

MINUTES OF  
SPRING GARDEN TOWNSHIP PLANNING COMMISSION  
June 4, 2024

**CALL TO ORDER:** The monthly meeting of the Spring Garden Township Planning Commission was held on June 4, 2024, in the Township Municipal Building, 340 Tri Hill Road, York PA. Robert Sandmeyer called the meeting to order at 6:01 p.m.

Present:	Robert Sandmeyer	Dave Davidson, C.S. Davidson, Inc.
	Amy Mitten	Dawn Hansen, Zoning Officer
	Joel Sears	

**PUBLIC COMMENT PERIOD:** None

**APPROVAL OF MINUTES:** Ms. Mitten made a motion to approve the minutes of the April 2, 2023, meeting with correction of Mr. Stanard’s name. Seconded by Mr. Sears. All in favor, motion carried.

**SUBDIVISION/LAND DEVELOPMENT PLANS:**

- **Pilgram Car Care, 501 Windsor St** –Land Development plan to build an automotive repair station.
  - Timothy Holland of JJ’s Custom Builders, the General Contractor, provided a synopsis of the plan.
  - Revised cover sheet based on feedback at the May 16<sup>th</sup> staff meeting.
  - Explained the challenges based on the number of Met-Ed Easements on the property and no existing public sewer.
  - Plan to run a pressurized main to the next manhole, not located in the street, to the 2” connection that already exists and flows to Springettsbury Township.
  - They have provided an exemption letter from Springettsbury Township stating that there is sewer capacity.
  - There are anticipated to be four employees.
  - Stormwater has been submitted for approval. It has been sized for future expansion.
  - There are two options for lighting, a low cost and a higher cost. Would like feedback from the Planning Commission as to which would be preferred.
  - They would prefer to have less lighting as they will not be open after 5 pm.
  - They provided an updated plan with waiver requests and deed restrictions.
  - They added the 30% native plant species requirement to the Landscaping plan.
  - Mr. Sandmeyer asked about the changes from the original submission to the new plan.
  - Mr. Holland specified that they added the Street Tree Waiver because they need to be spaced closer to the street due to easements. They are smaller and sparce and grow more upright so will not infringe on the street.
  - Mr. Sandmeyer pointed out that there are two sheets labeled C3, these need corrected. The lighting plan should be labeled L1.
  - Mr. Sandmeyer asked for the Zoning Officer’s comments.
  - The Zoning Officer referred the Board to the May review letter from the Engineer and the April 30<sup>th</sup> letter from the Zoning Office.
  - The Zoning Officer said that the following items were still outstanding:
    - Iron pins need to be placed
    - Stormwater Management Approval
    - Security required

- Developer Agreement for O & M Agreement for private pump station for the sewer
- Mr. Sandmeyer asked the Zoning Officer if she had any concerns with the dumpster's location being in a front yard along Broad Street.
- The Zoning Officer explained that Broad Street is a thoroughfare and not a public street so would not be considered as an additional front yard, so the dumpster location is acceptable.
- Mr. Sandmeyer asked if a dumpster can be placed in a Met-Ed easement?
- Mr. Holland pointed out that it is not encroaching on the easement. Previous versions of the plan had it in the easement, but it has been moved.
- The Zoning Officer asked that the changed placement of the dumpster be shown on the plan on all pages.
- Mr. Sandmeyer asked the Engineer if he had any comments on the plan.
- Mr. Davidson referred to the May 22<sup>nd</sup> comment letter with comments in red.
  - The owner's notarized signature is still required.
  - A decision needs to be made on the lighting plan. Two options have been presented which are unusual. Either plan will work, a choice just needs to be made. They both approach zero-foot candles when they cross the property, which is the main criteria.
  - The ordinance simply states that if they are to be open after dark, lighting is required.
- Mr. Sandmeyer is concerned that the lights do tend to have a glare, even though the foot candle is zero. There should be a note on the plan that shields would be added if there are issues with neighboring properties.
- Mr. Davidson confirmed that these would be LED lights that are recessed in the canopy and can hardly be seen.
- Mr. Holland confirmed that the cheaper option aims straight down. The fixtures can be used on a pole or a wall mount.
- Mr. Sandmeyer asked what the differences are in the two proposed lights.
- Mr. Holland stated that the less expensive option would be lighting that is focused exclusively on the building itself. Several of the fixtures are just down lighting, and then a few strategically placed lights aimed toward the parking lot. They do not angle out that they will glare would be outside the property. Casting enough light for safety.
- The other plan places a series of lights around the parking lot in lieu of strategically placed lighting on the building. This could be traditional parking lot poles. This doesn't work well with the context of the site with so many utility poles already existing on the site. We recommended the less expensive option to our client.
- Mr. Holland asked if lighting is necessary for the parking lot since he will not be open after dusk.
- Ms. Mitten pointed out that lighting would make the lot more secure.
- Mr. Davidson stated that the E & S plan has been submitted but still needs to be approved.
- Security for required improvements
- The Landscaping plan has been updated to show exterior landscaping with 30% native plants.
- Ms. Mitten confirmed some of the other comments were addressed. She clarified the conditions that she has noted.
  - Owner's notarized signature
  - Corner markers
  - Lighting decision
  - E & S plan approval
  - Stormwater management
  - O & M Plan for the sewer
  - Security for improvements
  - Developer agreement

