

MINUTES  
WEST MANCHESTER TOWNSHIP  
PLANNING COMMISSION  
DATE: December 10, 2024

The meeting was called to order by David Beecher at 7:00 p.m.

**ATTENDANCE**

**Planning Commission Members:**

David Beecher, Chairman – Present  
Patrick Hein, Vice-Chairman – Absent  
Felicia Dell – Present  
Fred Walters – Present  
Matthew Biehl – Present

**Staff:**

Rachelle Sampere, Zoning Officer – Present  
Rainer Niederoest, Dawood Engineers – Present

Tonight's Planning Commission meeting was held in person. The meeting was not broadcasted over Zoom due to technical difficulties.

**APPROVAL OF MINUTES**

MOTION: by Matthew Biehl to approve the November 12, 2024, Planning Commission meeting minutes.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

**ZONING HEARING BOARD CASES**

ZHB 24-18 HES Sign Services and White Street Associates, LLC – requests a Variance §150-283.B Chart of Permitted Permanent Signs P-8C to exceed the maximum number size allowed for a freestanding sign on a property **located at 2189 White Street** (Tax Map: JH; Parcel: 0055G) in the Regional Commercial Zone.

Mr. Joseph DePascale of Summerwood Corporation presented the variance request. Mr. DePascale stated that the applicant obtained a variance for two (2) freestanding signs on the parcel in 2019 prior to recording the land development plan, but the variance lapsed since no building permit was obtained to re-install the freestanding sign along the Carlisle Road frontage. The proposed sign is slightly smaller than the previously approved sign. Mr. Biehl asked if the setback for the sign was to the pole or to the edge of the sign. Mr. DePascale answered that the setback shown on the plan was to the edge of the sign box. The site plan indicates a ten-foot-setback. Mr. DePascale reminded the Planning Commission members that there was a freestanding sign in the same location prior to the previous Taco Bell's demolition and reconstruction. The proposed freestanding sign will be 9 feet 8.5 inches by 15 feet 3 inches with an overall height of 25 feet. The area of the sign face is 148.05 square feet.

MOTION: by Felicia Dell to recommend the Zoning Hearing Board grant the variance application in order for the applicant to restore the freestanding sign along Carlisle Road at the size proposed in the variance application.

SECOND: by Matthew Biehl

MOTION PASSED: 4-0

**NEW BUSINESS**

**(Revised) T-891 Preliminary/Final Land Development Plan for York Garber I** – to depict a proposed 236,226 sq. ft. (previously depicted 204,474 sq. ft.) solar energy farm located at 1750 Taxville Road (Tax Map: IG; Parcel: 0059) in the Agricultural Zone. Review/Action.

Mr. Andrew Kane of Pennoni Associates presented the revised preliminary/final land development plan for York Garber I. Mr. Kane explained that a previous version of York Garber I had been reviewed by the Planning Commission and been granted conditional approval by the Board of Supervisors, but the applicant realized they

forgot to include the fourth cluster of panels in their original submission to Pennoni. The previously reviewed plan depicted 207,474 square feet of solar panels within York Garber I. The revised plan depicts 236,226 square feet of solar panels within the York Garber I project area. The additional panels are located to the rear of the first 3 panel clusters at the southern portion of the project area. The revised plan also depicts an additional stone access drive with a “K” turn area at the rear inverter. The applicant is proposing three (3) rain gardens to mitigate the stormwater runoff. Mr. Kane explained that there will be meadow grasses planted underneath the panels which will slow the water runoff from the solar panels and allow for infiltration. During a meeting with the Board of Supervisors, the applicant agreed to install opaque fencing (board on board) and additional vegetative screening in front of the solar panel project parallel to Taxville Road to help block the view of the solar panels. The opaque fence details and additional screening must be added to the plan set. There are outstanding stormwater comments that must be addressed before the final land development plan is recorded. Mr. Niederoest noted that Dawood needs to see the computations for future conditions, but the applicant has provided the computations for the pre-development conditions. Mr. Niederoest believes that the applicant can easily address the outstanding stormwater comments. Mr. Kane also explained that the stormwater measures proposed on site will reduce runoff from the site. Mr. Biehl asked if the truck turning templates on the plan are sufficient. Mr. Kane explained that the truck turning template is based upon a fire truck as per conversations Pennoni had with West Manchester Township Fire Chief Laughman.

