

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

SPECIAL MEETING

PROPOSED ZONING MAP AMENDMENT

2700, 2705, 2710, 2720 and 2800 Susquehanna Trail

May 15, 2019

MEETING

The Manchester Township Board of Supervisors held a special and duly advertised meeting for a proposed zoning text amendment for collective properties located at 2700, 2705, 2710, 2720 and 2800 Susquehanna Trail, at the Manchester Township Municipal Services Complex, 3200 Farmtrail Road, York, Pennsylvania, 17406 on Wednesday, May 15, 2019, which was called to order at 6:00 p.m. by Chairperson Lisa Wingert. Ms. Wingert announced John Inch, Supervisor, is not present and has recused himself of proceedings associated with proposed rezoning.

PARTIES PRESENT

Lisa D. Wingert, Chairperson

Rodney K. Brandstedter, Vice-Chair

David K. Brosend, Supervisor

Beth Brennan, Supervisor

Timothy R. James, Manager/Secretary

Debra K. McCune, Asst. Secretary

Stewart S. Olewiler, Zoning/Planning Officer

David Unger, Code Enforcement

Craig Sharnetzka, Esq., Solicitor

PROPOSED ZONING MAP AMENDMENT

Attorney Peter Ruth (Stock and Leader), representing Inch Properties, Inc. (Developer/Applicant), presented a proposal for a zoning map change for five (5) parcels at 2700, 2705, 2710, 2720 and 2800 Susquehanna Trail totaling 10.7 acres, and owned by Inch Properties, Inc., from the current zoned Residential Low Density Open Space (RL) to Residential High Density (RH). Attorney Ruth provided a description of current conditions and the process of the zoning ordinance amendment petition submission.

Attorney Ruth stated that the proposed development, if a zoning amendment was approved to Residential High Density (RH), could include sixty-eight (68) "villa style" single story condominiums and twenty (20) apartment units. Attorney Ruth indicated that the development would be marketed to age 55 and over clients, with the apartments being marketed as high end. Attorney Ruth stated his clients are local developers who care about the community.

Attorney Ruth indicated this request may be considered spot zoning, but it mimics other similar areas within the township. Attorney Ruth indicated the proposed plan would have little impact on township services and the developers are willing to pay for road improvements associated with the Locust Lane/Susquehanna Trail and Lewisberry Road intersections. He continued by stating that Central York School District is projecting an enrollment decrease during the 2018-2024 period of 1.3%.

Engineer Josh George of Snyder Secary Associates was present to discuss the traffic and design for the proposed development. Mr. George stated a traffic study was completed and that the current traffic conditions on Susquehanna Trail and Locust Lane

warrant signalization. Mr. George described that the developer would be willing to pay for the traffic improvements and that the township would assume maintenance responsibilities post construction. Mr. George described buffering responsibilities as part of the proposed development. He also stated the development would be patterned after Susquehanna Village with garages for the villas and parking areas for the apartments. Mr. George stated if a zoning amendment was approved a land development plan would be submitted to the township in which infrastructure, traffic improvements, landscape buffering and other matters would be reviewed.

Attorney Ruth and Mr. George stated the maximum density on the parcel would be ninety-three (93) units, but the proposed plan would be eighty-eight (88) units. Mr. George included that the traffic study indicated with the proposed plan development that AM peak would increase by twenty-eight (28) trips and PM peak would increase by forty-four (44) trips.

Jeff Inch, Owner/Developer, was present to provide company history and describe the concept of this proposed planned community. Mr. Inch stated a visit to the Concord River Walk in Massachusetts sparked the interest in bringing a marketed age 55 and over community plan to York. Mr. Inch stated his willingness to pay for the traffic improvements at both the Locust Lane/Susquehanna Trail intersection and Lewisberry Road. Mr. Inch indicated that any widening of these roads would be taken from land owned by him, not impacted contiguous property owners.

