

# PARADISE TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

October 26, 2020

The regularly scheduled meeting of the Paradise Township Planning Commission was held October 26, 2020 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  
Mike Zeigler  
Brent Auchey  
Barry Schuchart  
Township Engineer Doug Stambaugh P.L.S.  
Zoning Officer Neal Doyle  
There were eight (8) others present

### 3. Approval of the Meeting Minutes of September 28, 2020:

A motion to approve the Minutes was made by Mike Zeigler, seconded by Brent Auchey and passed unanimously.

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

a. There were none.

### 5. Communications:

- a. Bob Nivens presented the notes from the Supervisors meeting of September 14, 2020.
- b. Miscellaneous: Neal Doyle reported that General Code is codifying the Township Ordinances and it will probably take 18 months.
- c. Zoning Officer: Kaczynski Zoning Hearing Request  
Neal Doyle reported on the Kaczynski Zoning Hearing on October 21, 2020. The Zoning Hearing Board denied their request to modify their 3-car garage into a 1-car garage with studio apartment. They were advised to seek relief on the ordinance preventing a 2<sup>nd</sup> home from the Supervisors. Neal also reported that they are still using the garage for living quarters and that he will be enforcing our ordinance.

### 6. Sketch Plans:

a. There were none.

## 7. Old Business:

a. Paradise Village Phase 1 (Plan Expires: Dec. 19, 2020)

Clark Craumer and Matt Eyster, Springfield Contractors, were there to discuss the GHI comments dated October 26, 2020. There were 19 issues to be resolved (**Bold**) in both SALDO and Zoning with comments in brackets [ ]:

1. **The plan is submitted as a Phase I Final Plan. It is a revised land development plan that was originally approved on October 6, 2015. The approved preliminary plan was for 47 units. The applicant submitted a "Declaration Plan" dated December 18, 2019 showing 48 units with a revised access drive layout. Recent correspondence from the York County Planning Commission to the Paradise Township Planning Commission indicated the developer intends to submit a revised preliminary plan of the project. Considering the change of units and the change of the layout a revised preliminary plan should be submitted for Phase 2 including stormwater calculations. (S310A)**
2. **Location, size, height, and orientation of all signs other than signs attached flush to building facades shall be shown. (S403B.35)** [There is an Entrance Sign that will be added to the plan]
3. **Bonding or security for public improvements shall be provided in compliance with Section 615.** [The original bond for the entire development should be enough to cover the current Phase 1 project but new projected figures will be provided]
4. **Approval from the Abbottstown Paradise Joint Sewer Authority is required.** [To be done]
5. **Approval of the amended NPDES Permit is required. (S403D.12)** [Chris Toms provided 5 comments that need inclusion in the amended permit as well as any decking that may be added]
6. **A detail of the street lights and locations shall be provided in compliance with S606 of the Zoning Ordinance.** [There will be one post light in each yard]
7. **Since the basin is existing, it should be factored in the pre-development peak rate calculations. The outlet of the basin should be the design point.** [To be done]
8. **There is a gas line between buildings shown on the plan. Is there a right-of-way associated with this line? Are there restrictions or isolation distances associated with this line? Numerous utilities are shown crossing this line. Infiltration trenches are shown 3' or less from the gas line. What precautions are being taken to prevent storm water from draining into utility trenches?** [To be done]
9. **The proposed stormwater pond grading is not shown.** [Use the existing grading]
10. **A stormwater easement and agreement is needed for the project.** [ There is a request to the solicitor dated 9/1/14]
11. **The patio locations should be shown on the plans.** [To be done]
12. **Offsite features should be shown on the drainage plan.** [To be done]
13. **Seepage pits should be shown on the utility and landscaping plan.** [To be done]
14. **Sidewalks shall be 5" thick. (S604E)** [Waiver will be requested]
15. **A schedule for the stormwater pond, outlet structure, and culvert replacement on Protectory Road should be included.**
16. **A PCSM and Erosion and Sedimentation Control Plan was not received.** [Berks Builders was to request this but it has not been seen at the Conservation District]

