

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: May 12, 2020

The meeting was called to order by Ronald Ruman at 7:00 P.M. Members Present: Patrick Hein, Richard Gordon, and David Beecher. Others Present: Rachelle Sampere, Township Zoning Officer and Thomas L. Godfrey, PE, Township Engineer

Member Absent: Fred Walters

Tonight's Planning Commission meeting was not held at the Township Building due to the COVID-19 pandemic and the Pennsylvania Governor's orders to stay-at-home; instead, the meeting was held via the "Zoom" application and broadcasted live over the West Manchester Township Parks & Recreation Facebook page.

The April 14, 2020 Planning Commission meeting was cancelled due to the COVID-19 pandemic and the Pennsylvania Governor's order to stay-at-home. No minutes were recorded due to the cancellation of the meeting.

APPROVAL OF MINUTES

MOTION: by David Beecher to approve the March 10, 2020 meeting minutes.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4-0)

ZONING HEARING BOARD CASES

ZHB 20-08 – Lariann & Dennis Smeltzer – request a Variance of Section 150-51 Permitted Uses to allow an accessory structure (detached garage) as the principal use on the property located at 2214 Locust Lane (Tax Map: 09; Parcel: 0064) in the R-3 Residential Zone.

Ms. Lariann Smeltzer presented the request to the Planning Commission members. Ms. Smeltzer explained that she has owned the property located at 2214 Locust Lane for the past 23 years. She raised her son on the property; but moved back into the home she grew up in on an adjacent property along Carlisle Road a few years ago. She began renting the property at 2214 Locust Lane to tenants, but it was sadly destroyed by fire on December 1, 2019. Ms. Smeltzer would like to keep the property for her grandchildren to build a home upon in the future. Her grandchildren are not currently ready to own the property, so she would like to wait to rebuild the dwelling for them in approximately 10 to 15 years until her grandchildren are grown. The detached garage and shed on the property were not damaged by the fire and remain in good condition. She prefers not to have to demolish the accessory buildings (detached garage and shed). In order to be able to obtain a permit to demolish the existing principal structure (the fire damaged single-family detached dwelling); Ms. Smeltzer must obtain a variance to allow the accessory structures on the property to be the principal use until a time where a single-family detached dwelling can be rebuilt. Mr. Hein asked what the detached garage could be used for if the variance was granted and the property would be sold to another owner in the future. Ms. Sampere explained that the existing residential garage and shed could only be used for residential storage, not for any business or commercial activities. She also explained that the Planning Commission members could attach conditions to their recommendation of approval of the variance, if they were so inclined, since variances stay with

the property. The current Zoning Ordinance for the R-3 Residential Zone does not allow for businesses other than a No-Impact Home-Based Business or a Family Day Care. The garage could not be used for a business without obtaining a use variance from the Zoning Hearing Board. Ms. Smeltzer explained that she owns several adjoining properties in the area. Allowing the garage and shed to remain on the property would give her a place to store her lawncare equipment, tools, etc. She is not planning to use the garage or shed for anything other than residential storage to support her existing dwellings in the neighborhood. With no additional questions or comments from the Planning Commission members, Ms. Sampere announced two (2) phone numbers that the interested parties watching the livestream over the West Manchester Township Parks & Recreation Facebook page could dial to call in to ask questions or make comments regarding the case. The Zoning Officer waited for 2 minutes. No phone calls were received, so the Chairman called for a motion.

MOTION: by David Beecher to recommend the Zoning Hearing Board grant the variance request.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (4-0)

NEW BUSINESS

T-851 Preliminary/Final Land Development Plan for Lot 4 – Proposed Retail Development for West Manchester Town Center located at 715 Town Center Drive. *(Tabled at the February 11, 2020 Planning Commission meeting.)* Briefing.

