

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: July 14, 2020

The meeting was called to order by Ronald Ruman at 7:00 P.M. Members present: Richard Gordon and Fred Walters; Others present: Rachelle Sampere, Township Zoning Officer and Thomas Godfrey, PE from Dawood Engineers (via Zoom)

Members Absent: David Beecher and Patrick Hein

APPROVAL OF MINUTES

MOTION: by Ronald Ruman to approve the June 9, 2020 meeting minutes.

SECOND: by Rich Gordon

MOTION PASSED: 2-0 (1 Abstain – Gordon)

ZONING HEARING BOARD CASES

ZHB 20-09 David J. Strine requests a Variance of Section 150-56.A.2 to reduce the minimum required side yard setback for principal structures from the required ten (10) feet to the requested five (5) feet located at 1769 Altland Avenue (Tax Map: 02; Parcel: 0017) in the R-3 Residential Zone.

Mr. Strine presented the request. Mr. Strine advised the Planning Commission members that he began construction of the attached laundry room and shed during the “order to stay home” due to the Covid-19 pandemic. Mr. Strine stated that he attempted to visit the Township office to request a permit, however the Township’s office doors were locked and appeared to be closed. He and some of his friends began construction without a permit because the help was available at the time. The Zoning Officer sent a Notice of Violation which ordered Mr. Strine to cease and desist construction until a building permit was obtained for the building addition. Mr. Strine informed the Planning Commission members that when he filed his permit application, it was apparent to him and to the Zoning Officer that the building addition was erected too close to the side property line for a principal structure. Principal structures must be setback at least ten (10) feet from the side property lines. The new building addition is setback five (5) feet from the side property line. Before a building permit may be issued, a Variance from the Zoning Hearing Board is required to reduce the minimum side setback. Mr. Strine advised the Planning Commission members of his health history and his physical limitations requiring a new laundry room and shed addition to be placed on the first-floor level of his home. Mr. Strine explained that the building addition cannot be seen from Altland Avenue, as his property is steeply sloped upward from Altland Avenue. His property then slopes downward toward the Carlisle Commerce Center behind him. Mr. Gordon asked how the Township became aware of the construction. Ms. Sampere explained that we received a complaint stating that they believed the addition was too close to the property line. Ms. Sampere said that the construction is visible from the Burger King on White Street. Ms. Sandra Turcotte of the York County Veterans Outreach attending the meeting and assisted Mr. Strine in his presentation. Ms. Turcotte explained that stormwater management will be required for the new impervious area and that Mr. Strine has worked with the Township’s Stormwater Inspector to ascertain which management practice will best suit his needs. Mr. Strine will use rain barrels connected to the downspouts to capture the new water runoff. Mr. Gordon and Mr. Ruman suggested that screening trees be planted next to the addition, such as arborvitae. Mr. Strine stated that there

is already a six-foot-tall fence in front of the addition and along the site property line. Since the property sits on such an incline, screening trees don't appear to be necessary. Mr. Ruman and Mr. Gordon agreed that screening trees do not appear to be necessary. Mr. Strine also mentioned that if this shed addition was detached from the principal structure the required minimum setback would be five (5) feet from the side property line; however, since the shed is attached to the principal structure it becomes part of the principal structure making the required minimum side setback ten (10) feet from the side property line. No screening would be required for a detached shed; therefore, no screening should be required for an attached shed addition.

MOTION: by Richard Gordon to recommend the Zoning Hearing Board grant the variance subject to the property owner installing and maintaining the required number of rain barrels as evaluated by the Township's Stormwater Inspector.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (3-0)

ZHB 20-10 Sharon Kuehl requests a Variance of Section 150-56.A.2 to reduce the minimum required side yard setback for principal structures from the required ten (10) feet to the requested eight feet six inches (8'6") located at 2516 Manor Road (Tax Map: 21; Parcel: 0130) in the R-3 Residential Zone.

