

YORK COUNTY PLANNING COMMISSION

PROCEEDINGS:

7:30 p.m. February 5, 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, Brian Brenneman, Mary Coble, Randy Meyerhoff, Jeff Propps, Michael Rodkey, Mary Kay Reed, Scott Simonds

Members Absent : Walter Kuhl

Staff : Felicia Dell, Director; Joe Heffner, Assistant Director; Terry Ruby, Sr. Planner; Jean Ball, Recording Secretary, Anne Walko, Sr. Planner

Solicitor : Jeffrey L. Rehmeyer II

Others : Ruth Ann & Donald Robinson, Old Line Museum; Mr. Tim Jury, GLBA, Randy Nouft, and Jim Thompson, Trestle Station; Jonathan Heilman, C.S. Davidson; Andy Richardson, West Manheim Twp.; Eric Menzer, James DeBord and Erika Jeannette, York Counts; John Gervaise, Loganville Boro.; Joan Mummert, York Co. Heritage Trust

Reporter : None

PUBLIC COMMENT

None

APPROVAL OF MINUTES:

Chairman Dunlap asked for any comments or corrections to the minutes of January 8, 2008. Ms. Coble made a motion for **approval** of the minutes, as presented. The motion was seconded by Mr. Propps, voted on and carried, as stated.

COMMUNICATIONS:

Project Review Correspondence

D.C. Gohn Assoc., Inc., Lower Windsor Twp. (1); RGS Assoc., Inc., Peach Bottom Twp. (1); Econstruction, LLC, Windsor Twp. (1); Johnston & Assoc., Inc. (1); Glen-Gery Corp., York (1) HRG, Inc., Manchester Twp. (1); P.H. Glatfelter Co., Spring Grove Boro. (1); Environmental Compliance Management, Inc. (1); JMT, Hellam Twp. (1); NuTec Design Assoc., Inc., Spring Garden Twp. (1); Act One Consultants, Inc., Fairview Twp. (1)

Acknowledgments

Mr. Dunlap shared thank you letters from Kris Marino, Program Coordinator and Nate Caruso, student from Leadership York. He stated they are thanking Ms. Dell for her time spent speaking to Future Leaders about a variety of planning issues involved in land use. Mr. Mario also thanked her for her dedication and commitment to the Future Leaders Youth Program.

FINANCIAL REPORT

Ms. Dell noted that there is no Financial Report for the month of December due to the fact that they are in the process of closing out the books for 2007 in preparation for the Audit. She stated that once the closeout is complete they will have a December 2007 Financial Report for the Commission.

2008 York County Planning Commission Budget

Ms. Dell stated that our allocation from the County has been approved. Therefore, the Draft Budget that was submitted to the Commission and to the Commissioners in September stands. Ms. Dell stated she is asking the Commission for approval of the Planning Commission's Budget for 2008.

2008 Salary Adjustments

Ms. Dell highlighted the proposed salary scenarios based on a range provided by the County. A brief discussion ensued.

Following the discussion, Ms. Coble made a motion for **approval of the 2008 York County Planning Commission Budget and the recommended 2008 Salary Adjustments**. The motion was seconded by Mr. Brenneman, voted on and carried as stated.

COMMITTEE REPORTS:

Intensive Agricultural

Mr. Dunlap noted the Intensive Agricultural Committee met and are still trying to pick a date to meet with the Legislators regarding the Act 38 Legislation. He stated that Mr. Propps has contacted the Chiefs of Staff office regarding the Representatives and they are working together to get them to come to one of our meetings to discuss Act 38 Legislation and the promotion of some changes

to that Legislation. He stated he is hopeful that meeting will take place at the end of this month or the end of March.

STAFF REPORTS:

There were no questions or comments.

SOLICITOR'S REPORT

Attorney Rehmeyer stated that he has sent out the Statements of Financial Interest to the Commission members and is requesting they be filled out and sent back to him by May 1, 2008.

