

like a condominium where only the interior walls are deeded to the property owner so this would be covered in the Declarations and Covenants.

- The streetlight waiver was discussed, and it was decided that the same streetlights would be used that were used in White Oaks. This will no longer require a waiver.
- The secondary point of access is still required. Mr. George said they are working on acquiring properties along Kings Mill Rd. to provide that access.
- Dave Davidson went over his comments.
 1. The reverse subdivision to join Lot 86 and Lot 91 should be shown on the plan.
 2. The setbacks have been addressed by annexing property from the golf course.
 3. The secondary point of access is being worked on. This would be located just past J & K Salvage out to Richland Avenue. Access would connect to the emergency access already located in White Oaks near the rail trail and meet up near J & K.
 4. There is an access drive that comes off the Golf Club Dr. cul-de-sac that figures into the emergency access that is to serve both White Oaks and Red Oaks. Mr. George said it would be modified and come out to White Oaks and connect to one of the streets in White Oaks. Then that would connect to the location near J & K. We would like to see the emergency access configuration and how it relates to the White Oaks emergency access on a 10,000 sq. ft. plan. This could be shown on the reverse subdivision plan in larger scale. Joe Madzelan of YAUFR should approve this configuration.
 5. Dave Davidson said since Red Oaks and White Oaks have two different Homeowner Associations, an agreement detailing the responsibility for maintenance for the emergency access will be required in the developer agreement or on the land development plan. A cross easement will need to be provided.
 6. The Engineer's seal and signature should be shown on the plan.
 7. The E & S Plan should be provided for security estimates.
 8. There will only be parking on one side of the street, the side without the fire hydrants per Joe Madzelan's recommendation. Although it is not enforceable by the police department it would help to maximize parking on the street.
 9. The grading easement by Lot 10 (Sheet GD 6.0) should be shown on the plan. A slope easement should be added to the plan and an easement agreement should be added.
 10. The Met-Ed Line that will be removed is shown in red on the Demo plan on Sheet DE 4.0 with a note that says to be removed. This has been addressed.
 11. How the properties will be conveyed will need to be addressed in the Declarations and Covenants.
 12. The Fee in Lieu of recreation will be required prior to recording the plan.
 13. Streetlights will be added.
 14. Waiver for dead-end streets has been requested. Mr. Sandmeyer suggested "**for future construction by others**" be added to the plan so that any future development will show that the developer would be responsible for completing the road.
 15. Joe Madzelan of YAUFR should review and approve the plan with respect to clearances and fire hydrants.
 16. The owner's notarized signature is required.
 17. Erosion and sedimentation control plan approval is required.
 18. Stormwater management will be reviewed by separate letter.
 19. Security for proposed improvements must be posted before final plan approval.

20. Easements for sanitary sewer have been added in the requested locations but should also be labeled on Sheet UE 7.0.
 21. A development agreement, prepared by the Township's solicitor shall be executed and recorded by the Township prior to release of the Plan for recording.
- Ms. Mitten commented that there are a lot of conditions and waivers. She requested that a plan that provides all the updates be submitted. There are too many open conditions to make a motion to recommend to the Board of Commissioners. It is preferred to make a motion to approve recommendations to the Board of Commissioners with just the waivers and administrative-type conditions.
 - Mr. George felt most of the conditions were administrative, with only minor changes.
 - Ms. Mitten feels the Planning Commission should review the plan to make sure all changes have been made before making a recommendation to the Board of Commissioners.
 - Ms. Mitten motioned that the Planning Commission recommend approval of the following waivers:
 1. Waiver of Preliminary Plan Submittal (275-9, SALDO).
 2. Waiver of Minimum Street width of 28' (275-29A, SALDO).
 3. Waiver for Dead End Streets (275-29.D).
 4. Waiver for minimum radius of minor streets (274-29.G(1)).
 5. Waiver to the Spring Garden Township Construction specifications 0274 for Bituminous surface street cross-section. 8" of PennDOT 2A being proposed since ballasts are difficult to use to grade streets.
 6. Waiver for maximum depth of existing stormwater basin to exceed 6". (265-305.R.1, SWM).
 7. Waiver for maximum side slopes of existing stormwater basin to exceed three horizontal to one vertical. (265-306.R.3, SWM).
 8. Waiver for gutter flow spread on private streets (265-306.Q.12, SWM).
 - Motion seconded by Mr. Sears. All in favor, motion carried.
 - Dave Davidson pointed out that the two waivers for Minimum Street width and minimum radius have not been approved by Joe Madzellan yet.
 - Mr. George stated that Joe did mention that he was ok with these waivers in the Staff meeting.
 - The Zoning Officer stated that it should be in writing, and she will request that approval letter from Joe Madzellan.
 - Mr. Sandmeyer said the motion could be amended that those two waivers should be accompanied by the letter from Joe Madzellan.
 - Motioned and seconded, all in favor, motion carried.
 - Mr. Sandmeyer asked for a motion for the conditions.
 - Mr. George asked the Zoning Officer for clarification on the conditions.
 - The Zoning Officer reviewed the conditions as follows:
 1. The reverse subdivision of lots 86 and 91 should be shown on the plan.
 2. Engineer's Seal and Signature.
 3. Add streetlights to the plan.
 4. The Owner's signature.
 5. Second point of access needs to be obtained and approved.
 6. Developer Agreement.
 7. Declarations and Covenants

