

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: November 9, 2021

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

Tonight's Planning Commission meeting was held in person and broadcasted live over the West Manchester Township Parks & Recreation Facebook page.

APPROVAL OF MINUTES

MOTION: by Fred Walters to approve the October 12, 2021 meeting minutes.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (5-0)

ZONING HEARING BOARD CASES

ZHB #21-25 – William Coker for Frank Grippi – requests a variance §150-83.F Permitted Uses to remove a permitted use from the property (retail sales) and a variance §150-289.A.8 to allow a second nonconforming use on the property (additional apartment) located at **2510 West Market Street** (Tax Map: 05; Parcel: 0145A) in the Local Commercial Zone.

Mr. William Coker of BLM Construction presented the application to the Planning Commission members, reminding them that this application had previously been approved by the Planning Commission and the Zoning Hearing Board on two occasions; however, the property owner did not obtain the required building permit and the variance expired. Mr. Coker stated that the existing first floor of the building was a commercial use (antique store), however it has not been occupied for a number of years. The property owner is desirous of converting the commercial space to a residential apartment. Currently, there are seven (7) residential apartments on the second floor of the building. The proposed apartment would be 1,355 square feet and would not extend beyond the existing footprint of the building. Mr. Ruman asked if the building has been marketed as commercial to attract a tenant. Mr. Coker said he wasn't able to answer that question, as the property owner was not in attendance at tonight's meeting. Mr. Gordon stated that the building doesn't look like a commercial building. It appears more like a residential building. Mr. Ruman stated that the Township is trying to build its commercial base and this property is located within the Local Commercial Zone. Dr. Beecher noted that there is a lot of vehicle traffic on West Market Street, however there are no sidewalks on this side of the street limiting pedestrian traffic volume.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board approve the requested variances with the condition that there be no more than eight (8) apartments on the property.

SECOND: by David Beecher

MOTION PASSED: Unanimously (5-0)

ZHB #21-26 – Steve Smith – requests a variance §150-229.A to allow a fence higher than three (3) feet in the front yard area **located at 2505 Taxville Road** (Tax Map: IG; Parcel:0019P) in the Rural Residential Zone.

Mr. Steve Smith, property owner, presented the request. Mr. Smith stated that a portion of the existing five (5) foot high fence on 2395 Taxville Road was removed, however he would like to re-install it and connect it to the existing gate on his property at 2505 Taxville Road. The proposed five (5) foot high fence would be located within the front yard area of the residential property where the maximum height permitted is only three (3) feet for residential properties. Mr. Smith stated that he wishes to continue the fence across the front of 2505 Taxville Road on the lot where his dwelling is located, as well as extend it across his two (2) vacant residential properties located at 2515 and 2525 Taxville Road. This would prevent his daughter-in-law's horse from easily getting onto Taxville Road when they occasionally bring the horse to ride on the property located at 2395 Taxville Road occasionally on weekend visits. Mr. Smith stated that a three (3) foot high fence isn't a very good deterrent for a horse. Mr. Smith stated that he does not intend to seek a special exception for horse boarding or the keeping of livestock as he does not intend to board horses or raise livestock. This request is simply to allow his family to bring the horse to the property occasionally when they are visiting over the weekends. Mr. Smith stated that he does not intend to sell or develop the two (2) vacant residential lots he owns along Taxville Road. The requests for a variance to extend the fence across each of his properties is to enable him to use each of his properties and provide safety for his grandchildren while they are riding their horse on their visits.

MOTION: by David Beecher to recommend the Zoning Hearing Board grant the variance request with the condition that the fence may be no higher than five (5) feet.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (5-0)

ZHB #21-27 – Steve Smith – requests a variance §150-24 Permitted Uses to allow a fence as the permitted principal use on a vacant lot and a variance §150-229.A to allow a fence higher than three (3) feet in the front yard area **located at 2515 Taxville Road** (Tax Map: IG; Parcel: 0019Z) in the Rural Residential Zone.

This request was summarized in the first request. This application would allow the fence as a permitted principal structure on the vacant lot as well as a variance to allow the fence to be five (5) feet high rather than the maximum allowable height of three (3) feet on a residential property. Mr. Ruman stated that the fence would be the principal structure, not the principal use of the property. Ms. Sampere agreed, the synopsis she provided to the Planning Commission members had a typo, it should have read "permitted principal structure". Mr. Gordon asked if the property was going to be developed. Mr. Smith stated that the previous owner subdivided the overall parcel in order to give each of his children land to build their homes, but since he purchased the properties that was not the intention. He does not wish to build homes upon the land at this time.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board grant the variance to allow the fence to be the permitted principal structure on the property with the condition that the fence be no higher than five (5) feet.

