



Hellam Township Planning Commission Subdivision Plan Briefing

3D

Application Number:	SL-2023-01	PC Meeting:	June 8, 2023
Applicant(s):	Kelli Nelson & Chad Smeltzer	Tax Map Parcel:	LK-94
Property Owner(s):	Kelli Nelson & Chad Smeltzer	Lot Size:	Total 16.334 Acres
Property Location:	5877 & 5889 Furnace Road	Zoning:	RA, Restricted Development Overlay District

Project Narrative:

1. The applicant is requesting approval of a subdivision plan, attached hereto as **Exhibit A**. This plan proposes to create individual lots/parcels for two (2) existing dwellings on the parcel being subdivided. No development or any earth moving activity is proposed at this time.
2. In addition, waivers are being requested from the following sections:
 - § 430-17.A(1) – Plan Scale
 - § 430-17.C(1)(a)[8] – Woodlands Delineation of living tree masses
 - § 430-33.C(3)(a)[1-3] – Roadway Widening
 - § 430-45 – Monument on the street right-of-way lines
 - § 430-48.B – Street Trees

Attached Exhibits:

- A. Subdivision Application, SL-2023-01.
- B. Waiver Requests.
- C. Engineer's latest review letter from Chad Peters at CS Davidson dated May 24, 2023.
- D. York County Planning Commission's review letter dated April 18, 2023.

Property Characteristics:

1. The subject property is in the Rural Agricultural Zone (Restricted Development Overlay District)
2. The subject property is improved with two single-family dwellings.
3. No development is proposed with this plan.
4. Adjacent properties:

	Use	Zoning
North	Rural Ag	RA
South	Rural Ag	RA
West	Rural Ag	RA
East	Rural Ag	RA

Exhibit
A.

HELLAM TOWNSHIP
APPLICATION FOR CONSIDERATION OF A SUBDIVISION AND/OR LAND DEVELOPMENT PLAN

(For Township Use Only)

Township File No: SL-23-01 Date of Filing: 3/10/23 Deadline for Action: _____

Date of Revisions: _____ Date of Revisions: _____

Date of Revisions: _____ Date of Revisions: _____

The undersigned hereby applies for approval under the Hellam Township Subdivision and Land Development Ordinances for the Plan, submitted herewith and described below:

1. Proposed plan name: Kelli L. Nelson & Chad W. Smeltzer

Tax map #: LK Tax parcel #: 94 Plan #: L - 6 0 8 9 Plan date: _____

2. Project location: 5877 & 5889 Furnace Road

3. Name of property owner(s): Kelli L. Nelson & Chad W. Smeltzer

Address: 903 Deer Forest Road York, PA 17406 Phone #: 717-515-2607

Email: _____

4. Name of applicant (if other than owner): _____

Address: _____ Phone #: _____

Email: _____

5. Firm which prepared plan: Gordon L. Brown & Associates, Inc.

Address: 2238 South Queen Street York, PA 17402 Phone #: 717-741-4621

Person responsible for plan: Lee Faircloth

Email: lfaircloth@glba-engineering.com

6. Application classification:
- Pre-application (Section 430-11)
 - Preliminary plan (Section 430-12)
 - Final plan (Section 430-13)
 - Revised preliminary plan (Section 430-12.G)
 - Revised final plan (Section 430-13.H.1)

7. Is a variance, special exception, conditional use or waiver approval necessary or has one been acquired for this property? Yes

Waiver requested for Section 430-17.A.(1) plan scale

HELLAM TOWNSHIP

(For Township Use Only)
Plan No. <u>SL-23-01</u>
Date of Receipt/Filing: <u>3/10/23</u>

APPLICATION FOR

CONSIDERATION OF A WAIVER

The undersigned hereby applies for approval of a wavier, submitted herewith and described below:

