

MINUTES
WEST MANHEIM TOWNSHIP
PLANNING COMMISSION MEETING
THURSDAY, MAY 19, 2022
6:00 PM

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 by the Pledge of Allegiance. The meeting was also held virtually through the GoToMeeting video conferencing software.

ROLL CALL: The roll was called, and the following Commission Members were present: Chairman Jim Myers, Jeff Brown, Andy Hoffman, Jay Weisensale, Township Engineer Cory McCoy, and Miriam Clapper, recording secretary. Township Manager Michael Bowersox and Darrell Raubenstine were not present.

After the roll call, Chairman Myers informed those present that they would be changing #8 to #7 on the agenda to allow subdivision and land development to go before ZONING MATTER.

Andy Hoffman made a motion to change the order on the Planning Agenda to allow subdivision and land development to go before zoning matter, seconded by Jay Weisensale. **Motion carried.**

APPROVAL OF MINUTES: Regular Meeting Minutes, March 17, 2022

Andy Hoffman made a motion to approve the Minutes from the Planning Commission meeting of Thursday, March 17, 2022, as amended, seconded by Jay Weisensale. **Motion carried.**

CORRESPONDENCE: Jim Myers, Chairman reported that there was no new correspondence received.

VISITORS: Chairman Jim Myers asked if there was anyone present or online that wished to address the Commission and received no reply.

PUBLIC COMMENT – ITEMS NOT LISTED ON AGENDA: Chairman Myers asked if anyone present wanted to discuss an item not listed on the agenda and received no reply.

SUBDIVISION AND LAND DEVELOPMENT PLANS:

A. High Pointe @ Rojen Farms – Penn South – Phase S-3 (Improvements in Penn Township)

Robert Sharrah of Sharrah's Design representing Woodhaven came before the Planning members to discuss and answer any questions the Planning members might have on High Pointe @ Rojen Farms – Penn South. He told the planning members that all improvements are in Penn Township and because part of the subdivision falls in West Manheim Township, West Manheim Township must approve and sign off the plan.

Andy Hoffman made a favorable recommendation to the West Manheim Township Board of Supervisors to approve High Pointe @ Rojen Farms – Penn South – Phase S-3 (Improvements in Penn Township), seconded by Jay Weisensale. **Motion carried.**

B. 99 Pheasant Ridge Road (Prinland Heights) – Final Minor 3 Lot Subdivision Plan (Review Time Expires 8/18/2022)

John Runge of Gordon Brown Associates representing D. R. Acquisitions LLC came before the Planning members to ask for a favorable recommendation to move the Final Minor 3 –Lot subdivision plan to the Board of Supervisors for approval. He then went over the plan. Township Engineer Cory McCoy went over his review letter discussing any questions the Planning members had about his review.

Jay Weisensale made a motion a favorable recommendation to the West Manheim Township Board of Supervisors to approve 99 Pheasant Ridge Road (Prinland Heights) – Final Minor 3 Lot Subdivision Plan with all engineer comments of May 17, 2022, being addressed, seconded by Andy Hoffman. **Motion carried.**

C. Keel, LP -Phase II waiver request/modification requested.

Keith Bortner of Hanover Land Services representing Keel, LLP approached the Planning Commission for a favorable recommendation to approve the waiver request on the requirement to do a hydrogeologic and groundwater assessment report. He explained that the client had dug six wells and submitted the reports to go along with the waiver request. Township Engineer Cory McCoy explained that the township ordinance says that any residential developments with five or more lots must do a hydrogeologic and groundwater assessment report. After discussing the merits of the request, the Planning members decided they needed more information before they could make their decision.

1. Waiver request to the West Manheim Township Subdivision and Land Development Ordinance, Chapter 235, Article IV Plan Requirements, §235-53 Hydrogeologic and groundwater assessment report. A. A hydrogeologic and groundwater assessment report is required to be submitted at the time of the submission of the application for approval of the preliminary plan, in accordance with §§ 235-11 and 235-33, respectively, of this chapter. As such: (3) A hydrogeologic and groundwater assessment report is required for all proposed land development projects when any of the following conditions are present: (b) All proposed residential developments, including phased development, containing five or more lots, either initially or cumulatively, of any size. In lieu of preparing the Hydrogeologic and groundwater assessment report, the applicant has drilled the proposed wells and provided the well reports from the well driller for the data associated with each well.

Andy Hoffman made a motion to table the waiver request to the West Manheim Township Subdivision and Land Development Ordinance, Chapter 235, Article IV Plan Requirements, §235-53 Hydrogeologic and groundwater assessment report, seconded by Jeff Brown. **Motion carried.**

ZONING MATTER:

A. Zoning Ordinance Amendments and Map Revision

Chairman Myers reminded those present at a previous meeting that they were told about changing the rural resource area to farming and the reason for that change was to allow for less development and less congestion of vehicles. He said that he had no problem with that change but when he got his packet, he was surprised to see that he saw that the Board added the southern end of the Baltimore Pike to go from rural resource zoning and farming to commercial zoning because that was not mentioned at that meeting. He questioned what the deal was for making the change. He also pointed out that

there are properties the Board would like to rezone in the farmland zoned area that received conditional preliminary plan approvals.

Jeff Brown pointed out that a cemetery would now be in a commercial zone area.

