

**HOPEWELL TOWNSHIP
YORK COUNTY PA
PLANNING COMMISSION
MINUTES FOR AUGUST 16, 2022
HOPEWELL TOWNSHIP MEETING ROOM & STREAMING VIA ZOOM
7:00 PM**

Vice Chairman Tom Malkie called the August 16, 2022, Planning Commission meeting to order at 7:00 p.m. Also in attendance were Joe Shanabrough, Chuck Webster (via Zoom), Butch Hensel, Attorney Cory Dillinger, Township Manager Katie Berry, and Zoning Officer Keith Hunnings (via Zoom).

Approval of Minutes:

Butch Hensel motioned to approve the July 19, 2022; minutes as presented. Shanabrough seconded. Motion carried.

ZHB Application 2-2022 J.A. Myers -Recommendation- Stacey MacNeal of Barley Snyder-Attorneys at Law along with Benjamin Myers of J.A.Myers were present to review their Zoning Hearing Application with the Planning Committee in order to obtain a recommendation for their Zoning Hearing on Thursday, August 18, 2022.

Attorney MacNeal explained that there are four lots along Edie Circle in the Mayberry Development and one along Barrens Road North. Four of the lots are double frontage lots, one is a corner lot. They are looking for some relief from the Zoning Hearing Board as it relates to sheds and the heights of fences. In the rear of these lots is McElwain Heights Lane, which is a private lane. The lane is largely gravel. Under the definition of Streets, it does meet the requirements, which makes these lots 'double frontage lots.' MacNeal stated the Hopewell Township Ordinances does not specifically go into detail regarding defining double frontage lots, like some Townships do. It is being requested that the lots be treated as back yards that sit along the private lane allowing for up to six-foot-high fences and small sheds.

Malkie asked Hunnings for his input. Hunnings explained MacNeal basically covered it, however he mentioned on the final subdivision these lots were shown as having front yard setbacks along McElwain Heights Lane.

Malkie asked for anyone else representing to come forward. Attorney Cory Dillinger, representing Hopewell Township Board of Supervisors was present. Attorney Dillinger explained he was present to make sure he understands what is being requested. Attorney Dillinger also mentioned that the applicant is not the owner of all the parcels. Property owner consents be presented at the Zoning Hearing, per Mr. Myers. Dillinger also mentioned there should be no dual access utilizing McElwain Heights Lane for these lots, and nothing should be placed in the Right of Way. There was also only one application fee paid, and Attorney Dillinger

wants to research and make sure that can cover more than one parcel, or if several application fees need to be paid.

Hunnings also mentioned there are other lots in the Mayberry development that are inquiring about fences and sheds with double front yards (along Barrens Road) and that there may be more applications submitted for those lots as well asking for the same relief. Attorney MacNeal stated that those will be their own specific applications and she can see how those lots could have different conditions being along Barrens Road.

The Planners confirmed with the applicant (JA Myers) that the fences and sheds would be properly set back from the McElwain Heights Lane right of way and that none of the lots will have access to McElwain Heights Lane. The applicant explained that the shed on Lot 2 (the lot that fronts Barren's Road) is situated back towards McElwain Heights and not on the Barren's Road side of the lot.

Butch Hensel motioned to recommend the variance with the condition that the applicant show they have an equitable interest in Lots 2-6. Tom Malkie seconded the motion. Motion carried.

Carnell Tract Sketch Plan– Attorney Stacy MacNeal, Developer Nikolay Ratajczak of Terra Nova Cap. LLC and Engineer Grant Anderson of Site Design Concepts, LLC were present to explain a sketch plan currently described as the Carnell Tract. MacNeal stated they have been working on this plan for about six months; getting topography, surveys and met with the Supervisors at a spring meeting to get some feedback.

This property is just over 16 acres of land, located between Valley Road and some land on Forrest Road. It was not feasible to have an access from Valley Road because of the flood plain. There will be a loop road access from Forrest Road for a 48-unit residential development with a mixture of townhomes and duplexes (24 of each). MacNeal explained that this is a challenging site. There are some significant slopes. They met with the Stewartstown Water Authority back in March regarding sewer. They are planning for public sewer. It will require its own pump station because everything will be downhill. The Authority did agree to take on another pump station. To begin the development, they would need to subdivide the existing home and then they would be retaining approximately 7.5 acres of land as open space as part of the development plan.

Malkie stated that the slopes seem dangerous. MacNeal stated that the yards will be surrounded by retaining walls. Hunnings noted that they will be looking for a few waiver requests. One of those being fill areas for the slopes. Hunnings also stated as far as the density they are in compliance for Zoning. They will have to recreate some green area and Hunnings stated that will be a large undertaking. He also stated that he would want to see the comments from the Township Engineer once a final plan is created. The loop will be a private road, as suggested by the Board of Supervisors in the Spring.

Engineer Grant Anderson explained there will be waivers requested for slopes of 2:1 and 3:1, limits of sidewalks, grass strip width, and streetlights. The planners are concerned about slopes and areas of the loop being too dark with the plan for lighting.

Mr. Joe Zbozien of 93 Laurel Drive was present asking where the roads and the creek are so he can help understand where the development will be. He stated there are deep gullies and known to have rattle snakes. He feels the development is too big for the area.

Being this is just a sketch plan; some feedback is what is being requested. Hensel stated that lighting off of Forrest Road is red flag. Hensel mentioned the concern for storm water and Malkie reiterated his concern for the slopes. Webster commented that major flooding happens when developments are placed on top hills and larges areas of trees are removed.

Public Comment- Mr. Wickrowski of 18 Locust Street was also present and asked how close the units will be behind his property. Mr. Anderson stated a retaining wall would sit about 20 feet off his property line. However, it is lower and will go down behind his property. It was also asked how much site disturbance will occur. Mr. Anderson stated between 8-10 acres.

Tom Malkie adjourned the meeting at 8:07pm.


Katie Berry, Recording Secretary