1. Name of project: Kelli L. Nelson & Chad W. Smeltzer

2. Project location: 5877 & 5889 Furnance Road

3. Name of property owner(s): Kelli L. Nelson & Chad W. Smeltzer

Address: 903 Deer Forest Road Phone Number: 717-515-2607
York, PA 17406

4. Consulting engineering firm: Gordon L. Brown & Associates, Inc.

Name of project manager: Lee Faircloth
Address: 2238 South Queen Street Phone Number: 741-4621
York, PA 17402

5. Specify section(s) of the Hellam Township Subdivision and Land Development Ordinance for which a Waiver is requested:
430-17. A. (1) - Plan Scale

6. The proposed alternative to the requirement:
Providing a scale of 60 feet to the inch to accommodate the parcel size to shown on one sheet with clarity.

HELLAM TOWNSHIP

(For Township Use Only)

APPLICATION FOR

Plan No. _____

CONSIDERATION OF A WAIVER

Date of Receipt/Filing: _____

The undersigned hereby applies for approval of a wavier, submitted herewith and described below:

1. Name of project: Kelli L. Nelson & Chad W. Smeltzer

2. Project location: 5877 & 5889 Furnance Road

3. Name of property owner(s): Kelli L. Nelson & Chad W. Smeltzer

Address: 903 Deer Forest Road Phone Number: 717-515-2607
 York, PA 17406

4. Consulting engineering firm: Gordon L. Brown & Associates, Inc.

Name of project manager: Lee Faircloth
Address: 2238 South Queen Street Phone Number: 741-4621
 York, PA 17402

5. Specify section(s) of the Hellam Township Subdivision and Land Development Ordinance for which a Waiver is requested:
 SEE ATTACHED SHEET

6. The proposed alternative to the requirement:
 SEE ATTACHED SHEET

7. Justification for the Waiver:

The subdivision proposes creation of two (2) lots to provide the separation of two (2) existing single-family dwellings onto their respective individual parcels.

No other development is proposed by this application.

8. Identification of Plans, Reports, or Supplementary Data, which are part of the Application:

GLBA Dwg. No. L-6089

The undersigned hereby represents that, to the best of his/her knowledge and belief, all information listed above is true, correct and complete.

* Signature: Lee Faircloth, Agent Date: 5-11-2023

* If other than property owner, authorization from owner to sign must be attached.

WAIVERS BEING REQUESTED FOR CONSIDERATION

1. Section 430-17.A. (1)- Plan Scale
Proposed alternative to the requirement:
Providing a scale of 60 feet to the inch to accommodate the parcel size to be shown on one (1) sheet with clarity.
2. Section 430-17.C. (1)(a)(8)- Woodlands Delineation of living tree masses
Proposed alternative to the requirement:
On sheets 2 & 3 of 3 the plan shows the outer perimeter of the woodlands.
3. Section 430-33.(C)(3)(a)(3)- Existing roadway widening
Proposed alternative to the requirement:
Providing six (6) month note. (see Note 28).
4. Section 430-45- Monuments on the street right-of-way lines.
Proposed alternative to the requirement:
Providing rebar at these locations.
5. Section 430-48.B.- Street Trees
Proposed alternative to the requirement:
Both Lot 1 and Lot 2 have mature landscaping.

NATURAL AND CULTURAL FEATURES IMPACT ASSESSMENT (NCFIA)

KELLI L. NELSON & CHAD W. SMELTZER

(a) Steep Slopes:

Existing steep slopes of 15 to 25 percent are shown (shaded) on Sheet 2 and Sheet 3 of the subdivision plan set. No alterations or improvements are proposed within these areas.

(b) Wetlands:

There are no wetlands, water courses or hydric soils located on this parcel. Reference to this is made in Note 19. under "Notes & Site Data" on Sheet 3 of the subdivision plan set.

(c) Groundwater supply:

This subdivision proposes the creation of individual lots/parcels for two (2) existing single-family residential uses both served by existing wells for water supply. No additional uses requiring a groundwater supply are proposed by approval of this subdivision plan.

(d) Geotechnical features:

There are no geological features located on the parcel being subdivided. Reference to this is made in Note 29. under "Notes & Site Data" on Sheet 3 of the subdivision plan set.

