

**West Sadsbury Township
Planning Commission Meeting
February 22, 2022**

Planning Commission members in attendance were Ed Haas, Benueal Stoltzfus, Ken Umble, Chuck Eggen, Art Wright and Deidre Hosier (Alt.). Casey Kerschner from Becker Engineering was also present.

Also in attendance were Trudy Haas, Frank Haas, Robert Tompkins (Borrega Solar), Jesse Condon (Register), Robert Hosier, Jonathan Lapp, Tom Matteson (Diehm & Sons), Aaron Zook, Anthony Hostetter (Hoover Buildings), Charles Kauffman, Jason Chapman, Elmer King (Kings Swings), David Newswanger, Darren Devoe, Leon King, Aaron King Jr., Sam King, Simeon Stoltzfus

The meeting was called to order at 7:30 PM. Ed Haas read the January Minutes. A Motion to correct the minutes and accept the corrected January Minutes was made by Ed Haas. Seconded by Ken Umble. The Motion passed 6-0.

Regional Planning Commission Report

- None

OLD BUSINESS

- A. King Swings - Pre./Final Land Development & Lot Add-On Plan (Date of Action: 04/24/2022)**
- a. Applicant is working on getting correspondence back from the Conservation District
 - b. Applicant has not heard back from Bill Beers, West Sadsbury Zoning Officer, regarding Zoning issues
 - c. Applicant does not object to Planning Commission's advisory comment regarding landscaping on the property
 - d. The Planning Commission does not recommend the township seek additional right of way on the property, 30' from CL.
 - e. Riparian Buffer – Applicant is changing fencing to keep the riparian buffer separate from the construction area
 - f. PennDOT made need to rebuild the shoulder and replace the lane on Lower Valley Road. Currently conducting core borings.
 - g. Township satisfied with 150' Riparian Buffer approach for Volume Control

(Note: The following waivers/modifications/deferrals were requested by the applicant's consultant in the waiver request letter dated October 12, 2021, revised January 26, 2022). Motions were recommended by approval as requested:

- **Motion:** to recommend approval of a waiver/modification of §22-305 of the West Sadsbury Township Subdivision and Land Development Ordinance, related Preliminary Plan Application, and to allow the plan to be processed as a Preliminary/Final Plan. (Motion by Ed Haas, second by Charles Eggen. Motion passes 6-0.)
- **Motion:** to recommend approval a waiver/modification of §22-402.3.B & §22-403.1 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to Preliminary Plan and Final Plan Submissions and to eliminate the requirement to show the

location and the size of water and feeder lines, well, sewage disposal systems, fire hydrants, gas, electric, and oil transmission lines 400' beyond the property. (Motion by Ed Haas, second by Benuel Stoltzfus, Motion passes 6-0)

- **Motion:** to recommend approval of a waiver/modification of §22-402.4.B of the West Sadsbury Township Subdivision and Land Development Ordinance, related to plan scale, and to allow some Sheets to be drawn at 1"=200'. (Motion by Ed Haas, second by Art Wright. Motion passes 6-0)
 - **Motion:** to recommend approval of a deferral of §22-508 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to the installation of sidewalks on both sides of the street (Lower Valley Road). (Motion by Ed Haas, second by Art Wright. Motion passes 6-0)
 - **Motion:** to recommend approval of a deferral of §22-509 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to the installation of street lights along Lower Valley Road. (Motion by Ed Haas, second by Art Wright. Motion passes 6-0)
 - **Motion:** to recommend approval of a waiver/modification of §22-608.1.B, which requires access drives exceeding 6% to include a 75' leveling area, and to allow a driveway to be installed at a consistent 8% grade (Motion by Ed Haas, second by Benuel Stoltzfus. Motion passes 6-0)
 - **Motion:** to recommend approval of a waiver/modification of §28-311.C.1.(b)[2] related to on-site inlet sumps, and allow top grates to remain as designed. (Motion by Ed Haas, second by Ken Umble. Motion passes 6-0)
 - **Motion:** to recommend approval of a deferral of §22-507 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to providing curbing wherever sidewalks are to be constructed along streets (Lower Valley Road). (Motion by Ed Haas, second by Art Wright. Motion passes 6-0)
 - **Motion:** to recommend conditional approval, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 2, dated February 14, 2022, and all additional issues/items Becker Engineering may address in future review letters. (Motion by Ed Haas, second by Ken Umble. Motion passes 6-0).
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B. Mike Bontrager – Final Minor Subdivision Plan (Date of Action: 05/02/2022)

- a. Township wants PennDOT HOP for access
- b. Township does not think a sketch plan for any type of future development is necessary at this time, due to long frontage and size of subdivided property.
- c. Township does not think formal motions to defer public improvements (street lights, street trees, curb & sidewalk) necessary at this time, will be evaluated as part of future development.

