

MINUTES
WEST MANHEIM TOWNSHIP
PLANNING COMMISSION MEETING
THURSDAY, APRIL 18, 2013
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, Jay Weisensale, Andrew Hoffman and Duane Diehl. Also present was Kevin Null, Township Manager, Linus Fenicle, Solicitor and Mike Knouse, C. S. Davidson.

ITEM NO. 3 Approval of Minutes

Duane Diehl made a motion to approve the minutes from the meeting of Thursday, March 21, 2013 Planning Commission meeting, seconded by Andy Hoffman. *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

Kevin Null, Township Manager said there was nothing new to report from the Emergency Services Group. Mike Hampton was absent from the meeting.

ITEM NO. 8 Report from Zoning Officer

A. Zoning/Hearing Board

Kevin Null, Zoning Officer said he had nothing new to report.

ITEM NO. 9 Old Business

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

Carl Gobrecht said in 2008 he and his brother submitted the plans to the township with the plan of subdividing the property. He said at that time rezoning was being reviewed and it changed things so the property was not agricultural zone. They are now setting on the plans because of the market and sewer. He said if he is forced to move forward with the plans he will be forced to sell to another developer. He does not want to see this happen that fast. He would prefer to see it set for another ten years rather

than sell. He said recently his son has moved back to the area and he is pulling off ten acres which will require him to rework the plans. He said one reason he has not pulled the plans is because of the money he has already invested. He said that the planning Commission is going to have to decide if he has to withdraw the plans then that is what he will have to do, or the plans will set for now.

Chairman Jim Myers noted that the extension review time expired on July 4, 2013.

Andy Hoffman made a motion to table the Plan, seconded by Jay Weisensale. *The motion carried.*

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

Brian Reisinger, Project Manager, HRG, Inc. provided an update on the status of the plan. He said they have addressed all of the comments and have submitted plans to the Township. The plans were submitted to the Township approximately one year ago.

Jeff Stough, J.A. Myers Building & Development said the Engineer has not yet reviewed the plans because they asked him to put a hold on the plan review until they know what is happening with the 366-lot plan submitted to the Township.

Chairman Jim Myers noted that the extension review time expired on July 5, 2013.

Andy Hoffman made a motion to table the Plan, seconded by Jay Weisensale. *The motion carried.*

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

Harry McKean, said he is at the same point with the parcel that they were as of a year ago. He said the biggest reason they want to try and retain the plan is because the plan itself is designed as a 72,000 square foot building. With the amendments made to the Subdivision and Land Development Ordinance (SALDO) they probably wouldn't be able to do a larger box style store and would be left with a strip center. They want to retain the option of having a larger use on the parcel. He said from a management standpoint it is easier to manager one user as opposed to multiple tenants such as a strip type center. He said they are actively marketing the larger parcel but things are not moving as well as they had hoped.

Chairman Jim Myers noted that the extension review time expired on July 4, 2013.

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

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

Brian Reisinger, HRG, Inc. said they have revised the subdivision plans per the comments received during waiver requests. He said they were on site and conducted infiltration testing and once they receive the results from the infiltration testing they can finalize the design and the plans then resubmit them to the Township. They are currently going through the design process. He said they would be submitting the plans for review by the Township Engineer.

Mike Knouse, C.S. Davidson said upon the submission of the revised plans to address the engineering comments he the plans would be reviewed in a timely manner. He said the review process does not happen overnight.

Jeff Stough, J.A. Myers Building & Development said they are not sitting on the plans. He said the Township Engineer has not reviewed the 134-lot plan. Their plan is to withdraw the plan once they receive the approval for the 366-lot subdivision plan.

Andy Hoffman asked why they didn't go ahead and withdraw the 134-lot plan.

Jeff Stough, J.A. Myers Building & Development said because of the zoning change, and if something happens to the 366-lot subdivision plan they would still have the 134-lot available as approved under the previous Subdivision and Land Development Ordinance (SALDO).

Chairman Jim Myers noted that the extension review time expired on July 5, 2013.

Duane Diehl made a motion to table the Plan, seconded by Andy Hoffman. *The motion carried.*

E. James Horak & Donald Yorlets Partnership – 7 - Lot Preliminary Plan

Jack Powell, Engineer submitted an updated copy of the proposed sketch plan to the Commission members. He said they have since met with Marty Hill, owner/developer of the High Pointe property to discuss tying into the High Pointe subdivision property. The original preliminary plan submitted included a 7-lot subdivision cul-de-sac subdivision that included several waiver requests. Some of the waivers requests discussed were not approved by the Planning Commission. He said they investigated tying into the High Pointe subdivision as an option to remove the cul-de-sac and create a through street and eliminate a number of the requested waivers.

Since that time in December the owner has met with Marty Hill and discussed purchasing six lots, which would bring them up against Phase II A, on which J.A. Myers is currently moving dirt. He said Marty Hill was concerned that if they purchased six lots and not move forward it would block the rest of his development. He said this week they did receive a letter from the bank regarding the financing.

