



# Hellam Township Planning Commission Subdivision Plan Briefing

3C

<b>Application Number:</b>	SL-22-02	<b>Meeting Date:</b>	06/08/23
<b>Applicant(s):</b>	Warehaus c/o Joe Stein	<b>Parcel ID:</b>	LL-70, 70V, 69D & 51
<b>Property Owner(s):</b>	Robert & Agnes Blessing et al	<b>Lot Size:</b>	Total 270.62 acres
<b>Property Location:</b>	Various Locations	<b>Zoning:</b>	RA, C/I and MU-2

### Project Narrative:

1. The applicant is requesting approval of a subdivision plan, attached hereto as **Exhibit A**. This plan proposes to reallocate lot lines for family redistribution of land only. Four parcels will be subdivided to create six lots. Four of the lots do not comply with the Zoning Ordinance as they exceed the maximum lot size of 2.5 acres. Variance Z-2023-6 was granted by the Zoning Hearing Board on March 28, 2023.

The following Exhibits are attached hereto:

- A. Application plans
- B. York County Planning Commission comments dated January 17, 2023.
- C. CS Davidson, Township Engineer's latest subdivision comments dated May 30, 2023.

### Property Characteristics:

1. The subject properties in the Rural Agricultural Zone are mostly farmed with some woodland and a single-family dwelling.
2. Parcel LL-51 is not a contiguous parcel and is zoned Rural Agricultural, Commercial/Industrial and Mixed-Use 2.
3. Parcels LL-69D and part of parcel LL-51 are located in the TDR Sending Overlay Zone. The use of TDRs is not required for the proposed subdivision.
4. Part of parcels LL-70, LL-69D and LL-51 are located in the Riparian Buffer and Steep Slope Overlay Zone.
5. In 2002 a variance was approved for an over-sized off-premise directional sign for parcel LL-51.
6. In March of 2023, the Board of Supervisors granted waivers which are noted on the plan.
7. Adjacent properties:

	Use	Zoning
<b>North</b>	Residential & Commercial	RA
<b>South</b>	Residential & Golf Course	MU-2
<b>West</b>	Residential, Commercial & Agriculture	RA & C/I
<b>East</b>	Residential, Commercial & Agriculture	RA, C/I & MU-2

**Project Background:**

1. The subdivision plan was reviewed by the York County Planning Commission on January 17, 2023. Those comments are attached hereto as **Exhibit B.**
2. The subdivision plan was last reviewed by the Hellam Township engineer, CS Davidson, on May 30, 2023. Those comments are attached hereto as **Exhibit C.**

**General Notes:**

- 1.

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***This briefing represents the views and comments of the Hellam Township staff only and should not be construed as a final approval or denial of this application. The Planning Commission Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Planning Commission Members.***

PLANNING  
COMMISSION

REPORT TO MUNICIPALITY OF REVIEW OF FINAL  
SUBDIVISION AND LAND DEVELOPMENT APPLICATION

January 17, 2023

Mr. Todd Trimmer, Chair  
Hellam Township Board of Supervisors  
471 Frysville Road  
York, PA 17406

Mary E. Coble  
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Director

Jeffrey L. Rehmeyer II  
Solicitor

Re: Blessings Farm  
Dark Hollow Road/Cool Springs Road  
6 Lots – *Final Subdivision Plan*  
YCPC File #31-22-12-05-0260

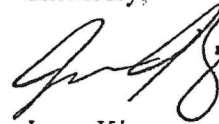
Dear Mr. Trimmer:

The above captioned Final Subdivision and Land Development application has been reviewed by the York County Planning Commission staff. Attached are comments made as a result of our review of the application. These comments are made in reference to the municipal ordinances and plans, the County Comprehensive Plan, and/or general planning concerns, and do not constitute approval or disapproval of this application. That decision rests solely with the municipality.

According to the Pennsylvania Municipalities Planning Code, upon the approval of a final plat, the developer shall within 90 days of such final approval, or 90 days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed for such approval, whichever is later, record such plat in the York County Recorder of Deeds office. The York County Recorder of Deeds office shall not accept any plat for recording, unless such plat officially notes the approval of the governing body and review by the York County Planning Commission staff.

Please contact this office if there are any questions concerning this report.

