

MINUTES  
WEST MANHEIM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
THURSDAY, NOVEMBER 19, 2009  
6:00 PM

ITEM NO. 1 Meeting Called to Order

The regular meeting of the West Manheim Township Planning Commission was called to order at 6:00 p.m., by Chairman Jim Myers, followed by the Pledge of Allegiance.

ITEM NO. 2 Roll Call

The roll was called, and the following Commission Members were present: Chairman, Jim Myers, Darrell Raubenstine, Grant Reichart, Andrew Hoffman and Duane Diehl. Also present was Scott Barnhart, Interim Township Manager and Mike Knouse, C.S. Davidson.

ITEM NO. 3 Approval of Minutes

In reference to the October 15, 2009 minutes, Jim Myers noted that on page 2, the first paragraph it was noted as the Werner family. He stated that it should be the Warner family. He also noted that MPDES and MPDS should be NPDES and should be corrected throughout the minutes where noted. On page 7, the second paragraph it was noted as typographic survey. He stated it should be topographic survey of the property. On page 7, paragraph nine the end of the sentence should be storage or stockpiling of manure. On page 7, third paragraph from the end of the page should be changed from sites greater to slopes greater. On page 8, paragraph eight the Pennsylvania Natural Diverse Identification form, he stated that it should be the Pennsylvania Natural Diversity Identification form. The last sentence of the same paragraph the word service should be added to the US Fish and Wildlife which is the official name of the organization. On page 12, paragraph twelve in the last sentence he noted it should be changed from site distance to sight distance.

With the following corrections, Andrew Hoffman made a motion to approve the minutes from the October 15, 2009 Planning Commission meeting, seconded by Darrell Raubenstine. ***The motion carried.***

ITEM NO. 4 Correspondence

Jim Myers, Chairman reported that the following correspondences were received:

- 1). Correspondence from Mike Hampton, Emergency Management Coordinator regarding the Final Land Development Plan – Lot 2 Camper Storage area for Steven J. Dotson, and Sketch Plan for Edward A. & Michelle A. Lane.
- 2). Correspondence from C.S. Davidson dated November 9, 2009 regarding the Final Land Development Plan for Steven J. Dotson - Camper Storage Area – Lot No. 2.

ITEM NO. 5 Visitors

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission, and received no reply.

ITEM NO. 6 Public Comment – Items Not Listed on Agenda

Chairman Jim Myers asked if there were any visitors present that wished to discuss anything specific not on the agenda, and received no reply.

ITEM NO. 7 Emergency Services Group Report

Mike Hampton was not present to report on Emergency Services comments.

ITEM NO. 8 Report from Zoning/Hearing Board

A. Application: Case – VA/SE - #06-09/04/09 – 590 Impounding Dam Rd

Applicant: Carl & Brenda Grubb –

(1). Application for a Variance from Article 7, Section 2.18 – Subsection 2 that requires that a rural occupation not exceed 1000 square feet, and Subsection 3(b) that requires that such a building be located in the rear yard of the principal residence and be set back at least 100 feet from the side or rear lot lines.

(2). Application for a Special Exception from Article 7, Section 2.18, Rural Occupation to use 4 storage units as rental space in conjunction with farm operations.

Scott Barnhart, Interim Township Manager reported that on October 27, 2009 the Zoning Hearing Board heard the case for Carl & Brenda Grubb regarding an application for a Variance and a Special Exception. He informed the commission that both items were denied. The written decision of the findings and facts of law has not been completed. He said the proceedings of the hearing are forthcoming.

ITEM NO. 9 Old Business

A. Orchard Estates – Gobrecht – Shorbs Hill Rd. – 56 Lot Preliminary Plan

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to table the Plan, seconded by Grant Reichart. ***The motion carried.***

B. Marlee Hill Farm (Preserve at Codorus Creek IV) – Baltimore Pike – 79 Lot Preliminary Plan

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to table the Plan, seconded by Grant Reichart. ***The motion carried.***

C. Homestead Acres – J.A. Myers – Oakwood Dr. & Valley View Dr. – 134 Lot Preliminary Plan

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to recommend denial of the plan; seconded by Grant Reichart, unless a written request for extension of review time is received before the next Board of Supervisors meeting on December 3, 2009. ***The motion carried.***

D. Northfield Joint Venture c/o Michael Roepcke – Phase II – Pumping Station Rd. & East of Baltimore Pike-52 Lot Preliminary Subdivision Plan

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to recommend denial of the plan; seconded by Grant Reichart, unless a written request for extension of review time is received before the next Board of Supervisors meeting on December 3, 2009. ***The motion carried.***

E. Benrus L. Stambaugh II, et al – 1 Lot Land Development Plan – Brunswick Dr. & Oak Hills Dr.

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to table the Plan, and request that the engineer send a letter to the developer requesting a status update on the project, seconded by Grant Reichart. **The motion carried.**

F. James E. Horak & Donald L. Yorlets – Fairview Dr. – 6 Lots Preliminary Subdivision Plan

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission regarding the plan. There was no one present from the public to address the Commission.

