

**Conestoga Township Planning Commission Minutes: January 22, 2024**

**Present:** Scott Kriner (by facetime), Ron Wagner, Dan Alexander, Wes Bruckno

**Others:** Joe Devoy, Blaine Markel of James R. Holley & Associates, representing Joseph Nadu, Jr., Jon and Sue Geesey, Ron and Sue Finch, Joe Nadu, Matt Connelly

**Call to Order:** 7:00 pm

**Reorganization:**

Motion by Ron to elect: Dan Alexander as Vice Chairman, Ron Wagner as Recording Secretary, and Wes Bruckno as Chairman.

Seconded by Dan, approved 4-0-0

**Old Business:**

Approve minutes from October 23, 2023:

Motion by Ron, seconded by Scott, approved 4-0-0

**New Business:**

**Stehman Road Property subdivision:**

Blaine Markel presented a proposed 15 single-family unit subdivision on 43 acres to the east of Stehman Road and north of Long Lane. Notable points:

- Two modifications from the SLDO are requested; to permit a preliminary/final submission and to defer the traffic study.
- Lot 4 is described as a “residual lot” with no clear future use.
- The proposed cul-de-sac road will be privately owned and managed by a homeowners’ association. The Township will not accept dedication or maintain the road.
- Roadside swales are to be used instead of curbs.
- A number of stormwater and other easements are shown.
- On-lot water and sewer facilities are to be used, probably including sand mounds.

Attendees also commented on the plan. Notable comments:

- Ron Finch stated that the ultimate use of Lot 4 should be clarified. He is also concerned about the “flagpole” part of the tract, which apparently is used by abutting lot owners.
- The Geeseys stated that they have no objection to the subdivision of the tract, but that issues regarding the “flagpole” part of the tract must be resolved as part of this subdivision. Specifically, the “flagpole” has been used for a substantial time by Jon and Sue Geesey as their driveway, under the belief that the flagpole was actually part of the Geesey’s lot. Ron and Sue Finch have also used this part of the flagpole. The Geeseys stated that the applicant should use this opportunity to establish the Geesey’s and the Finch’s legal right to continue using the flagpole. The Geeseys would prefer that appropriate parts of the flagpole should be conveyed to the abutting lot owners to permit their continued use of it for access. The Geeseys have also offered to permit a necessary portion of any conveyed part of the flagpole to be used for emergency access to the interior of the applicant’s tract.

**The Planning Commission recommends that the subdivision and the two modifications be approved, upon the resolution of the following issues and with the following conditions:**

1. The Township Solicitor and Engineer should review the homeowners' association document to ensure that it will be adequately capitalized in perpetuity and that the Township will never need to correct any on-site failures and/or will not need to do so without proper and timely reimbursement.
2. The Planning Commission recommends that the ultimate actual use of Lot 4 be established and clarified. See Number 3 below for specific recommendations.
3. The Planning Commission recommends that future residential subdivision of Lot 4 should not be permitted due to vertical curves on Stehman Road (which will compromise access), the PPL transmission line, steep slopes, environmental constraints and other limitations to its use. We recommend that the applicant permanently preserve this lot from further development, offer it to a conservancy or to the Township for potential future recreational or other use.
4. The Planning Commission recommends that a potential future access to Lot 4 be provided from the proposed cul-de-sac and not from Stehman Road.
5. The applicant and the Township's emergency first responders, including the Township's fire company and other emergency responders such as LEMSA, should discuss matters relating to access, safety and security at the site, specifically regarding emergency access to the site in the event that the proposed entrance at Long Lane is blocked. The Township's emergency first responders should comment on the proposed cul-de-sac's 20-foot cartway width.
6. The applicant should provide an emergency access to this site, either from the farm lane to the east, or over the "flagpole" part of the tract from Stehman Road. Such an access should be identified on the final plan and its surface should be stabilized to permit future use by emergency vehicles. This should be done in conjunction with note 7 below.
7. We recommend that the "flagpole" part of the tract be conveyed to one or both of the adjacent lot owners to permit their continued use of it for access. The adjacent owners should then permit the applicant to construct a stabilized surface over the conveyed area to serve as an emergency access to the interior of the tract.
8. The applicant should clarify the "dominant estate" or "dominant tenement" for the easements on the site (i.e., who benefits), and who has the right or responsibility to manage and repair the facilities within the easements. The terms of the easements should be reflected in the deeds to the lots.
9. The applicant should provide additional landscaping along the sides of the cul-de-sac road where it abuts the lots at Long Lane. If there is inadequate area along the cul-de-sac road for such additional landscaping, the applicant should offer to provide landscaping on the adjoining lots with the understanding that the adjoining owners will have the future responsibility for maintaining the landscaping.

**Motion by Wes, second by Dan:** The Planning Commission recommends that the Township Supervisors approve the applicant's subdivision proposal with the requested modifications, with the conditions identified in 1-9 above.

**Discussion:**

No further discussion.

**Motion approved 4-0-0**

Motion to adjourn by Wes at 8 pm, Second by Scott; approved -0-0.