

MINUTES
PUBLIC WORKS COMMITTEE
MAY 6, 2024

The Penn Township Public Works Committee convened on Monday, May 6, 2024, meeting at 7:36 p.m., following the Public Safety Committee Meeting. Present were Chairman Baile, Commissioners Berlingo, Brown, Elksnis and Heiland. Also present were Police Lieutenant Merwede, Fire Chief Clouser, Township Engineer Bortner, Zoning Officer Smith, and Township Secretary Sweeney. Township Manager Ledley was absent with notice. The following items were discussed:

ANNOUNCEMENTS: There were none.

APPROVAL OF THE MINUTES: The minutes of the April 1, 2024, Public Works Committee meeting were approved as submitted.

CITIZEN'S COMMENTS: There were none.

-
BONDS: Township Engineer Bortner suggested setting the bond amount for South Heights Manor, LP at \$34,870.00, and the maintenance bonds for Stonewicke Ph 1 at \$264,544.63, and Stonewicke Ph 2 at \$111,958.05. The Committee recommended approving the amounts.

SUBDIVISION AND LAND DEVELOPMENT PLANS: Township Engineer Bortner provided the Committee with a review of the current Subdivision and Land Development Plans. Current Plans are:

- SL17-10 – Mustang Pointe
- SL21-05 – Elsner Engineering Works
- SL22-01 – Water Street Four, LLC
- SL22-10 - 934 Baltimore Street – Cody Bentzel
- SL22-11 – Liberty Restoration & Construction, LLC
- SL24-02 – 37 Industrial Drive – Yazoo Mills
- SL24-03 – Holland Construction – 100 Blettner Avenue
- SL24-04 – South Heights Manor, LP – 116 Onyx Drive
- SL24-05 – LCBC Hanover – 1504 Broadway
- SL24-06 – Snyder's-Lance – 1401 York Street & York Street (Un-addressed)

Commissioner Brown stated that there are many questions regarding the plan for Snyder's-Lance and Kris Raubenstine, of Hanover Land Services, Inc. has been requested to have someone representing Snyder's-Lance attend an upcoming meeting to address the Committee's questions. Mr. Raubenstine reported that he already had submitted the request. He added that the intention of the subdivision is to put the building on its own lot.

LCBC WAIVER REQUEST: The Committee received a request dated March 15, 2024, from RGS Associates for waivers to the following Zoning Ordinance: Article IV, Section 405 – Final Plan Scale, Article V, Section 505.C and 505.K.(1) – Existing Road Frontage and Sidewalk, Section

505.K – Curbs, Section 605 – Bufferyard along Arterial Street, Article III, Section 258-12 – Volume Controls, Sections 268-15.B(3) and 268-15.B(4)(a) - Additional Stormwater Management Design Standards. Engineer Bortner reported the project includes expanding the church from 200 to 400 seats and increasing parking from 158 to 220 spaces. The Planning Commission provided favorable recommendations for all but the chain-link fence and was tied on the buffer yard along Broadway thus resulting in an unfavorable recommendation. Concerns were raised about increased traffic onto Broadway. Previously, the church managed traffic on Sundays with cones and an officer, which was flagged as unacceptable, and they were reminded not to repeat this practice. The Planning Commission's recommendations will be presented as seven separate motions to the Board of Commissioners, with a preference for individual discussions and votes on each waiver. The main unresolved issue was whether the church's proposed buffer yard changes, reducing from eight feet to five feet for headlight screening, were appropriate. The planning commission also discussed stormwater management, specifically the differences between detention and retention ponds and the implications for the site. The Planning Commission's final stance was to maintain the existing buffer while addressing specific concerns about stormwater facilities and ensuring compliance with the overall community standards.

SOUTH HEIGHTS MANOR, LP WAIVER REQUEST: The Committee received a request dated March 29, 2024, from Hanover Land Services, Inc. on behalf of South Heights Manor, LP requesting a waiver to Section 509(a)-Lots and Lot Sizes of the Subdivision and Land Development Ordinance. Mr. Kris Raubenstine, Hanover Land Services, Inc. reported the request involves the subdivision of a large, oddly shaped lot adjoining Onyx Drive and stretching towards Cooper Road. The subdivision aims to create Lot 51 along Onyx Drive and Lot 62, the remaining portion with river frontage along Cooper River. The waiver sought pertains to the lot width-to-depth ratio as the existing land configuration does not comply with ordinance requirements due to the natural shape of the property. Additionally, a small, triangular section of 0.02 acres from Mr. Danner's property will be added to Lot 62 to create a straight boundary line. The Planning Commission found the request straightforward and had no significant issues or questions, resulting in a favorable recommendation.