Attorney Ruth provided a brief recap of the presentation and thanked the board of supervisors the opportunity to present.

The applicant's presentation concluded at 6:28 p.m.

BOARD OF SUPERVISORS COMMENTS

Ms. Wingert requested questions and comments from the board of supervisors.

Mr. Brandstedter questioned who currently owned the properties up for consideration. Mr. Inch responded all properties are owned by Inch Properties. Mr. Brandstedter also requested a copy of the traffic study for review.

Ms. Brennan confirmed Mr. Inch's financial commitment with the road or intersection improvements. Mr. Inch confirmed he is willing to pay all costs associated with improving the intersection and roads.

Mr. Olewiler stated that a decision to amend a zone based on a contracted improvement is not legal (contract zoning).

Solicitor Sharnetzka stated that PennDOT improvements would be required before a plan is approved. He also stated PennDOT would most likely not require improvements independent of a project.

Mr. Brosend questioned if a retirement community could be considered. Mr. Brosend also asked if the developer has developed similar communities elsewhere. Mr. Inch

stated they have developed a similar community in Marietta (Rail Trail Community), Lancaster County.

Mr. Brandstedter questioned the location of the emergency access. Mr. George answered approximately 150 feet north of the Susquehanna Trail/Locust Lane intersection.

The board comment/question period concluded at 6:49 p.m.

RECOGNITION OF PUBLIC PRESENT

In accordance with Act 93 of 1998 (Sunshine Law), Ms. Wingert recognized any members of the audience who wished to address the board.

Attorney Jennifer Smith, 3012 N. George Street, expressed concern regarding off site traffic improvements. Mr. George replied the township cannot require off site traffic improvements, but PennDOT can require said improvements. Ms. Smith also questioned the impact on the Interstate 83 Emigsville Exit. Ms. Smith also questioned why the Inch Company waited until recently to submit a petition to amend the zoning.

Allen Ellis, 15 Central Avenue, questioned the sewer capacity and the board of supervisors' consideration of selling the sewer system to York Water. Ms. Wingert stated the board made a determination that the sewer system would not be sold to York Water. Mr. Ellis expressed concern on the impact on the proposed development would have on fire service in the township.

John Woodward, 674 Foxtail Drive, questioned the credibility of a total of 75 employees working out of the Lewisberry Road location. Mr. Inch stated the company has multiple locations where the 75 employees work. Mr. Woodward also stated he noticed multiple dumpsters at the location of this rezoning request.

Elisa Bissoli, 2711 Lewisberry Road, expressed concern with Locust Lane conditions including the drainage and ice conditions during winter months. Mr. George stated stormwater management design on a proposed project must meet township requirements.

Ryan Billet, Central York School District, was present to state that the school district takes no stance on the proposed rezoning. Mr. Billet reported that the school district did recently go through a realignment of student population and although most of the population growth has come from the Springettsbury Township side, that school district is not projected to be at enrollment capacity in the near future.

Linda Walker, 2741 Lewisberry Road, expressed concern with drainage on her property and how the proposed plan would adversely impact her. Chester Landis, 840 Texas Avenue, offered photos of drainage concerns for Ms. Walker's property. Attorney Ruth stated it is prohibited to divert stormwater onto an adjacent property and that stormwater controls should help drainage concerns.

Curtis Morris, 2775 Lewisberry Road, questioned how long construction would take if the rezoning and plans were approved. Mr. Inch stated construction could take 12-18 months to complete.

Scarlett Holt, 3405 Bitternut Boulevard, questioned if the proposed plan would improve Lewisberry Road. Attorney Ruth stated that the proposed plan would include improvements to Lewisberry Road.

Pam Goodwin, 2680 Clearview Drive, expressed concern for the traffic and speeding on Lewisberry Road.

Eugene Klahold, 2685 Susquehanna Trail, expressed concern with difficulty in utilizing his driveway if a traffic signal is installed at Susquehanna Trail and Locust Lane. Mr. Klahold also expressed concerns with current water pressure and sewer capacity issues.

