

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS

PUBLIC HEARING AND REGULAR MEETING AGENDA

TUESDAY, AUGUST 16, 2016 – 7 P.M.

PUBLIC HEARING – SALDO AND ZONING ORDINANCE AMENDMENTS

Chairman Hartlaub announced to those present in the audience the meeting would start with a public hearing. He then turned the Public Hearing over to Linus Fenicle, Township Solicitor. Linus Fenicle explained the purpose for the Public Hearing was to receive public comment on certain amendments in the Subdivision and Land Development Ordinance (SALDO) of the Township and the Zoning Ordinance of the Township. The Public Hearing was properly advertised in the Hanover Evening Sun. Linus informed the Board that both ordinances were reviewed by the York County Planning Commission and by the West Manheim Township Planning Commission (recommendations on file).

First to be discussed was Chapter 235, the Subdivision and Land Development Ordinance. The Solicitor explained there were a number of changes. Those changes are as follows:

1. §235-23. Approval of final plan. "... until all conditions are complied with and *all required fees have been paid to the Township.*"
2. §235-51. Driveways. Driveways shall not exceed 15 %.
3. §235-61. Recreation areas; fees in lieu of dedication. The change involves what and how recreation fees are to be used in accordance with the Municipalities Planning Code.

The Solicitor explained that the Ordinance was available for review. He asked if anyone from the public wanted to make any public comment on the Subdivision and Land Development. No one came forward.

Second to be discussed was Chapter 270, the Zoning Ordinance. The Solicitor explained there were a number of changes to the Zoning Ordinance. They are as follows:

1. Part 2 – Terminology, §270-13. Definitions deck and patio were added.
2. Part 4 Designated Growth Area, Article IV, §270-21. Conditional Uses in the residential area. The Township removed certain conditional uses in the residential area.
3. Article VII, §270-41. General requirement for all uses. A. "...developments within this zoning district shall be served *where facilities exist* by centralized water and sewer..."
4. Article XII, §270-68. Establishment of district. "...all tracts of land consisting of 15 acres *or more...*"
5. Part 7 – Standards for Uses. Article XV, §270-90. Accessory buildings. ... No accessory building shall be permitted to *be placed* within a roadway, driveway clear sight triangle, *over or on top of a property line, easement or right of way*
6. Article XVI, §270-109 Requirements and procedures. Completely removed B. Garage/yard sale
9. Part 8 – Signs. The Solicitor explained that under Part 8 Signs, the Township added some additional regulations for signs.
10. Part 9 Off Street Parking and Loading, Article XXII Driveways and Access Drives §270-210 the Township has completely removed the Article in its entirety. The Solicitor explained that driveways and access drives will be controlled in the SALDO.

11. Part 12 Zoning Hearing Board, Article XXVIII, §270-226 Membership "...shall consist of *five* residents..."

The Solicitor announced that he gave a summary of the changes and that the Zoning Ordinance was available for review. He asked if anyone from the public had any comments on the amended Zoning Ordinance.

Robert Hemler, 89 Smeach Drive came before the Board and asked how those businesses already located in the commercial/industrial zoned district would be affected by the change in the requirement to connect to public water and sewer. His commercial property is not currently connected to water or sewer.

Township Manager Marc Woerner explained that in §270-41. General requirements for all uses was not so much a change but added the wording *where facilities exist*. He explained as it now stands there are areas in the Township that are zoned commercial/industrial and there are no public water or sewer facilities available. That is why *where facilities exist* was added.

Seeing there were no further comments from the public, Chairman asked for a motion to end the Public Meeting.

Supervisor Staaf made a motion to adjourn the meeting at 7:10 p.m., seconded by Supervisors Blettner. **Motion carried**

The Regular Meeting of the West Manheim Township Board of Supervisors was held on August 16, 2016 at the Municipal Building at 2412 Baltimore Pike. Chairman Hartlaub called the Meeting to Order at 7:10 p.m., followed by the Pledge to the Flag and Invocation by Township Secretary Miriam Clapper.

ROLL CALL: Present were Supervisors Blettner, DeGennaro, Hartlaub, and Staaf. Township Manager Marc Woerner, Solicitor Linus Fenicle and Township Engineer Chris Toms were also present. Supervisor Ault was not present.

ANNOUNCEMENT: Chairman Hartlaub announced that the Board of Supervisors would hold an executive session tonight after the meeting to discuss labor negotiations.

PUBLIC COMMENTS: Supervisor Hartlaub asked anyone present if they wanted to address the Board.

APPROVAL OF MINUTES: Supervisor Blettner made a motion to approve the Minutes of the Work Session on Thursday, August 4, 2016, seconded by Supervisor DeGennaro. **Motion carried.**

DISBURSEMENTS: Supervisor Blettner made a motion to approve the Disbursements of all Funds, as listed, seconded by Supervisor Staaf. **Motion carried.**

CORRESPONDENCE: Chairman Hartlaub noted the Township received two correspondences.

- David McNeal, 81 Glenville Road
- Larry L. Saltzgeber- Gun Shop located at 10 Pumping Station Road

Supervisor DeGennaro made a motion to accept the correspondence, seconded by Supervisor Staaf. **Motion carried.**

REC. BOARD REPORT: Christine Gienski, Chair of the West Manheim Township Park and Recreation Board gave an overview of her report (copy in Township file). She also informed the Board that she would be unavailable to attend September's meeting because she will be out of town.

Supervisor Staaf made a motion to accept the Rec Board Report, seconded by Supervisor DeGennaro. **Motion carried.**

SOLICITOR REPORT: Solicitor Linus Fenicle had nothing to report.

ENGINEER REPORT: Christopher Toms, C. S. Davidson, had nothing new to add to his submitted report (copy in Township file), but did inform the Board that he and Jeff Rummel, Township Road Master met with the paving contractor to review the project and the paving could start before August ends. He reminded the Board members that the roads to be paved are a portion of Sunset Drive, a portion of Frogtown Road and a swale along Tollgate Road.

Supervisor Blettner made a motion to accept the Engineer Report, seconded by Supervisor Staaf. **Motion carried.**

REPORTS:

1. Monthly Budget Review – Treasurer’s Report - July 2016
2. Chief of Police, Monthly Activity Report – July 2016
3. Public Works Report – July 2016
4. Pleasant Hill Volunteer Fire Co.-EMS Reports – July 2016
5. EMA Report – July 2016

Township Manager Marc Woerner gave an overview of each report then asked Emergency Services Director Mike Hampton if you wanted to add anything to his report. Mike Hampton informed the Board that he is working on the event plan for the Healing Field, which will take place September 9 through 17.

Supervisor Blettner made a motion to accept department reports 1 through 5, as distributed, seconded by Supervisor DeGennaro. **Motion carried.**

MANAGER REPORT: Manager Marc Woerner had nothing new to add to his submitted report (copy in Township file).

Supervisor Blettner made a motion to accept the Manager’s Report as distributed, seconded by Supervisor DeGennaro. **Motion carried.**

OLD BUSINESS:

At this point in the meeting, Chris Toms Township Engineer, informed the Board members about the outstanding recreation park grant that expires in 2017. He explained that it is a 50 percent match grant so the Township would need to come up with \$80,000 in financing or in-kind services. He explained the Board needs to decide on whether they want to put the work out to bid and use some recreation park funds or try to utilize public works.

Supervisor Staaf made a motion to bid the construction of the accessibility improvements at the Recreation Park funded by the DCNR Grant, seconded by Supervisor Blettner. **Motion carried.**

A. SpiriTrust – Sidewalks – Chris Toms

Chris Toms reported that SpiriTrust has submitted the permit to DEP. SpiriTrust has completed their design of the culvert extension and the sidewalk going across the culvert. There is nothing SpiriTrust can do until they get the permit from DEP.

