

**YORK COUNTY PLANNING COMMISSION
TUESDAY, October 16, 2018 - 7:00 P.M.
MEETING SUMMARY**

Chairman Kuhl opened the meeting at 7:00 p.m.

I. ROLL CALL

Members Present: Walter Kuhl, , Mary Coble, Cheryl Wormley, Matthew Chronister, Thomas W. Earp, Sean Kenny

Members Absent: Kevin Clark, Eric Bortner, Brian Brenneman

Staff: Felicia Dell, Director; Wade Gobrecht, Assistant Director; Kurt Leitholf, Chief of Municipal Planning; Terry Ruby, Senior Planner; Mike Shaffer, Senior Planner

Solicitor: Attorney Mieke Driscoll, CGA Law Firm

Others: James Kollas, Attorney for Bill and Kim Wise and Rich and Theresa Loman; Bill Wise; Rich Loman; Kimberly Murphy; Adam Steck; Brian Schanick; David Parsons, Newberry Township Planning Commission; Lora MacPhred

Reporters: None

II. PUBLIC COMMENT

None

III. APPROVAL OF MINUTES

A motion was made by Ms. Coble that the Minutes be approved. The motion was seconded by Mr. Chronister, voted on and carried as stated.

IV. COMMUNICATIONS

a. Project Review Correspondence was provided

b. Acknowledgements

Chairman Kuhl acknowledged Ms. Dell for the article in the York Dispatch on October 4, 2018 concerning the Stormwater Authority. Chairman Kuhl acknowledged Mr. Gobrecht and Mr. Livergood for their comments in the newspaper about the Flood Plain mapping and flooding that has occurred recently.

V. FINANCIAL REPORT

a. September 2018 Financial Report for Review and Comment

Ms. Dell reviewed the September 2018 Financial reports. Chairman Kuhl acknowledged receipt of the draft September Financials and stated they will be placed in the file for the audit.

b. PMRS – 2018 Excess Interest Award

Ms. Dell explained the 2018 Excess Interest Award from PMRS.

VI. COMMITTEE REPORTS

Senior Initiatives Committee – Ms. Coble stated that all of the task force meetings have now occurred. There will be a meeting on November 16th with Planning Commission staff, the consultant and Cathy Bollinger to review the information and plan the larger stakeholder meeting.

VII. STAFF REPORTS

Ms. Dell reported there were many different projects happening throughout the Planning Commission. A copy of the Conservation District Newsletter and the Chesapeake Bay Journal provides other perspectives on the Stormwater issue. The Hazard Mitigation Plan has received approval from PEMA, now waiting for approval from FEMA. The Redevelopment Authority and the current owner of the M'Callister Inn are in negotiations with a local developer to turn the property into 30 market rate apartments with retail space downstairs. Once the property is renovated, it will become a tax producing property.

VIII. SOLICITOR'S REPORT

Attorney Driscoll reported that there were no updates at this time.

IX. UNFINISHED BUSINESS

Mr. Gobrecht reported that there were two meetings on Thursday, September 20th at the Airville Fire Hall. Transource was ordered by the Judge to update their costs for the power line but have not done so to date. Two of the contractors involved in minor projects

have updated their costs and the costs increased by 30%. Ms. Dell commented Mr. Gobrecht and staff provided written testimony for the PUC. This testimony garnered kudos from our attorneys for its completeness.

The next target date is November 27th for the rebuttal testimony. There are eight other parties reviewing the testimony. There has been a request from Transource with six or seven different questions that the YCPC will need to answer and send back. Our attorneys are helping to work through those questions.

Transource has only looked at the cost benefit analysis for all of the electric companies that will benefit from this project. The rate payers for PPL, PECO & UGI will have to pay millions more for the service to others in their zone.

The D.C. area, Maryland, and Virginia currently have initiatives for energy efficiency and renewable resources. The goal was to try to hit certain benchmarks which will help to alleviate congestion. These measures have decreased the AP South Interface Congested Line by 96 % since the program was started.

The evidentiary hearing is scheduled for February 2019. A month or two after that is when the Judges are expected to release their recommendation. That recommendation goes to the PUC where a decision will be given.

X. NEW BUSINESS

PLEASE NOTE - Projects are not necessarily in the same order as the agenda.

