

MINUTES  
WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION RE-ORGANIZATION MEETING  
THURSDAY, JANUARY 15, 2015  
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 with 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, Duane Diehl, and Jay Weisensale. Also, present Kevin Null, Township Manager and Linus Fenicle, Township Solicitor. Vice Chairman, Andrew Hoffman and Chris Toms, Township Engineer were not present

ITEM NO. 3 Re-Organization - 2015

A. Chairman

Duane Diehl made a motion to nominate Jim Myers as Chairman of the Planning Commission, seconded by Darrell Raubenstine. **Motion carried.**

B. Vice-Chairman

Duane Diehl made a motion to nominate Andrew Hoffman as Vice-Chairman of the Planning Commission, seconded by Darrell Raubenstine. **Motion carried.**

C. Secretary

Duane Diehl made a motion to nominate Darrell Raubenstine as Secretary of the Planning Commission, seconded by Jay Weisensale. **Motion carried.**

D. Recording Secretary

Duane Diehl made a motion to nominate Miriam Clapper as Recording Secretary for the Planning Commission, seconded by Darrell Raubenstine. **Motion carried.**

E. Establish the Meeting Dates and Times for the Planning Commission Meetings

Duane Diehl made a motion to continue to meet the third Thursday of each month starting at 6:00 p.m., seconded by Jay Weisensale. **Motion carried.**

ITEM No. 4 Approval of Minutes – December 18, 2014

Duane Diehl made a motion to approve the Minutes from the December 18, 2014 Planning Commission meeting, seconded by Jay Weisensale. **Motion carried.**

ITEM NO. 5 Correspondence

Chairman Myers indicated they received no correspondences.

ITEM NO. 6 Visitors

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

ITEM NO. 7 Public Comment – Items Not Listed on Agenda

Darrell Raubenstine would like to discuss deed subdivisions. Will be discussed under New Business  
Chairman Myers informed the Planning Commission they would need to act on the 537 Sewer Planning Module for the Ron & Sheila Carter property. Will be discussed under New Business

ITEM NO. 8 Emergency Services Group Report

Mike Hampton indicated that he had nothing new to report.

ITEM NO. 9 Report from Zoning Officer

Kevin Null, Zoning Officer informed the Planning Commission that the Zoning Hearing Board did meet on December 23, 2014, to hear the request by the YMCA for the Special Exception. The Zoning Hearing Board did approve that special exception. He also informed them that the Board of Supervisors did approve the waiver request for Ron Carter's property.

Darrell Raubenstine asked if the Zoning Hearing Board placed any special exceptions or terms on the YMCA. No, they just need to meet the Zoning Ordinance.

ITEM NO. 9 Old Business

1. Extension Requests

Chairman Jim Myers noted that the extension review time for the following plans expires on April 2, 2015.

- B. Orchard Estates – Gobrecht – Shorbs Hill Rd. – 56 Lot Preliminary Plan
- C. Homestead Acres – J.A. Myers – Oakwood Dr. & Valley View Dr. – 134 Lot Preliminary Plan
- D. Benrus L. Stambaugh II, et al – 1 Lot Land Development Plan – Brunswick Dr. & Oak Hills Dr.
- E. Homestead Acres - Oakwood Dr. & Valley View Drive – 366 Lot Preliminary Subdivision Plan
- F. James Horak & Donald Yorlets Partnership – Fairview Drive – 13- lot Preliminary Plan

In one motion, Darrell Raubenstine made a motion to table B thru F, seconded by Duane Diehl. **Motion approved.**

G. Ron & Sheila Carter – Maryland View Farms – Glenville Road – Lot #4 – 2-Lot Add-On

Chairman Myers asked for a motion to move the Act 537 Planning Module from New Business to Old Business.

Darrell Raubenstine made a motion to move the Act 537 Planning Module from New Business to Old Business, seconded by Jay Weisensale. **Motion carried.**

Chairman Myers reminded the Planning members that the plan consisted of two reconfigured lots. Darrell Raubenstine asked if this was just to send the sewer module to DEP. Yes

Darrell Raubenstine made a motion to approve the DEP sewer module, seconded by Jay Weisensale. **Motion carried.**

Ted Decker, Group Hanover Inc., was present on behalf of Ron & Sheila Carter and approached the Planning Commission to ask if it would be possible to review the revised plan that he had brought with him. Mr. Decker explained that the comments from C.S. Davidson were minor and he revised the plan to reflect those comments.

