



Dickinson Township
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PLANNING COMMISSION MEETING FEBRUARY 12, 2014

PRESENT: DENNY STRAUB, BILL BAKER, DAN WYRICK, LYNN HOOVER, TONY SMITH, TOM SMITH - MEMBERS; Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer; Susan Smith, Solicitor; Denise Gembusia, Secretary/Treasurer.

VISITORS: Mike Wadel, Troy Briggs, Ron Secary, Chuck Stehlik, Charlie Courtney, Bob Line, Andrew Hughes, Jim Hughes, Laura Portillo.

CALL TO ORDER

The meeting was called to order at 6:05 pm directly following the organization meeting. Those present recited the pledge of allegiance.

APPROVAL OF MINUTES

1. December 11, 2013 Planning Commission Meeting Minutes.

Dan Wyrick motioned to approve the meeting minutes as submitted. Chairman Straub wanted to clarify that the second paragraph of page two did not convey his thoughts accurately. He stated that his intention was to review the SALDO in order to define a list of steps in order to approve a non-buildable lot into a buildable lot. Dan Wyrick modified his motion to approve the minutes with the suggested change. Tom Smith seconded the motion and it passed unanimously.

CHAIRMAN'S COMMENTS

Chairman Straub reminded everyone to turn on their microphones before welcoming Tony Smith and Bill Baker to the Planning Commission. He then noted that the agenda would be changed to discuss business first and the review of plans last since there was a scheduling conflict for the applicant.

BUSINESS

1. Final Zoning Amendment review – provide comments to Board of Supervisors.

Solicitor Smith provided a background and reviewed the revised text changes recommended by the Board of Supervisors. Under Section 205-69.4(C) of the proposed zoning ordinance, maximum impervious coverage would be 50% for properties with only on lot sewer, 60% for properties with public water or public sewer, and 70% for properties serviced by both public water and sewer. Tony Smith questioned why the number was reduced from 75% to 70% and what the ramifications of the reduction meant. Solicitor Smith explained and clarified that the maximum impervious requirement recommendation came from the County Planning Commission.

Solicitor Smith continued to review the revised text amendments suggested by the Board of Supervisors. Dan Wyrick asked if the Planning Commission was only welcome to offer comments on the revised changes. Solicitor Smith stated that comments could be offered on any part, but noted that the Planning Commission already provided comments on the amendments that the Board did not revise.

Zoning Officer Barrick explained that raising the berm helps offset the extreme setbacks. He answered some questions regarding the Board of Supervisors' revisions.

Chairman Straub expressed his displeasure with white pine trees as an allowable berm planting. He cited reasons as to why it may not be a good planting choice. Zoning Officer Barrick noted that the screen planting requirements were located in Section 205-30 of the Dickinson Township Zoning Ordinance. Chairman Straub thought that tree species was addressed in the SALDO, but realized it referred back to the Zoning Ordinance. He suggested removing white pines as an acceptable tree planting species, which could be addressed in the SALDO and Zoning Ordinance drafts currently being reviewed.

Dan Wyrick stated he was in favor of the berm height increase suggested by the Board of Supervisors. He motioned to recommend adopting the revised changes to the final zoning ordinance amendment as presented, with no further comment from the Planning Commission. Tony Smith seconded the motion. Chairman Straub asked for public input on the issue.

Bob Line noted that the previous Planning Commission recommendation was to keep a 500 foot setback in the B-R district. Mr. Line asked the Planning Commission to uphold that recommendation. He said that Goodman Birtcher recently applied to the PA Department of Environmental Protection (DEP) for an environmental cleanup and brownfields permit under Act 2. Mr. Line said he'd like to know more details and have the larger setback enforced. Charley Courtney stated that Goodman Birtcher did apply for such a permit and that they are working on cleaning up the property to meet the standards set by Act 2. Chuck Stehlik indicated that there was an unknown plume of contamination that has been present for at least ten years which affects 580 properties in the area. Trichloroethylene (TCE) may be one of the contaminants, but Mr. Stehlik was unsure of which chemicals were on the actual list. Dan Wyrick stated that G.S. Electric may have been the original source of the contaminant, but conveyed that there was no hard link between the company and the pollution. There was a brief discussion over setbacks and building height. Mr. Line also requested that the words, "or use" remain in Section 205-69.8 of the zoning ordinance.