- a. YCPC #18-042
SPRINGFIELD TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT:
DEFINITIONS; ACCESSORY USES; MEDICAL MARIJUANA; CAFO, CAO,
CAGO; PRIVATE FUNCTION FACILITY; COMMUNICATION FACILITY;
PARKING; FENCES & WALLS; OFF-STREET LOADING**

PROJECT DESCRIPTION

The purpose of this project is to review and comment on a proposal by Springfield Township officials to amend the township's zoning ordinance. There are multiple amendments proposed. These amendments have been submitted for review in accordance with Section 609 (e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The LGAC Executive Committee recommended not to adopt as written.

Staff report recommends Municipality not adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project

#18-042 as presented. Mr. Kenny seconded the motion, voted on and carried as stated.

- b. YCPC #18-043
SPRINGFIELD TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE AMENDMENT TEXT: DEFINITIONS; PLAN SUBMISSIONS;
PLAN REQUIREMENTS; STREETS; LOTS; STREET TREES; COMPLETION
OF REQUIREMENTS; MAINTENANCE GUARANTEE**

PROJECT DESCRIPTION

The purpose of this project is to review and comment on a proposal by Springfield Township officials to amend the township's Subdivision and Land Development Ordinance to add definitions, revise requirements for plan submissions, plan information, streets, lots, trees, plan completions, and maintenance guarantees. These amendments have been submitted for review in accordance with Section 505(a) of the Pennsylvania Municipalities Planning Code (PA MPC).

The LGAC Executive Committee recommended to adopt as written.

Staff report recommends Municipality to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-043 as presented. Mr. Kenny seconded the motion, voted on and carried as stated.

- c. YCPC #18-044
LOWER CHANCEFORD TOWNSHIP ZONING ORDINANCE AMENDMENT
TEXT: USE CERTIFICATE**

PROJECT DESCRIPTION

The purpose of this project is to review and comment on a proposal by Lower Chanceford Township officials to amend the township's zoning ordinance with regard to use certificates. This amendment has been submitted for review in accordance with Section 609(e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The LGAC Executive Committee recommended to adopt as written.

Staff report recommends Municipality to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-044 as presented. Mr. Kenny seconded the motion, voted on and carried as stated.

- d. **YCPC #18-045
SHREWSBURY TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT:
CRITICAL ENVIRONMENTAL AREAS**

PROJECT DESCRIPTION

The purpose of this project is to review and comment on a proposal by Shrewsbury Township officials to amend the township’s zoning ordinance with regard to existing structures in a critical environmental area. This amendment has been submitted for review in accordance with Section 609 (e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The LGAC Executive Committee recommended to adopt with suggested amendments.

Staff report recommends Municipality adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-045. Mr. Kenny seconded the motion, voted on and carried as stated.

- e. **YCPC #18-046
HELLAM TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT:
COMMUNICATION FACILITIES**

PROJECT DESCRIPTION

The purpose of this project is to review and comment on a proposal by Hellam Township officials to amend the township’s zoning ordinance to address wireless communication facilities. This amendment has been submitted for review in accordance with Section 609 (e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The LGAC Executive Committee recommended not to adopt as written

Staff report recommends Municipality not to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-046 with revisions stating the communication references be changed to as set by the FCC be incorporated by reference. Ms. Wormley seconded the motion, voted on and carried as stated.

- f. **YCPC #18-047
HELLAM TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT: FARM
PARCELS**

PROJECT DESCRIPTION

The purpose of this project is to review and comment on a proposal by Hellam Township officials to amend the township’s zoning ordinance to address the subdivision of farm parcels. This amendment has been submitted for review in accordance with Section 609 (e) of the Pennsylvania Municipalities Planning Code (PA MPC).

The LGAC Executive Committee recommended to adopt with revisions.

Staff report recommends Municipality to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-047 with revision stating to eliminate the second part of the last sentence in the amendment, which states” which will contain at least as many acres of land as before the transfer. Ms. Wormley seconded, voted on and carried as stated.

- g. YCPC PROJECT #18-048
CODORUS TOWNSHIP ZONING ORDINANCE AMENDMENT TEXT:
DIMENSIONAL REQUIREMENTS**

PROJECT DESCRIPTION

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

The LGAC Executive Committee recommended not to adopt.

Staff report recommends Municipality not to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-048 with the following addition to comment 1.d. that regulating aesthetics and visual impacts through zoning ordinance regulations is not legal. Mr. Kenny seconded, voted on and carried as stated.

- h. YCPC PROJECT #18-049
CARROLL TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE AMENDMENT COMPLETE UPDATE**

PROJECT DESCRIPTION

The purpose of the project is to review and comment on Carroll Township’s request of a complete update to the Carroll Township Subdivision and Land Development Ordinance.

The proposed amendment is being submitted for recommendation in accordance with Section 505(a) of the Pennsylvania Municipalities Planning Code.