Darrell Raubenstine made a motion to table the Plan, and request that the engineer send a letter to the developer requesting a status update on the project, seconded by Grant Reichart. **The motion carried.**

ITEM NO. 10 New Business

A. Steven J. Dotson – 2150 Baltimore Pike - Lot 2 - Camper Storage Area -1 Lot Minor Subdivision Final Plan

Jack Powell, Engineer was present to represent the applicant. He said they received comments from York County Planning and C.S. Davidson which they have addressed with the revised plan submitted tonight to the commission. He reviewed the revisions that were made to the plans. He said on sheet 1 they added parking and loading requirements in the site data table and changed some notes regarding the sidewalk requirements. The overlay district they determined the metes and bounds, provided bearings and distances, and labeled the Baltimore Pike cart way width. He said the only other change is on sheet 3 is regarding the silt fence.

Mike Knouse, C.S. Davidson said there are a few items such as securities, filing and recreation fees that still need to be addressed. He said all other comments have been addressed.

Andy Hoffman said he would like to see the access easement be defined in metes and bounds on the plans and he would recommend that the sidewalks be installed right away, and the required right-of-way for the signal be provided at the intersection area on the Baltimore Street and Fuhrman Mill Road.

Steve Dotson said he was not planning to install any sidewalks. There was no money in the budget for sidewalks.

Jack Powell said at some point they have to stop and not plan for everything that may eventually come down the road. They made application for a use and they feel they have met the requirements for the use. If there is something else needed because of the use they will address it.

Chairman Jim Myers said the solicitor is going to review the access agreement.

Darrell Raubenstine made a motion to table the Plan until the outstanding issues are addressed regarding the driveway intersection and the access easement, seconded by Andy Hoffman. Grant Reichart was opposed. **The motion carried.**

ITEM NO. 11 Signing of Approved Plans

There was no new business to discuss.

ITEM NO. 12 Zoning Officer

Scott Barnhart, Interim Township Manager reported that there will be no Zoning Hearing Board meeting held for November.

## ITEM NO.13 Sketch Plans and Other Business

### A. Zoning Ordinance proposed text amendments

Mike Knouse said the Board of Supervisors has directed him to review certain sections of the Zoning Ordinance in light of a recent conditional use plan that was filed. The Board of Supervisors directed him to come before the Planning Commission with the amendments to receive input from the commission. He said this is a text amendment, therefore; he only identified certain sections of the amendments in the zoning ordinance. He has provided a draft of what would actually be adopted and felt it was important to review the entire document in full including the text amendments. He also provided the ordinance showing the sections amending the Zoning Ordinance dated September 3, 2009. He reviewed the items within the ordinance being modified. Article 2 Section 1.2.B – Permitted Uses – Residential Uses; Single-Family Semi-Detached; and Two-Family Dwelling was deleted. Article 4, Section 1.4.A.3 – Conditional Uses – Residential Uses; was added at the end of Single-Family Attached Dwelling. Article 4, Section 1.4.A.3 – Conditional Uses-Residential Uses Single-Family Semi-Detached and Two-Family Dwelling was added. Article 4, Section 1.5 – Area Regulations; The Single-Family Semi-Detached Dwelling Table is amended. He said he would like to review what it being proposed and take any comments from the Planning Commission.

On page 22 of the September 03, 2009 Zoning Ordinance Amendments, under the definitions section, Building-Attached Building, he read the definition. He said for purposes with the definition, attached building shall each have one front yard, one rear yard, and two party walls in common with and attached to two (2) other buildings, except for end units which are considered semidetached. He said this is why they will see some of the modifications. He said this was presented in the 2005 ordinance and has been in place since that time.

Domestic Pets; the definition for domestic pets was amended to read *not more than three (3) adult animals*. He said this was removed and recently the township has run into code enforcement issues regarding animals. They felt this should be reinstated.