Jay Weisensale asked Supervisor Ryneanson why the Board of Supervisors wanted to make these changes and he said (he was not speaking for the Board of Supervisors but as an individual board member) that they wanted to limit housing and wanted to be able to help the tax base by bringing in more commercial businesses.

The planning members then voiced their concerns about spot zoning for commercial use, no transparency provided by the supervisors as to what lands they own in the rezoned areas, and why did the York County Planning Commission review the changes before the Planning Commission did their review. They expressed that the location of rezoning the southern end of the Baltimore Pike was a poor location for businesses since there is no public water or sewer in that area. The number of people who could attend the meeting to voice their concerns would be more than the meeting room could handle.

Township Engineer Cory McCoy explained to the Planning members that there were two big issues and one minor issue at hand. The first was the removal of rural resources and making all that area farming and a few more lots were added. He told them at the request of Heather Bair Code Enforcement Officer she asked that the 581 lots that are less than two acres located in the farming zone have the setback changed to allow for a property owner to put a shed or other small improvements on the property without seeking a variance. Jay Weisensale expressed his concern about this change. He understands the need for the changes and questions how it affects farming on the adjacent farm.

Jeff Brown is concerned about more traffic being dumped onto the southern end of the Baltimore Pike when commercial businesses come to that end of the township.

Jay Weisensale made a motion for a favorable recommendation for converting the rural resources zoned areas to farming. When Jeff Brown said asked Mr. Hoffman (who was not present at the meeting this was discussed) why he previously was in favor of the area in question being zoned rural resources. The motion died for lack of a second.

Mr. Hoffman told those present that 15 percent of the township is being rezoned and how he was uncomfortable with that. He pointed out that all of this is being done in between the township's comprehensive plan, which is a massive chunk of land being rezoned. He feels that should be part of the Comprehensive Plan. Mr. Hoffman expressed that the Planning members have more insight into the process since those on the Board of Supervisors have not been a part of the process due to their time serving on the Board. He expressed if any of the current sitting members on the Board own land in the rezoned areas. He said that the Board members provided no transparency on how or if they could potentially gain by rezoning areas. He explained that the area of rural resources has gotten moved around twice, once through the Comprehensive Plan 18 years ago where they took a chunk of land, and now the Township is taking one of those chunks that went from farming to rural resources about 10 years ago back to farming.

Mr. Hoffman felt that this looks "jumpy" like the Board is jumping at things instead of having a clear long-range plan for the township. Chairman Myers expressed the same feelings. He told those present that the Board needed to update the Comprehensive Plan before making such changes.

Speaking on his own behalf Supervisor Rynearson told the Planning members that the Board has taken the steps to secure grants to update the Comprehensive Plan, but the process to update the plan would take years. Township Engineer Cory McCoy told the Planning members that C.S. Davidson had secured the grants for the township and was in the process of doing what was necessary to solicit the services to put the Comprehensive Plan together.

Jay Weisensale asked what the reasoning behind the rural resource area was, was that to be a buffering between residential and the farming district. Mr. Hoffman explained that it was to be the next growth area once the residential areas were built out, it would potentially be the next growth area because the sewer connection on that side would be out there in twenty years.

Mr. Hoffman expressed that he would have liked to have seen the actual ordinance with the text amendments having redlines showing deletion and additions of any new text to proofread. He said that he did not have the time to go through pages and pages of the old ordinance and the new ordinance to verify the changes and to make a favorable recommendation. Township Engineer Cory Mc Coy then went over the changes.

Chairman Myers expressed that the Board of Supervisors was putting the cart before the horse. That the changes just did not make any sense. Jeff Brown expressed that he felt the same. Andy Hoffman expressed that the current Comprehensive Plan is a 300-page document, from 2005 (he thought). He said that it is a big document that will take time to review, way over a year to process.

Chairman Myers asked if there was a motion for an unfavorable recommendation and pointed out that Codorus State Park is in the residential area, should that be there.

Andy Hoffman said the expansion of the commercial zone does not make any sense because it is taking parcels that are already approved for residential development and changing them to commercial development does not make sense to do that and then adding the weird shape lots that were tossed in, it just does not seem like the right place for commercial. Chairman Myers again said it seemed like spot zoning.

Mr. Hoffman said that the text information that they received might be explaining exactly what the outcome is to be but would have liked to have seen the actual ordinance with the text amendments having redlines showing deletion and green lines showing additions of any new text to proofread. Township Engineer Cory McCoy offered to send the document to him.

Mr. Hoffman said that what he was hearing was that getting rid of rural resources might not be a problem to do it but is it really looking at the bigger picture for how the township will handle the next growth area. Jeff Brown said if they were going to be against the commercial development change because of a lack of planning commission documents and a comprehensive plan then they need to say that they are against changing rural resources to farming for the same reason.

Andy Hoffman made an unfavorable recommendation to the West Manheim Township Board of Supervisors for the extensive zoning update per the reason listed in a letter to go to the Board of Supervisors from the Planning Commission, seconded by Jeff Brown. **Motion carried.**

SIGNING OF APPROVED PLANS: None.

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OTHER BUSINESS: None

PUBLIC COMMENT: None

NEXT MEETING: The next scheduled meeting for the Planning Commission is Thursday, June 16, 2022, at 6 p.m.

ADJOURNMENT: Jay Weisensale made a motion to adjourn at 7:15 p.m., seconded by Jeff Brown. **Motion carried.**

Respectfully Submitted,

Miriam E. Clapper, Recording Secretary

Chairman