YAZOO MILLS WAIVER REQUEST: The Committee received a request dated April 8, 2024, from DC Gohn Associates on behalf of Yazoo Mills for a waiver to Section 306.B.3 – Side Slopes of the Stormwater Management Ordinance. Engineer Bortner reported the request focuses on proposals for rain gardens and bioretention basins with side slopes adjusted from the ordinance-required four-to-one to three-to-one, which would optimize surface area. Yazoo Mills plans to install fences around these facilities. The request is similar to past projects, such as Aqua Phoenix, involving retention ponds and rain gardens in a flood-prone area near Oil Creek. The primary concern addressed was preventing downstream flooding, a problem previously experienced in the neighborhood. The revised slope is intended to facilitate maintenance, with most basins in the township already using three-to-one slopes. The ordinance mandates fencing for open-top facilities to enhance safety, addressing potential risks associated with steeper slopes. The Planning Commission concluded that the proposed changes should not cause downstream issues and recommended adding this request to the meeting agenda for further discussion.

MS4 UPDATE: Township Engineer Bortner reported the MS4 task force meeting held last Thursday, the main focus was on the review of MCM (Minimum Control Measure) number three, which pertains to illicit discharge detection and elimination. This follows the review of MCM one and two from the previous month. A progress report on the three BMP (Best Management Practices) upgrades on the west side of town was submitted to the York County Stormwater Consortium. During the meeting, a question was raised about whether the MS4 ordinance includes prohibitions against residents leaving grass clippings in the road. It was clarified that while the Township prefers residents not to place yard waste in the road, such issues fall under code enforcement rather than the MS4 ordinance. The task force is also considering the broader implications of brush and limb collection and leaf collection as part of the MS4 initiatives.

EXTENSION REQUESTS: Zoning Officer Smith submitted extension requests for SL17-10 Mustang Pointe, SL21-05 Elsner Engineering Works, Inc., SL22-01 Water Street Four, LLC, SL24-02 37 Industrial Drive, SL24-03 Holland Construction – 100 Blettner Avenue. The Committee recommended approving the requests.

RECREATION-SOUTH WESTERN RECREATION COMMISSION SUMMER PROGRAM: Commissioner Heiland reported that an email was received from Jeff Mummer from Southwest informing us about significant changes to the funding structure for a school program. The School Board increased their contribution of \$12,000, to \$24,000 this year. However, they plan to introduce a \$50 fee per individual registering for the program to help offset the increased costs, but it's unclear whether the fee will be charged to parents directly for their children's participation. There is an ongoing discussion among school board members about the appropriate allocation of school versus township taxes for such programs. Currently, we contribute about \$3,000 annually, while the school board, other municipalities, PTOs, and fund drives cover the rest. Commissioner Heiland will try to obtain more information and keep the Committee up to date.

OTHER MATTERS: An email was received from the organizer of the Memorial Day parade requesting a headcount for participants. He has reserved one car and needs to know how many council members will be attending. Before leaving the meeting, all members need to confirm their participation so that a response can be sent promptly. It's noted that one member will participate in the parade but not with the Township. The goal is to ensure there is adequate car space for everyone involved.

CITIZEN'S COMMENTS REGARDING THE DISCUSSION ITEMS: Mr. Kris Raubenstine, Hanover Land Services addressed the Committee. He spoke regarding the discussion of the requirement for fences around stormwater management facilities, with a particular focus on their aesthetic impact and necessity. Mr. Raubenstine expressed concerns about the visual appeal of large, mandatory fences, as an example in residential areas like the upcoming 55 and older Devner Landing Community. He highlighted the engineering challenges posed by designing these facilities to accommodate both small and significant storm events, resulting in large, shallow basins that are generally less than four feet deep. The Committee discussed the flexibility allowed by the ordinance, noting that while chain link or split rail fences are common, higher

quality, more aesthetically pleasing options like black aluminum fencing have been used successfully in other developments. The Committee stressed the importance of safety and liability concerns, particularly in preventing accidents involving children and animals. Mr. Raubenstine suggested the possibility of including specific language in development plans to mitigate the Township's liability, although concerns were raised about the practicality and enforceability of such measures. The Committee acknowledged the complexity of balancing safety, aesthetics, and regulatory requirements, noting that the DEP's BMP manual and the UCC code provide guidelines but leave room for local interpretation and flexibility. The discussion concluded with a consensus on the need for ongoing dialogue and consideration of all factors involved in stormwater management and fencing requirements.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Donna M. Sweeney,
Township Secretary