

## YORK COUNTY PLANNING COMMISSION

### PROCEEDINGS:

7:30 p.m. January 8, 2008 - Regular Meeting  
Administrative Center, Commissioners Meeting Room  
28 East Market St.  
York PA 17401

The meeting was opened by Chairman Dunlap at 7:30 p.m.

### ROLL CALL

Members Present : Terry Dunlap, Walter Kuhl, Brian Brenneman, Mary Coble, Jeff Propps, Michael Rodkey, Mary Kay Reed, Scott Simonds

Members Absent : Randy Meyerhoff

Staff : Felicia Dell, Director; Joe Heffner, Assistant Director; Mike Shaffer, Sr. Planner; Barb McKinney, Sr. Planner; Jean Ball, Recording Secretary

Solicitor : Jeffrey L. Rehmeyer II

Others : Mr. Adam Clade, PP & L; Mr. Tim Jury, GLBA, Randy Nouft, Trestle Station; Mike Endler, C. S. Davidson; Ron Lucas, S. Queen St. Ltd.

Reporter : None

### PUBLIC COMMENT

None

### APPROVAL OF MINUTES:

Chairman Dunlap asked for any comments or corrections to the minutes of December 4, 2007. Ms. Coble made a motion for **approval** of the minutes, as presented. The motion was seconded by Mr. Kuhl, voted on and carried, as stated.

### COMMUNICATIONS:

#### Project Review Correspondence

Mellott Engineering, Inc., Newberry Twp.(1); Johnson Controls, York (1)

## Acknowledgments

Mr. Dunlap shared a thank you/Resolution to Pam Shellenberger for her aid, support, unstinting attendance at meetings, consistent patience and insightful counsel in the draft of their Comprehensive Plan. Also, a thank you for the work and support the York County Planning Commission's staff puts forth, specifically Mr. Beck and Mr. Clark, from the Northern York Region for their efforts in developing the scope of work and cost estimate for this Plan Addendum as well as their guidance.

## **FINANCIAL REPORT**

Ms. Dell highlighted the Financial Report for November. She noted the Expenses and Revenues are running a little lower than anticipated, but are in a good balance. Ms. Dell stated there are still some reimbursables that will be coming in for the last quarter of the year. She highlighted the purchase report, expenses and miscellaneous expenses. A brief discussion ensued.

It was noted that the December Financial Report will not be available until the February meeting due to the year end closing of the books.

Following the discussion, Chairman Dunlap asked that the record reflect that the November Financial Report has been received, reviewed and will be placed in the file for the auditors.

## **COMMITTEE REPORTS:**

### Intensive Agricultural

Mr. Dunlap noted the Intensive Agricultural Committee met on Wednesday, December 12, 2007 and re-affirmed that there are problems with the Act 38 Legislation. He stated at a later date they are going to invite our Legislators to discuss Act 38 hoping they will try to promote some changes to the Legislation.

### Nominating Committee Report

Ms. Coble noted the Nominating Committee is recommending the following persons for Officers for the year 2008 as follows:

Mr. Terry Dunlap - Chairman  
Mr. Walter Kuhl - Vice-Chairman  
Ms. Mary Coble - Secretary  
Ms. Mary Kay Reed - Treasurer

There were no new nominations from the members. Mr. Brenneman made a motion for **approval** of the recommended slate of officers for the year 2008, as presented. The motion was seconded by Mr. Simonds, voted on and carried as stated.

## **STAFF REPORTS:**

There were no questions or comments.

## **SOLICITOR'S REPORT**

Attorney Rehmeier noted he has nothing to report for the month.