Heritage Tourism Candidates

Ms. Walko, Senior Planner, County Long Range Planning, highlighted the Heritage Tourism Program and updated the Commission members on the three Pilots that have been selected for the Program at this time; the Colonial Complex in Downtown York, the Old Line Museum in Delta Borough, and Richard M. Nixon County Park Nature Center in Springfield Township.

Mr. Brenneman recommend to the Commission that all three of the Pilots be **approved to be officially designated as Heritage Tourism Sites**. Ms. Coble seconded the recommendation, it was voted on and carried as stated..

Mr. Brenneman noted that there will be a Press Event at John Wright Restaurant in Wrightsville to announce the designation of the Heritage sites on February 12, 2008.

Ms. Walko presented Certificates to the representatives of each of the designated Heritage Tourism sites.

OLD BUSINESS

a. 2007 Work Plan

There were no questions or comments.

b. Metro York Presentation - James DeBord and Eric Menzer

Mr. DeBord discussed the Metro York Project, stating that it is a York Counts effort. He shared the different types of persons that have been and continue to be part of these projects. Mr. DeBord stated they had been gathering information for 2 years and released the report in 2001. Mr. DeBord stated that set off a 3 year effort. He highlighted the steps that have been taken since that time, to hopefully improve the quality of life in York County. Mr. DeBord stated they have looked at areas such as education and diversity among others.

Mr. Menzer highlighted the purpose, makeup and initiatives of the Metro York effort, stating they were to come up with specific recommendations for 8 of the issues. He discussed some of the things that didn't make it into the report. Mr. Menzer stated they needed to fall back to

broader recommendations and not be so specific because of knowledge and time constraints. He issued an invitation to the York County Planning Commission to engage with York Counts to dig deeper to develop the next layer to the initiative.

A brief discussion ensued on what part they are asking York County Planning Commission to play in their initiatives regarding Planning. Ms. Dell highlighted what the Planning Commission is already doing and those areas they are beginning to get involved in. She asked if some of the leaders of Metro York/York Counts would be interested in sitting on some of those Committees/Study Groups that we have coming up in 2008 to work together with the Planning Commission.

A lengthy discussion ensued on where both entities might go from here.

NEW BUSINESS

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

FRANKLIN TOWNSHIP ZONING ORDINANCE AMENDMENT INDOOR RECREATION FACILITIES, KENNELS, FLAG LOTS, PRIVATE CLUBS, & HOME BUSINESSES YCPC PROJECT #08-10

This project involves amendment to the text of the Franklin Township Zoning Ordinance, proposed by Township Officials. The amendments are proposed changes to the definitions of Indoor Commercial Recreation Facility and Kennels and to the zones where they are permitted as conditional uses; changes in terminology regarding private clubs, and home businesses; changes to the minimum lot width requirement and provisions for sharing driveways, parking, and stormwater management facilities in the Residential (R) Zone; and changes to the Specific Criteria for Kennels, Flag Lots, and Private Clubs. The 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 (YCPC) recommends that several of the proposed amendments not be adopted as proposed. Township Officials should consider the YCPC staff comments and make any changes prior to resubmission and adoption of the proposed amendments.

The LGAC Executive Committee reviewed the proposed amendments recommending approval, but recommended they be more specific in **Section 111, Defs., Kennel**, definition of mixed breed and hybrids. Also, that they add definitions for Flag Lot and Pole

Ms. Coble questioned what their intention is in #8, Project Discussion, Section 444, B., stating they are leaving the modifying sentence and it is unclear what they want. She shared other concerns regarding Comment #3, Section 201. Ms. Coble stated she feels it would be useful if #3, would be broken down to two separate comments, #3 and #4. She stated the first comment should address the terminology. Ms. Coble stated that #4 could then address the purpose of the Conditional Use of approval for Private Clubs and Indoor Recreational Facilities.