- Change the dumpster location on the plans
- Mr. Sandmeyer stated that the lighting plan needs to be decided on as either one meets the ordinance requirements.
- Mr. Holland pointed out that there is a note on the parking plan where curbing is not required, they will use a post and chain system or a guard rail system. That would be on the sides not facing the streets.
- Ms. Mitten requested clarification of where these would be used.
- Mr. Holland confirmed they would be used on the in-bound lanes, just along Windsor St.
- Mr. Holland added that at the corner of Broad and Windsor there is no existing curb. By adding curbing, it would place the utility poles in the street. That would be something that Met-ed would have to move and at that time they could install curbing.
- Mr. Sandmeyer asked Mr. Davidson if they would require curbing along that street?
- Mr. Davidson said that since Broad Street is not a Township Road, it is an access drive. There is also no curbing along the Met-Ed Easement.
- Mr. Sandmeyer asked if the waiver request was just for that section?
- Mr. Holland confirmed.
- The Zoning Officer pointed out that there are five waiver requests on the front page of the plan and a letter explaining the requests.
- Mr. Sandmeyer confirmed the waivers.
  - Waiver of Preliminary Plan.
  - Waiver of sidewalks and gutters on Windsor St. and Broad St.
  - Waiver of curbing on a portion of Windsor along the Met-Ed Easement and on Broad St.
  - Waiver for perimeter landscaping because they need move it back because of the easements. Landscaping is being provided just moving it back. The Zoning Officer does not feel a waiver is required, just a modification of the ordinance. Place a note on the plan modifying the perimeter landscaping location.
  - Waiver for Street Trees right-of-way offset distance.
- Mr. Sandmeyer asked what the building will look like.
- Mr. Holland said there is a picture on the front page, bottom picture.
- Mr. Sandmeyer opened public comment.
  - Ann Gray, 1471 Sleepyhollow Rd. – Had concerns regarding the number of utility poles on the property, if they were high-voltage, and how close they were to the proposed building.
- Ms. Mitten asked if there are wetlands within the property. Mr. Holland stated there is not.
- Ms. Mitten made a motion to recommend approval of the plan for Doc Mulligan’s LLC, Pilgrim Car Care at 501 Windsor Street to the Board of Commissioners with the following conditions and waivers:
  - Update the main plan to show the dumpster outside the easement.
  - The owner’s notarized signature.
  - Placing of the corner pins.
  - Lighting plan decision.
  - A note on the plan for the Modification of the landscape location
  - E & S Plan approval.
  - Stormwater management with O & M Agreement
  - Security for improvements.
  - Developer Agreement
  - There are four waivers:
    - Preliminary plan approval.

- Waiving sidewalks and gutters for Windsor and Broad Street
- Curbing on Windsor and Broad Streets.
- Street trees right-of-way offset distance along Windsor Street.
- The motion was seconded by Joel Sears. All in favor, motion carried.