MOTION: by Felicia Dell to recommend the Board of Supervisors grant the following requested waivers and approve T-891 Preliminary/Final Land Development Plan for York Garber I subject to the following outstanding comments being addressed:

**Requested Waivers:**

W1.	§121-9 Preliminary Plan. The waiver request is to combine the preliminary and final land development plans instead of submitting individual preliminary and final land development plans.
W2.	§121-14.A.1 Drafting Standards. The waiver request is to allow 1” = 150’ on overall sheets instead of the maximum scale of 1” = 100’. (Sheets: CS0200, CS1000, CS8000, CS9000)
W3.	§121-23.C Improvements to Existing Streets. The waiver request is to not be required to make any improvements to the existing street.
W4.	§121-23.R.4 Streets, Access Drives, Driveways. The waiver request is to provide an area of a “k” turn in lieu of a cul-de-sac and to not pave the turnaround area.
W5.	§121-25 Sidewalks and Curbs. The waiver request is to not be required to install curb or sidewalk along Taxville Road.
W6.	§113-17.H.1 Stormwater Design Standards. The waiver request is to not provide inlets along the driveway. Roadside swales will be utilized to manage the runoff and will be sized for the 10-year storm.
W7.	§113-17.H.2 Stormwater Design Standards. The waiver request is to not provide calculations for flow crossing the center line of a local road or driveway intersection. This condition does not exist because there is an existing storm ditch where runoff from Taxville Road, as well as runoff from the site, will drain without flowing toward intersection.
W8.	§42-8.F Access Drives. The waiver request is to allow for multiple access drives to intersect with the street line of Taxville Road.

**Outstanding Comments:**

**Zoning Ordinance (ZO):**

1.	§150-357.4.I the Board of Supervisors may require opaque fencing to visually screen the solar energy farm from adjacent public streets or residential uses. Please provide screening and include it on all applicable sheets of the plan set. Update the fence detail to include the opaque fencing details for the proposed fence parallel to Taxville Road, as discussed with the Board of Supervisors. (3,240 LF). Update the plans to incorporate the additional screening discussed and approved at the August 23, 2024, BOS meeting. Show location and provide a legend with the total # and screening vegetation type to be used.
----	--

