

MINUTES  
WEST MANHEIM TOWNSHIP  
REGULAR PLANNING COMMISSION MEETING  
THURSDAY, FEBRUARY 17, 2011  
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 Kevin Null, Township Manager and Mike Knouse, C.S. Davidson.

ITEM NO. 3 Approval of Minutes

Andy Hoffman made a motion to approve the minutes from the Planning Commission Re-Organization Meeting of January 20, 2011, seconded by Duane Diehl. ***The motion carried.***

ITEM NO. 4 Correspondence

Jim Myers, Chairman reported that no correspondences were received.

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 said he had nothing new to report. Emergency Services had previously submitted comments on Southpointe, Phase III. He said Emergency Services did include comments regarding the cul-de-sacs.

Darrell Raubenstine asked if the Board of Supervisors has received the plans, and if the applicant has addressed the cul-de-sac issue.

Mr. Knull said that plans have not been submitted.

Mike Knouse, C.S. Davidson said the applicant has submitted revised plans to his office that that includes emergency access and the bond amount has been issued for the emergency access. The applicant plans on attending the Board of Supervisors meeting in March.

ITEM NO. 8 Report from Zoning Officer

Mr. Knull, Zoning Officer said there are two application before the Planning Commission that include a Home Occupation and an application is to amend an application for a Special Exception which was issued in 1997 will be heard at the Zoning Hearing Board meeting in March.

A. Zoning/Hearing Board

1. Karen Wright- Case-SE #01-02/01/2011

Applicant: Karen Wright – 92 Musselman Road

- (1) Application for a Special Exception for a Home Occupation to operate a candle business at 92 Musselman Road.

Kevin Null, Zoning Officer said the applicant is not present they would go on to the next agenda item.

Darrell Raubenstine made a motion to table the application and no action was taken due to lack of representation, seconded by Andy Hoffman. ***The motion carried.***

2. Keith Smith Application: Case –SE-#02-02/01/2011

Applicant: Keith D. Smith & Ellen M. Smith – 2161 Oakwood Drive

- (1) Application to amend Site Plan for Special Exception issued in December, 1997. Article 12 Section 2.3 F SITE PLAN APPROVAL Specifically “Any subsequent change to the use on the subject property not reflected on the originally approved site plan shall require the obtainment of another special exception approval.

The request is to amend the approved Special Exception variance granted on December 3, 1997, on Lot # 3 (3333 Baltimore Pike) to allow additional parking. In conjunction with the request to amend the Special Exception a Land Development Plan will be submitted to combine lots # 2 and 3 (3343 and 3333 Baltimore Pike), which can be completed in conformity with the ordinance.

Ted Decker, GHI Engineers was present on behalf of the applicant. He said they are asking for a modification to the existing Special Exception approval for the site according to Article 12 Section 2.3F Site Plan Approval that was granted on December 3, 1997. The request will allow the owners to modify their Site Plan to accommodate their current business. He said it would allow them to increase the employee parking. This would increase the parking spaces from the 15 spaces originally approved to 25 spaces, and it would allow the site to be in compliance with the current zoning regulations based on the square footage of space. The request would also remove the current restriction that only allows use of existing buildings for business. He noted that the Township permitted the construction of a new building on this site since the 1997 approval. The owners would like to construct one more new building on the site to provide indoor storage for construction materials. He said a revised Land Development Plan will be prepared to incorporate the modifications. The Land Development Plan will modify the site so that the existing two lots will be consolidated into one lot and create one deed. The plan will also document the removal of several existing buildings on the site one of which is an existing non-conforming structure which violates the front setback. He said that the consolidation of the lots into one will result in a decrease in the percentage of impervious cover when viewed as one lot. He said that Article 7 Section 5.3B Nonconforming Lots, the owners would like to be able to renovate and expand the rear of the existing house to use as part of their business. He said permitted construction on a nonconforming lot should meet the following requirements: the lot is a lot of record and nonconformity; minimum setback requirements shall be met and no new intrusions into the setback are planned; expansion of the existing building will be within the confines of the existing minimum setback lines; all applicable zoning overlay district provisions in Article 6 of the Zoning Ordinance are met and no new construction is planned within the small area of Moderately Steep Slope Overlay area on the west side of the existing drainage channel on the site; the water and sewage requirements of Article 7.1.2 of the Zoning Ordinance are met and the site will use the existing well and septic system; if the lot has a lot area of less than one acre, then the lot shall not be less than fifty percent of the area which does not apply since the lot is greater than 1.0 acres. He said they are requesting that the Board consider the request for modification to the approved site plan so that the owners can continue operating their business in this location.

Darrell Raubenstine said he would like to recommend that the owners include additional parking spaces to accommodate the growth of the business. He would like to ask for five additional which he feels is modest.

Keith Smith, applicant said he has 38 employees and 10 extra parking spaces would be good to have, and for future planning.

Andy Hoffman said the reverse subdivision with combining the two lots into one lot makes sense, and only make one lot for impervious coverage. He said it appears there are good site distances where the driveway access is located. He would like to suggest if the project moves forward that they have a reasonable timeframe for removal of the buildings after the new building is constructed.

Mike Knouse said this is something that would be addressed during the Land Development Plan process. He said the Commission could include in the motion that recommendation is contingent upon the approval of the Land Development Plan.

Darrell Raubenstine made a motion for a favorable recommendation to the Zoning Hearing Board to proceed with the request as presented subject to the Land Development approval and ask for the support from the Zoning Hearing Board on providing additional parking and a method of removing the buildings, seconded by Andy Hoffman. **The motion carried.**

ITEM NO. 9 Old Business

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

Chairman Jim Myers noted that the extension review time expires on April 8, 2011.

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 noted that the extension review time expires on April 8, 2011.

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 noted that the extension review time expires on April 8, 2011.

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

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

Chairman Jim Myers noted that the extension review time expires on May 6, 2011.

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

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

Chairman Jim Myers noted that the extension review time expires on April 8, 2011.

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

F. Homestead Acres - Oakwood Dr. & Valley View Drive – 366 Lot Preliminary Subdivision Plan

Chairman Jim Myers noted the extension review time expires on March 4, 2011.

Darrell Raubenstine made a motion to recommend denial of the plan unless a letter of extension is received before the next Board of Supervisors meeting on March 3, 2011, seconded by Duane Diehl. ***The motion carried.***

ITEM NO. 10 New Business

There was no new business to discuss.

ITEM NO. 11 Signing of Approved Plans

There was no new business to discuss.

ITEM NO. 12 Sketch Plans and Other Business

There was no new business to discuss.

ITEM NO. 13 Public Comment

Carl Grubb, said the application that was just approved, York County Common Pleas Court do not allow the expansion of new businesses in the agricultural areas. This was set by the Township Attorney. He said it is already documented that the applicant has brought his request to the Board of Supervisors to have the land rezoned, which was denied because the Supervisors wanted more control over rezoning. He said if this is the case everyone is going to start presenting a Special Exception request when they can't meet the zoning criteria.

ITEM NO. 14 Next Meeting

The next Planning Commission meeting is scheduled for March 17, 2011 at 6:00 pm.

ITEM NO. 15 Adjournment

Adjournment was at 6:28 p.m. in a motion by Andy Hoffman, and seconded by Darrell Raubenstine. ***The motion carried.***

RESPECTFULLY SUBMITTED,

LAURA GATELY  
RECORDING SECRETARY