Dan Wise, 557 Church Road, questioned the feasibility of the proposed project. Mr. Wise also asked would additional lanes be required to be constructed. Attorney Ruth stated the proposed plan does not include additional lanes. Mr. Wise questioned why the entrance would not be on Susquehanna Trail to avoid more stacking on Locust Lane. Mr. Inch stated there is no current plans to improve the intersection at Susquehanna Trail and Locust Lane and the proposed project would assist with the problem. Mr. Inch also stated they are proposing the apartments to get the additional revenue to do the traffic improvements.

Linda Villier, 131 North Circle Boulevard, expressed concern with the traffic on Locust Lane. Mr. George stated PennDOT will provide the improvement guidelines when a proposed plan is submitted and reviewed.

Ryan Cummings, 3472 Fox Pointe Lane, expressed concern if the proposed development of Welbourne Reserve has been considered in the traffic study.

A recess was taken at 7:32 p.m.

Raymond Dobe, 682 Maurice Street, questioned why not restrict the proposed community to age 55 and older. Attorney Ruth reiterated that the proposed plan would be marketed to, but not restricted to age 55 and over. Mr. Dobe questioned what is considered high end apartments. Mr. Inch estimated two (2) bedrooms - two (2) baths apartments in the \$1,800 - \$2,000 a month range. Mr. Dobe questioned the distance of the buffer to the school. Mr. Inch responded 500 yards.

Lauren Dedrick, 2700 Clearview Drive, questioned the traffic impact relative to the signal at Lewisberry Road/Stillmeadow Lane and Susquehanna Trail. Ms. Detrick also questioned who would manage the proposed complex. Mr. Inch stated Property Management Unlimited. Ms. Detrick also commented on the concern of sex offenders to the proximity of the school.

Rodger Zirkle, 730 Finks Drive, expressed concern with the safety of the intersection at Locust Lane and Susquehanna Trail. Mr. Zirkle also commented on the consideration of eliminating Locust Lane entirely.

Paul Kuehnel, 3283 High Street, questioned the purpose of a long term comprehensive plan if there is consideration to change it.

Eileen Mickley, 3219 North George Street, expressed concern why a signal at Susquehanna Trail and Locust Lane could not be considered without the proposed plan. Attorney Ruth stated that there are currently no plans to improve the intersection. Mr. James stated although there are no current plans it doesn't mean the board of supervisors wouldn't consider said plans in the future.

Roberta Kusnerick, 579 Church Road, expressed concern with urban sprawl and could other areas be considered.

Brad Stonesifer, 2570 Tara Lane, expressed concerns with sewer and stormwater issues and the concept of rezoning with the enticement with signal improvements.

Carl Rutter, 598 Church Road, questioned if the proposed project has been reviewed at PennDOT, as he is concerned with PennDOT taking of property for improvements as he has experienced with his property. Attorney Ruth stated nothing has been submitted to PennDOT and will not if rezoning request is denied.

Ed Buzynski, 2874 Barkhill Drive, questioned if the current conditions warrant signalization, could PennDOT require improvements even if proposed project does not go forward. Mr. George replied PennDOT doesn't usually place those requirements unless there is a significant public outcry. Mr. Buzynski stated his concern for the traffic safety improvements at the Susquehanna Trail and Locust Lane intersection.

Steve Graham, 2545 Tara Lane, expressed concern with the current traffic and speeding conditions, including on Tara Lane.

Rebecca Aubel, 2693 Susquehanna Trail, expressed concern with the traffic on Susquehanna Trail and the impact on property values.

George Bissoli, 2711 Lewisberry Road, expressed concern with how the proposed project could impact buses and safety of students in the former Bentzel Corner area. Mr. Bissoli also expressed concern how the proposed project could impact his clients (beauty salon) safety entering onto Lewisberry Road. Attorney Ruth reiterated the proposed plan would look that any widening be impacted on his client's property only. Mr. Inch stated that according to the traffic study the proposed project would only add 4% traffic volume.