Mr. Scott DeBell of Site Design Concepts, on behalf of the owners and developers, briefed the Planning Commission members on the changes made to the land development plan relating to traffic. Mr. DeBell reminded the Planning Commission members that the previously proposed traffic plan for Lot #4 enabled traffic travelling north on Carlisle Road from Route 30 to turn right onto the proposed opening for Haviland Road. Traffic would have been able to turn right into Lot #4 to access the proposed commercial development or the traffic could have continued north on Haviland Road to either turn right or left onto Brougher Lane. The Planning Commission members were concerned with motorists' safety due to the amount of traffic that may have tried to turn left onto Brougher Lane from the northbound Haviland Road at the stop sign. The traffic would have had to cross over one lane of traffic on Brougher Lane coming from Carlisle Road and cross over two lanes of traffic on Brougher Lane coming from the mall's ring road, Town Center Drive. Site Design Concepts contacted the owners and developers and made revisions to the plan. On sheet C-4, there will only be a right turn in on Haviland Road to Lot #4. This is for one-way traffic. Traffic will not be able to access Lot #4 by traveling south on Haviland Road. Haviland Road will change from two lanes to one lane just south of the access drive into one of the property's owned by Dusan Bratic. There are "Do Not Enter" and "One-Way" signs proposed along Haviland Road and throughout the property to assist vehicular traffic. Motorists will not be able to exit Lot #4 by way of Haviland Road. All traffic inside lot Lot #4 must exit the property onto the mall's ring road, Town Center Drive. Mr. Hein, Mr. Ruman and Mr. Gordon expressed their gratitude for the applicant's consideration to modify the traffic flow, limiting exiting onto only the mall's ring road, Town Center Drive. Mr. DeBell and Mr. Ruman reminded the Planning Commission members that a variance application is on the Zoning Hearing Board's agenda at the end of May for the proposed tire installation store. Both gentlemen stated that no action should be taken on this plan until the variance is granted by the Zoning Hearing Board. Mr. Ruman stated that he would like to see the outstanding items listed on the memos from the Zoning Officer, York County Planning Commission and Dawood Engineers addressed prior to forwarding this land development plan on to the Board of

Supervisors for consideration. Mr. DeBell concurred. Mr. DeBell will attend the June 2020 Planning Commission meeting to fully discuss this land development plan and address the outstanding comments.

MOTION: by Richard Gordon to table the land development plan until the June 2020 Planning Commission meeting.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4-0)

Rezoning Request from Benrus L. Stambaugh, II, Harry P. McKean and the Eugene Finnegan Credit Shelter Trust to rezone 2 parcels from Professional Office to Highway Commercial located along West Market Street and Hadleigh Drive. (UPI #: 5100027030200 and 51000HG0007E0)

Attorney Paul Minnich, Mr. Harry McKean and Mr. Jeff Stough presented the rezoning request. Attorney Minnich explained that this rezoning request is similar to the request heard in the fall of 2019 by the Planning Commission members where three (3) parcels were to be rezoned to Highway Commercial in their entirety; however, tonight's revised request has been limited to the two (2) parcels located to the east of Hadleigh Drive, south of Route 30 (West Market Street).

Attorney Minnich explained that after the public hearing before the Board of Supervisors where the former rezoning request's adoption was denied; the owners of these parcels (applicants) met with the concerned adjacent residential property owners at the Township building to discuss the details of their rezoning request and address any concerns they may have had.

Attorney Minnich explained that the adjacent residential property owners may have been mistakenly under the impression that the existing parcels to be rezoned were a residential use to Highway Commercial transformation rather than a modification from the existing Professional Office zone to the Highway Commercial zone. The residential property owners preferred the existing land to remain and open field, however development of the property is inevitable. The residential property owners were concerned that they would have to connect to public sewer if these properties were rezoned and developed. There were also traffic concerns regarding the area of Route 116, US Route 30 (West Market Street) and Hadleigh Drive.

After meeting with the Township residents, the owners modified their rezoning request to rezone the Professional Office portions of the 2 parcels to the east of Hadleigh Drive, south of Route 30 (West Market Street) to Highway Commercial. The R-2 Residential Zone to the south of the larger parcel will remain R-2 Residential. This portion of the parcel borders Dunedin Park.

Attorney Minnich explained that this rezoning request would allow land development to be located further away from the existing residential homes along Rhonda Drive. The property owners making this application fully intend to develop the land with a commercial use.

Ms. Sampere announced two (2) phone numbers that the interested parties watching the livestream over the West Manchester Township Parks & Recreation Facebook page could dial to call in to ask questions or make comments regarding the rezoning application.

Mr. David Blechertas of Darlington Road called in to address the applicant and thank them for taking the Township residents' concerns into consideration. He also thanked them for modifying their rezoning request, keeping the Highway Commercial zone further away from the R-2 Residential Zone. He stated that nowhere else in the Township is a high-density use located

next to a residential use such as this. Mr. Blechertas also thanked the Commission members for the opportunity to participate in the public meeting over the virtual forum.

After Mr. Blechertas finished his call, the Zoning Officer announced the two (2) phone numbers interested parties could use to dial in to participate in the meeting. She waited for two (2) minutes to allow for additional callers to dial in. No other interested parties called in to participate in the meeting to ask a question or make a statement regarding the rezoning request. The Zoning Officer turned the meeting back over to the Planning Commission Chairman. The Planning Commission Chairman called for a motion.

MOTION: by David Beecher to recommend the Board of Supervisors grant the rezoning request.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4-0)

DISCUSSION

There were no additional items for discussion at tonight's meeting.

MOTION: by Richard Gordon to adjourn the meeting.

SECOND: by Patrick Hein

MOTION PASSED: Unanimously (4-0)

The meeting adjourned at 8:15 p.m.