

# PARADISE TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

January 28, 2019

The regularly scheduled meeting of the Paradise Township Planning Commission was held January 28, 2019 at the Paradise Township Municipal Building.

**1. Call to Order and Pledge to the Flag**

The meeting was called to order by Chairman Kevin Barnes at 7:00PM.

**2. Attendance:**

Kevin Barnes  
Bob Nivens  
Tom Bosley  
Brent Auchey  
Barry Schuchart  
Mike Zeigler  
Zoning & CEO Officer Neal Doyle  
Zoning Officer & CEO Wayne Smith  
Doug Stambaugh P.L.S.  
There were four (4) others present.

**3. Approval of the Meeting Minutes of December 17, 2018:**

A motion to approve the Minutes from December 17, 2018 was made by Mike Zeigler and seconded by Tom Bosley. The motion passed unanimously.

**4. Citizen's Concerns or Comments:**

Jeff Kohler, 6753 Lincoln Hwy discussed the possibility of subdividing or adding onto his home for his daughter. He currently has a 10 acre parcel in the low density residential district with approximately 370' of frontage onto route 30. Minimum lot width is 150' and minimum acreage is 45,000 sq. ft.. He was instructed to contact a surveyor and was given the PT web site address so he could obtain SALDO, Zoning and Rt. 30 Access Regulations. He was also instructed to contact the zoning office. Additionally he was told that he could add onto the existing home but that bringing in a trailer, separate from the home, would not be allowed.

**5. Communications:**

- A. Kevin Barnes presented the notes from the Supervisors meeting of January 14, 2019.
- B. Miscellaneous: None
- C. Zoning Officer: None

**6. Sketch Plans:**

- A. No new sketch plans were presented.

## 7. Old Business:

### A. Tall Grass Meadows Phase II-

As there was no one present to discuss the plan, Bob Nivens motioned to postpone the plan, seconded by Brent Auchey. The motion passed. The plan expires on March 6, 2019 unless extended.

### B. Abbottstown Dollar General-

Bob Sharrah was present to discuss the plan and noted that JLM Real Estates Investment LLC now owns the property. There was a discussion concerning truck traffic entering and exiting the store and if there would be any hazards created and if it would affect traffic flow. The plan was revised to show truck turning radii. It was also noted that there would only be 1 tractor trailer per week entering the parking area.

There were four (4) waivers APPROVED at the last Supervisors meeting that had been discussed last month at the PTPC meeting of December 17<sup>th</sup>.

GHI's comment letter of January 15<sup>th</sup> was discussed. The remaining items to be satisfied include:

- A PADOT Highway Occupancy permit.
- York County Conservation District technical review. It was reported that the Conservation District is currently backlogged and it may be a couple of months until the review is done. PADOT requires this review prior to issuing the Highway Occupancy permit.
- Per the Storm Water Management Ordinance, section 301.L, all Stormwater management facilities must comply with building setbacks. A small rain garden exists in the front yard setback. JLM presented a Request for a Waiver from this section of the ordinance. Tom Bosley motioned, seconded by Mike Zeigler to approve the waiver. The motion passed.

We choose not to give a Conditional Approval of the plan at this time, pending further review by the Supervisors. Tom Bosley motioned, seconded by Bob Nivens, to postpone further discussion on the plan and the motion passed.

Doug Stambaugh will prepare the Consistency letter. Note that this plan expires on March 23, 2019 unless extended.

## 8. New Business:

There was a review of Non-conforming Use, related particularly to Paradise Mobil Home Park, but it would be applicable to other parks within the township. The owners are not able to replace the older model trailers with new ones of the same footprint as they may not exist. Unfortunately, that creates a severe problem from both EMS and Fire to a requirement from Judge Shoemaker, that they can only be replaced with the same size or smaller over the same foot print.

We reviewed several other ordinances from adjacent townships. The Paradise Township ordinance appeared more thorough.

Currently the ordinance, Zoning, Section 1410.C reads:

***Nonconforming Structures.***

*1. As a special exception, the Zoning Hearing Board may permit a nonconforming structure to be reconstructed or expanded provided:*

*a. Such action will not increase the severity or amount of the nonconformity or create any new nonconformity.*

*b. Any expanded area will comply with the applicable setbacks in that zoning district and other requirements of this Ordinance.*

*c. In the case of a nonconforming structure which is used by a nonconforming use, any expansion shall also meet the requirements of this Section regarding nonconforming uses.*

It was further discussed and decided that the appropriate mechanism would be to add the word "replaced" in 1410.C.1 so that it will read:

*"As a special exception, the Zoning Hearing Board may permit a nonconforming structure to be reconstructed, **replaced** or expanded provided:"*

Bob Nivens motioned, seconded by Tom Bosley, to forward this recommendation to the Supervisors. The motion passed.

**9. Adjournment:**

Having no further business, a motion was made by Bob Nivens to adjourn the meeting, seconded by Brent Auchey. The meeting was adjourned at 8:10 PM.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on February 25, 2019 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  
Paradise Township Planning Commission: TB, BS, MZ, KB, BA  
Chris Mentzer, Township Secretary  
Wayne Smith, Zoning Officer  
Neal Doyle, Zoning Officer  
CGA, Sharon Myers, Solicitor  
GHI, Doug Stambaugh, P.L.S., Township Engineer  
Amy Perry, Abbottstown-Paradise Joint Sewer Authority