Article 4-Designated Growth Area Zoning Districts, Section 1-Residential: He said it was recommended to delete Single Family Semi-Detached; and Two Family Dwelling. Section 1.4- Conditional Uses: Single-Family Semi-Detached and Two-Family Dwelling as added. Section 1.5-Area Regulations: The Dwelling Table was amended to include *Per Dwelling Unit* which was not shown on the table. This would make it consistent with other sections. Section 1.5-Single-Family Attached Dwelling: *End units are defined as Semi-Detached and shall comply with the requirements for Single-Family Semi-Detached Dwellings*. The Semi-Detached minimum lot width is 80 ft. versus attached which is 20 ft.

Article 4-Section 2-Suburban Residential 2.2 Permitted Uses: Section 2.2.B.6 & B.7. He said that *A.7.4.20 was added at the end of Single-Family Semi-Detached Dwelling & A.7.4.21 was added to the end of Two-Family Dwelling*. Section 2.5- Area Regulations: The Single-Family Semi-Detached Dwelling Table was amended with footnote 1 *Per Dwelling Unit for minimum lot area of 7,500 sq. ft*. Single-Family Attached Dwelling Table was amended with footnote 3; *end units are considered Semi-Detached Buildings and shall comply with the requirements for Single-Family Semi-Detached Dwellings*.

Article 6-Zoning Overlay Districts-Section 3.5.A – Density Determination: The Density Factor Table was amended with changes to the sq. ft. to *15,000 sq. ft.* for Centralized Water and Sewer for Single-Family Semi-Detached Dwelling Residential, Two-Family Dwelling Residential and Single-Family Attached Dwelling Residential. Article 6-Section 3.5.B-Density Determination: Section 8 of the table was amended to include moderately steep slopes total land area from fifteen to *twelve*. Regulations are between twelve and twenty-five percent. Article 6-Section 3.6-Dimensional Standards: The Single-Family Semi-Detached Dwelling Table was amended to include footnote 1: *per dwelling unit for minimum lot area*. Single-Family Attached Dwelling Table was amended to include footnote 2: *End*

units are defined as Semi-Detached and shall comply with the requirements for Single-Family Semi-Detached Dwellings.

Article 7-Section 4.19-Permitted Uses-Residential Uses: The previous entire section was deleted and replaced. Single-Family attached dwellings are permitted as provided in Article 4 and/or Article 6, Section 3 subject to the following criteria: Section 4.19-Dwelling, Single-Family Attached-(1): *in the Suburban Residential (SR) District was added.* (2) *The allowable density in the Residential (R) District shall be determined in accordance with Article 6, Section 3.5.* (3) There shall be no more than six dwelling units *all classifications in any one row* was added. *Items 4-7, (4.a- A minimum yard space of forty feet is required between end walls and front or rear faces of buildings)* was renumbered. Article 7-Section 4.20-Essential Services: The current Section 4.20-Essential Services page 139 will be renumbered as 4.22 and 4.21-Dwelling, Two-Family was amended to be as follows: **4.20 DWELLING, SINGLE-FAMILY SEMI-DETACHED:** *Single-family semi-detached dwellings are permitted as provided in Article 4 and/or Article 6, Section 3 subject to the following criteria: (1) The allowable density in the Residential (R) District shall be determined in accordance with Article 6, Section 3.5. (2) All dwelling units must be connected to centralized sewer and centralized water systems.(3) Minimum Required Setbacks – Off-street parking and loading (excluding driveways) shall be set back at least twenty-five (25) feet from every adjoining property line and shall be provided with buffering, landscaping, and screening in accordance with Article 10 of this Ordinance. Interior building set-backs shall be as follows: a. A minimum yard space of forty (40) feet is required between end walls and front or rear faces of buildings.(4) A minimum of thirty (30) percent of the total tract area shall be designated and maintained as common open space. Responsibility for maintenance of the open space area shall be with the landowner. The required open space shall provide access for all units to the yard space provided for each unit. (5) Provisions for the future maintenance of all common areas including but not limited to parking and recreation shall be explicitly provided with the proposed project. The provisions and any agreements, such as by-laws for a property owners association, shall be subject to the approval of the Board of Supervisors.*