Sincerely,



Jesse King  
Senior Planner

Encl. Copies of this review have been sent to:

- |                                   |                              |
|-----------------------------------|------------------------------|
| (X) Municipal Manager             | (X) Municipal Zoning Officer |
| (X) Municipal Planning Comm. Chr. | (X) Applicant                |
| (X) Municipal Engineer            | (X) Applicant's Surv./Engr.  |

EQUAL  
OPPORTUNITY  
EMPLOYER

**Exhibit D**

## BLESSINGS FARM

Dark Hollow Road/Cool Springs Road  
6 Lots – Final Subdivision Plan  
YCPC File # 31-22-12-05-0260

### These comments refer to the Hellam Township Zoning Ordinance:

1. A portion of the Subdivision is located within the TDR Sending District Overlay. This should be noted on the plan.
2. (s.490-12.D.(3)) Limitations on subdivision/land development – All other uses. No subdivision shall be permitted unless a parcel is divided into or among two or more farms which will after transfer each contain 50 acres or more of land. This shall not prevent a parcel containing less than 50 acres from transferring land to another farm. Lot 3 is proposed to total 43.08 acres, and does not appear to meet this requirement. The lot area requirement of this section supersedes the Table of Dimensional Requirements for the Rural Agricultural (RA) Zone, which states that the minimum required lot area for all uses is 2 acres.
3. (s.490-12.L.(1)) Each lot shall be located so that the remainder of the tract from which such lot is subdivided shall be configured in a manner to best facilitate agricultural operations on the remainder and, to the maximum extent feasible, contain the soils of the highest agricultural land capability. Township officials should verify that this requirement is being met with the proposed lot configuration.
4. (s.490-12.L.(3)) Each lot shall be located in a manner to minimize division of or barriers within agricultural or open space lands. Township officials should verify that this requirement is being met with the proposed lot configuration.
5. (s.490-12.L.) The minimum required lot width in the RA Zone is 200' at the building setback line, and 110' at the street right-of-way line. Revise Site Data note 14 on Sheet 2. Lot 2 appears to be proposing to measure its lot width along Arsenal Road, which is a limited access highway. Lot width should be measured along Dark Hollow Road instead. Lot 2 does not meet the required minimum lot width, as it does not have 110' of frontage at the street right-of-way line for Dark Hollow Road, is not 200' wide at the required front building setback line, and it does not qualify as a flag lot, as it has more than 50' of frontage along Dark Hollow Road (see definition for "LOT, FLAG").
6. (s.490-29.) All corner lots must have a front yard along each public street. Lot 5 does not meet this requirement.

### These comments refer to the Hellam Township Subdivision and Land Development Ordinance:

1. The following information is required by the Ordinance to be shown on or provided with the plan:
  - a. (s.430-10.D. & 430-12.A.(1)) Preliminary Plans. ***A waiver has been requested.***
  - b. (s.430-17.A.(6) & 430-17.C.(1)) All plans shall include existing features. ***A waiver has been requested from Section 430-17.C.(1)(a)[1].***
  - c. (s.430-17.B.(3)) The location map on the cover sheet of the plan should be revised to include Parcel 31-LL-70.V.
  - d. (s.430-17.B.(11)) A statement on the plan identifying any existing nonconforming structures/uses. If applicable, the existing dwelling on Proposed Lot 5 along Lincoln Highway should be identified as an existing nonconformity, as it appears to be located within the required front setback.
  - e. (s.430-17.B.(13)) The names of all immediately adjacent landowners. Include the owner information for the parcels north of Dark Hollow Road and Cool Springs Road.
  - f. (s.430-17.B.(16)) The location of any feature established on the Official Map. The Area of the Continuous Canopy Woodland Corridor Reservation should be shown on the plan, as well as PA Bike Route "S" along the Lincoln Highway.
  - g. (s.430-17.B.(18)) Township officials should verify that the available transferable development rights for each parcel are correct on the plan.

