

MINUTES OF  
SPRING GARDEN TOWNSHIP PLANNING COMMISSION  
September 5 , 2023

**CALL TO ORDER:** The monthly meeting of the Spring Garden Township Planning Commission was held on September 5, 2023, in the Township Municipal Building, 340 Tri Hill Road, York PA. Robert Sandmeyer called the meeting to order at 6:02 p.m.

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

**PUBLIC COMMENT PERIOD:** No public comment

**APPROVAL OF MINUTES:** Ms. Mitten made a motion to approve the minutes of the August 1, 2023, meeting. Seconded by Mr. DeHaas. All in favor, motion carried.

**ZONING APPLICATIONS:**

- **125-05-23: 1000 Indian Rock Dam Rd** – York College- has filed a Special Exception request to Section 310-35.C(2) to replace one dimensional nonconformity with another dimensional nonconformity. The property is located at York Country Day School, 1000 Indian Rock Dam Rd., York PA and is zoned A-O (Apartment-Office). This was granted a continuance to the October meeting by the Zoning Hearing Board.

**SUBDIVISION/LAND DEVELOPMENT PLANS:**

- **Final Subdivision and Land Development Plan for White Oaks Villas;** four lots and 130 dwelling units. Preliminary Plans were conditionally approved at the Board of Commissioners meeting on July 12, 2023. They have met all the conditions of the preliminary plan.
  - Joe Eisenhower addressed the seven comments from Dave Davidson.
  - Regarding comment number four regarding exploring a permanent connection to Kings Mill Rd, Joe informed the board that he had an email from Joe Darrah’s Attorney, Bob Katherman. It states that there is a “willingness to entertain proposals for use of land owned by him, Joe Darrah, (through entities) for the purpose of providing additional ingress/egress to the Regents Glen site. They are willing to cooperate, within reason, and at no expense to Darrah entities.”
  - Item #1 will be addressed on the next plan submission.
  - Item #2, Note 16, will be addressed to the Board of Commissioners.
  - Item #3, they will be cleaning up issues with the Lot Address Table and footprint issue in the Declarations Table that has been shared with the Township that made reference to the single-family lots that were left over from the previous plan.
  - Item #5, the 100-ft. right-of-way to Indian Rock Dam Road is to be eliminated (sheets 3 and 4). This should be resolved or dismissed before it is removed from the plan. Dave Davidson commented that this should not be removed until the secondary point of access is resolved. If the plan is presented with the 100’ right-of-way staying on the plan, it would mean that there will be Townhouse built in the right-of-way. The secondary access will address this and then it can be removed.

- Mr. DeHaas asked for clarification of Item #3 regarding what is considered the lot.
- Joe Eisenhour said there are 4 lots, and within the 4 lots there 130 units. It is under the Planned Community Act and is standard practice. This will be worked out in the HOA Agreement and Declaration of Covenants.
- Mr. DeHaas discussed the email from Attorney Katherman and that the door has been opened to access to Kings Mill Road and the removal of 100' right-of-way. He is concerned about the validity of the connection to Kings Mill Road.
- Joe Eisenhour and John Inch commented they are both confident that this will happen.
- Mr. DeHaas questioned if the recreation agreement be held in the Developers Agreement? Joe Eisenhour stated that he will be working with the Solicitor for a separate recreation agreement showing that the recreation dedication will encompass all future developments, identified by Parcel number, in Regents Glen and will be amended as necessary for any changes from the projected yield from all developments. This would be a stand-alone agreement and noted on the plan.
- There was continued discussion on secondary access.

Mr. DeHaas made a motion to approve recommendation of the Final Subdivision and Land Development Plan of White Oaks to the Board of Commissioners with the following conditions:

1. A nonseparation clause should be added to the plan notes.
2. A Developer Agreement should be reached that addresses the potential for reimbursement to the Developer for sanitary sewer construction.
3. The plan should include the Owner's notarized signature, Engineer's seal and signature, and Landscapers Architectural Seal and Signature.
4. Bond and Security for proposed improvements (sewers, landscaping, stormwater, streets, lighting, erosion control) must be posted before the final plan approval.
5. The proposed Recreation agreement should be finalized and note addressing the properties included in this agreement should be added to the plan sets.
6. The Solicitor should approve the HOA Agreement and Declaration of Covenants.
7. All appropriate regulatory approvals should be noted on the plan including the approved Sewage Facility Planning Module and approved NPDES permit.
8. The developer agrees to reach a resolution to the secondary access issue before any further plans pertaining to Lot 86 are approved.

Amy Mitten seconded the motion.

Mr. DeHaas made the point that he feels a resolution should be reached prior to any other development on any of the properties in Regents Glen.

With no further business to address, motion to adjourn by Ms. Mitten, seconded by Mr. DeHaas. All in favor. The meeting adjourned at 7:09 pm.

Respectfully submitted,  
Dawn Hansen, Zoning Officer