

PARADISE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

May 23, 2016

The regularly scheduled meeting of the Paradise Township Planning Commission was held May 23, 2016 at the Paradise Township Municipal Building.

1. Call to Order and Pledge to the Flag

The meeting was called to order by Chairman John Livelsberger at 7:00PM.

2. Attendance:

Bob Nivens

Barry Schuchart

Mike Zeigler

Tom Bosley

Kevin Barnes

Doug Stambaugh

There were three (3) others present.

3. Agenda Approval:

A motion to approve the Agenda was made by Bob Nivens and seconded by Tom Bosley. The motion passed unanimously.

4. Approval of the Meeting Minutes of March 26, 2016

A motion to approve the Minutes was made by Mike Zeigler and seconded by Barry Schuchart. The motion passed unanimously.

5. Citizen's Concerns and Comments:

The floor was opened for any citizens' concerns and comments. Kevin Holtzinger, who has rented and farmed property owned by Buddy Welsh for 25 years appeared before the board. He is considering buying all or a portion of the Welsh property. It consists of an 80 acre parcel as well as three 10 acre tracts. He wants to subdivide the 10 acre parcels and was advised that only one subdivision per tract could be made. He also questioned deeded driveways but was advised to seek advice from counsel on this issue. Additionally he would like to add a 2nd home on the property in addition to a trailer that exists there now, and under current laws was told that a tenant dwelling could be erected provided it was approved by the Zoning Hearing Board.

6. Communications:

A. Bob Nivens gave the report from the Township Supervisor's meeting of May 9, 2016.

B. Miscellaneous: None

C. Zoning Officer: Wayne Smith presented an application from Senft Law Firm, representing Thomas and Wanda Bross for a Special Exception to allow a Wedding and Special Events Venue on their property on West Canal Road. The property is in rural conservation. The

Planning Commission, after discussion recommended that the Zoning Hearing Board deny this application based on the following considerations.

- This is not a Special Exception. It is a Variance of Section 502 of the Zoning Ordinance, Uses Permitted by Right. Under Section 502, there are no provisions for this type of Use. This is considered an "Outdoor Commercial Recreation Facility" as defined in Section 1328 and as such is only permitted in the Commercial District.
- As a Variance, certain prerequisites need to be met including that it not be financial in nature, that it not be self-created and that a hardship has been created. None of which are met by this request.
- There was no representation by the owner or their litigant at this review.

Based on the information made available to the Planning Commission, Bob Nivens made a motion to recommend denial and was seconded by Barry Schuchart. This motion passed unanimously. The Zoning Officer will attempt to seek approval from the applicants to delay the Zoning Hearing for 60 days in order to present these findings to them and discuss another course of action.

7. Sketch Plans:

Clark Craumer presented a subdivision plan, adding property to the township property along Beaver Creek road. This will be reviewed at the next Planning Commission meeting in June.

8. Old Business:

A. Glatfelter Gas Line

Work continues on Lake Road but there has been little progress. Doug Stambaugh stated that it has become difficult to follow their progress as they do not appear to be working on it every day.

B. Right of Way Ordinance for Underground Occupancy

The Chairman has tasked Barry Schuchart with providing ideas for an ordinance and to pass those on to the Planning Commission members approximately a week before the next meeting.

9. New Business:

A. Diocese of Harrisburg Land Development

After a lengthy discussion, it was decided that the Planning Commission would take no action until the litigation issue has been settled or further instructions have been forwarded to the Planning Commission chairman by Township Supervisors. However it leaves open that requests made by any responsible party will be reviewed and given all due consideration.

10. Adjournment:

Having no further business, a motion was made by Tom Bosley to adjourn the meeting, seconded by Mike Zeigler. The meeting was adjourned at 8:25 PM.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on June 27, 2016 at 7:00 PM in the Township Municipal Building.

Respectively submitted,

PARADISE TOWNSHIP PLANNING COMMISSION

Bob Nivens

Robert Nivens

Vice Chairman/Secretary

Cc: Clark Craumer, Supervisor Dean Bentzel, Supervisor
Lance Biesecker, Supervisor CGA, Sharon Myers, Solicitor
Chris Mentzer, Township Secretary Wayne Smith, Zoning Officer
Paradise Township Planning Commission: TB, BS, JL, SC, MZ, KB, BA