NEW BUSINESS

A. Adoption of the SALDO and Zoning Ordinance Amendments

Township Solicitor Linus Fenicle presented the Subdivision and Land Development Ordinance to be considered for adopting the amendments.

Supervisor Staaf made a motion to adopt Ordinance #2016-04 amending the Subdivision and Land Development Ordinance, seconded by Supervisor DeGennaro. In a roll call vote of those members present, the vote was Supervisor Blettner, yes; Supervisor DeGennaro, yes; Supervisor Hartlaub, yes; and Supervisor Hartlaub, yes. **Motion carried.**

Township Solicitor Linus Fenicle then presented the Zoning Ordinance to be considered for adopting the amendments.

Supervisor Blettner made a motion to adopt Ordinance #2016-05 amending the Zoning Ordinance, seconded by Supervisor DeGennaro. In a roll call vote of those members present, the vote was Supervisor Blettner, yes; Supervisor DeGennaro, yes; Supervisor Hartlaub, yes; and Supervisor Hartlaub, yes. **Motion carried.**

Chairman Hartlaub reminded those present that the Township received two correspondences requesting to be exempt from trash service. Chairman Hartlaub presented Larry L. Saltzgeber, Gun Shop located at 10 Pumping Station Road exemption request first for discussion.

Supervisor DeGennaro expressed his approval of the exemption, but explained the reason to grant the exemption because the business is adjacent to his home, which he currently has trash service, and the business is closed.

Supervisor Staaf made a motion approving Mr. Larry L. Saltzgeber's business property at 10 Pumping Station Road request to be exempt from residential trash service, seconded by Supervisor Blettner. **Motion carried.**

Chairman Hartlaub then presented David McNeal, 81 Glenville Road request to be exempt from the trash service. He explained that Mr. McNeal has dumpster service with Penn Waste for his farm operations, but they insist on billing him for the residential trash service as well. He is asking the Board to exempt him from the residential service since he has the dumpster service with the Township collector.

Supervisor DeGennaro again, expressed his approval of the exemption due to the circumstances.

Supervisors Staaf made a motion approving Mr. McNeal's request to be exempt from residential trash service, seconded by Supervisor Blettner. **Motion carried.**

A. ALL TO BE TABLED:

Joshua Hill Farm, 124 - lot Preliminary, The Warner Farm, 15-lot Preliminary, Orchard Estates-Gobrecht, 58 - lot Preliminary, Preserve at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary, Wyndsong Pointe – Phase II, 15 - lot Final, Fuhrman Mill Heights, 1- lot, 34-units-Final Plan, Fox Run Village, 25 - lot Final, Steeple Chase, 12-lot Final, Homestead Acres, J.A. Myers, 134 - lot Preliminary, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366 - lot Preliminary Plan. Motion carried.

In a motion by Supervisor Blettner and seconded by Supervisor DeGennaro, the Board tabled all the following plans: Joshua Hill Farm, 124 - lot Preliminary, The Warner Farm, 15-lot Preliminary, Orchard Estates-Gobrecht, 58 - lot Preliminary, Preserve at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary, Wyndsong Pointe - Phase II, 15 - lot Final, Fuhrman Mill Heights, 1- lot, 34-units-Final Plan, Fox Run Village, 25 - lot Final, Steeple Chase, 12-lot Final, Homestead Acres, J.A. Myers, 134 - lot Preliminary, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366 - lot Preliminary Plan. Motion carried.

SUPERVISORS AND/OR PUBLIC COMMENTS:

NEXT SCHEDULED MEETINGS: The Supervisors Work Session – Thursday, September 1, 2016 with Supervisors Caucus at 6 p.m. The Board of Supervisors Regular Meeting – September 20, 2016 with the Supervisors Caucus at 6 p.m.

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ADJOURNMENT: Supervisor Staaf made a motion to adjourn the Regular Meeting at 7:35 p.m. and to go into an Executive Session to discuss labor negotiations, seconded by Supervisor Blettner. Motion carried.

Respectfully submitted,

Miriam Clapper
Secretary