## **OLD BUSINESS**

- a. York Haven Bypass Road Land Development Plan, York Haven Borough, YCPC File #94-07-05-22-233

Mike Shaffer stated the developers have made revisions to the Plan, addressing two of the outstanding items that were of concern to the Commission members previously. He stated Newberry Township Officials approved the Plan December 27, 2007 and York Haven Borough Officials gave their approval to the Plan last night. Mr. Shaffer stated there are still a couple of issues that are conditions that the staff feels can be met. He pointed out the letter the members received this evening from the Borough Engineer. Mr. Shaffer stated they are asking for a Modification Request of the cartway widths and a Modification Request for clear sight triangles at existing intersections. He stated that the staff recommendation is that the Modifications be granted and that the Plan be conditionally approved. A brief discussion ensued.

Following the discussion, Ms. Coble made a motion for **approval** of the Modification Request for Section 402.c.13 as the developer has shown the dimensions for the project. Ms. Coble also made a motion for **approval** of Section 405.c.4, clear sight triangles. Both motions were seconded by Mr. Propps, voted on and carried as stated.

Ms. Coble made a motion that the Land Development Plan for PA Power and Light be **conditionally approved**, the conditions being those shown on our staff review and comment letter and additionally requiring the agreement for Stormwater Management to be drafted and approved by York Haven Borough Council. The motion was seconded by Mr. Kuhl, voted on and carried as stated.

- b. Trestle Station Preliminary Subdiv. Plan, Delta Boro., 12 Lots, YCPC File #57-07-08-14-365

Ms. Ruby stated that the engineer for Trestle Station has met all of the conditions and obtained the signatures of Borough Council last night. She stated that the YCPC staff recommends approval.

There being no questions or comments, Ms. Coble made a motion to **approval** of the Trestle Station Subdivision as presented. The motion was seconded by Mr. Propps, voted on and carried as stated.

## **NEW BUSINESS**

The following projects were taken on an individual basis for discussion:

### **LOWER CHANCEFORD TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT: SUBDIVISION OF CROP LAND, DEFINITIONS YCPC PROJECT #08-04**

Lower Chanceford Township Officials have submitted a revised amendment to the Township Zoning Ordinance regarding subdivision of crop land and definitions. The amendment is being submitted for recommendations in accordance with Section 609.(e) of the Pennsylvania Municipalities Planning Code (MPC).

The staff of the York County Planning Commission find the proposed amendments to Section 202.9(a)(3) and 203.9(a)(3) acceptable as submitted; but offers comments that should be considered and appropriate revisions made to the remaining proposed amendments prior to resubmission/enactment.

The LGAC Executive Committee reviewed the proposed amendments recommending approval, but recommended adding an analysis of soils by a licensed Geologist and clarification of Subsection 3. #3.b.

Ms. Coble questioned the difference between staff comments in YCPC Project #08-03 and YCPC Project #08-04. A brief discussion ensued. It was decided that the staff report for YCPC Project #08-04 be revised as follows: The remaining proposed amendments should not be adopted in their present form. The following is similar to YCPC Project #08-03.

Following the discussion, Ms. Coble made a motion for **approval of the staff report with the additional statement and that they delete “enactment” from the YCPC Project #08-04 recommendation in the last sentence.** The motion was seconded by Mr. Propps, voted on and carried as stated.

### **YORK TOWNSHIP ZONING ORDINANCE AMENDMENTS MAP: HIGH DENSITY RESIDENTIAL (RH9) TO SHOPPING COMMERCIAL (C-S) YCPC PROJECT #08-09**

The purpose of this project is to review and comment on a proposal by a property owner to rezone one parcel of land located on the east side of South Queen Street from High Density Residential (RH9) to Shopping Commercial (C-S). This amendment is being submitted for review in accordance with Section 609.(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission recommends the proposed rezoning be enacted, offering comments in support of that recommendation.

The LGAC Executive Committee reviewed the proposed amendments and recommended approval, with the exception of landscape buffers, landscape screens and street trees requiring them to be planted on adjacent lots.

Ms. Ruby shared an overview of the project, at the request of the Commission members. She highlighted the location of the property and stated that a number of the properties in the area are already Commercial.

Attorney Ron Lucas stated that there are dimensional problems that don't meet the requirements and they would have a problem updating the property. He shared background on the property. A lengthy discussion ensued.