**OTHER BUSINESS: Ordinance Amendments:**

- **Act 537 Private request to revise official plan.** DEP received a private request to implement the Township's Official Plan, which is the 1972 York County Comprehensive Sewerage Study, to provide adequate sewage facilities to the Edgehill Road area. In accordance with Section 5(b.1) of Act 537, the Pennsylvania Sewage Facilities Act, as amended, and Chapter 71, Section 71.14(c), the DEP is hereby requesting written comments on this proposal from the affected municipality and local planning agency. Written comments may be submitted to DEP no later than forty-five (45) days from April 23, 2024, when the request was received, which would be June 7, 2024. Upon receipt of all pertinent information, the Department will complete its review of the proposal and render its decision within 120 days.
- Mr. Sandmeyer asked that the Zoning Officer explain this item.
- The Zoning Officer explained that DEP received a private request from a resident requesting that sewer be run to the Edgehill area to connect the area to public sewer. There are 136 properties in this area with on-lot systems. Of those, 10 have cesspools. All are operating as they should be. Some are the original systems, but we do not know the age of them.
- This resident would like to have the sewer run to that area under Act 537. We are under the County's Plan. This Act basically states that the Township must have a plan that sometime in the future there needs to be availability of sewer to all residents.
- The area presents a lot of problems with topography, elevation, and the sewer line that this area flows to is the Tyler Run interceptor, owned by York Township. York Township does not have any more flow available at this interceptor, unless they make it bigger. They are hesitant to do that because it only benefits Spring Garden Township and it is a multi-million-dollar project.
- Another option could possibly be a Township-owned pump station which presents its own difficulties. It is expensive to build and maintain and would have to be pumped up to Tri Hill Rd. Once there we would still need to verify that there is enough flow available to York City.
- DEP is asking for the Planning Commission to either provide comments or not as to whether you would like to move forward with a project and why.
- Mr. Davidson stated that this proposes an interesting situation in that it would be very expensive. We have looked at different alternatives over the years. Very deep gravity sewers in the street to very shallow gravity sewers; one in the front yards and one in the back yards which requires acquiring right-of-ways in the back yards. Pressure systems, grinder pump systems going into manifold pump mains and pumping it uphill. All of which are expensive. The way the Township has always handled sanitary sewer projects is to have the residents being served by the project foot the bill with front-foot assessments, just like they did in Wyndham Hills. The philosophy behind this is that it is not fair to have someone in Windsor Park pay for sewers being installed in Edgehill.
- The practical problem is the capacity of the receiving interceptor at Tyler Run. York Township has no incentive to upgrade that interceptor for the sole benefit of Spring Garden Township. Parenthetically if Spring Garden Township were to say we would pay for the upgrade to the York Township interceptor that would increase the cost to those 136 residents astronomically.
- Another option would be to pump it across Queen Street which would require a pump station somewhere down along 83 and then pumping it all the way up to Queen Street and that would

eventually end up at the Poorhouse Run interceptor, which we don't know if there is a capacity issue or not. Even without capacity issues at Poorhouse Run the cost of building a pump station would be extremely high, and there are maintenance costs as well.

- There is no reasonable, affordable option to run sewer to that area until York Township upgrades that interceptor, and it will still be very expensive, but it would be the least expensive option.
- Mr. Sandmeyer asked if there are failures of the existing systems.
- The Zoning Officer stated that there are none. Our Sewage Enforcement Officer has direction from DEP that if a system fails, they will look at all options and alternatives to make sure that the system can be repaired or replaced.
- They may need to have them pumped more frequently per York County Planning Commission if the three-year rotation mandated by the Township Ordinance is not working.
- Unless the on-lot system is a cesspool, inspections are not required prior to pumping and the pumper does the inspection. If there are any failures found, the SEO is called in to investigate.
- The Zoning Officer wrote a letter as a response to DEP, read the letter to the Board, and asked if the Board would like that to be their response to DEP.
- Mr. Sandmeyer asked if the requesting resident understands that this would be a cost to the residents.
- The Zoning Officer confirmed that she has had numerous conversations with the resident, and he should be aware of the costs to the residents that this sewer line would serve.
- Mr. Sandmeyer stated that he feels that the cost to do this just for a few residents is just too costly.
- There would be an assessment that would be paid to the Township. The Township would have to get a loan and the residents' assessments would pay for it.
- The Board felt the letter the Zoning Officer provided would be good to send to DEP.
- Mr. Davidson asked what the next steps are.
- The Zoning Officer explained that once the letter is received by DEP, the Department will complete its review of the proposal and render its decision within 120 days.
- York County Planning Commission is not providing feedback as their stance has not changed.
- Ms. Mitten asked if any other residents in the area have requested this or made comments about this?
- The Zoning Officer stated that no other residents have expressed any concern regarding this.
- Ms. Mitten asked if the residents were aware that this resident sent in this request?
- The Zoning Officer is not aware if they are or not.
- Ms. Mitten pointed out that this gentleman sent in this request and could be upheaving the costs for 135 other properties.
- The Board approved that the comprehensive letter written by the Zoning Officer should be sent on their behalf to DEP in response to the request.

With no further business to address, motion to adjourn by Mr. Sears, seconded by Ms. Mitten. All in favor. The meeting adjourned at 7:02 pm.

Respectfully submitted,  
Dawn Hansen, Zoning Officer