



**Minutes**  
**WARRINGTON TOWNSHIP PLANNING COMMISSION**  
**October 20, 2022, 7:00 pm**

**MEMBERS**

Richard Rycharski	Chairman	Excused
William Connolly	Vice-Chairman	Present
Herb Rubenstein	Secretary	Present
Ted Cicci	Member	Present
Shawn McGuigan	Member	Present
Bob Watts	Member	Present
Vince Evans	Alternate	Present
Fred Gaines	Alternate	Present
Cindy VanHise, P.E.	Township Engineer, CKS	
Roy Rieder	Zoning Officer	
Christian Jones	Township Assistant Manager	
Doreen Curtin	Deputy Zoning Officer	

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

**No public comments**

Vince Evans seated and will comment and vote on both applications.

**AGENDA ITEMS**

**1. Approval of Minutes**

- a. October 06, 2022

Mr. Cicci made the motion to approve the minutes. Mr. Evans seconded the motion and the motion carried unanimously.

**2. Old Business**

Review a proposed Zoning Ordinance text amendment to create a use for a caretaker's dwelling in the RA Zoning District on properties greater than 12 acres in area.

Present for the Applicant:  
Julie Von Spreckelsen – Attorney  
John Kennedy – Land Planner

Ms. Von Spreckelsen recapped the issues as discussed at the prior Planning Commission (PC) meeting noting that the Applicant would be presenting the revisions to the proposed text amendment based on comments received from the PC.

Mr. Kennedy reviewed the four changes which are noted as follows:

Page 3 – clarified the notes that:

- The caretaker dwelling must be located on the property where the principal dwelling is located and that the use must be for agricultural purposes.
- The use must be a permitted agricultural use on the property
- The setbacks for the dwelling must conform to the setbacks for the principle dwelling
- The caretaker dwelling shall not be subdivided from the property on which the principle dwelling is located.

Page 4 – added a clause that the caretaker dwelling required a rental license and, registration within the rental inspection program to ensure compliance with the ordinances and that the use complies with the defined caretaker use.

Ms. Von Spreckelsen reiterated that the purpose of the proposed use would support general agricultural.

Mr. Rubenstein noted that the ordinance should note the situations that must be present on the property (Subparagraph M), the property must be occupied by the owner of record of the lot, and there is on the lot an agricultural use of a substantial nature. It was also discussed that the use would be applied to properties showing active agricultural use and that the use would be subject to yearly inspections.

The members of the PC expressed the necessity of indicating that the use of a “caretaker dwelling” would be specific to active agricultural use and recommended cross referencing to the language of Act 319 which is used to define agricultural use for tax purposes.

Mr. Gaines suggested that in the Applicant’s case, the property owner should be able to clearly show active agricultural use.

During Public Comment Mr. Gibson, a neighboring resident asked that the language clearly show the dwelling would be used strictly in conformity with an active agricultural use as opposed to an apartment use.

A discussion ensued regarding the nature of the caretaker, whether or not the person assigned would act as an employee and Mr. Connolly noted the definition of the term “caretaker” needed more clarity. Further comment and public

comment brought up concerns regarding the number of occupants that would be permitted for the use and in the dwelling. Mr. Connolly also added his concerns about the issue being too much like spot zoning considering how tailored the criteria were toward the Applicant's needs. The discussion concluded with Mr. Connolly recommending that the Applicant make further revisions before submission to the Board of Supervisors.

### **3. New Business**

- a. Review and comment on a sketch plan for the Park @ Westminster located at 600 Valley Road in the CR Zoning District

For the Applicant  
Peter Freedman – Attorney  
Wayne Kiefer, PE– Showalter Engineering

Mr. Freedman discussed the property as it currently exists, noting that it was built in the 1970s with good occupancy rate. The property is in the CR zoning district which permits midrise apartments by permitted use. He discussed that the owner wants to update the property to include a new swimming pool and fitness center. He discussed that the Applicant would like to add a 3-story luxury apartment building and illustrated features by presenting an engineered site plan for review.

Mr. Freedman noted the Applicant received comment letters from CKS (Township Engineer), McMahan (Traffic Engineer) and the Fire Marshall.

Mr. Connolly noted the Township is supportive of the project and wanted to focus on the details of the review letters and the plan. Mr. Kiefer described the proposed improvements noting all the improvements were located centrally to the property and should have little impact on the surrounding community in terms of buffering, parking, or other areas with the basic intent to modernize the facilities and keep the occupancy at its high level. He stated that most everything noted in review letters would be a “will comply”. He noted the Applicant would like to check some requirements regarding open space noting that only a sketch plan was submitted for comment and recommendations would be considered and incorporated when submitting the application for Conditional Use approval.

Mr. Connolly commented on the CKS memo, point 2 stating the maximum length of a building is 180' in the use for a midrise building and 200' in the CR district for a building facing a street. CKS comments noted that the existing building is 193'. but none of the sides of the proposed building were more than 180'. Mr. Kiefer noted that they believed the plans comply with the B9 requirements in the CR district which are different than the overall B9 requirements and Mr. Rubenstein confirmed that there did not need to be a conflict with the two differing ordinances. The PC also believed that the parking plan suggested did not present a conflict or problem either. The Applicant

believed that the property does not have parking problems, and none have been reported by tenants. Mr. Connolly concluded that Points 2 and 10 of the CKS review letter were not issues and did not require further discussion.

Point 6 under the Subdivision notes referred to that portion of the proposed building that would be in a water line easement but noted that the water line would be moved. The movement if the easement just requires the approval of the water company and small discussion ensued.

Mr. Connolly noted that BCCD letter noted that there in a reference to part of the parcel in the flood zone, but it was noted by Mr. Kiefer that no building is actually in the flood zone.

A small discussion ensued regarding the official vacating of paper streets. Mr. Connolly noted that there was nothing of note in the Fire Marshal's letter.

A small discussion ensued regarding the Traffic Engineer's letter, and it was noted that while the County was not in favor of perpendicular parking spaces, it was not noted by the Traffic Engineer and no further action would be required.

Mr. Kiefer opened discussion regarding a waiver of having to install a sidewalk due to the sloping of the property. Mr. Gaines noted that the Township had the preference of encouraging a walkable community and discussion ensued. The Applicant noted that they would work to accommodate the request.

#### **4. Subcommittee Reports**

- a. None

#### **5. Additional Business**

- a. None

The motion to adjourn was made by Mr. Evans and seconded by Mr. Cicci and carried unanimously.

#### **6. Next Meeting**

November 03, 2022

Meeting ended at 7:51pm