**4.21 DWELLING, TWO-FAMILY:** *Two-family dwellings are permitted as provided in Article 4 and/or Article 6, Section 3 subject to the following criteria: (1)The allowable density in the Residential (R) District shall be determined in accordance with Article 6, Section 3.5. (2) All dwelling units must be connected to centralized sewer and centralized water systems. (3) Minimum Required Setbacks – Off-street parking and loading (excluding driveways) shall be set back at least twenty-five (25) feet from every adjoining property line and shall be provided with buffering, landscaping, and screening in accordance with Article 10 of this Ordinance. (4) A minimum of thirty (30) percent of the total tract area shall be designated and maintained as common open space. Responsibility for maintenance of the open space area shall be with the landowner. The required open space shall provide access for all units to the yard space provided for each unit. (5) Provisions for the future maintenance of all common areas including but not limited to parking and recreation shall be explicitly provided with the proposed project. The provisions and any agreements, such as by-laws for a property owners association, shall be subject to the approval of the Board of Supervisors.* Article 7- Sections 4.20 through 4.65: He said due to the addition of Sections 4.20 and 4.21 all existing Sections in Section 4 were renumbered accordingly, starting with Section 4.20 becoming Section 4.22 and ending with Section 4.65 becoming Section 4.67.

Article 8-Signs-Section 1.6-Permanent Sign Requirements and Article 8-Section 1.7-Temporary Sign Requirements: Temporary Sign Requirements Table and the Permanent Sign Requirements Table was amended due to two missing columns; *Other Requirements and Permit Required* was added.

Article 9-Section 1.4.A-Design Standards: Paragraphs 1 and 2 were amended as follows: (1) In all zoning districts, non-compact parking spaces (*non-parking lot*) per vehicle shall be not less than *ten (10)* feet wide and *twenty (20)* feet long. (2) Parking *lot* space and aisle dimensions shall not be less than those listed in the parking table on page 179 in the red lined copy of the zoning ordinance.

After further discussion on allowable parking spaces the Planning Commission will include 3 spaces for Single-Family Detached, Dwelling Single-Family Semi-Detached should match Single-Family Attached and the spaces should be 4 ½ and 3 on site. He said the other issue raised is that the current Subdivision Land Development Ordinance requires driveways to be 3 ft. off the property line. If there is no garage and a 20 ft. wide single-family attached there could not be 3 spaces unless it is 60 ft. deep with three cars stacked. He said if the applicant is

required to extend wider or be allowed to pave the driveway; they need to keep in mind if the spaces are set at three feet off the property line. Scott Barnhart addressed clarification to be provided throughout the parking requirements when a fraction of a space is used (clarify with i.e. statement).

He said the process for a text amendment is the Board of Supervisors authorizes preparation and then the amendments are submitted to the York County Planning Commission for review during a 30 day comment period. At that time a public hearing is scheduled at which time the text amendments can be adopted.

Darrell Raubenstein made a motion to recommend the text amendment changes for the Zoning Ordinance to the Board of Supervisors for review, seconded by Duane Diehl. ***The motion carried.***

The Planning Commission called for a 10 minute break at 8:05 pm.

The meeting was reconvened the meeting at 8:15 pm.

B. Subdivision and Land Development Ordinance (SALDO) Review

Mike Knouse reviewed the handouts for Article IV Plan Requirements for a Sketch Plan, Preliminary Plan and a Final Plan for the Subdivision and Land Development Ordinance review. He asked the Commission if they had any comments that required clarification or discussion.

He informed the Planning Commission that the draft ACT 537 Plan will be submitted by letter to the West Manheim Township Planning Commission within the next two weeks. He said in order to stay on schedule he would like a recommendation for the December meeting.

B. Andy Hoffman – Sidewalk Planning Presentation

Andy Hoffman provided a presentation on sidewalk planning within the Township. A plan was presented for consideration of use as a guideline for the future of sidewalks within the Township. This plan would act as a guide/supplement to the Comprehensive Plan.

Andy Hoffma made a motion for a favorable recommendation of the sidewalk plan to the Board of Supervisors, seconded by Duane Diehl. ***The motion carried.***

ITEM NO. 14 Public Comment

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission. There was no one present from the public to address the Commission.

ITEM NO. 15 Next Meeting

The next Planning Commission meeting is scheduled for Thursday, December 17, 2009 at 6:00 pm.

ITEM NO. 16 Adjournment

Adjournment was at 9:30 p.m. in a motion by Grant Reichart, and seconded by Duane Diehl. ***The motion carried.***

RESPECTFULLY SUBMITTED,

LAURA GATELY  
RECORDING SECRETARY