- h. (s.430-17.C.(1)(a)[1]) Topography of the site shall be identified with 2' contours. Steep slope areas shall be specifically identified in categories of 15% to 25% and greater than 25%. ***A waiver has been requested.***
  - i. (s.430-17.C.(1)(a)[3]) The delineation of wetland areas must be provided on the plan, where applicable.
  - j. (s.430-17.C.(1)(a)[4]) Delineation of watercourses. The tributary to the Susquehanna River along Dark Hollow Road should be shown on the plan, along with the required riparian buffer.
  - k. (s.430-17.C.(1)(a)[6]) Delineation of the location of unique geologic features. ***A waiver has been requested.***
  - l. (s.430-17.C.(1)(a)[8]) Delineation of the location of woodlands and woodland reservation areas on the official Map. ***A waiver has been requested.***
  - m. (s.430-17.C.(1)(b)) The location and size of man-made features, and any associated easements or rights-of-way. ***A waiver has been requested.***
  - n. (s.430-17.D.(5)) the following information required by this section should be provided on the plan with the Site Data on Sheet 2 (***A waiver has been requested:***):
    - (1) Proposed land use (revise Site Data Note 3 to mention the single family detached dwelling on Proposed Lot 4).
    - (2) The criteria needed to calculate the proposed lot coverage of each lot.
  - o. (s.430-17.D.(17)) The location and results of all soil percolation and test pits for on-lot sanitary sewage disposal systems and replacement absorption areas, if applicable.
  - p. (s.430-17.E.) Accompanying reports. ***A waiver has been requested.***
  - q. (s.430-17.F.(4)) A statement on the plan that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as amended, before any improvements are initiated within a state highway, or a street, access drive, or driveway intersection to a state highway is permitted.
  - r. (s.430-17.F.(7)) An application requesting the review by the York County Conservation District, and the required design data for review by the District. ***A waiver has been requested.***
  - s. (s.430-18.D.(3)) Locational dimensions fore easements with sufficient detail to provide easy on-site location. ***A waiver has been requested.***
  - t. (s.430-18.F.(3)) A notice from PA DEP that a sewer facilities plan revision or supplement has been approved, or notice that a plan revision or supplement is not necessary. ***A waiver has been requested.***
  - u. (s.430-18.F.(4)) The statements of ownership must be signed, dated, and notarized.
  - v. (s.430-18.F.(9)) Where the plan proposes to enlarge an existing lot of record, a deed containing a perimeter legal description for the lot as enlarged, which must be recorded immediately after the deed transferring the land to enlarge the existing lot of record.
  - w. (s.430-18.F.(11)) A statement on the plan that all public improvements will comply with the Township's construction specifications and/or PennDOT standards. ***A waiver has been requested.***
  - x. (s.430-18.F.(15)) The determination of the Zoning Officer of the number of development rights attributable to the parent tract and the number of development rights which remain available for use.
2. (s.430-30.B.) Wetland studies are required by this chapter.
  3. (s.430-32.) Existing wooded areas. Township officials should determine if building envelopes are required to be shown on the plan for the proposed lots that would fall under the requirements of this section at this time.
  4. (s.430-33.C.(1)) Township officials should determine if additional rights-of-way are required for any of the roads adjacent to/within the site.

5. (s.430-33.C.(3)) Township officials should determine if cartway widening is required for any of the roads adjacent to/within the site.
6. (s.430-42.D.(4)) Lot 5 is a through lot. Through lots shall designate one frontage as the rear yard with a minimum depth of 75'. The rear yard shall have a planted landscape screen easement of at least 20' in width located immediately contiguous to the street right-of-way. Vehicular access shall be prohibited from the rear of reverse frontage lots. The plan shall specifically identify the rear yard and the frontage that is used to access the street.

General Comments:

1. Show land joins for existing parcels that are bisected by rights-of-way (Parcel 51).
2. Show land joins where parcel lines are to be extinguished.
3. The location of Roundtop Lane should be shown on the plan to see where the location of proposed driveways will be in relation to the street intersection with Dark Hollow Road. The potential locations of driveways/access to the proposed lots should be shown on the plan in order to verify that access can be reasonably provided to the lots in their proposed configurations.
4. Revise the side setback label on Sheet 6 for Proposed Lot 5 along the eastern property line (should read 15').
5. A new/revised legal description should be prepared for the newly subdivided lots and recorded with the plan so that the County Tax Map is updated.

*\* Please be advised that this review satisfies the requirements of Section 304 of the PA MPC regarding the review of proposed improvements, i.e., new/modified streets and public utilities.*

*\*\* The preceding comments have been prepared by the staff of the York County Planning Commission and constitute a professional planning review, not a legal opinion.*



38 North Duke Street, York, PA 17401 | (717) 846-4805  
50 West Middle Street, Gettysburg, PA 17325 | (717) 337-3021  
315 West James Street, Suite 102, Lancaster, PA 17603 | (717) 481-2991

May 30, 2023

Corina Mann, Township Manager  
44 Walnut Springs Road  
York, PA 17406

RE: Blessing's Farm  
**Final Subdivision Plan**  
Hellam Township, York County, PA  
Engineer's Project No. 1253.3.02.01

Dear Staff:

I have reviewed the above-referenced revised final subdivision plan and offer the following comments:

**Summary of information provided for review is as follows:**

- Blessings Farm Final Subdivision plan, prepared by Warehaus, dated December 2, 2022, last revised April 27, 2023.
- Application for consideration of Subdivision, unsigned and not dated.