With a motion and second on the floor, a vote was taken. The motion to recommend adopting the revised changes to the final zoning ordinance amendment as presented, with no further comment from the Planning Commission passed unanimously.

REVIEW OF PLANS

1. *Revised Preliminary Subdivision Plan for Woods of Barnitz*
2. *Revised Final Subdivision Plan for Woods of Barnitz*

Mike Wadel, Engineer for the plan, noted that the revisions include a reduction in road widths on the streets and boulevards. Two-way streets would be reduced from 30 feet of total paved width to 24 feet. Each street is proposed to have a cartway width of 20 feet with (2) 2 foot shoulders. Boulevard entrances would be reduced from 18 feet to 16 feet, which will still comply with liquid fuel standards and emergency conditions. Additionally, the lot line between plot 88 and 89 should be deleted per staff request to be addressed at a later date.

Tom Smith questioned why the water line had not been extended down Mountain View Road to Pine Road. He thought it might have to do with costs. Chairman Straub believed that the Dickinson Township Municipal Authority's mandatory connect ordinance might be the developer's reason not to extend the water line. There was a short discussion on water capacity and issues related to extending the water line.

Zoning Officer Barrick told the Planning Commission that the township Sewage Enforcement Officer (SEO) will not sign off on the non-building waiver for the lot subdivision until the planning module is completed. This decision is supported by staff and the township Engineer. Zoning Officer Barrick explained that the boulevard was placed on the plan due to the lack of egress from the development and due to concerns expressed by emergency service personnel. Zoning Officer Barrick reported that street widths were discussed with emergency services personnel and they expressed no concerns over the suggested street and boulevard revisions. The reserve easement to the north (Bixler property) was reviewed along with road classification and construction issues.

Bill Baker motioned to recommend approval of the waiver of Section 178-42.C of the SALDO in order to allow for street widths of 24 feet instead of the required 30 foot minimum. The motion was seconded by Dan Wyrick and passed unanimously.

Bill Baker motioned to recommend approval of the requested SALDO waivers from Sections 178-17(A), (B) and (D) relating to filing fees and professional consultant review fees, Section 178-43.A.1.a.1, and Section 178.43.A.4 relating to dedication of recreational land or payment of fees in lieu of dedication. Lynn Hoover seconded the motion and it passed unanimously.

Dan Wyrick motioned to recommend approval to waive the requirements set forth in Ordinance 2012-02 regarding the construction standards for street cross sections of 26 feet reduced to 24 feet. Bill Baker seconded the motion and it passed unanimously.

Dan Wyrick motioned to recommend approval of the modification to the approved preliminary plan regarding boulevards from 18 feet to 16 feet paved width. Bill Baker seconded the motion and it passed unanimously.

Bill Baker motioned to recommend approval of the revised preliminary and revised final subdivision and land development plans for Woods of Barnitz with the recommended waivers and condition upon a new set of plans being submitted notating the proper street widths and the future subdivision plan submittal showing the lot conveyance to the Township. The motion was seconded by Dan Wyrick and passed unanimously.

SOLICITOR'S REPORT

Solicitor Smith answered questions and analyzed issues regarding exclusionary zoning and illusory zoning. She also discussed recent legislative action and court decisions regarding Act 13.

ENGINEER'S REPORT

The Engineer was not present.

ZONING OFFICER'S REPORT

The Zoning Officer did not provide a report.

PARK & RECREATION LIAISON REPORT

Dan Wyrick did not provide a report.

SUPERVISOR LIAISON REPORT

No report was provided.

ADJOURNMENT

Lynn Hoover motioned to adjourn the meeting at 8:07pm. The motion was seconded by Denny Straub and passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