Darrell Raubenstine asked if there was going to be a maintenance agreement to address the driveway. Ron Carter replied they would. Ron Carter informed Darrell Raubenstine that the agreement in question was standard when there is a shared driveway.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors, seconded by Duane Diehl. **Motion carried.**

ITEM NO. 10 New Business

**1. Trone Outdoor Advertising – Variance Request – Digital Billboard - 1895 Baltimore Pike**

Stacy MacNeil, attorney from Katherman, Heim & Perry, York, PA, was present along with John Trone of Trone Outdoor Advertising to discuss the Variance Application to convert an existing static billboard to a digital billboard. The billboard is located at 1895 Baltimore Pike, next to the Sheetz. Everything about the billboard size and structure would remain the same. The only change would be to convert the billboard to a LED billboard, which the Township's Ordinance does allow. The question is concerning the Township's Ordinance, which currently states that a billboard message must remain static for 45 seconds before they can change. Attorney MacNeil stated according to Mr. Trone, current industry standards are every five to 10 seconds. She also pointed out that since the billboard is on a state road, it also falls under State guidelines, which static period is every five seconds. This allows billboards to cycle thru an appropriate period of time a variety of different messages, and allows Trone Advertising to intersperse a couple of for-profit message along with some non-profit/public service announcements.

A lengthy discussion took place on the Ordinance requirements of 45 seconds and whether it should be 10 seconds versus 5 seconds. Chairman Myers reminded the Planning members that they did not need to make a recommendation.

Darrell Raubenstine made a motion not to make a recommendation. Duane Diehl did not feel a sign changing every 10 seconds would be distracting. The Planning members continued to discuss the length of change time.

Darrell Raubenstine made a motion for a recommendation to allow for 25 seconds. Motion died for lack of a second.

Duane Diehl made a motion for a recommendation to allow for 10 seconds. Motion died for lack of a second.

Jay Weisensale made a motion not to make a recommendation and Chairman Myers pointed out that was currently on the floor so Jay Weisensale seconded Darrell Raubenstine's original motion. **Motion carried.**

**2. Joppa Road, LLC – Variance Request – Financial Institution – 1651 & 1659 Baltimore Pike**

Jeff Lobach, of Barley Snyder LLP York, PA was here representing Joppa Road, LLC an affiliate of Peoples Bank based in York County, PA. Also, present Todd Tyson, Senior Vice President and Ted Decker of Group Hanover.

Mr. Lobach came before the Planning Commission to discuss 1651 and 1659 Baltimore Pike, which has a zoning classification of commercial/industrial. Both lots are your typical lot size for residential lots approximately 200 feet in depth and 100 feet in width. The properties are located in the northern most gateway of the Township's commercial/industrial zone. There currently are no improvements to these properties. The Applicant has come before the Planning Commission not to attack the Township's Ordinance, but to come to a practical solution to a problem that the Township's Ordinance created in the buffer area requirements.

Peoples Bank has been in Penn Township since 2001 and is looking to both increase and modernize its presence. Peoples Bank would like to build a larger bank of about 2,300 square feet. To meet the Township's requirements for access ways and parking spaces the developer would need to encroach into the 50-foot buffer next to the Commercial Zoned/Residential Use. The developer is able to fit a normal sized bank on the property with the 50-foot buffer yard along the residential zone. The reason they have applied for a variance request is the 50-foot buffer in the Commercial Zoned/Residential Use. The developer is not asking for any relief from the landscaping requirements in the buffer yard. They can meet all of those requirements.

When they submitted the application, it gave two options: 1. to allow the buffer to be 20 feet wide, 2. to allow the developer to pave in the 50-foot buffer area.

A discussion took place on an access road to a connecting lot and more explanation of going from a 50-foot buffer to a 20-foot buffer on the left side. Chairman Myers asked if the request is for a variance on the buffer on the south side of the lot. Attorney Lobach explained their request is for a favorable recommendation to the Zoning Hearing Board the width of the buffer area on the south side of the lot be 20 feet; but they still comply with the Level 3 screening.

Jay Weisensale made a motion allowing them to encroach into the 50-foot buffer with a paved surface. Motion died for lack of a second.

Duane Diehl made a motion for a favorable recommendation to the south-side buffer be shrunk to 20 feet as requested, seconded by Jay Weisensale. **Motion carried.**

### **3. Deed Subdivision**

Darrell Raubenstine asked if it was possible for residents to subdivide their land with their deed without coming before the Township. The property in question is the Leppo Mill Road Subdivision, the tract of land in the back that is 7 acres, owner sold the farm; it was sold as one piece with a 20-foot farm equipment right-of-way over the neighbor's land to get to the farm.

Kevin Null, Zoning Officer brought out the Subdivision plan in question that the Township approved in 2006 and Darrell Raubenstine pointed out the discrepancy. Kevin Null, Zoning Officer pointed out this is the Plan the Township approved.

The Planning Commission discussed the plan. Kevin Null, Zoning Officer will look into this and report his findings.

#### ITEM NO. 11 Signing of Approved Plans

None at this time.

#### ITEM NO. 12 Sketch Plans and Other Business

None at this time.

#### ITEM NO. 13 Public Comment

Chairman Jim Myers asked if any one present would like to make any comments at this time and received none.

#### ITEM NO. 14 Next Meeting

The next Planning Commission meeting is scheduled for February 19, 2015 at 6:00 p.m.

#### ITEM NO. 15 Adjournment

Jay Weisensale made a motion to adjourn at 7:45 p.m., seconded by Duane Diehl. ***The motion carried.***

Respectfully Submitted,

Miriam E. Clapper  
Recording Secretary