**I. Zoning Ordinance Comments:**

1. **Section 490-12.F** –The maximum permitted lot size within the Rural Agriculture Zone is 2.5 Acres and should be listed as so in the site data portion of sheet 2 of 6. The Applicant was granted a variance from the Zoning Hearing Board for this requirement on 3/28/23.

**II. Subdivision and Land Development Ordinance Comments:**

1. **Section 430-10.D** - A Preliminary Plan Application is mandatory for all subdivisions of 5 or more lots. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
2. **Section 430-12.A.1** - A preliminary plan is required for all subdivisions of 5 or more lots. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
3. **Section 430-17.A.(6)** – All plan submissions must include existing features. This is to include but not be limited to all existing land cover, step slopes, water courses, wetlands, geological features, structures, riparian buffers, easements, right-of-ways, etc. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
4. **Section 430-17.B.(18)** – The number of rights of further subdivision must be stated on the plans.
5. **Section 430-17.C.(1)(a)[1][b]** – The plan must be provided with 2 foot contours. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
6. **Section 430-17.C.(1)(a)[3]** – The plan is required to provide wetland information in accordance with this section of the ordinance. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.



7. **Section 430-17.C.(1)(a)[6]** – The plan is required to show all existing unique geological features. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
8. **Section 430-17.C.(1)(a)[8]** – The plan must delineate the location of all lands containing living tree masses with a caliper of six inches or more at the height of four feet above grade, and the location of all woodland reservations on the Official Map. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
9. **Section 430-17.C.(1)(b)** – The plan must include all man-made features as required by this section of the ordinance. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
10. **Section 430-17.E** – Accompanying reports are required as indicated in this section of the Ordinance. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
11. **Section 430-18.F** – The plan must include a signature block for the Township Engineer. This signature block is to be included on each sheet that is to be recorded.
12. **Section 430-18.F.(3)** – A notice from DEP that the sewer facilities plan revision, supplement or non-building waiver has been approved must be provided prior to the recording of the plan. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
13. **Section 430-18.F.(9)** – A deed containing perimeter legal descriptions of the lots being enlarged must be recorded.
14. **Section 430-18.F.(15)** – Since the plan proposes subdivision of a tract located within the Rural Agriculture Zone, it will be required by the Zoning Officer to determine the number of development rights attributable to the parent tract and the number of development rights which remain available for use.
15. **Section 430-30.B** – Wetland studies are required by this chapter. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.
16. **Section 430-32.A** – Any lot proposed to be subdivided that is partially or completely wooded and/or contains isolated groupings or clusters of native overstory trees, not more than 20% of the total lot area may be altered or cleared. The Applicant has stated that a waiver from this section was requested and approved. This information needs to be verified by Township Staff and then formally added to the cover sheet of the plan.
17. **Section 430-33.(C).(3).(a).[1,2 & 3]** – Lincoln Highway (SR 462) is required to be widened along the project frontage to include a 10 paved shoulder along with curbing, Cool Springs Road (SR 1016) is required to be improved along the project frontage to a minimum of a 12 paved travel lane and 8 foot paved shoulder with curbing, and Dark Hollow Road (T-773) and Blessing Lane are required to be improved along the project frontage to a minimum of a 12 paved travel lane and 6 foot paved shoulder with curbing. The Applicant was granted a waiver from this section of the ordinance by the Board of Supervisors on April 20, 2023.

**General Comments:**

1. We would request that after the recording of the approved record plans that the Applicant provides a copy of the newly prepared and recorded deeds for each new lot created.





C.S. DAVIDSON, INC.

If you have questions related to the enclosed information or require any clarification, please do not hesitate to contact me directly at (717) 814-4516 or [cdp@csdavidson.com](mailto:cdp@csdavidson.com).

Respectfully,

A handwritten signature in black ink, appearing to read "C. Peters", written in a cursive style.

Chad D. Peters, P.E.  
Township Engineer

CDP

Copy to: File

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