17. **Necessary calculations to demonstrate compliance with Chapter 102.8 should be provided i.e. volume calculations.** [A requirement from the Conservation District which will be done]
18. **Due to the nature of these comments and plan changes they may involve, additional comments may result from review of a revised plan set.**
19. **Compliance with Section 805L of the Zoning Ordinance is required.** [To be done]

b. Tall Grass Meadows, Phase 2 (Plan Expires: Jan. 11, 2021)-

As no one was present from Tall Grass, Brent Auchey motioned, seconded by Mike Zeigler to postpone the plan. The motion passed.

c. Peterson Family Trust Waiver Request-

Craig Peterson was present to discuss a Waiver Request to use a shared driveway. Jack Powell, the engineer, was on the phone during this discussion and presented his case. Mr. Peterson is proposing to subdivide a 3.88 acre parcel from his 83.61 acre farm. Mr. Peterson currently accesses the farm utilizing the driveway on a previously subdivided lot owned by his son. The proposed lot will have 182 feet of frontage on route 30. He is proposing to utilize the driveway on his son's property in lieu of a new driveway due to cost and topography. At the recommendation of the Planning Commission Rich Alandar with PennDOT was contacted regarding this proposal. Mr. Alandar's communications noted that per PennDOT regulations that both options would be permitted assuming they meet PennDOT's design criteria. Therefore, he made no recommendation, and defers to the township on this decision.

SALDO, Article 5, Section 507.d.10.e states "**Each dwelling shall be provided with its own driveway. Shared driveways shall not be permitted**". After further discussion, Bob Nivens motioned, seconded by Barry Schuchart to forward a recommendation for **DISAPPROVAL** to the Supervisors for their consideration. The motion passed 4-1, with Mike Ziegler in opposition.

Further discussion then centered on the Townships Route 30 Access Management Ordinance. In that, Section 113, Minimum Required Access Point Spacing, it is shown as 360 feet. With only 182 feet of frontage, it is impossible to separate the two driveways enough to meet the 360 foot minimum. However, no Waiver Request had been made for this issue so no recommendation could be made.

Further, in Section 114.A, it states that "Paradise Township may require a shared driveway or cross access drive for multi-family and non-residential uses in order to comply with the access point spacing standards and safe stopping sight distance standards in the AMO, or in order to maintain efficient traffic flow on U.S. Route 30".

It is the opinion of the PTPC that the Supervisors decide whether to waive the SALDO requirement or waive the Route 30 Access Management Ordinance requirement. In this particular case, these two Ordinances are in conflict.

d. Jason Bross Glamping Proposal-

Jason Bross presented his plan for a Glamping Site on his parcel at 5107 West Canal Road, Dover, Tax Map JE, Parcel 79A. As it required a Special Exception, he met with the Zoning Hearing Board on June 19<sup>th</sup>, 2020 and received their approval. He now presented his site plan but was advised by the Planning Commission that more is required of him. Besides Paradise Township Planning and Supervisory approvals, he needs Site Plan Details, York County Planning Comments, Conservation District Comments, SEO or DEP approval, among others. He was advised to seek a local engineer to prepare and submit the documents. Pending successful completion, he was told that he is probably looking at 3 to 4 months until he can begin the project.

e. Alleys and Service Drives-

After discussion and review of the notes, it was suggested that Bob Nivens find all of the ordinances that are in conflict with the proposed ordinance. He should also add a new note that the alley shall only be located on the sides or rear of the residences. Otherwise it would need to be classified as a street.

f. Energy Ordinance -

Bob Nivens has been working on preparing an Ordinance. Kevin Barnes discussed a letter from OYA Solar advising them that new Pa. House and Senate Bills are in process for large solar farms and that they will lay the groundwork for Solar in Pennsylvania. Brent Auchey motioned, seconded by Mike Zeigler to postpone discussion. The motion passed unanimously.

**8. New Business:**

a. Bob Nivens passed out the new Township directory.

**9. Adjournment:**

Having no further business, a motion was made by to adjourn the meeting by Bob Nivens, seconded by Mike Zeigler. The meeting was adjourned at 8:55. PM.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on November 23, 2020 at 7:00 PM in the Township Municipal Building.

Respectively submitted,

**PARADISE TOWNSHIP PLANNING COMMISSION**

*Bob Nivens*

Robert Nivens, Vice Chairman/Secretary

Cc: Paradise Township Planning Commission: TB, BS, MZ, KB, BA

Clark Craumer, Supervisor

Lance Biesecker, Supervisor

Dean Bentzel, Supervisor

Neal Doyle, Zoning Officer

CGA, