearing no motion, Mr. Plesniak stated the Township would continue their review and offer their decision on February 19, 2018 at the next regularly scheduled Board of Supervisors meeting. Mr. Plesniak made a motion to adjourn the hearing at 7:05 pm. Seconded by Mr. Kerr and passed by a majority vote. Supervisor Kniess was absent.