

MINUTES  
WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION MEETING  
THURSDAY, AUGUST 18, 2016  
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 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, Duane Diehl, Andy Hoffman, Darrell Raubenstine and Jay Weisensale. Along with Township Manager Marc Woerner and Township Engineer Chris Toms

ITEM NO. 3 Approval of Minutes – Regular Meeting, July 21, 2016

Andy Hoffman made a motion to approve the Minutes from the regular Planning Commission meeting of Thursday, July 21, 2016, seconded by Duane Diehl. *The motion carried.*

ITEM NO. 4 Correspondence

Chairman Jim Myers noted there were no correspondences.

ITEM NO. 5 Visitors

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

ITEM NO. 6 Public Comment – Items Not Listed on Agenda

Chairman Myers asked if anyone present wanted to discuss an item not listed on the Agenda. Darrell Raubenstine stated that he would like to discuss under New Business a subject that he calls “Supervisors Approved Land Development - Who can Change the Terms and Conditions”.

ITEM NO. 7 Emergency Services Group Report

Mike Hampton, Director of Emergency Services was not present to give any report.

ITEM NO. 8 Report from Zoning Officer

Marc Woerner Zoning Officer informed the Planning members that the Board of Supervisors did adopt the proposed changes to the Subdivision and Land Development Ordinance and the Zoning Ordinance.

Darrell Raubenstine wanted to know how the Board addressed the 10 percent the Planning Commission recommended versus the 15 percent. Marc informed Darrell Raubenstine the Board of Supervisors decided on the 15 percent driveway slope.

ITEM NO. 9 Old Business

1. Extension Requests

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

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

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

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

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

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

2. Request for Preliminary Plan approval of Homestead Acres – Oakwood Dr. & Valley View Drive -366 Lot Preliminary Subdivision Plan

Jeff Stough for J. A. Myers, Paul Minnich Solicitor for J.A. Myers, and Ben Reisinger from HRG were present representing J. A. Myers. Mr. Minnich came before the Planning Commission to ask for a favorable recommendation to the Board of Supervisors for plan approval. Gail McLucas a stenographer with Geiger Loria Filius McLucas recorded the meeting at the request of J.A. Myers Builders.

Mr. Minnich gave a history of the subdivision plan and what the applicant had gone through to get the plan approved. He acknowledged the Planning members various concerns about the plan, but reminded the Planning members that the plan is legally permissible.

Brian Reisinger approached the Planning Commission with the changes that came from the meeting that J. A. Myers representatives had with Mr. Michael Roepoke representing Northfield Joint Venture and the Township. Mr. Reisinger presented a four phase plan, a request of the Planning members had previously made, and an eight phase plan to review.

Andy Hoffman questioned the availability of sewer. Mr. Reisinger explained no sewer easements has been obtained, but phase I does have sewer available through Oakwood Drive. In order to build the other phases, they will need to come back to the Township to get approval of the type of sanitary sewer system they will want to use whether gravity connection or pump station.

Mr. Michael Roepoke approached the Planning Commission to voice his concerns for the storm water ponds. He informed the Planning members that he asked Jeff Stough if J.A. Myers could build ponds 1, 2, 3, 4, and 9 with a clay core in the fill embanks, which Mr. Stough informed him that is how J. A. Myers builds them.

Mr. Roepoke also voiced his concern on inspection of the storm water ponds in Homestead Acres. He would like to see an annual Township or independent inspection of the storm water ponds in this development. He wants that information filed in the Township.

Mr. Roepoke expressed that both parties are willing to work together to make both Homestead Acres and his concept plan flow together. He informed the Planning members that J. A. Myers realigned one of Homestead Acres roads to meet the road on his concept plan and completely deleted two other roads. He is very happy to work with J. A. Myers to give the sewer easements needed to get gravity sewer.

After more questions and answer period, Chairman Myers reminded the Planning members that they have expressed the same concerns at each meeting. Duane Diehl expressed that both parties have acknowledged that no one likes the plan, but it is a legal plan. He reminded the members that J.A. Myers has done more than they needed to do to get plan approval.

Andy Hoffman stated for the record “at the last meeting, um, when we discussed the four phases, um, again I want to say when we at the Planning Commission had interest in the 13 phases that you had offered at one time. We said that by having some modifications to your market that you would make this available to such as a 55 plus community, which would be good for adding varied housing for our residents.”

“The Developer advice is that would be absolutely impossible to change the target audience at this late date and then indicated when we discussed meeting the MPC of four phases; well in that case, the Developer said well we will change it then. We will

make a change to this and make it a Section 8 housing project. So, I want to make sure the Supervisors all hear how the Developer was reacting and threatening us and the Township. If he didn't get his way that they are all aware of it...it should be part of the notes that go to the Supervisors since they would not be able to go through all of the minutes of the meetings involving the plan.”

Mr. Minnich explained that Mr. Myers observations, although it seems as making a threat, was explaining the range for potential options. One of which, was if the market was forced to absorb them at a faster rate the single family homes can, then those homes become rental units. He explained there are differing opinions about rental units, but there is a public policy under Section 8 to subsidize certain types of housing, so it is not necessarily a threat or a negative thing. The observation was made that may be a path, one of necessity if forced to develop the plan too quickly. Mr. Minnich then addressed the over 55 community, explain that the markets do not dictate it in their view and they have come too far to make such a change. He also questioned the Township would take a position that the Township could live with phasing and some other issues if you age restrict it otherwise it is unacceptable. He reminded the Planning members that could be considered discrimination.

After further discussion, Chairman Myers asked for a motion on the plan.

Duane Diehl made a motion for a favorable recommendation to the Board of Supervisors on Homestead Acres – Oakwood Drive and Valley View Drive – 366 Lot Preliminary Plan with the following conditions: the plan presented to the Board of Supervisors show eight phases, sewer easements must be obtained in writing from Northfield Joint Venture before approval of Phases 2 through 8, the additional homes and reconfiguration of the roads joining the Northfield Joint Venture development be shown on the submitted plan to the Board of Supervisors and all recreation fees to be paid in full to the Township, seconded by Jim Myers. **The Motion carried with a vote of Duane Diehl yes, Andy Hoffman yes, and Darrell Raubenstine yes, Jay Weisensale no and Chairman Myers abstained.**

Andy Hoffman made a motion for an unfavorable recommendation to the Board of Supervisors on Homestead Acres – Oakwood Drive and Valley View Drive – 366 Lot 4 Phases Preliminary Plan for the following reason: the plan presented to the Board does not meet the MPC 25 percent minimum per phase requirement, seconded by Duane Diehl. **The Motion carried with 5 yeses.**

ITEM 10. New Business

Darrell Raubenstine felt that the question he had wanted to discuss this evening as previously stated was better asked when the Township solicitor was present. He did feel that the Township Manager/Zoning Officer could ask the solicitor if the Supervisors have approved a land development plan, who can change the terms and conditions of the plan? Is it the Supervisors or as ordinances changes? Who can change it? Darrell stated, because there are certain things that we have done over the years not to permit certain things not to happen, but now they are happening.

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 September 15, 2016 at 6 p.m.

WEST MANHEIM TOWNSHIP  
PLANNING COMMISSION RE-ORGANIZATION MEETING MINUTES  
THURSDAY, AUGUST 18, 2016  
ITEM NO. 15 Adjournment

Andy Hoffman made a motion to adjourn at 9 p.m., seconded by Darrell Raubenstine. *The motion carried.*

Respectfully Submitted,

Miriam E. Clapper  
Recording Secretary