MINUTES

WEST MANCHESTER TOWNSHIP

PLANNING COMMISSION

DATE: September 12, 2017

The meeting was called to order by Richard Gordon at 7:00 P.M. Members present: Fred Walters, Ronald Ruman, and Patrick Hein. Others present: Monica Love, Township Zoning Officer

**Approval of Minutes**:

MOTION: by Ron Ruman to approve the August 8, 2017 meeting minutes.

SECONDED by: Fred Walters

MOTION PASSED: Unanimously (4 - 0)

ZONING HEARING BOARD CASES

ZHB Case 17-09, 2051 Log Cabin Road, Variance of 150-51, to permit the non-commercial keeping of livestock within the R3 zone

Jillian Woodward was not in attendance – Chairman Gordon moved to T-831 Final Subdivision Plan of the West Manchester Mall

NEW BUSINESS

**T-831 Final Subdivision Plan, Manchester Mall Associates**

Grant Anderson of Site Design Concepts, presented the proposed subdivision of 5 total lots. Each of the 3 ‘outlots’ the Walmart property and the residual lot.

The Planning Commission asked the purpose of separating the lots within the mall area. The tenants wanted ‘ownership’ of their property. This allows flexibility for the tenants. The Zoning Ordinance was revised in June of 2017, which allows the frontage of a lot to be measured along an access drive, the width is permitted to be smaller, so long as the overall shopping center can meet the requirements.

The attorneys are putting together Reciprocal Agreement(s) for parking, stormwater, and access which will be binding on all of the owners and will be recorded in the Recorder of Deeds. They will set forth the requirements for maintenance, parking etc. and keep the requirements for all owners.

The following requested waivers were discussed:

1. **§121.9** Preliminary Plan Approval - Preliminary plan is required for all land developments, subdivision and/or land developments involving new streets and subdivisions involving six (6) or more lots.
2. **§121.14.A(3)** Sheet size in excess of 24” x 36”
3. **§121.14.C.3** Existing Features – The locations of existing features within 200’ of the subject tract shall be shown on the plans.

There are eight outstanding comments:

1. Reciprocal access, parking, stormwater management easements are required to be reviewed by the Township Solicitor prior to final approval and recording of the plan.
2. Notes numbers 8 & 9 in the Subdivision notes should include the Ordinance section numbers.
3. The bus stop and shelter outside of the existing Kohl’s store, including a 3 way stop at the intersection must be added to the site (shown on the existing conditions FSD-2).
4. A Non-building waiver approval shall be required from PA DEP per §121-15.F (3)
5. The signatures and seals of the individuals responsible for the plan shall be affixed to the plan prior to approval by the Board of Supervisors.
6. The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors.
7. All administrative items shall be addressed prior to plan recording (surety, Operation & Maintenance Agreement, payment of all invoices etc.).
8. All final plans as recorded shall be submitted in electronic format (i.e. PDF)

MOTION: by Ron Ruman to recommend the Board of Supervisors approve the plan as submitted with the requested waivers, and the 8 outstanding comments be addressed.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4 - 0)

Jillian Woodward was not in attendance. Monica Love briefed the commission on the request.

**ZHB Case 17-09, 2051 Log Cabin Road,** Variance of 150-51, to permit the non-commercial keeping of livestock within the R3 zone.

Ms. Woodward is in the process of selling her 3.57 acres, however, potential buyers want to keep animals in the existing stable on the property. The application and supporting evidence was reviewed.
Monica Love gave the members the requirements of §150-342, The Non-commercial keeping of livestock, as follows:

Group 1 animals (average adult weight of less than 10 pounds each) permitted at 4 per acre, maximum 14 animals (based on the size of the lot in question).

Group 2 animals (average adult weight between 10 and 65 pounds) permitted at 2 per acre, with a maximum 7 animals.

Group 3 animals (average weight greater than 65 pounds) permitted at one per acre, with a maximum 3 animals.

A combination of animals shall require an animal density equal to the ratio of the number of animals. In no case shall there ever be more than 14 animals.

As it appears that the stable is less than 20 feet from the property line, it cannot meet the requirements of the livestock ordinance which requires a minimum 100’ setback. Screening and/or buffering should be required.

All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals, and all such enclosures shall be set back a minimum of 10 feet from all property lines. Free range chickens should be prohibited.

All animal wastes shall be properly stored and disposed of so as to not be objectionable at the site’s property line. A manure management plan as required by the York County Conservation District shall be on file with the Township and updated as required.

Installation of fencing, and construction of coops, runs or sheds shall be required to submit and receive permits prior to commencement.

The stable appears to be less than 20 feet from the property line, which cannot meet the current setback requirements.

Staff requests that whatever decision is made, no roosters be permitted, and recommends that a buffer of some sort be installed along the stable and the property line.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board base the approval or denial on the testimony of neighbors, taking into consideration when animals were last kept on-site.

SECOND: by Ron Ruman

MOTION PASSED: Unanimously (4 - 0)

Meeting adjourned at 7:32 pm