(e) Woodlands:

There are woodlands on the parcel being subdivided as shown on Sheet 2 and Sheet 3 of the subdivision plan set. No alterations or disturbance of the woodlands are proposed by this subdivision plan. In accordance with Section 430-32C. (4) of the Hellam Township subdivision and land development ordinance Note 30. under "Notes & Site Data" on Sheet 3 of the subdivision plan set listing protective covenants, relative to the woodlands, to be included in new deeds for Lots 1 and 2.

April 27, 2023

DESCRIPTION OF A DRIVEWAY ACCESS EASEMENT ACROSS LOT 2 IN FAVOR OF
LOT 1 ON PROPERTY BELONGING TO KELLI L. NELSON & CHAD W. SMELTZER
LOCATED IN HELLAM TOWNSHIP, YORK COUNTY, PENNSYLVANIA

BEGINNING at a point in the north side of Furnace Road (S.R. 1008), at Lot 1; thence along the north side of said Furnace Road (S.R. 1008) along the arc of a curve to the left having a radius of four hundred twenty-five and zero one-hundredths (425.00) feet, a distance of twenty-five and three one-hundredths (25.03) feet, the chord of which is North eighty-nine (89) degrees, forty-two (42) minutes, fifty-four (54) seconds West twenty-five and three one-hundredths (25.03) feet to a point, thence through Lot 2 the following two (2) courses and distances: 1) North two (2) degrees, thirty-three (33) minutes, two (02) seconds West, seventy-five and forty-six one-hundredths (75.46) feet to a point, 2) North twenty (20) degrees, twenty-two (22) minutes, twenty-three (23) seconds East, sixty-seven and seventy-one one-hundredths (67.71) feet to a point; thence along the above mentioned Lot 1 the following three (3) courses and distances: 1) South eleven (11) degrees, nineteen (19) minutes, thirty-eight (38) seconds East, sixty-seven and twenty-one one-hundredths (67.21) feet to a point; 2) South eighty-seven (87) degrees, twenty-six (26) minutes, fifty-eight (58) seconds West, eleven and sixty-three one-hundredths (11.63) feet to a point; 3) South two (2) degrees, thirty-three (33) minutes, two (02) seconds East, seventy-two and sixty-five one-hundredths (72.65) feet to a point; the place of Beginning.

Exhibit
C



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 24, 2023

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

RE: Kelli L. Nelson & Chad W. Smeltzer
Final Subdivision Plan
Hellam Township, York County, PA
Engineer's Project No. 1253.3.14.03

Dear Corina:

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

Summary of information provided for review is as follows:

- Kelli L. Nelson & Chad W. Smeltzer Final Subdivision plan, prepared by Gordon L. Brown & Associates, Inc, dated February 27, 2023, last revised April 27, 2023.

I. Subdivision and Land Development Ordinance Comments:

1. **Section 430-17.A.1** – The plan must be provided at a scale of 20 feet, 30 feet, 40 feet, 50 feet, 100 feet or 200 feet to the inch. The plan has been prepared at a scale of 60 feet to the inch. The Applicant has formally requested a waiver from this section of the ordinance.
2. **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 has formally requested a waiver from this section of the ordinance.
3. **Section 430-18.F.4** – The statements of ownership must be signed, dated, and notarized prior to plan recording.
4. **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.
5. **Section 430-18.F.(9)** – A deed containing perimeter legal descriptions of the lots being created must be recorded.
6. **Section 430-33.(C).(a).[3]** – Furnace Road (S.R. 1008) is required to be improved along the project frontage to a minimum of a 12 paved travel lane and 66-foot paved shoulder with curbing. The Applicant has formally requested a waiver from this section of the ordinance and has placed the standard 6 month note on the cover sheet of the plan set.
7. **Section 430-45** – All monuments and markers must be provided in accordance with this section of the ordinance. The Applicant has formally requested a waiver from this section of the ordinance.
8. **Section 430-48.B** – Street trees are required to be provided along Furnace Road (S.R. 1008) as outlined within this section of the ordinance. The Applicant has formally requested a waiver from this section of the ordinance.



