

MINUTES
WEST MANHEIM TOWNSHIP
PLANNING COMMISSION MEETING
THURSDAY, JUNE 16, 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, Darrell Raubenstine, Jay Weisensale, Township Manager Michael Bowersox, Township Engineer Cory McCoy, and Miriam Clapper, recording secretary. Andy Hoffman was not present.

APPROVAL OF MINUTES - Regular Meeting Minutes, May 19, 2022

Jay Weisensale made a motion to approve the Minutes from the Planning Commission meeting of Thursday, May 19, 2022, seconded by Jeff Brown. **Motion carried.**

CORRESPONDENCE: None

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.

ZONING MATTER:

A. Jay Skaggs and Jeffrey Erb – 590 Impounding Dam Road - Special Exception to Ordinance 270-44
Special Exception Uses: Rural Occupations

Mr. Jeffrey Erb, came before the Planning Commission to ask for a favorable recommendation on his request for a special exception to operate a small roofing business out of a Morton Building located at 590 Impounding Dam Road. He explained that he is currently renting the home located on the property and he has an opportunity to rent the Morton Building that at one time had a business in that building. He said that he and his mother would be the only people working in the

building. He would like to have an office for himself and an office for his mother. He told the Planning members that there would not be any additional traffic because his mother currently takes and picks up his children from school every day.

Chairman Myers asked if he felt he would have employees in the future and Mr. Erb replied that he uses sub-contractors, and his mom delivers and picks up checks on most occasions.

Darrell Raubenstine asked Mr. Erb if he was related to Mr. Jay Skaggs and Mr. Erb told him they were not related. Darrell then asked if Mr. Skaggs was the owner of the property and Mr. Erb replied, correct. Darrell then asked Mr. Erb if he wanted to rent one building. Mr. Erb told him that he currently rents the house, and he currently rents another building located on the property. Mr. Erb said there are several storage buildings, a small garage, a large garage, and then the Morton building. Darrell Raubenstine asked since he lives in the house why not make it a home occupation and Township Manager Michael Bowersox said that he does not own the home. Mr. Erb also said that he would not be able to have a sign advertising his business if it was a home occupation. He told the Planning members that he had lived at the property for two years and he is hoping to buy the property when Mr. Skaggs is ready to sell it to him

Jay Weisensale asked him to explain what an office/showroom was. Mr. Erb explained that he would have samples of shingle hanging on hooks and siding samples on display. Mr. Erb told the Planning members that he has a website and 99 percent of his customers chose to do everything through the website; the showroom/office is for that one percent who want to see the actual product before they buy it.

Jeff Brown asked how many employees he previously had, and Mr. Erb replied seven or eight. Jeff Brown then asked in a few years could he have another seven or eight employees to which Mr. Erb said that he doubted it. Mr. Herb explained that he has wrapped up the remodeling side of the company and that he has never used employees to install roofs he has only used sub-contractors.

Chairman Myers asked if there had been a business in the building before and Mr. Erb replied that a retail store had been there.

Mr. Erb told the Planning members that he does have off-site storage in the New Oxford area and that he plans to rent the entire Morton building per Mr. Skaggs's request. The front of the building will be the office and the rest will be for personal storage.

Darrell Raubenstine made a motion for a favorable recommendation to the West Manheim Township Zoning Hearing Board to grant Jay Skaggs and Jeffrey Erb – 590 Impounding Dam Road - Special Exception to Ordinance 270-44 Special Exception Uses: Rural Occupations, on the condition that he clarifies storage as being inside only, seconded by Jeff Brown. In a vote of Jeff Brown, James Myers, and Darrell Raubenstine voting “yay” and Jay Weisensale abstaining, the **Motion carried.**

SUBDIVISION AND LAND DEVELOPMENT PLANS:

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

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.

Reg Baugher from Hanover Land Services representing Keel, LP came before the Planning members to give an update on the Planning members’ request to have an expert give him a letter saying that the information was dependable. Mr. Baugher told the members that he had spoken with someone who felt that it would not be a problem with the six well reports and a copy of the plans that he sent him. Mr. Baugher told the Planning members that they pumped each well for considerable amounts of time and none of the wells went...Chairman Myers interrupted him to say the Planning Commission members’ concerns were if just reading that information was enough for what you call a hydrogeologic study. Mr. Baugher said that is why they were asking for the waiver. He said that what they are submitting would not meet the study part. Chairman Myers said to Mr. Baugher that you talked with a hydrogeologist, and did he give you something in writing and Mr. Baugher said he was trying to get something in writing but did not want to wait for another board meeting. Chairman Myers felt that the Planning

members could approve the request on the condition that they get something in writing. Mr. Baugher then said that he read the Ordinance and explained that this is not your normal five lots. He then pointed out that four of the lots are in a concentrated area, two of the lots are spread out over eighty acres and the one lot is just a redrill of the well for the farmhouse. He told the members that the farmhouse has a well it just was not up to current standards. Mr. Baugher told the Planning members the ordinance says that the wells being monitored must be within two hundred feet of the well being tested and Mr. Baugher informed them that they were nowhere within two hundred feet of their wells or the adjoining wells. He expressed that since they are not within two hundred feet of any wells, he questioned the need for them to do the study.

Darrell Raubenstine asked the engineer what the Hydrogeologic study does for them. Does that study give them something that they would not know such as a nitrate study? Mr. Baugher told Mr. Raubenstine that the nitrate study is part of the sewer module, and he did receive approval on the sewer module. Township Engineer Cory McCoy told the Planning members that it assures you that you have viable wells on the site, but that study also monitors to see how it will impact adjacent on-lot wells.

Jim Myers made a motion for a favorable recommendation to the West Manheim Township Board of Supervisors to approve 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 on the condition that they receive documentation from a hydrogeologist, seconded by Jeff Brown. **Motion carried.**

SIGNING OF APPROVED PLANS: None.

OTHER BUSINESS: None

A. Comprehensive Plan Update

Chairman Myers asked Township Manager Michael Bowersox for an update on the Comprehensive Plan, and he told the Planning members that the Township is in the RFP process. He explained that they are looking for a contractor to facilitate it. Chairman Myers then asked does the township needs to wait until the township has a contractor before they form a committee and Township Manager Michael Bowersox said yes, they will come in and facilitate all of that. He said the contractor will give them recommendations on who the stakeholders are and who should be on the committee. The township will then form the committee and start from there. Chairman Myers said that the Township does have

approval for some money from somewhere. Township Manager said yes, the Township did, and Township Engineer Cory McCoy said the Township received two grants and he thought both were \$15,000 each totaling \$30,000, but he was not sure. Chairman Myers asked if they had sent the RFP out and the Township's Engineer said that they are working on the draft and hope to have it done in the next week or two. He then told the Planning members that the draft will go to township staff to review and the solicitor to review to make sure all the details are in the RFP. Once the review is complete it will go out for bids. Chairman Myers asked if there was anything else they should know. Township Engineer Cory McCoy said it is just a wait until the Township gets a contract in place and whoever gets that contract will drive the process.

PUBLIC COMMENT: None

NEXT MEETING: The next scheduled meeting for the Planning Commission is Thursday, July 21, 2022, at 6 p.m.

ADJOURNMENT: Jay Weisensale made a motion to adjourn at 6:30 p.m., seconded by Darrell Raubenstine. **Motion carried.**

Respectfully Submitted,

Miriam E. Clapper, Recording Secretary

Chairman