The LGAC Executive Committee recommended to adopt with recommendations.

Staff report recommends Municipality to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-049 with the revision to comment two stating that township officials are required per the Pennsylvania Municipalities Planning Code (PA MPC) to put the dollar amount per lot for recreations fees and how the monies are to be used. Mr. Kenney seconded, voted on and carried as stated.

**i. YCPC PROJECT #18-050
EAST MANCHESTER TOWNSHIP ZONING ORDINANCE AMENDMENT
TEXT: BUILDING SETBACKS IN THE (I) INDUSTRIAL DISTRICT
AND BUFFER STRIPS**

PROJECT DESCRIPTION

The purpose of the project is to review and comment on East Manchester Township's request to amend the East Manchester Township Zoning Ordinance to increase the building setback requirement and revise the buffer strip requirement adjacent to a residential district or residential use. The proposed amendment is being submitted for recommendation in accordance with Section 609(e) of the Pennsylvania Municipalities Planning Code.

The LGAC Executive Committee recommended not to adopt.

Staff report recommends Municipality not to adopt with staff comments.

A motion was made by Ms. Coble to approve the staff report for Project #18-050. Ms. Wormley seconded, voted on and carried as stated.

**j. YCPC PROJECT #18-051
NEWBERRY TOWNSHIP ZONING ORDINANCE AMENDMENT
MAP: REGIONAL COMMERCIAL/OFFICE (RCO) TO GENERAL
INDUSTRIAL (I)**

PROJECT DESCRIPTION

The purpose of the project is to review and comment on Newberry Township's request, on behalf of a developer, to amend the Newberry Township Zoning Map by rezoning 4 parcels of land located in the south central region of the township. The

rezoning site is located on the west side of Culhane Road. The developer is requesting that the site be rezoned from Regional Commercial/Office (RCO) to General Industrial (I). The proposed amendment is being submitted for recommendation in accordance with Section 609(e) of the Pennsylvania Municipalities Planning Code.

The LGAC Executive Committee recommended not to adopt.

Staff report recommends Municipality not to adopt with staff comments.

James Kollas, Attorney with Kollas and Kennedy representing Bill and Kimberly Wise and Richard and Teresa Loman provided comments. The Wises' live at 25 Culhane Road, and the Loman's live at 215 Culhane Road. The Wise property would become an island within the rezoned area. Nothing stops the land being used in its current regional commercial office zoning. Only 4 parcels would benefit and this isn't an extension of zoning that would benefit existing businesses or uses. All of the businesses on Culhane Road empty onto Sipe Road.

Kimberly Murphy, 205 Culhane Road, is concerned with what could be built on this property if it's rezoned. The building will be visible from the houses, especially in the winter. There will be noise, light and air pollution from the trucks coming back the road. The current road is not sufficient to handle the truck traffic as it is right now.

Lora MacPherd, 195 Culhane Road, is concerned with trucks generating more traffic on the Old Trail Road and on Culhane Road. Another concern is how the traffic would impact the bus stops for the children in the area. Residents don't want to be forced into a sewer hook-up or additional expenses for their homeowners insurance. If this property is developed it would also impact the wildlife in the area as well as the health, safety and quality of life of the residents.

Nancy Poffer, 195 Culhane Road, stated that back in the 1980s there was a company on Sipe Road that had a chemical leak that resulted in the contamination of the the wells, springs and streams in the area. All the residents were forced to hook-up to public water at this time. Residents are fearful that something like this could happen again if this property is developed. Currently the runoff from several of the existing businesses are washing out Ms. Poffer's driveway every time there is a heavy rain or snow.

A motion was made by Mr. Chronister to approve the staff report for Project #18-051. Mr. Kenny seconded, voted on and carried. Ms. Coble recused herself due to a Conflict of Interest.

XI. OTHER BUSINESS

None

XII. PERSONNEL

Ms. Dell stated there are several staff changes within the YCPC. Beth Nidam has resigned and taken a position with rabbittransit. George Barnock has requested that Kristel Shearer go from a part-time to a full-time position. Pepi Clay, who is the longest tenured employee, is looking to retire in the spring.

VII. Website Design

Mr. Gobrecht presented a sample of the new website. The new website will be streamlined from the current website and should simplify things when the public is looking for information. Another update will be presented when the YCPC website is in draft form. The new website is slated to be available in February.

XIII. ADJOURNMENT

There being no additional business, Chairman Kuhl adjourned the meeting at 8:02 p.m.

Respectfully submitted,

Kim Baker
Administrative Assistant