Note: The following waivers/modifications/deferrals were requested by the applicant's consultant in the waiver request letter dated January 19, 2022). Motions were recommended by approval as requested:

- **Motion:** to recommend approval of a waiver/modification of §22-402.3.C.(6) of the West Sadsbury Township Subdivision and Land Development Ordinance, related requiring a wetland delineation on the plans. Note 14 & 19 note that wetlands are present on-site. (Motion by Ed Haas, second by Benuel Stoltzfus. Motion passes 6-0)
- **Motion:** to recommend approval of a waiver/modification of §22-403.1 of the West Sadsbury Township Subdivision and Land Development Ordinance, related to Final Plan Submissions and to eliminate the requirement to show the location and the size of water

and feeder lines, well, sewage disposal systems, fire hydrants, gas, electric and oil transmission lines 400' beyond the property. (Motion by Ed Haas, second by Ken Umble. Motion passes 6-0)

- **Motion:** to recommend approval of a waiver/modification of §22-403.2.B of the West Sadsbury Township Subdivision and Land Development Ordinance, related to requiring industrial / commercial site capacity determination calculations. This waiver/modification would not waive or modify any requirements set forth by the Zoning Ordinance and as required by the Zoning Officer. (Motion by Ed Haas, second by Benuel Stoltzfus. Motion passes 6-0)
- **Motion:** to recommend approval of a waiver/modification of §22-403.10.K of the West Sadsbury Township Subdivision and Land Development Ordinance, related to various impact study's, reports and analysis'. (Motion by Ed Haas, second by Ken Umble. Motion passes 6-0)
- **Motion:** to recommend approval of a waiver/modification of §22-502.1.A of the West Sadsbury Township Subdivision and Land Development Ordinance, related to requiring concrete monuments and instead utilize re-rods. (Motion by Ed Haas, second by Art Wright. Motion passes 6-0)
- **Motion:** to discover an existing or acquire a Highway Occupancy Permit for a driveway on the parent tract of the property from the Pennsylvania Department of Transportation (PennDOT). (Motion by Ed Haas, second by Benuel Stoltzfus. Motion passes 6-0)
- **Motion:** to recommend conditional approval, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 2, dated February 15, 2022, and all motions of the West Sadsbury Township Planning Commission including the discovery/issuance of an HOP. (Motion by Ed Haas, second by Ken Umble. Motion passes 6-0)

NEW BUSINESS

A. Jonathan B. and Ester M Lapp (1300 Swan Road) – SWM Plan (Action Date: 4/25/2022)

- **Motion:** to recommend conditional approval, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 1, dated February 18, 2022. (Motion by Ken Umble, second by Benuel Stoltzfus. Motion passes 5-1).

B. Reuben Kauffman (4451 Church Road) – SWM Plan (Action Date: 5/23/2022)

- **Motion:** to recommend conditional approval, conditioned upon the applicant's consultant addressing the comments in the Becker Engineering Review Letter No. 1, dated February 18, 2022. (Motion by Ed Haas, second by Charles Eggen. Motion passes 6-0)

C. Leon S. King (3100 N. Limestone Road)

- Leon King appeared before the Planning Commission to discuss a request to utilize an existing building on the property at 3100 N. Limestone Road for a horse. The property does not meet the Zoning Ordinances of West Sadsbury Township and will require a Zoning Hearing regarding the site. King will file for a Zoning Hearing. Planning Commission Chairman Ed Haas stated he would assist Leon King in filling out the paperwork following the meeting.

D. **Borrego Solar (350 Zion Hill Road)**

- Robert Tompkins of Borrego Solar appeared before the Planning Commission to provide information regarding a potential future solar project in West Sadsbury along the township's border with the Borough of Atglen. Questions regarding the township's ordinance(s) pertaining to solar panels were raised. Chairman Ed Haas will forward the ordinance to the Township Solicitor Helen Esbenshade for an opinion regarding its applicability and compliance with current County of Chester, Commonwealth of Pennsylvania and United States Federal laws.

ZONING HEARING BOARD UPDATES

1. None

MISCELLANEOUS

Aaron King Jr (6600 N. Moscow Road) stated his desired interest to serve as an alternate for the Planning Commission if a position becomes available.

A Motion to adjourn the meeting was made by Ed and seconded by Ken Umble. The Motion passed and the meeting adjourned at 10:15 p.m. The next meeting will be Tuesday, March 22, 2022, at 7:30 PM.

Respectfully submitted,

Ed Haas

Chairman, West Sadsbury Township Planning Commission