Following the discussion, Mr. Propps made a motion for **approval** of the staff report as presented. The motion was seconded by Ms. Coble, voted on and carried as stated. There were two opposed.

The staff reports of the following projects **#08-01, #08-02, #08-03, #08-05, #08-06, #08-07 and #08-08** were agreed to by the Commission to make up this month's Consent Calendar. Mr. Kuhl made a motion for **approval** of the staff reports as presented. The motion was seconded by Mr. Brenneman voted on and carried as stated.

**CODORUS TOWNSHIP ZONING ORDINANCE AMENDMENT  
TEXT: REGULATIONS FOR SINGLE-FAMILY DWELLINGS IN THE  
AGRICULTURAL DISTRICT  
YCPC PROJECT #08-01**

This project involves a proposal by Codorus Township Officials to amend the Township Zoning Ordinance. Section 504, Regulations Respecting Single-Family Dwellings, is being amended by changing current text and adding new requirements. These amendments are being submitted for recommendations in accordance with Section 609.(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission recommend that the proposed amendments not be adopted as submitted, offering a comment in support of this recommendation.

The LGAC Executive Committee reviewed the proposed amendment and recommended approval of the amendment as submitted.

**FAWN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE AMENDMENT, RE: ADD-ON-LOTS  
YCPC PROJECT #08-02**

Fawn Township Officials have submitted a revised amendment to the Township Subdivision and Land Development Ordinance regarding regulations for add-on-lots. The amendment is being submitted for recommendations in accordance with Section 505(a) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission find the proposed amendments requiring that add-on lots be merged by deed and recorded within 6 months of approval, and that plans must be signed by recipients of add-on lots to be generally acceptable as proposed. However, the staff offer comments that should be considered and appropriate revisions made prior to resubmission.

The LGAC Executive Committee reviewed the proposed amendment and recommended approval, but questioned Section 5.b., and the significance of the 10 acre designation.

**PEACH BOTTOM TOWNSHIP ZONING ORDINANCE AMENDMENT  
TEXT: HOME OCCUPATION, WATER POLLUTION AND CONSERVATION  
YCPC PROJECT #08-03**

Peach Bottom Township Officials have submitted a proposed amendment to the Township Zoning Ordinance regarding regulations for home occupation and water pollution and conservation. The amendment is being submitted for recommendations in accordance with Section 609.(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission find the proposed amendments to Section 303(1)(h) acceptable as submitted. The staff recommend that the proposed amendments in Section 397 not be adopted in their current form. The staff note that the comments provided should be considered and appropriate revisions made prior to resubmission.

The LGAC Executive Committee reviewed the proposed amendments and recommended approval of #1., Section 303(1)(h), but denial of #2., Section 397, based on the fact that it is regulated by DEP.

**HOPEWELL TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE AMENDMENT, RECREATION FEES  
YCPC PROJECT #08-05**

The purpose of this project is to review and comment on a proposal by Hopewell Township Officials to amend the Township Subdivision and Land Development Ordinance to increase the fee in lieu of the dedication of land for recreation purposes. This amendment has been submitted for review and comment in accordance with Section 505.(a) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission recommend the proposed amendment be adopted as presented, offering comments in support of that recommendation.

The LGAC Executive committee reviewed the proposed amendment and recommended approval, as submitted.

**JACKSON TOWNSHIP/PARADISE TOWNSHIP  
JOINT COMPREHENSIVE PLAN AMENDMENT  
YCPC PROJECT #08-06**

An amendment to the Jackson Township/Paradise Township Joint Comprehensive Plan has been submitted to the York County Planning Commission for review and comment, as required by Section 301.3 of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission recommend that the proposed amendment to the Jackson Township/Paradise Township Joint Comprehensive Plan not be adopted, offering comments in support of that recommendation and for the Township's consideration.

