

East Manchester Township
ORDINANCE AMENDMENT REVIEW
AND
PLANNING COMMISSION MINUTES
March 25, 2014

The work session started at 6 p.m. Members present: Robert Nace, Edward Hewitt, Mike McCowan, and Mike Scarborough. Also present: Zoning Officer Jon Beck, Recording Secretary, and no citizens.

Vice Chairman McCowan conducted the meeting. Mr. Beck presented a draft of the updated ordinance dated March 6, 2014. He said that Solicitor Andrew Miller suggested that the Board of Supervisors review the draft ordinance carefully before submitting it to the YCPC. Good idea indeed.

Section 225-21 [Zoning] amendment (1) was discussed (egress from a basement). The Planners are satisfied with the wording.

Child Day-Care Facilities information will have “must be located within a single-family detached dwelling.” Attorney Miller is working on that (or similar) wording.

The animal chart was reviewed again. Discussion was held on accessory structures for animal keeping, etc. Mr. Beck noted that agricultural buildings are exempt from the UCC, regardless of size. He also mentioned lot coverage limits which will help enforce the sizes of these accessory structures. Discussion was held on a supposed situation wherein someone wants to place a 15,000 square foot chicken coop on a one-acre lot. As long as the coverage does not exceed the maximum, would that be permissible? Sure, but the applicant would only be permitted to keep 36 chickens in it. That would certainly generate a bit of interest and concern. Should a size requirement be added to the accessory structure limitations? Anything over, say, 300 square feet, would need to go before the Zoning Hearing Board. Add a Group 1 size of 150 square feet maximum; a Group 2 size maximum of 300 square feet; and a Group 3 maximum of 300 square feet.

Beekeeping was discussed; the ordinance proposes a minimum lot area of 25,000 square feet, with a maximum of two bee hives per 25,000 square foot area. Do the Planners want to impose a limit on the number of hives one can keep? The idea is basically to reduce the likelihood of bee-keeping in developments. How about just controlling the size of the lot? How about several hives on a lot turning into a commercial activity? How about just limiting the lot size? Research indicates that a hive is the entire stack of boxes, not each individual box. Remove “~~per 25,000 square foot area~~” from the draft ordinance. The Planning Commission members acknowledge that they are certainly not apiary experts and could use a bit of practical information from someone who knows the territory.

Is the setback of 75’ too restrictive? Discussion was held on lot sizes and the feasibility of placing a beehive within the setbacks. Not every one-acre lot, say, will meet those setbacks, but there are plenty of lots large enough to support bee-keeping activities.

RE: family child-care and group child-care locations – clarification is needed. JON, I WASN'T SURE WHAT YOU MEANT BY THAT; FIX IF YOU NEED TO. Mr. Beck provided a chart for child-care uses, showing where these uses are permitted by Special Exception. The planning commission confirmed that family child-care and group child-care uses would be permitted by special exception in the CO, A, R-1, R-2, R-3, AO and V zoning districts, and child-care centers would be permitted by special exception in the AO, V, C and I zoning districts.

The Township is looking to add the digital requirement for plan filings.

How about accessory structures? Giving storm water ponds a 20' setback, say. Mr. Mortorff and Byron Trout mentioned it; Laymon is fine with it, Byron not so much.

Motion by Nace, second by Hewitt, to end the work session. All members voted aye; motion carried. The work session ended at 6:55 p.m.

At a regular meeting held at the Township Building, the following members were present: Robert Nace, Edward Hewitt, Mike McCowan, and Mike Scarborough. Absent: Chairman Blaine Rentzel, with prior notice. Also present: Engineer Laymon Mortorff, Zoning Officer Jon Beck, Recording Secretary, and two citizens.

Vice Chairman McCowan called the meeting to order at 7:00 p.m.

Minutes

The minutes of the meeting of February 25, 2014, were approved with no formal motion or second.