Lori Fizeell, 3342 North George Street, questioned if the proposed plan villa style condominiums would be one (1) floor. Mr. Inch answered yes.

Linda Walker, 2741 Lewisberry Road, questioned when infrastructure and building with a proposed plan would be reviewed. Mr. George stated infrastructure, stormwater and traffic will be reviewed during the land development process.

Brad Sinton, 2696 Susquehanna Trail, expressed concern with stormwater issues on Locust Lane.

Michael Forry, 2655 Garrett Road, questioned the impact on taxes and property taking relative to the proposed project. Attorney Ruth reiterated the taking of property for widening will be on the developer's property and traffic signal costs for the township would be only ongoing signal maintenance. Ms. Wingert stated the township had not raised taxes in 22 years.

John Keesee, 2835 Susquehanna Trail, provided a list of concerns to the board of supervisors. Mr. Kessee stated that traffic improvements at Susquehanna Trail and Locust Lane would require road widening that would impact his properties both on Susquehanna Trail and Locust Lane. Mr. Inch stated he would hope the traffic improvements at the intersection would help with safety concerns.

Belmin Kalkan, 705 Olmstead Way, stated he has seen many changes since he has come back home from college and expressed concern the impact on all residents during construction.

Robin Pappas, 2665 Clearview Drive, questioned the developer's long term plan to keep the proposed community. Mr. Inch stated he promised they will keep the proposed community.

Lee Grassley, 2805 Susquehanna Trail, questioned if the commercial properties in proximity were taken into consideration on the potential impact on traffic.

John Keesee, 2835 Susquehanna Trail, questioned the impact of lighting and the requirements associated with higher density. Mr. Olewiler stated lighting must be directed downward and inward and there is no lighting requirement based on a higher density.

William Spencer, 1165 Cherimoya Street, questioned if the proposed properties would be leased or purchased. Mr. Inch stated fee simple purchase.

Kathleen Smith, 2693 Huntfield Drive, questioned why the proposed project couldn't be restricted to age 55 and over. Attorney Ruth stated there are many limitations with a restricted age 55 and over community and reiterated the proposed plan would be marketed to age 55 and over, not restricted.

Attorney William Hoffmeyer, was present representing Ann and Barbara Harris, 2755 Lewisberry Road, commented that a restricted age 55 and over community is difficult to sell units. Attorney Hoffmeyer stated the current zoning ordinance is good ordinance and this proposed development goes against that. Attorney Hoffmeyer stated the mix of low and medium density currently has enhanced living in the area and this proposed project would be the hole in the donut. Attorney Hoffmeyer stated that there would be no buffer between high and low density and the school. Attorney Hoffmeyer stated this rezoning petition would be considered spot zoning. Attorney Hoffmeyer expressed concern with the conflict between the developer and the board of supervisors and presented a court case that he felt was a similar conflict. Attorney Hoffmeyer also questioned the traffic study trip statistics. Attorney Hoffmeyer stated that the board of supervisors holds a fiduciary responsibility to protect the residents of township with this rezoning consideration.

Attorney Ruth expressed appreciate to the board of supervisors for allowing to present the rezoning petition request.

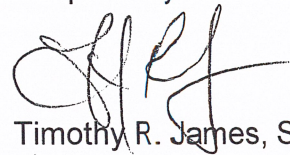
The public comment period was completed at 8:32 p.m.

ADJOURNMENT

Chairperson Wingert thanked the audience for their comments and stated that the board of supervisors will consider the proposed zoning map amendment at a future board meeting.

Being no further discussion that was held the hearing was adjourned at 8:33 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy R. James', is written over the printed name.

Timothy R. James, Secretary

TRJ/jas