2.	<p><i>§150-357.4.O.3 Please submit the cost estimates for evaluations. Financial security must be posted and must be maintained according to the requirements of this ordinance. Financial security shall be in the form of a letter of credit (auto-extending) or cash to be held in escrow.</i></p> <p>Dawood has the following comments on the provided estimate:</p> <ul style="list-style-type: none"> <li>a) The salvage value of \$6.50/LF for 25-year-old vinyl covered chain link fence appears to be too high. Please provide documentation to establish the validity of this number at this length of service and amount above the generally available information on scrap value.</li> <li>b) The item for removal of the Steel Piles lists the length as 10 feet. However, the detail on sheet CS6001 shows the underground length of the posts as 10 feet. The length above grade is not accounted for, which will affect the costs. Please revise the length to be consistent with the detail.</li> <li>c) The salvage cost of \$0.10/LB for the Racking assemblies seems to be around 25% higher than the current price for steel scrap metal. Provide documentation for the source of this number.</li> <li>d) The amount of \$170,385.45 for the escalation due to inflation does not appear to be correct. Provide a subtotal amount for the Gross Cost (without salvage) and Net Cost (with salvage) in the respective columns prior to the inclusion of the inflation factor.</li> <li>e) Dawood’s expectation is that the applicant should provide the total amount of inflation for the 25-year life of the project in the Gross Cost (without salvage) and Net Cost (with salvage) columns then a Decommissioning Total Cost in both columns for the project. The derivation of the total costs listed is not very clear from the way the amounts are shown. The Net Decommissioning Cost for the project with salvage should equal the Total Decommissioning Gross Cost without salvage reduced by the Total of the Salvage Value column then adjusted for inflation. If Pennoni disagrees please provide industry white papers or other documentation supporting the approach taken.</li> <li>f) Provide a total of the salvage value for the second column from the right.</li> <li>g) The use of an inflation factor of 1.5% for the 25 year life is not reasonable given the Federal Reserve’s target inflation rate of 2%. An inflation factor of a minimum of 2% per year is more reasonable (which would result in an inflation factor of around 1.64 for the 25 years).</li> </ul> <p>(Dawood Review Memo #3)</p>
3.	<p><i>§150-357.4.L The applicant shall demonstrate compliance with the West Manchester Township Stormwater Management Ordinance. Solar energy farm facility owners are encouraged to use low-maintenance and/or low growing vegetative surfaces under the system as a best management practice for stormwater management. Dawood Engineers will review the stormwater management BMP submitted by the Applicant and provide comments in their review memo.</i></p>
4.	<p><i>§150-277 Landscaping. Any required landscaping (landscape strips and interior landscaping) shall include a combination of the following elements: deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture or other approved materials. Artificial plants, trees and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than 80% of the require landscape area shall be vegetative in composition, and no outdoor storage shall be permitted within the require landscape areas.</i></p>
5.	<p><i>§150-277.B For each 750 square feet of required area for landscape strips, one shade/ornamental tree shall be provided...If deciduous, these trees shall have a clear trunk at least 5 feet above finished grade; if evergreen, these trees shall have a minimum height of 6 feet. All required landscape strips shall have landscaping materials uniformly distributed along the entire length of the lot line abutting the yard. Provide a landscaping plan as part of the plan set.</i></p>

**Subdivision and Land Development Ordinance (SLDO) Preliminary Plan/Final Plan:**

1.	<p><i>Proposed Features. - Easements. §121-14.D.6 Previously, Dawood had requested that all easements be shown on all applicable sheets on the plan. Though the existing features are shown, please show drainage easements on the plan for all wetlands and drainage ditches/swales. (Dawood Review Memo #3)</i></p>
----	---

2.	<i>A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waiver(s). §121-14.D.15. Please add any waiver requests to the title page of the plan and add a line for the date of the action and the outcome of the Board’s action for each requested waiver.</i>
3.	<i>Improvement guaranties in accordance with Article V. §121-15.F.9 Improvement guaranties will be required prior to the recording of the plan. Please submit an estimated cost of public improvements for Dawood Engineers to review. (Dawood Review Memo #3)</i>
4.	<i>Financial Security. §121-17 Financial security is required prior to recording the plan. West Manchester Township prefers automatically extending or evergreen irrevocable letters of credit or escrow accounts. Such financial security shall be posted by a reputable chartered lending institution or bonding company authorized to do so in the Commonwealth of Pennsylvania and is subject to review by the Township Solicitor for adequacy. (Dawood Review Memo #1) Provide a cost estimate. (Dawood Review Memo #3)</i>
5.	<i>Engineering escrow shall be delivered to the Township, prior to recording the plan, in the form of a check payable to the Township in the amount equal to 3.5% of the bond or other security. If the amount furnished is not sufficient to cover inspections, administrative and other related costs, the applicant shall furnish additional amounts from time to time, when notified to do so. §121-17.D Provide engineering escrow prior to recording the plan.</i>
6.	<i>Maintenance guaranty. §121-19. A maintenance guaranty will be required. (Dawood Review Memo #3)</i>
7.	<i>As-built plans. §121-21. Upon completion of all required improvements and prior to the issuance of occupancy permits, the applicant shall submit an as-built plan showing the location, dimension and elevation of all public improvements. In addition, the plan shall indicate the resultant grading, drainage structures, and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The plan shall not all deviation from the previously approved drawings. Two copies of the plan shall be submitted to the Township, which shall distribute one copy to the Township Engineer and retain one copy for the Township files. Provide as-built plans upon completion of work. (Dawood Review Memo #3)</i>
8.	<i>Easements. §121-28 Easements for sanitary sewer facilities, stormwater drainage facilities, public utilities or pedestrian access shall meet the standards listed in in A-F. Provide easements on the property as required by the sections listed. <b>Please show the easements for drainage ditches/swales and wetlands on all applicable pages of the plan.</b> (Dawood Review Memo #3)</i>