Following the discussion, Ms. Coble made a motion to have the YCPC staff revise their comments to break down comment #3, Section 201. into two separate comments, with comment #3 addressing the terminology. She stated that comment #4 could then address the purpose of the Conditional Use of approval for Private Clubs and Indoor Recreational Facilities. Also, that they add comment #9 regarding Section 444, Private Clubs, Letter B. Ms. Coble stated that if it is the intent of the Township to require that a parking lot for a Private Club be set back 30 feet from all property lines, and the first sentence of this section is deleted, the second sentence must be revised to clarify the intent of the Township. Ms. Coble stated that following that revision she recommends **approval of the revised staff report**. The motion was seconded by Mr. Simonds, voted on and carried as stated.

PARADISE TOWNSHIP NEW ZONING ORDINANCE AND MAP YCPC PROJECT #08-11

The purpose of this project is to review and comment on a proposal by Paradise Township Officials to adopt a new Zoning Ordinance and Map for Paradise Township. The proposed Ordinance is being submitted for recommendations in accordance with Section 607.(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The staff of the York County Planning Commission (YCPC) commends Paradise Township Officials for their work on the proposed Zoning Ordinance. However, the YCPC staff recommends that the proposed Ordinance not be adopted as submitted. The staff offers comments and recommendations that should be considered, and revisions/corrections made where appropriate prior to re-submission.

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

Ms. Coble suggested that #2 on page #7, should be deleted. She stated that you shouldn't change your existing Land Use Plan, but work towards the Future Land Use Map. A brief discussion ensued.

Following the discussion, Ms. Coble made a motion to revise the staff report to delete #2, page #7 and recommend **approval** of the revised staff report. The motion was seconded by Mr. Brenneman, voted on and carried as stated.

LOWER CHANCEFORD TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT: SUBDIVISION OF CROP LAND, DEFINITIONS YCPC PROJECT #08-15

Lower Chanceford Township Officials have submitted a revised amendment to the Township's 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 (PA MPC).

The staff of the York County Planning Commission finds the proposed amendments to the Lower Chanceford Township Zoning Ordinance acceptable as submitted.

The LGAC Executive Committee reviewed the proposed amendment recommending approval, with the inclusion in Section 202.11 and 203.11 that testing and certification should be done by a Pennsylvania Registered Engineer or Geologist.

Mr. Propps questioned the last line of the first paragraph on page #2. He stated that analysis should be done by a Professional Board Certified Engineer. A brief discussion ensued.

Following the discussion, Mr. Propps made a motion for **approval** of the proposed amendment as presented. The motion was seconded by Ms. Coble, voted on and carried as stated.

**WEST MANHEIM TOWNSHIP ZONING ORDINANCE AMENDMENT
MAP: AGRICULTURAL TO RESIDENTIAL
YCPC PROJECT #08-16**

The purpose of this project is to review and comment on a proposal by a developer (Andrew A. & Dana M. Bealing) to rezone portions of two (2) parcels of land (now or formally owned by Chester B. & Margie M. Utz), known as Parcel 104H and Parcel 95A, located in West Manheim Township. Parcel 104H and Parcel 95A are proposed to be rezoned from Agricultural to Residential. The parcels are located on the southeast side of Utz road, and at the eastern end of Lee Ann Court. This 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 recommends that the proposed Zoning Map amendment be adopted. In addition, the staff of the YCPC recommends that the remaining portions of Parcels 104H and 95A be rezoned to Residential to eliminate the island” of Agricultural zoning, which would be further isolated by the proposed rezoning. The staff offer comments in support of that recommendation.

The LGAC Executive Committee reviewed the proposed amendment recommending approval of the proposed rezoning

Ms. Reed questioned the rezoning of so much prime soil to Residential. Ms. Dell noted that their Comprehensive Plan was adopted within the last 5 years. She stated the staff would rather see them rezone to Residential in an area where it is going to be served by water and sewer, than branch out further in areas of prime soils. A brief discussion ensued.

Mr. Richardson, West Manheim Township, shared some background on why the property owner is making this rezoning request.