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.

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.

Respectfully,

Chad D. Peters, P.E.
Township Engineer

CDP

Copy to: File

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Exhibit
D

PLANNING
COMMISSION

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

April 18, 2023

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

Re: Kelli L. Nelson & Chad W. Smeltzer
Furnace Road
2 Lots – *Final Subdivision Plan*
YCPC File #31-23-03-06-0053

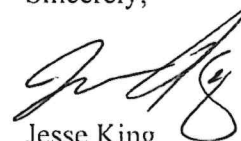
Dear Mr. Trimmer:

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. |

Mary E. Coble
Chairman

Sean P. Kenny
Vice Chairman

Matthew Chronister
Secretary

James J. Morris
Treasurer

Brian Brenneman

Thomas W. Earp

David Gonzalez

Walter A. Kuhl

Bruce Miller

Felicia S. Dell
Director

Jeffrey L. Rehmyer II
Solicitor

EQUAL
OPPORTUNITY
EMPLOYER

KELLI L. NELSON & CHAD W. SMELTZER

Furnace Road

2 Lots – Final Subdivision Plan

YCPC File # 31-23-03-06-0053

These comments refer to the Hellam Township Zoning Ordinance:

1. (s.490-12.L.(4)) For any new lot created which is located in woodlands within the Restricted Overlay District, Continuous canopy, or in woodlands reservations delineated on the Official Map of Hellam Township, written documentation and supporting illustrations drawn to scale specifically setting forth, in acres or square feet, the amount of proposed alterations to the woodlands, shall be required and the percent disturbed area shall be calculated. If no disturbance is proposed, this calculation should still be shown on the plan.

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.430-17.A.(1)) The plan shall be drawn at a scale of 10, 20, 30, 40, 50, 100, or 200' to the inch. **A waiver has been requested.**
 - b. (s.430-17.B.(12)) A deed plotting of the parent tract as it existed on September 5, 1996.
 - c. (s.430-17.B.(13)) The names of all immediately adjacent landowners. Include the owner information for the parcels south of Furnace Road.
 - d. (s.430-17.B.(18)) Township officials should verify that the available transferable development rights for each parcel are correct on the plan.
 - e. (s.430-17.C.(1)) All existing features shall be delineated on both a separate sheet titled "Existing Features" and on the sheets that include proposed features.
 - f. (s.430-17.C.(1)(a)[1][b]) 2' contours shall be provided.
 - g. (s.430-17.C.(1)(b)) The location of man-made features. According to available aerial imagery, there are two accessory structures behind the dwelling on Lot 1.
 - h. (s.430-17.E.) Accompanying reports are required as indicated in this section of the Hellam Township SALDO.
 - i. (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.
 - j. (s.430-18.F.(4)) The statements of ownership must be signed, dated, and notarized.
 - k. (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.
 - l. (s.430-30.B.) Wetland studies are required by this chapter.
 - m. (s.430-32.C.(4)) The protective covenants noted in this section shall be included within the deeds of all approved lots.
2. (s.430-33.C.(1) & s.430-33.C.(3)) Township officials should determine if additional rights-of-way and/or cartway widening are required for Furnace Road.
3. (s.430-47.E.) Each lot served by an on-lot septic system shall be of a size and shape to accommodate the necessary sewage disposal system and a replacement system. The alternate subsurface septic system shall be perpetually protected. The location of the alternate subsurface septic systems for each lot should be shown on the plan.
4. (s.430-48.B.) Street trees shall be provided along all road frontages.

General Comments:

1. Note 24 on Sheet 2 should be expanded upon to refer to the regulations regarding the restoration/reconstruction of non-conforming structures which are damaged or destroyed. Also, the existing dwelling on Lot 1 should be classified as an existing nonconformity, as it will be within the required right-of-way for Furnace Road.
2. 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.

*** 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.*