The new plan would propose a 13-lot subdivision since they are tying in an including the six lots from High Pointe, and reconfigure some of the lots to allow a road to go through and start the High Pointe section as Phase I and the Fairview section as Phase II. He said they are working on other issues that were not originally addressed that include the Sewer Planning Module and other permits.

Andy Hoffman asked if the High Pointe subdivision had a Home Owners Association (HOA).

Jack Powell said yes. They were not proposing a Homeowner's Association.

Chairman Jim Myers noted that the extension review time expired on August 1, 2013.

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

Darrell Raubenstine made a motion, seconded by Andy Hoffman to amend the agenda to address agenda Item 13 Public Comment before agenda Item 10(B) Discussion of Zoning Ordinance Definitions, due to it being a lengthy discussion. *The motion carried.*

ITEM NO. 10 New Business

A. Subdivision Plan Project Updates

The Planning Commission discussed the Subdivision Plan Project Updates under agenda Item 9 Old Business.

B. Discussion of Zoning Ordinance Definitions

Kevin Null, Township Manager reviewed the handout dated March 21, 2013 previously submitted on the discussion of the Zoning Ordinance definitions. The Commission reviewed the following sections:

Article 1-General and Legal Provisions

- 1.9 Remove “West Manheim Sewer Authority”

Kevin Null, Township Manager said the Sewer Authority was eliminated back in 2010.

The Planning Commission was in agreement to this correction.

Article 2-Definitions

- **Building-Attached Building/Detached Building/Semi-Detached-Review** *definition in light of the ZHB ruling in the Homestead Acres case.*

After further discussion the Township Zoning Officer will provide comments from the Zoning Hearing Board definitions for consistency as it related to the Homestead Acres case.

- **Domestic Pets-** *Current definition specifically excludes “farm animals”. No provision for chickens or even rabbits. No provision for animals related to school projects etc.*

The Planning Commission recommended making “livestock” a Conditional Use request. They were in agreement to discuss domestic pets in further detail at another meeting.

- **Dwellings-** *Review definition in light of the ZHB ruling in the Homestead Acres case.*

After further discussion the Township Zoning Officer will provide comments from the Zoning Hearing Board definitions for consistency as it related to the Homestead Acres case.

- **Garages, Private-** *“for one or more vehicles” Need to define what is private vs. business when a homeowner wants to rent out garage(s).*

The Planning Commission did not recommend any changes.

- **Garage/Yard Sale-** *“for the purpose of disposing of personal property. Provisions for community yard sales. Article 7, Section 3, Temporary Uses “no sales on Sundays”*

There were no recommended changes to this definition.

- **Greenhouse or Horticultural Nursery-** *“plants grown on premises”. Article 7, Section 4.26 also requires that “sale or items not grown on the premise shall be incidental to the operation”.*

There were no recommended changes to this definition.

- **Kennel-** *“A principal commercial use or accessory use to a principal single-family detached dwelling” This seems to be conflict with Article 4, Section 1, Residential where Kennel is a Special Exception. Kennel is defined as “more than three (3) dogs, cat, fowl or other small domestic animal”. Article 7, Section 4.35 and DOMESTIC PETS.*

There were no recommended changes to this definition.

- **Livestock-** *“Large animals...including poultry” “Livestock shall not be considered domestic pets”*

The Planning Commission recommended making “livestock” a Conditional Use request.

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

Chairman Jim Myers asked if there were any visitors present that wished to address the Commission.

John Jurasic, 401 Valley View Drive, Hanover, Pa said he is present along with a group of his neighbors to express their concern to the Planning Commission about the high density townhome development to be constructed off of Oakwood Drive know as Homestead Acres. They believe West Manheim Township cannot sustain another townhouse development. They are also concerned that the schools will be overcrowded with such a number of added residents. They also expressed their concern about the market values being adversely affected with the added traffic and congestion as a result of such a development in the rural suburban neighborhood. They would like to ask the developer to reconsider their 366 townhouse plan in favor of his original 134 single family house plan. If the developer will not consider their request they would ask that the Planning Commission recommend to the Township Supervisors and Solicitor to use any legal means possible to stop the high density townhome development from moving forward.

Carol Knobloch, Ross Road, 35A property, Hanover Pa.

Sheila Moran, Smeach Drive, Hanover Pa said with the cost of food prices she would like to check with the Township on having a small chicken coop with chickens on her property. She would like to request the ordinance be revised and ask the Township to take this into consideration at the next meeting.

Chairman Jim Myers asked if there were any other visitors present that wished to address the Commission. There was no one else present that wished to address the Commission; he closed the public portion of the meeting.

ITEM NO. 14 Next Meeting

The next Planning Commission meeting is scheduled for May 16, 2013 at 6:00 pm

ITEM NO. 15 Adjournment

Adjournment was at 8:05 p.m., in a motion by Duane Diehl, and seconded by Darrell Raubenstine. *The motion carried.*

RESPECTFULLY SUBMITTED,

LAURA GATELY
RECORDING SECRETARY