

MINUTES
WEST MANHEIM TOWNSHIP
PLANNING COMMISSION MEETING
THURSDAY, JUNE 18, 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 Planning Commission members were present: Chairman, Jim Myers, Jay Weisensale, Andrew Hoffman, Duane Diehl and Darrell Raubenstine. Also present was Kevin Null, Township Manager.

ITEM NO. 3 Approval of Minutes

Duane Diehl made a motion to approve the minutes from the Regular meeting of Thursday, May 21, 2015, seconded by Andy Hoffman. *The motion carried.*

ITEM NO. 4 Correspondence

Chairman Jim Myers noted that the Township received extension letters.

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. Darrell Raubenstine indicated that he would like to discuss the destruction of forestland and recycled houses.

ITEM NO. 7 Emergency Services Group Report

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

ITEM NO. 8 Report from Zoning Officer

A. Zoning/Hearing Board

Kevin Null, Township Manager and Zoning Office had nothing new to report.

ITEM NO. 9 Old Business

1. Extension Requests

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

Chairman Jim Myers noted that the extension review time expired on July 2, 2015

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

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

Chairman Jim Myers noted that the extension review time expired on July 2, 2015.

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

C. 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 expired on July 2, 2015.

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

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

Chairman Jim Myers noted that the extension review time expired on July 2, 2015.

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

ITEM NO. 10 New Business

1. **Norman B Jr. & Janet M Nace/Hanover First Church of God Final Subdivision Plan**

Gerry Funke of G.H.I. (Group Hanover Inc.) was present on behalf of Mr. and Mrs. Nace and Hanover First Church of God. Mr. Funke gave an overview of the proposed project. He explained that the plan was simply a land swap for selling the land needed to build the YMCA and this would also square off the Church's property. He then went over the two-waiver request.

A. Waiver request from Article 3 Section 305 A & B - A subdivision or land development plan may be reviewed and acted upon as a Final Plan without the necessity of a prior Preliminary Plan approval if it contains no more than four (4) lots...

Jay Weisensale made a motion for a favorable recommendation to the Board of Supervisors for the waiver request from Article 3 Section 305 A & B, seconded by Andy Hoffman. *The motion carried*

B. Waiver request from Article 4 Section 402A.4.lf.5 – All on-lot sanitary sewers, wells and other water supply facilities within one thousand (1,000) feet.

Darrell Raubenstine made a motion for a favorable recommendation to the Board of Supervisors for the waiver request from Article 4 Section 402A.4.1F, seconded by Jay Weisensale. *The motion carried.*

2. **Burkentine & Sons 95 Shady Lane Waiver Request**

Kevin informed the Planning members that it had come to his attention that this waiver request should be a variance request and would need to go before the Zoning Hearing Board. Kevin pointed out that the Zoning Ordinance (Article 8, Section 3.1) requires that the driveways be designed and constructed in accordance with Article 5 of the SALDO it is a waiver request in the SALDO. For that reason, it must go before the Zoning Hearing Board. He asked the Commission to hear the request for the Variance and make their recommendation this evening so that it can go before the Zoning Hearing Board.

A. Variance request from Section 510.E (Driveways) which requires driveways to have a maximum slope of five (5) percent within twenty-five (25) feet of the street right of way line. Driveways shall not exceed eight (8) percent. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed fifty (50) percent in slope within twenty-five (25) feet of the point the drive intersects the right of way.

Scott Barnhart, of Burkentine and Sons, Inc. was present on behave of Michael and Emily Burkentine. Mr. Barnhart also explained that he was not aware before the meeting that a zoning hearing was necessary. Mr. Barnhart then gave an overview

of the project and explained to the Planning members why it was necessary to get the waiver for the driveway. After a lengthy discussion on the waiver request, Chairman Myers asked for a motion

Duane Diehl made a motion for a favorable recommendation to the Board of Supervisor for the waiver request from Section 510.E. seconded by Andy Hoffman. ***In a 2 to 3 vote, the motion was denied. Those members opposed were, Chairman Jim Myers, Darrell Raubenstine, and Jay Weisensale.***

3. Case – VA #02-06-09-2015 – Jason Quinto - Variance Request

Location: 2240 Garrett Road

Article 5 Section 105 Area Regulations. Variance from the rear setbacks from required 40 feet to 35 feet and a variance from side yard setbacks from required 30 feet to 5 feet.

Jason Quinto, representing himself, explained to the Planning members that he wanted to build a 28 foot by 34-foot pole barn on his property. He explained that he has storm water running through his front yard, septic tanks in the side yard and a sand mound located in his back yard. He explained that he was asking for a variance from the required 40 feet rear yard setback to 35 feet and from the 30 feet side yard setback to 5 feet, but could live with 10 feet.

After some discussion on the setbacks, Chairman Myers asked for a motion on the variance request.

Duane Diehl made a motion for a favorable recommendation to the Variance request for 35 feet rear yard setbacks and 10 feet side yard setbacks, seconded by Andy Hoffman. More discussion took place and the motion amended from 10 feet to 15 feet. Andy Hoffman withdrew his second. The motion was amended to read 35 feet rear yard setbacks and 15 feet side yard setbacks was seconded by Darrell Raubenstine. ***In a 4 to 1 vote, the motion carried. Chairman Jim Myers voted against the Motion.***

4. Tollgate Road Subdivision – Planning Module – Component 4A

Kevin Null Township Manager informed the Planning members that there was a miscommunication on the waivers. Mr. Powell believed the waivers would be discussed at the meeting since he was asked by the Township to submit them. The Township did ask him to submit them, but did not feel the waivers would be ready to be discussed before the July meeting. Mr. Powell was not told they would not be discussed.

A discussion was held on the waivers, but the Planning Commission did not feel they could make any decisions without the Township engineer's comments and reviewing of the waivers for themselves.

Andy Hoffman made a favorable recommendation to allow the Planning Module – Component 4A to move forward to the Board of Supervisor, seconded by Darrell Raubenstine. ***The motion carried.***

ITEM NO. 11 Signing of Approved Plans

There were no plans to sign.

ITEM NO. 12 Sketch Plans and Other Business

There was no new business to discuss.

ITEM NO. 13 Public Comment

Darrell Raubenstine was under the impression when the Township did the latest version of the Ordinance the destruction of forestland was prohibited by developers in the Township. He pointed out that the clearing of land took place over in the J. A. Myers Development on Oakwood Drive. Kevin is not aware of that in the Ordinance. He will check in to it.

He was wondering about recycled houses. He believed that the property owner was meeting all the required Ordinances, but questioned when the Township would be allowed to say no to this type of housing. He was happy to see them taking an old home and recycling, but wondered if other Township might have any Ordinances to address this type of housing.

He also wondered if Auchey's Greenhouse would have any trouble rebuilding their greenhouse. Kevin Null, Township Manager indicated they would have no trouble rebuilding a new greenhouse, but had not seen any plans. Darrell Raubenstine expressed his concern for the owners trying to go around the process as they had done in the past.

Harold Hartlaub questioned the motivation of Burkentine and Sons building a home before they were granted or denied a waiver on the driveway.

ITEM NO. 14 Next Meeting

The next Planning Commission meeting is scheduled July 16, 2015 at 6:00 pm

ITEM NO. 15 Adjournment

Adjournment was at 7:50 p.m., in a motion by Jay Weisensale, and seconded by Andy Hoffman. *The motion carried.*

Respectfully submitted,

Miriam E. Clapper
Recording Secretary