



Dickinson Township
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PLANNING COMMISSION REGULAR MEETING June 12, 2013

PRESENT: DENNY STRAUB, KEN GIFFHORN, LYNN HOOVER (*late 6:04pm*), EARL BOCK, TOM SMITH, DAN WYRICK (*late 6:05pm*) - MEMBERS; Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer; Jim Bennett, Cumberland County Planning Commission Representative; Jason Reichard, Engineer; Denise Gembusia, Secretary/Treasurer.

VISITORS: Delvin Zullinger, Michael Wadel, J.R. Barrett, Leah Hoover, David Liberator, A.C. Kuhn, Laura Portillo.

CALL TO ORDER

Vice Chairman Straub called the meeting to order at 6:00 pm and led the audience in the pledge of allegiance.

APPROVAL OF MINUTES

1. May 8, 2013 Planning Commission Regular Meeting Minutes

Denny Straub asked that the minutes be changed under Chairman's comments to reflect that no responses were received to the RFQs instead of no RFQs were received. Additionally, on page 2, the last paragraph should be amended that "previously subdivided lots *are*" instead of *is* and five lines down remove "*were*" since it is duplicated. Ken Giffhorn motioned to approve the May 8, 2013 Planning Commission regular meeting minutes as amended. The motion was seconded by Earl Bock and passed unanimously.

CHAIRMAN'S COMMENTS

Vice Chairman Straub had no comments.

PUBLIC COMMENT

There were no public comments.

REVIEW OF PLANS

1. Minor Final Subdivision Plan for Victor and David Barrick

Engineer Reichard reviewed his comment letter dated June 10, 2013 and noted that all outstanding comments other than a notarized certificate of ownership have been addressed. Mike Wadel from E.L. Diffenbaugh Associates noted that he had notarized plans available. Engineer Reichard explained that the plan was presented to the Board of Supervisors where Solicitor Smith asked for lot #1 to be outlined in a solid, bold line and notes added to lots 2 and 3 stating that they were subdivided without a field survey. Dan Wyrick noted that the plan is now more accurate than the deed at the Courthouse. All County comments were reviewed and satisfied. Dan Wyrick motioned to recommend approval of the Minor Final Subdivision Plan for Victor and David Barrick and to forward the plan to the Board of Supervisors. The motion was seconded by Lynn Hoover and passed unanimously.

2. Request for a Planning Waiver & Non-building Declaration for Victor and David Barrick

Zoning Officer Barrick said that the S.E.O. signed off on the plan and had no problems with the waiver request. Earl Bock motioned to recommend approval of the planning waiver and non-building declaration for Victor and David Barrick. Ken Giffhorn seconded the motion and it passed unanimously.

3. *Nadar Alajouni Consolidation Plan – for discussion only*

Delvin Zellinger, Surveyor from Curfman and Zullinger Surveying, said that he surveyed the two properties for the Nadar Alajouni consolidation plan at 200 Pine Grove Road in Gardners. A waiver of the Subdivision and Land Development Ordinance, Section 178-16, requesting a waiver of a preliminary plan was submitted to the Township on June 3, 2013. Engineer Reichard reviewed his June 10th comment letter.

- Comment #1 –** Waiver of Section 178-16 of the Subdivision and Land Development Ordinance allows for waiver of the Preliminary Plan submission requirements for subdivision of not more than two lots upon recommendation by the Planning Commission to the Board of Supervisors. The Engineer agreed with the reasoning of the waiver request and recommended approval.
- Comment #2 -** Section 178-21.A.1 of the SALDO requires the zoning district to be identified on the plan. The Engineer said that this requirement still needed to be satisfied and recommended making it a condition of approval.
- Comment #3 -** Section 178-21.A.3 of the SALDO requires existing easements or rights-of-way to be shown and dimensioned on the plan. The existing Met-Ed right-of-way should be dimensioned on the plan. This requirement still needs to be satisfied, but could be a condition of approval. The Engineer noted that the width must also be labeled.
- Comment #4 -** Section 178-21.A.6 of the SALDO requires the land owner's name and address to be provided on the plan. The tax map and parcel number also need to be provided per the requirements of this section. Currently, only the deed book plat is referenced. The parcel numbers will need to be identified properly for approval.
- Comment #5 -** Section 178-21.A.7 of the SALDO requires a notarized certificate of ownership to be provided on the plan. The Engineer requested a note to be included on the plan that clearly identifies common ownership between both lot number 1 and lot number 3.
- Comment # 6 -** Section 178-24.A.4 of the SALDO requires the location of the minimum building setback lines to be provided on the plan. This can be a condition of approval.
- Comment #7 -** Section 205-11.E of the Zoning Ordinance identifies minimum and maximum lot area and related regulations. A site data table should be included on the plan that lists the applicable standards, such as basic setbacks, at the time of plan approval.
- Comment #8 -** The plan has been submitted with the title "Consolidation Survey". The Township SALDO does not recognize this nomenclature. The Engineer recommended the plan be titled Final Reverse Subdivision Plan to better correspond with the applicable ordinances.

Ken Giffhorn asked for clarification on which campers would not be in compliance if the plan were approved. Zoning Officer Barrick explained that the campers on lot #3 would be non-compliant, but the buildings on lot #1 would be grandfathered into compliance until they were to be replaced or modified. Dan Wyrick asked how someone would determine if a building were grandfathered or not. Zoning Officer Barrick said the plan could have a note added stating such. Engineer Reichard added that Article 5 of the Zoning Ordinance could be referenced on the note. Ken Giffhorn asked how a new zoning officer might be able to know that the property had grandfathered buildings. Zoning Officer Barrick said that these types of issues are common and are handled at the time of construction since any new permitting will have to conform to the Zoning Ordinance in place at that time.

Tom Smith asked if a new deed will be written once the properties are consolidated. Mr. Zullinger said that he was not asked to do so, but was willing to if it was needed. Dan Wyrick asked if Mr. Zullinger surveyed the entire

property. Mr. Zullinger replied yes. Zoning Officer Barrick said that he typically requests a new deed from the owner and when he receives a copy of the new deed, places it with the subdivision plan.

Ken Giffhorn motioned to recommend approval of the Nadar Alajlouni final reverse subdivision plan condition upon satisfaction of the Engineer's comments and recommended that they consolidate the deeds. Earl Bock seconded the motion and it passed unanimously.

Dan Wyrick motioned to recommend waiving Section 178-16 of the Subdivision and Land Development Ordinance to the Board of Supervisors, which allows for waiver of the Preliminary Plan submission requirements for subdivision of not more than two lots, and consider the plan the Final Reverse Subdivision. The motion was seconded by Lynn Hoover and passed unanimously.

SOLICITOR'S REPORT

No report was provided.

ENGINEER'S REPORT

No report was provided.

ZONING OFFICER'S REPORT

Zoning Officer Barrick noted that there was more discussion regarding the development of a Zoning Ordinance task force and invited the Planning Commission members to join the group. Denny Straub expressed his desire to join the task force.

Ken Giffhorn asked who owns the Hump Back Bridge and was told it was owned by PennDOT. He asked if the township plans on putting a weight limit on the bridge. Manager Portillo explained that the road already has a weight restriction.

PARK & RECREATION LIAISON REPORT

No report was provided.

SUPERVISOR LIAISON REPORT

No report was provided.

ADJOURNMENT

Dan Wyrick motioned to adjourn the meeting at 6:49 pm. The motion to adjourn was seconded by Ken Giffhorn and passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer