

# PARADISE TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

June 26, 2017

The regularly scheduled meeting of the Paradise Township Planning Commission was held June 26, 2017 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:**

John Livelsberger

Bob Nivens

Barry Schuchart

Mike Zeigler

Tom Bosley

Kevin Barnes

Brent Auchey

There were seven (7) others present.

**3. Approval of the Meeting Minutes May 22, 2017**

A motion to approve the Minutes was made and the motion passed unanimously.

**4. Citizen's Concerns and Comments: None**

**5. Communications:**

A. John Livelsberger presented the notes from the Supervisors meeting of June 12, 2017.

B. Miscellaneous: None

C. Zoning Officer: None

**6. Sketch Plans: None**

**7. Old Business:**

**a. Superior Homes Land Development Plan -**

Clark Craumer presented two Waiver Requests from Chapter 22, SALDO for Superior Homes. The first concerned the proposed driveway not meeting the Rt. 30 Access Management Ordinance, Section 113.A.1 distance from a street of 360 feet. Because the lot width is only 259 feet, they are unable to meet the ordinance. Tom Bosley, seconded by Barry Schuchart, motioned that due to the infrequent use of that driveway, that the reduced distance be allowed. The motion passed 4-1 to recommend approval.

The second Waiver Request from the 2015-01 Stormwater Management Ordinance section 301.L, requiring all stormwater management structures to be within the building setback requirements, cannot be met because the property is bordered by two roads, Rt. 30 and

Lake, and the setbacks for both reduce the available property on this lot. Superior Homes sought relief because the proposed trenches are below grade, the infiltration berm is less than 2 feet deep and there are no above grade structures. After discussion, Barry Schuchart motioned, and Mike Zeigler seconded the approval of this Waiver Request. This motion passed 5-0.

At this time further discussion on the Development Plan was tabled following the motion from Barry Schuchart, seconded by Tom Bosley.

b. Harrisburg Diocese Plan, 2 Lot Subdivision-

Tim Dwyer, K&W Engineering presented two Waiver Requests from Chapter 22, SALDO for the Diocese of Harrisburg, 2 Lot Final Subdivision Plan. The first concerned the proposed individual water supply systems for each lot, SALDO section 512.B. The proposal is to subdivide Lot 1 from the parent tract. No additional development on the subdivided lot is proposed at this time. There is an existing well on the property however it is not clearly shown. The applicant is requesting the waiver until such time as new development is proposed. Tom Bosley motioned to **APPROVE** the waiver, seconded by Bob Nivens and it passed 4-0 with John Livelsberger absent at the time of the vote.

The second Waiver Request from the SALDO, section 614 concerned the payment of fee-in-lieu of constructing curbs and sidewalks. After discussion, they were told of the option of paying the \$50 per foot fee for the minimum lot width of 200' in the Rural Conservation Zone. Tom Bosley motioned to **NOT APPROVE** this waiver request. It was seconded by Barry Schuchart and passed 5-0.

At this time further discussion on the Development Plan was tabled following the motion from Barry Schuchart, seconded by Mike Zeigler. The PTPC felt that the delay was necessary in order to more closely review the comments from GHI received on June 21<sup>st</sup>.

9. New Business:

a. Application for Zoning Hearing, 560 Big Mount Rd, Thomasville-

Jerry Stahlman and Charlie Mallios presented a plan to subdivide the property of Homer Forbes, 560 Big Mount Rd., Thomasville, parcel ID 42HE17S. Currently it's in the Agricultural Zone. Lot requirement in that zone is from 1 to 2 acres. The request is to subdivide the tract into a 4.4 acre residual tract and a 47.2 acre agricultural tract. The agricultural property does have acceptable road frontage on Big Mount Road. They stated that the property has been for sale and vacant for several years. They feel that by separating the property in this manner, buyers can be found for both pieces of property. The layout of the buildings on the lot does not allow them to reduce the residential tract to meet the Zoning requirements.

The PTPC felt that the property owner fails to meet two of the four requirements for a Variance listed in the Zoning Application for Hearing, Section 3.b, in that the hardship was self-created and it is financial in nature.

However in light of these failures, the Paradise Township Planning Commission recommends that the Zoning Hearing Board accept and further review this Application. The parent tract, if divided as proposed is consistent with the other tracts of land adjacent to and across Big Mount from the property. Additionally, the subdivided tract is a building lot as defined in the PT Ordinances and does have road frontage. Finally, the PTPC believes that this does preserve agricultural property and it gets a currently vacant property occupied.

b. Courtesy Review of Jesse Ray Ruhlman Plan, Heidelberg Twp.

The property of Jesse Ruhlman lies primarily in Heidelberg Twp. with only a very small portion in Paradise. As the portion in Paradise was not being affected, the PTPC felt no need to review the Ruhlman Plan and it was approved without discussion after a motion by Bob Nivens and seconded by Barry Schuchart.

c. Discussion on Personnel Reorganization of the PT Planning Commission

Barry Schuchart has decided to step down from being an active participant on the Commission and will be replaced by Kevin Barnes. Barry will still continue as an alternate.

d. Pennsylvania Act 172 of 2016

The Supervisors forwarded a copy of Act 172 to the PTPC and Bob Nivens has decided to write an Ordinance for the Township. It will be available for next month's regularly scheduled PTPC meeting for review.

10. Adjournment:

Having no further business, a motion was made by Bob Nivens to adjourn the meeting, seconded by Mike Zeigler. The meeting was adjourned at 8:45 PM.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on July 24, 2017 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                      Wayne Smith, Zoning Officer  
Lance Biesecker, Supervisor                      CGA, Sharon Myers, Solicitor  
Dean Bentzel, Supervisor                              GHI, Doug Stambaugh, P.L.S.  
Chris Mentzer, Township Secretary  
Paradise Township Planning Commission: TB, BS, JL, MZ, KB, BA