Ms. Sharon Kuehl presented the request to the Planning Commission members. Ms. Kuehl stated that she is in the planning stages of building an attached garage for additional storage. Due to moving her parents in to live with her recently, a need for additional storage has risen. Ms. Kuehl stated that the proposed garage addition would encroach into the required minimum side yard setback by approximately 20 inches, reducing the side yard setback to approximately eight feet six inches (8'6"). The required side yard setback for a principal structure is ten (10) feet in the R-3 Residential Zone. Attaching the garage to the principal structure makes it become part of the principal structure. If the garage was constructed as a detached structure, it would be located within five (5) feet of the side property line. This variance request is much less of a variance. Ms. Kuehl also stated that the new garage addition would be constructed over existing impervious area occupied by the existing driveway. No new impervious area would be added to the property as part of this variance request. No new stormwater runoff would be created and does not pose an adverse-effect of neighboring properties.

MOTION: by Fred Walters to recommend the Zoning Hearing Board grant the variance request.

SECOND: by Richard Gordon

MOTION PASSED: Unanimously (3-0)

NEW BUSINESS

Rezoning Request & Text Amendment Request from Laughner + Patel Developers LLC to rezone 2 parcels from the Open Space Residential-3 and R-3 Residential Zones to the R-4 Residential Zone along Roosevelt Avenue and Westgate Drive (UPI #: 51000JH001300 and 51000340002) Proposed Text Amendment to §150-60 to add various Permitted Uses to the R-4 Zone and Proposed Text Amendment to §150-67 (Reserved) to "Design Standards" with proposed language.

Mr. Christopher Knarr, Planner with McNees and Wallace, and Mr. Mayur Patel of Laughner + Patel Developers presented the rezoning and text amendment requests to the Planning Commission members. Mr. Knarr explained that the properties are situated along Roosevelt

Avenue, Westgate Drive and Kenneth Road. The properties are currently split zoned R-3 Residential and Open Space Residential-3. The request is to rezone the properties to the R-4 Residential zone. The properties were zoned R-4 Residential until 1994 when the Township rezoned them to OSR-3. This request is to revert to the previous zoning classification. The rezoning request includes an undeveloped wooded lot of approximately 47 acres that contains steep slopes, a 200' wide overhead utility easement and wetlands. The second part of the request is to amend the text to the R-4 Zoning District in the Zoning Ordinance. The proposed text amendment introduces additional permitted uses and design standards for the R-4 Residential Zone. The applicant's vision is to allow commercial development with a residential component on the parcel, whether that is a nursing home facility, assisted living or a hotel to assist with the hospital's need for housing their patients' family members during prolonged treatment visits.

A lengthy discussion revolved around proposing to introduce a hotel, medical or dental clinics and offices (business and professional) as permitted uses in the R-4 Zone. Mr. Ruman and Mr. Gordon stated that they feel the Township prefers to keep non-residential uses out of the residential zones. Adding new commercial uses to the R-4 Residential Zone may not be appropriate for all of the R-4 Residential Zone locations within the Township. Mr. Ruman and Mr. Gordon suggested rezoning the parcel to the Professional Office (PO) Zone, as it already allows offices, hospitals and medical and dental clinics. They also suggested the applicants modify their request to amend the text for the Professional Office in the Zoning Ordinance to allow for hotels that lend support to patients and their families being treated in nearby hospitals. Mr. Gordon suggested the applicant contact the Ronald McDonald House in Hershey, PA since it was developed in an around office buildings, or another similar facility to see how they are classified and what zoning district they are located in to propose a Zoning Ordinance text amendment for temporary medical housing/hotel that would be appropriate for West Manchester Township. The Planning Commission members feel it is important to keep the R-4 Residential district as residential as possible, but they understand that this parcel of land would be supportive of transitioning from a mixed-use density such as the hospital's property to the R-3 Residential and R-4 Residential properties along Roosevelt Avenue. The applicants mentioned that across the street in Manchester Township, the properties recently developed with OSS and Davita Dialysis were recently rezoned to better accommodate the hospital and medical setting in the area. The Planning Commission members recommended revising the rezoning request and the proposed text amendment and meeting with them again the August 11, 2020 Planning Commission meeting for review and recommendations.

MOTION: by Richard Gordon to table the rezoning and text amendment request until the August 11, 2020 Planning Commission meeting so the applicant can make changes to the rezoning and text amendment proposals for further review.

SECOND: by Fred Walters

MOTION PASSED: Unanimously (3-0)

Being that there was no additional agenda items to discuss, the meeting was adjourned at 8:20 p.m.

MOTION: by Richard Gordon

SECOND: by Fred Walters

MOTION PASSED: Unanimously (3-0)