The LGAC Executive Committee reviewed the proposed amendments and recommended denial of the proposed amendment as submitted. There was one opposed.

**CONEWAGO TOWNSHIP ZONING ORDINANCE AMENDMENT  
MAP: RESIDENTIAL ZONE (R) TO INDUSTRIAL ZONE (I)  
YCPC PROJECT #08-07**

The purpose of this project is to review and comment on a property owner request to amend the Conewago Township Zoning Map by rezoning one (1) parcel of land located in the northeastern portion of the Township. The rezoning site is located at the corner of Susquehanna Trail (295) and Big Conewago Avenue. The owner is requesting that Township Officials rezone the site from Residential (R) to Industrial (I). This amendment is being submitted for recommendation in accordance with Section 609.(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission recommend that Conewago Township Officials adopt the proposed amendment as presented, offering comments in support of that recommendation.

The LGAC Executive Committee reviewed the proposed amendments and recommended approval as submitted.

**SPRINGETTSBURY TOWNSHIP ZONING ORDINANCE AMENDMENT  
TEXT: TEMPORARY USE AND STRUCTURE  
YCPC PROJECT #08-08**

The purpose of the project is to review and comment on an amendment to the Springettsbury Township Zoning Ordinance concerning temporary uses and structures. The proposed ordinance amendment is being submitted for recommendations in accordance with Section 609.(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission recommend that Township Officials adopt the proposed amendment to the Springettsbury Township Zoning Ordinance.

The LGAC Executive Committee reviewed the proposed amendment and recommended denial of the proposed amendment, based on the fact that it is too restrictive.

**OTHER BUSINESS**

**Final Report on 2007 Work Plan**

Ms. Dell noted that the members have received the Work Plan and can review it at their leisure. She stated that if they have any question or comments they can feel free to call the staff. Ms. Dell noted that the 2008 Work Plan will be available at the February YCPC meeting.

**General Signature Resolution**

Ms. Dell noted that the Commission usually does a Transportation Contract Resolution. She stated that this year it was decided to do a General Signature Resolution to cover other contract resolutions as well.

There being no discussion, Ms. Coble made a motion for **approval** of the General Signature Resolution as submitted. The motion was second by Mr. Propps, voted on and carried as stated.

#### CJAB Presentation - Chris Rafferty, Administrator, Housing & Community Development

Mr. Rafferty shared some background on what initiated this issue, stating that the County was asked to work with the Prison on the issue of traditional housing for people with MH/MR issues coming out of the County Prison. He discussed what has been done up to this point, stating that the final report will be submitted to the Commissioners this week. Mr. Rafferty discussed the importance of a stable housing situation to this population and the problems that can stem from not having that stability. He stated that a subcommittee to the Citizens Justice Advisory Board will be appointed by the Board of County Commissioners to implement the Study..

Ms. Reed stated that this could be a model program for other Counties.

#### Heritage Tourism Program

Mr. Brenneman shared some information on the Pilot Phase of the Heritage Tourism Program, stating that they will have a recommendation on the three applicants at the February meeting. Mr. Heffner noted there will be a press event, with a date of February 12, 2008, at the John Wright facility in Wrightsville to introduce the Joint Program with Lancaster County.

#### Metro York

Ms. Dell stated that James DeBord, Metro York, has not returned her call regarding the possibility of him coming to a YCPC meeting and talking to the Commission members about Metro York's Report. A lengthy discussion ensued on a discussion of more meaningful regional planning, whether he should come to the meeting and how much time we could allow for the discussion.

It was decided that Ms. Dell should asked him to come to the February meeting.

#### ADJOURNMENT

There being no further discussion or business, Chairman Dunlap adjourned the meeting at 9:03 p.m.

The next York County Planning Commission meeting will be **Tuesday, February 5, 2008 at 7:30 p.m.** The meeting will be held at the County Administrative Center at 28 East Market Street, on the second floor in the County Commissioners meeting room.

Respectfully Submitted by  
Jean Ball, Recording Secretary