**Stormwater Management Ordinance:**

1.	<i>§113-12.I The design of all facilities in areas of carbonate geology or karst topography shall include an evaluation of measures to minimize adverse effects, including hydro-geologic studies if required by the Township. Portions of the solar panel areas are indicated to be in carbonate geologic units. The comment has been noted by Pennoni. <b>Provide the study and testing report with measures to minimize adverse effects.</b> (Dawood Review Memo #3)</i>
2.	<i>§113-12.E] – For all regulated activities, implementation of the volume controls in 113-14 is required, unless specifically exempted under 113-12C, or exempted by an approved modification request, as specified in 113-20B of this chapter. Describe and show how the solar array areas can be considered pervious area and the post development vegetation as meadow as detailed in the DEP FAQ #4 item. (DEP Chapter 102 Permitting for Solar Panel Farms Frequently Asked Questions (FAQ)). Show the typical panel separation and disconnection distance between the panels in the rows as detailed in the DEP FAQ #4 item 3.c. (Dawood Review Memo #3)</i>
3.	<i>[SWMO §113-12.K] – ... All encroachment activities shall comply with the requirements of Pennsylvania DEP, 25 Pa. Code 105 (Water Obstructions and Encroachments). Provide a copy of the permit application and associated detailed information as required in the Stormwater Management Ordinance. Confirm that provision of fee-in-lieu of replacement wetlands is to be provided.</i>

4.	§113-17.N.(1).(b).26] – Infiltration BMPs intended to receive runoff from developed areas shall be selected based on suitability of soils and site conditions and shall be constructed on soils that have the following characteristics: (b) An infiltration and/or percolation rate sufficient to accept the additional stormwater load and drained completely as determined by field tests conducted by the Owner’s professional designer. A geotechnical report with infiltration test results and report. The infiltration rates used in the calculations associated with the rain gardens are inconsistent with the infiltration test results in the report. Please provide additional calculations or justification consistent with consistent with Appendix C of the Pennsylvania BMP Manual. (Dawood Review Memo #3)
5.	§113-17.M Surface flow characteristics: The maximum swale, gutter, or curb stormwater runoff shall be maintained at levels which result in a stable condition both during and after construction. Provide the amount of solar panel area on slopes of 8% or greater in addition to analyzing the flow characteristics of the existing receiving drainage facilities. The comment has been noted by Pennoni. Though existing slopes are shown on SC0201 and CS002, no analysis was found in the submission. Provide the results from the analysis of the amount of solar panel area on slopes of 8% or greater.
6.	§113-18.E.9 The SWM site plan shall include an operation and maintenance plan for all existing and proposed physical stormwater management facilities. This plan shall address long-term ownership and responsibilities for O&M as well as schedules and costs for O&M activities. An O&M Agreement shall be executed and recorded in accordance with section PCSM 113-27. The comment has been noted by Pennoni.
7.	§113-18.E.11 A notarized signature of the owner of the parcel for which the SWM site plan is proposed indicating that they are aware of and will be responsible for operation an maintenance of the facilities. An associated signature block should be added. It must also be sealed and notarized before recording the plans. The comment has been noted by Pennoni.
8.	§113-18. E.(19)] – The name of the development, the name and address of the owner of the property, and the name and address of the individual or firm preparing the plan. Also to be included are the name, address, signature, and seal of any registered surveyor (attesting the accuracy of the boundary survey), professional engineer, landscape architect, or professional geologist (for geomorphological assessments) contributing to and/or with a responsibility for any aspect of the plan where applicable. Property owner, surveyor, PE and PG names, addresses and signatures are required. Provide surveyor’s name and contact information. (Dawood Review Memo #3)
9.	§113-28 Performance guarantee – For stormwater site plans that involve subdivision and land development the applicant shall provide a financial guarantee to the Township for the timely installation and proper construction of all stormwater management controls as required by the approved SWM site plan and this chapter in accordance with the provisions of Section 5069, 510, and 511 of the PA MPC. Provide and estimate with the next submission. The comment has been noted by Pennoni. (Dawood Review Memo #3)

