

**HOPEWELL TOWNSHIP
YORK COUNTY PA
PLANNING COMMISSION
MINUTES FOR JULY 21, 2020
MUNICIPAL BUILDING
7:00 PM**

Malkie called the July 21, 2020 Planning Commission meeting to order at 7:00 p.m. In attendance were Vice Chairman Tom Malkie, Joe Shanabrough, Chuck Webster, Butch Hensel, Secretary/Treasurer Katie Berry, and Keith Hunnings from South Penn Codes.

Approval of Minutes

Hensel motioned to approve the February 18, 2020 Planning Commission minutes. Webster seconded the motion. Motion carried.

Michael Scheddel

Michael Scheddel of 18437 Zeigler School Road was present to request the recommendation of approval from the Planning Commission Board. Scheddel is requesting a variance for the height of a fence installed in his front yard. The Zoning Ordinance only allows a 3' high fence in the front yard. Scheddel had a contractor install a fence at a height of 4'. The fence was installed without a permit. Neighbor, Steven Lightner of 18487 Zeigler School Road was present and commented in support of the fence and does not see any issues with it. Hensel made a motion to recommend to approve the application for a zoning variance to the Zoning Hearing Board. Shanabrough seconded the motion. Motion Carried.

Final Mayberry Phase I

Jason with Holley & Associates was present to submit Final phase 1. Open comments are as follows:

1. The applicant shall post a financial security in an amount approved by the Township Engineer and in a form satisfactory to the Township Solicitor in accordance with SALDO § 22-613.
2. The applicant shall pay the recreation fees in the amount of \$340,000.00 in accordance with SALDO § 22-514.2.A.
3. The UPI Chart must be completed at the time of recording in accordance with SALDO § 22-405.4.J.
4. The applicant shall submit Homeowner Association documents for review and approval by the Township solicitor in accordance with SALDO § 22-405.4.N.
5. The applicant shall submit a confirmatory deed for the lot line changes to Lot 140 resulting from the prior final subdivision plan for approval by the Township solicitor and then record the confirmatory deed.
6. The applicant shall obtain a termination of the abandoned private drive right-of-way from Plank Road to the property.

7. The applicant shall execute and deliver a Stormwater Maintenance Agreement in a form satisfactory to the Township Solicitor in accordance with in accordance with SALDO § 22-405.4.P and § 23-503 of the Township's Stormwater Management Ordinance. Said Agreement shall be recorded with the York County Recorder of Deeds prior to recording the Final Subdivision Plan.
8. The applicant shall execute and deliver a Development Financial Surety Agreement in a form satisfactory to the Township Solicitor in accordance with SALDO § 23-405.4.O. Said Agreement shall be recorded with the York County Recorder of Deeds prior to recording the Final Subdivision Plan.
9. Owner acknowledgment and signature block and other signature blocks must be signed, dated and notarized as required by SALDO § 22-405.3.U.

Malkie motioned to accept Final Phase 1 as presented and recommend to the Board of Supervisors. Hensel seconded the motion. Motion carried.

Final Kurtz School Villas

Monti Joines was present to submit the plan for the Final Kurtz School Villas Sub-division. Open comments are as follows:

1. The applicant shall post a financial security in an amount approved by the Township Engineer and in a form satisfactory to the Township Solicitor in accordance with SALDO § 22-613.
2. The applicant shall pay the recreation fees in the amount of \$70,000.00 in accordance with SALDO § 22-514.2.A.
3. The UPI Chart must be completed at the time of recording in accordance with SALDO § 22-405.4.J.
4. The applicant must correct the statement of ownership to reflect the record owner to be:

FAIRVIEW AT KURTZ SCHOOL ROAD,
LP, a Pennsylvania limited partnership,

By Kurtz School Road, LLC, its general partner
By: _____
Name:
Title:
5. The applicant must provide a sewer agreement or letter of approval from the Stewartstown Borough Sewer Authority in accordance with SALDO § 403.6.
6. The applicant must provide a certification that the planning module for land development and/or any required waivers have been approved by the PaDEP in accordance with SALDO § 22-405.4.C.
7. A dwelling rights determination must be completed for the residual Lot 31 and prior subdivisions from that parent tract.

8. The applicant shall submit a confirmatory deed for the residual Lot 31 with deed restrictions prohibiting further subdivision or development. This lot should be designated as common area to be maintained by the homeowner association.
9. The applicant shall submit Homeowner Association documents for review and approval by the Township solicitor in accordance with SALDO § 22-405.4.N.
10. The applicant shall execute and deliver a Stormwater Maintenance Agreement in a form satisfactory to the Township Solicitor in accordance with SALDO § 22-405.4.P and § 23-503 of the Township's Stormwater Management Ordinance. Said Agreement shall be recorded with the York County Recorder of Deeds prior to recording the Final Subdivision Plan.
11. The applicant shall execute and deliver a Development Financial Surety Agreement in a form satisfactory to the Township Solicitor with SALDO § 23-405.4.O. Said Agreement shall be recorded with the York County Recorder of Deeds prior to recording the Final Subdivision Plan.
12. Owner acknowledgment and signature block and other signature blocks must be signed, dated and notarized as required by SALDO § 22-405.3.U.

Shanabrough made a motion to recommend the following waivers for approval:

1. Recommend 1% basin bottom slope
2. Recommend the approval of this plan to suffice as both preliminary and final

Hensel seconded the motion. Motion carried.

Malkie motioned to recommend approval of the Mayberry Final Phase I plan to the Board of Supervisors contingent on the satisfaction of the open comments. Hensel seconded the motion. Motion carried.

Public Comment:

Malkie adjourned the meeting at 7:52.

Katie Berry, Secretary