SECOND: by David Beecher

MOTION PASSED: Unanimously (5-0)

ZHB #21-28 – Steve Smith – requests a variance §150-24 Permitted Uses to allow a fence as the permitted principal use on a vacant lot and a variance §150-229.A to allow a fence higher than three (3) feet in the front yard area **located at 2525 Taxville Road** (Tax Map: IG; Parcel: 0083) in the Rural Residential Zone.

This request was summarized in the first and second requests. This application would allow the fence as a permitted principal structure on the vacant lot as well as a variance to allow the fence to be five (5) feet high rather than the maximum allowable height of three (3) feet on a residential property. Mr. Smith stated that the previous owner subdivided the overall parcel in order to give each of his children land to build their homes, but since he purchased the properties that was not the intention. He does not wish to build homes upon the land at this time.

MOTION: by Patrick Hein to recommend the Zoning Hearing Board grant the variance to allow the fence to be the permitted principal structure on the property with the condition that the fence be no higher than five (5) feet.

SECOND: by David Beecher

MOTION PASSED: Unanimously (5-0)

ZHB #21-29 – Steve Smith – requests a variance §150-229.A to allow a fence higher than three (3) feet in the front yard area **located at 2395 Taxville Road** (Tax Map: IG; Parcel: 19Y) in the Rural Residential Zone.

This request was summarized in the first request. Mr. Smith stated that he does not intend to seek a special exception for horse boarding or the keeping of livestock as he does not intend to board horses or raise livestock. He simply desires to replace the portion of the five (5) foot high fence he previously removed and connect it to the gate on the adjacent property that he also owns to prevent the escape of his daughter-in-law's horse that will be trailered to the property when she occasionally comes to visit.

MOTION: by Fred Walters to recommend the Zoning Hearing Board approve the variance request with the condition that the fence may be no higher than five (5) feet.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (5-0)

NEW BUSINESS

There were no subdivision plans nor land development plans submitted for review at tonight's meeting.

DISCUSSION

Mr. Donna Barr of 2020 Winding Road attended the Planning Commission meeting along with her plumbing contractor from Pronto Plumbing. Ms. Barr and her contractor voiced their concern regarding the status of their request to connect to the public sanitary sewer system due to the existing failing on-lot system. Ms. Sampere explained that this was not the venue in which to speak about this situation. Ms. Sampere also explained that she is available during regular office hours to discuss the process. Ms. Barr expressed her frustration with the cost of the sewer reservation and capacity fee that she will be required to pay in order to connect to the public sanitary sewer. Ms. Sampere explained that the sewer reservation and capacity fees were established by Ordinance many years ago and the Township Engineer re-evaluated the fees in December 2020. The Township Engineer recommended that the Board of Supervisors adopt the current reservation and capacity fee for the Lincolnway sewer system which is \$4,930.00. The Township Engineer also recommended that the sewer reservation and capacity fees be maintained at \$975 for reservation and \$3,955 for capacity per EDU for the next five years. An Ordinance was passed by the Board of Supervisors to revise these fees, as needed, by

Resolution. Ms. Barr may contact the Township Manager to discuss her situation, however this is the fee that is charged per EDU for the Lincolnway sanitary sewer. Ms. Sampere also stated that there may be grants available to assist with the cost to connect to the public sewer system by contacting public outreach entities.

Mr. Ruman announced that tonight is his last meeting as the Planning Commission Chairman. Mr. Ruman won the general election in November and will be the Township's newest member on the Board of Supervisors in January 2022. Mr. Ruman thanked the Planning Commission members for their continued support and representation for the residents of West Manchester Township. Mr. Ruman thanked previous Zoning Officers David Blechertas and Monica Love and current Zoning Officer Rachelle Sampere for the work they have done for West Manchester Township. Mr. Ruman also thanked Zoning Office Assistant Sunny Porter for her work at the Planning Commission meetings.

The Planning Commission members congratulated Mr. Ruman and thanked him for his 18 years of service on the Planning Commission.

MOTION: by David Beecher to adjourn the meeting.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (5-0)

The meeting adjourned at 7:30 p.m.