

# **PARADISE TOWNSHIP PLANNING COMMISSION**

## **MEETING MINUTES**

June 27, 2016

The regularly scheduled meeting of the Paradise Township Planning Commission was held June 27, 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

Brent Auchey

Doug Stambaugh

There were three (4) others present.

**3. Agenda Approval:**

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

**4. Approval of the Meeting Minutes of May 23, 2016**

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

**5. Citizen's Concerns and Comments:**

The floor was opened for any citizens' concerns and comments. There were none.

**6. Communications:**

A. Bob Nivens gave the report from the Township Supervisor's meeting of June 13, 2016.

B. Miscellaneous: None

C. Zoning Officer: None

**7. Sketch Plans:**

There were no Sketch Plans

**8. Old Business:**

**A. Glatfelter Gas Line**

Barry Schuchart gave a report on the progress of the gas line. Lake Road and Rt. 30 bore cuts have been completed and all permits have been acquired.

## **B. Right of Way Ordinance for Underground Occupancy**

Barry Schuchart presented a Township ROW Ordinance for review and discussion. The Chairman suggested that given the length of the document, that we take time to read and comment and return next month prepared to address the issues. A motion to Table the discussion was made by Bob Nivens, seconded by Tom Bosley and the motion passed.

## **C. Bross Special Exception**

Wayne Smith presented an application from Senft Law Firm, Robert Schefter, Esq., 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. On May 23<sup>rd</sup>, the Planning Commission discussed whether or not that this is a Special Exception. It could be considered 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. It was also discussed whether or not this is an "Outdoor Commercial Recreation Facility" as defined in Section 1328 and as such is only permitted in the Commercial District.

At this June's PTPC meeting however, Atty. Schefter advised that he felt that this application could better be defined under Section 105 of the Zoning Ordinance, Uses Not Provided For. And in that case, it would be considered a Special Exception.

The Townships Zoning Officer, Wayne Smith, discussed the issue and also felt that Section 105 more closely defined the application than Section 502. The main argument was that Section 502 appeared to pertain to "fixed and permanent" structures, and not the "temporary" structures proposed by this Special Exception request. There was no detail given, nor questions raised, concerning noise, parking, sanitation, crowd and traffic control, the "temporary" structures or vending issues.

Barry Schuchart motion to approve the request, seconded by Tom Bosley and the PTPC voted 4 to 1 to forward the Special Exception Request to the Zoning Hearing Board.

## **9. New Business:**

### **A. Diocese of Harrisburg Land Development**

With no new information, Bob Nivens motion to Table the discussion, seconded by Tom Bosley and the motion passed unanimously.

### **B. Clark and Tina Craumer Final Subdivision**

Clark Craumer presented the Final Subdivision Plan for the Paradise Township Lot Addition. After review of the plan dated 5/20/16, and following plan review comments:

1. GHI Comments dated June 6, 2016
2. York County Planning Commission Comments dated June 24, 2016
3. PTPC comments made during the meeting

Tom Bosley made a motion to recommend Paradise Township Board of Supervisor's **APPROVAL** of the plan with the following conditions:

1. The applicant shall submit a copy of the deeds to be recorded for the two resultant lots. The deed for the enlarged lot shall provide a description which reflects the proposal to permanently join the add-on parcel to the existing lot. (Section 314.D)
2. Owners signature and notarized statement is required (Section 403.B.39)
3. Verification must be provided that the Planning Module for Land Development or non-building waiver was approved by the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection (Section 403.D.9)
4. Filing and recording fees to be paid (Section 403.D.2).

Bob Nivens seconded the motion and it was unanimously passed.

**10. Adjournment:**

Having no further business, a motion was made by Bob Nivens to adjourn the meeting, seconded by Tom Bosley. The meeting was adjourned at 8:00 PM.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on July 25, 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  
Lance Biesecker, Supervisor  
Dean Bentzel, Supervisor  
CGA, Sharon Myers, Solicitor  
Chris Mentzer, Township Secretary  
Wayne Smith, Zoning Officer  
Paradise Township Planning Commission: TB, BS, JL, SC, MZ, KB, BA