Following the discussion, Ms. Coble made a **motion that the staff comment should be revised to recognize the importance of preserving prime agricultural soils, but recommend that it be adopted conditioned upon the rezoning of the remaining portions of Parcels 104H and 95A being rezoned to Residential. Also, recommending a 4th comment noting that the rezoning has no recognizable structures, streets or property line.** The motion was seconded by Mr. Meyerhoff, voted on and carried as stated.

TRESTLE STATION FINAL SUBDIV. PLAN, DELTA BORO., 11 LOTS,
YCPC FILE #57-08-01-14-14

Ms. Ruby noted they submitted the Final Plan. She stated there are eight deficiencies, most are basic, but they need to be cleaned up. Ms. Ruby stated the YCPC staff is recommending that the Plan be tabled to give them time to correct the deficiencies.

There being no questions or comments, Ms. Coble made a motion to **table the Trestle Station Final Subdivision Plan until the March YCPC meeting**. The motion was seconded by Mr. Brenneman, voted on and carried as stated.

The staff reports of the following projects **#08-12, #08-13, and #08-14** were agreed to by the Commission to make up this month's Consent Calendar. Mr. Propps made a motion for **approval** of the staff reports as presented. The motion was seconded by Ms. Coble voted on and carried as stated. There was one opposed for Project #08-13.

LOGANVILLE BOROUGH ZONING ORDINANCE AMENDMENT
MAP: RESIDENTIAL-SUBURBAN (RS) TO COMMERCIAL (C)
YCPC PROJECT #08-12

The purpose of the project is to review and comment on a property owner's request to rezone three (3) parcels of land located on the east side of Main Street (Susquehanna Trail South) from Residential-Suburban (RS) to Commercial (C). 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 **not be approved**, offering comments in support of that recommendation.

The LGAC Executive Committee reviewed the proposed amendment and recommended denial of the proposed rezoning, recommending the rezoning be done as part of an overall Plan.

SHREWSBURY TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE AMENDMENT
YCPC PROJECT #08-13

The purpose of this project is to review and comment on a proposal by Shrewsbury Township Officials to amend the Township's Subdivision and Land Development Ordinance provisions regarding the subdivision of lands where biosolids have been spread. 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 states that since the previously reviewed amendments have been enacted by the Township, it is recommended the **amendments to Section 306, 403, 404 and 514.1.D be enacted based on the inclusion of comments from YCPC Project #07-118. However the amendments to Section 514.1.C should not be enacted as presented.**

The LGAC Executive Committee reviewed the proposed amendment and recommended denial, recommending they take another look at enforcement of Sect. 306. Also that they be more specific with test requirements. Two members abstained.

**PEACH BOTTOM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE AMENDMENT
RE: REGULATIONS FOR ADOPTION AND MODIFICATIONS
YCPC PROJECT #08-14**

Peach Bottom Township Officials have submitted a proposed amendment to the Township's Subdivision and Land Development Ordinance regarding the adoption of streets and modifications for lot mergers. 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 finds the proposed amendment to Section 901 of the Peach Bottom Township Subdivision and Land Development Ordinance acceptable as submitted. The staff also finds the proposed amendment to Section 1001 acceptable as submitted.

The LGAC Executive committee reviewed the proposed amendment and recommended approval of the proposed amendment.

OTHER BUSINESS

Proposed Pipeline Information

Mr. Livergood updated the Commission on a meeting he attended with Tennessee Gas on February 1, 2008. He stated it was a good presentation, noting that there will most likely be four Companies competing for the gas line. Mr. Livergood stated that the proposals vary and that it is an extensive process to do the application. He noted that Tennessee Gas is proposing to go through the northern part of the County.

A brief discussion ensued. Ms. Dell talked about the possibility of mis-information regarding these preliminary proposals, stating that as we get good information we should pass it on to the municipalities.

ADJOURNMENT

There being no further discussion or business, Chairman Dunlap adjourned the meeting at 9:13 p.m.

The next York County Planning Commission meeting will be **Tuesday, March 4, 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