8. Security Estimate.
 9. Fee in Lieu payment.
 10. Approval of NPDES permit and E & S Plans.
 11. Approval of Stormwater Management.
 12. Show the cross easement on Sheet GD 6.0 behind lot number 10.
 13. For the dead-end streets add the comment "easement for future construction by others".
 14. YAUFRR's comments showing approval of the fire hydrant placement and street construction.
 15. Easement for sanitary sewer added to Sheet UE 7.0.
 16. Emergency Access 10,000' view should be shown on the reverse subdivision plan, with cross easements agreements for maintenance.
- Ms. Mitten stated she is not comfortable making a recommendation to the Board of Commissioners due to the number of changes on the plan and only a few administrative conditions.
 - Mr. George again stated that there is not much that needs to be changed on the plan.
 - Dave Davidson pointed out that the major condition that needs to be addressed is the Secondary Access. That is in progress, but once it is shown on the plan, there is going to be discussion about who is going to build that access road. The Commissioners are not going to act on the plan until that secondary access is addressed. And they will want the Planning Commission's recommendation on the adequacy of any proposed secondary access.
 - The Zoning Officer pointed out that on the recorded plan for White Oaks there was a stipulation that the Board of Commissioners would not approve any more development in this area until the requirement for a secondary public access was met.
 - A representative of the developer questioned the need for it to be public. He was under the impression that it only needed to be an emergency secondary access.
 - The Zoning Officer pointed out that the Township would not be accepting any more public roads, and if this were to be used as a secondary access it may require a traffic study.
 - Dave Davidson stated that Golf Course Dr. serves Red Oaks, White Oaks, and Sycamore Grove. That is approximately 275 lots with single access at Indian Rock Dam Road. The issue with White Oaks is that that is too many lots to have a single access. He doesn't believe the Township would want to adopt a new access road, but it needs to be open to the "public", White Oaks, Red Oaks and Sycamore Grove, to get in and out if it turns out that they can't get out on Indian Rock Dam Road. Every one of those cars is going to want to turn left on Indian Rock Dam Road and you're going to be backing up in there every morning. Even though the Township wouldn't want to adopt this street as they aren't adopting any of Regents Glen's streets, it should meet the Township standards for a street.
 - Ms. Mitten suggested that the plan be tabled until the secondary access could be finalized, and other listed conditions could be added to the plan.
 - Ms. Mitten made a motion to table the plan until the secondary access can be resolved and other listed conditions could be added to the plan. Mr. Sears seconded the motion. All in favor. Motion carried.

Zoning Applications:

- **2024-04 – 325 S Belmont St.** – BHI Properties, LLC – has filed a Special Exception to Section 310-8(C)14 for an Office Flex Space. *The property is located at 325 S Belmont St., York, PA and is zoned A-O (apartment-office).*
 - Applicant failed to appear to present their application.
 - Mr. Sears motioned to table the application since the applicant was not present. Ms. Mitten seconded the motion. All in favor, motion carried.
 - The Zoning Officer mentioned that the plan should be reviewed because the Zoning Hearing case has been advertised and feels that the Planning Commission can review without the applicant present.
 - Ms. Mitten made a motion to withdraw the tabling of the plan. Mr. Sears seconded. All in favor, motion carried.
 - Ms. Mitten asked the Zoning Officer to provide some perspective on the request.
 - The Zoning Officer explained that the existing building cannot handle the original recorded plan to build apartments in the third phase of the building. He would either need to demo that portion of the building or find another use for the space as it is.
 - He is looking to change it to Office Flex Space, which is a use by Special Exception in the Apartment Office Zone, he meets the parking requirements and would be required to provide an amended land development plan. He is permitted more than one principal use in the Apartment Office Zone.
 - Mr. Sandmeyer asked if the plans in the packet were for approval.
 - The Zoning Officer pointed out that the plans show the recorded plan and are just a concept for the office flex space. An amended land development plan would be required if he is approved for the special exception.
 - Dave Davidson pointed out that there are three requirements that must be met for Special Exception. One of which is buffers and screenings, which would have to be shown on the amended land development plan. Number two is that access shall be via an arterial or collector street. And questioned if South Belmont met those qualifications, and if not, they could recommend denial since they cannot meet that requirement of section 310-73.1B.
 - Mr. Sandmeyer requested a motion to recommend denial if the applicant cannot meet the requirement of section 310-73.1B.
 - Ms. Mitten so moved; Mr. Sears seconded. All in favor, motion carried.

- **OTHER BUSINESS:**
 - **None**

With no further business to address, motion to adjourn by Ms. Mitten, seconded by Mr. Sears. All in favor. The meeting adjourned at 7:10 pm.

Respectfully submitted,
Dawn Hansen, Zoning Officer