**Adjustments to the Plan:**

Dawood believes several recommendations for improving the plans are warranted. Some of these will correct errors or internal inconsistency. The rest are consistent with [SLDO §121-22] which states, “the standards and requirements contained in this article shall apply as minimum design standards for subdivisions and/or land developments. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained herein, the more restrictive shall apply.”

1.	Provide the length and width dimensions of the proposed solar panels and the clear distance between panel rows open to direct rainfall. Show the typical panel separation and disconnection distance between the panels in the rows as detailed in the DEP FAQ #4 item 3.c. (Dawood Review Memo #3)
----	---

**General Comments:**

1.	A benchmark should be shown on the plan.
2.	The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (§121-15.F.4)

3.	Stormwater Operation & Maintenance Agreement required.
4.	All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
5.	All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)
6.	A Knox box shall be required for each of the proposed gates for Fire Department access in emergent situations.
7.	An E&S plan and N.P.D.E.S. approvals by the York County Conservation District (YCCD) are required prior to recording the plan.
8.	The applicant should discuss fire prevention measures with the Township's Fire Chief, Clifton Laughman. Conduct a site walk-through with Chief Laughman upon completion of construction to assess if any additional provisions for fire access are needed.

SECOND: by Matthew Biehl

MOTION PASSED: Unanimously (4-0)

**T-897 Preliminary/Final Land Development Plan for Trimmer Campus Improvements for West York Area School District** – to depict the proposed construction of a parking lot and field house, the resurfacing, addition and replacement of associated athletic fields and features and other associated improvements located at 1900 Brenda Road (Tax Map: JG; Parcel: 0060B) in the Open Space Zone. Review/Action.

Zoning Officer Sampere informed the Planning Commission members that she had received a request from the Applicant to table the preliminary/final land development plan for the Trimmer campus improvements.

MOTION: by Fred Walters to table T-897 Preliminary/Final Land Development for Trimmer Campus Improvements as per the applicant's request.

SECOND: by Matthew Biehl

MOTION PASSED: Unanimously (4-0)

**T-898 Preliminary/Final Land Development Plan for Main Campus Improvements for West York Area School District** – to depict the proposed construction of a new track, new parking, improved vehicular circulation, new athletic fields, stormwater management facilities and associated improvements **located at 1800 Bannister Street** (Tax Map: 02; Parcel: 0069) in the Open Space Zone and Local Commercial Zone. Review/Action.

Zoning Officer Sampere informed the Planning Commission members that she had received a request from the Applicant to table the preliminary/final land development plan for the main campus improvements.

MOTION: by Matthew Biehl to table T-898 Preliminary/Final Land Development for Main Campus Improvements as per the applicant's request.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

#### **DISCUSSION**

Ms. Sampere reminded the Planning Commission members that she forwarded them a draft of the comprehensive plan and technical studies for them to review before the February 11, 2025, Planning Commission meeting.

#### **ADJOURN**

MOTION: by Felicia Dell to adjourn the meeting.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (4-0)

The meeting adjourned at 7:50 p.m.