Plans

LSC Design /Kinsley Equities, II, LP; Subdivision Plan, 700 East Canal Road Extended Dave Koratich and Mike Jeffers were present on this application, Plan 2009.0149.00 Revision 1, dated 3/20/14. Mr. Koratich presented a subdivision plan for Orchard Business Park, Phase II. Tonight's plan seeks to combine three parcels totaling 178 acres into one lot and then subsequently, subdivide the new lot into 3 "new" lots. The "old" lots are designated as Lot 1A, Lot 2A and Lot 3A. New Lot 1 will have 108 acres; new Lot 2, 69 acres, and new Lot 3 about one acre for the purpose of providing a public utility use for the Northeastern York County Sewer Authority. The applicants are proposing to combine 2A and 3A into 1A and create new lots 1, 2, and 3.

Waivers requested: contours, preliminary plan, plan sheet size, and street design/curb and sidewalks (deferment); and (added verbally, then formally) recreation fees (Section 208-49.B.1.a) (that the fees be paid at time of land development). Mr. Mortorff has no problem with any of these waiver requests, as long as the payment of recreation fees is carried to the land development plan.

The review letter dated March 14, 2014, of Gordon L. Brown, was reviewed in tandem with LSC Design's letter dated March 21, 2014. Outstanding items, taken from LSC's letter: 3E, Sewer Authority approval (Section 208-34.B.21); 3F, surveyor's seal and signature (Section 208-34.B.18); 3M, monument placement (Section 208-34-B.11), with it being noted that the final placement and verification will be accomplished during the approval of the final land development plan; 3N, indicate which structures are to be removed.

Item 3Q was discussed – recreation fees. Technically, the developer is required to pay the recreation fees twice – one for the subdivision plan and one for the land development plan. Mr. Koratich requested a waiver of the payment of rec fees associated with the subdivision plan. The rec fees will be picked up at the LDP stage.

YCPC comments dated March 20, 2014, were reviewed. Only two comments were outstanding, and they are included in the open items of GLB and LSC. YCPC open items: 3A (surveyor's certification) and 3E (location and material of all lot line monuments and markers and Item 3M from GLBA letter was discussed – monuments/iron pins. Mr. Mortorff suggested that perhaps the final placement and verification should wait until after the land development plan is completed, as the road ROW may change, etc).

Motion by Scarborough, second by Hewitt, to recommend approval of the waiver request for all waivers requested: Contours (Section 208-31.A.2.a.6); Preliminary plan (Section 208.34); Sheet Size (Section 208-34.A); Roadway improvements and Curbs and Sidewalks (deferment) (Section 208-46 and 208-47); and Recreation Fees (Section 208-49-B.1.a). All members voted aye; motion carried.

How does this affect the interchange? See information shown on the Land Development Plan.

Motion by Nace, second by Hewitt, to recommend approval of the Orchard Business Park, Phase II subdivision plan pending satisfactory resolution of the following open items from the LSC letter dated March 21, 2014, as referred to above: GLBA comments 3E, 3F, 3M, 3N, and YCPC comments 3A and 3E. All members voted aye; motion carried.

The Planning Commission was afforded a sneak peak at the Land Development Plan for this project. The applicants are proposing the following: two buildings totaling 940,000 square feet; many truck and other vehicle parking spaces; two access points; sewer easement. This plan will be officially presented to the Planning Commission later this year.

The interchange was discussed. Is this still a viable option? Kinsley pushed for many years to get an interchange, without results. Is the location too close to the closest two interchanges, one on either side? PennDOT discussions are underway and have been for years. Kinsley has put its efforts lately into improving Canal Road, since an interchange hasn't been forthcoming. Mr. Scarborough is concerned with the increased truck traffic with the approval of this land development plan. Everyone agreed that Canal Road needs to be vastly improved.

Additional New Business

Mr. Beck noted that, upon consultation with Attorney Miller and the Board of Supervisors, the Planning Commission can certainly table plans if need be, provided the time constraints/extensions are met.

Further discussion was held on the EMT ordinance amendments. Mr. Beck, Mr Mortorff and the EMT Planning Commission are satisfied with the current draft ordinance. Mr. Beck shall make the necessary changes to the ordinance amendments and forward them onto the Board of Supervisors.

Motion by Scarborough, second by Nace, to recommend the amendments to the Subdivision and Land Development and Zoning Ordinance to the Board of Supervisors for action. All members voted aye; motion carried.

Motion by Hewitt, second by Scarborough, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:27 p.m.

Respectfully submitted,

Julie B. Maher, Recording Secretary