

East Manchester Township
PLANNING COMMISSION MINUTES
October 23, 2012

At a regular meeting held at the Township Building, the following members were present: Blaine Rentzel, Edward Hewitt, Mike McCowan, and Mike Scarborough. Absent: Robert Nace. Also present: Engineer Laymon Mortorff, Zoning Officer Jon Beck, Recording Secretary, Patti Fisher from James R. Holley & Associates and two citizens.

Chairman Rentzel called the meeting to order at 7:00 p.m. The minutes of the meeting of August 28, 2012, were approved as presented, with no formal motion.

Plans

A. Stonesifer -- Reverse Subdivision Plan; 55 and rear 55 Lincoln Place

The submission date of this plan is 9/25/12; Revision date 10/18/12. Patti Fisher, James R. Holley & Associates, was present on behalf of the applicant, Hellen Stonesifer – her daughter Donetta Landis is the Power of Attorney for the property. The applicant owns two contiguous parcels; Lot 45 is 55 Lincoln Place and Lot 41, which is known as 55_Rear Lincoln Place. The applicant wants to combine the two lots, actually a reverse subdivision. The new larger lot will be Lot 45 and Lot 41 will be eliminated. Patti Fisher stated the York County Assessment Office will determine what the new lot will be designated. Since the house is located on the Lot 45, Ms. Fisher indicated that the “new” lot would most likely be referred to as Lot 45.

There was a discussion on the 50' ROW. In the Smith Gardens Subdivision, on 6/20/91, Orchard Glen Development Corporation bought Lots 7-16. The deed says that the property line starts on the south side of Orchard View Drive, which seems like it's definitely on the ROW. A subdivision was approved on 4/16/92, which combined several lots into one larger lot. At that point, half of the ROW was “wiped out.” This ROW was the road frontage for some of the remaining lots. The original ROW was 50'; the subdivision left a 25' ROW and “took” the remaining 25' ROW. There was no documentation as to how the 25' was taken. Every lot owner would have had to sign approval of giving up this 25' ROW, and Ms. Fisher's client was unaware of that happening. None of the neighbors are interested in paying any money to correct this situation. These lots with no road frontage are contiguous, directly to the rear of the Lincoln Place lots, the owners of which are maintaining those lots, and it seems like they each have a larger lot. A question was raised as to whether the Township is receiving tax payments on the ROW that remains and who is the current owner of the ROW. Mr. Mortorff comment that the owner of the remaining portion of the ROW would be the original developer of the Smith Gardens Subdivision, and since the developer is now deceased, it would be his/her heirs.

The owners were getting separate tax notices for these lots. Discussion was held on how this situation came about and what would happen if the owners of these lots tried to sell any of those lots.

YCPC comments have been addressed. The “six-month note” regarding curbs and sidewalks will be added to the plan. “Lincoln Place” will be added to the waiver information on the plan.

Three waivers requested: curbs and sidewalks along Lincoln Place; cartway width 34', ROW 60'; and preliminary plan.

Motion by Hewitt, second by McCowan, to recommend approval of the waiver request for curbs and sidewalks on Lincoln Place (add underlined reference). All members voted aye; motion carried.

Motion by Hewitt, second by McCowan, to recommend approval of the waiver for preliminary plan. All members voted aye; motion carried.

Motion by Hewitt, second by McCowan, to recommend approval of the waiver request for cartway width and ROW width, because it's an existing street and cannot be changed. All members voted aye; motion carried.

Mr. Scarborough would like a review/opinion by the Township Solicitor relative to these lots and how to access those lots and who pays for it. The Township may be required to permit any purchasers to put in a driveway over the ROW area. It was noted that there are no utilities available for these lots.

Motion by McCowan, second by Hewitt, to recommend approval of the Stonesifer Subdivision Plan, Lincoln Place, subject to the resolution of the following: the waivers need to be listed on the drawings with all four waiver requests indicated for Lincoln Place only; correct the revision date; obtain all signatures; pending review and approval by Attorney Miller. All members voted aye; motion carried.

Zoning Case

Nothing this month.

Additional New Business

None at this time. Mr. Beck said that there will likely be a November Planning Commission meeting.

Motion by McCowan, second by Hewitt, to adjourn. All members voted aye; motion carried. The meeting adjourned at 7:39 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary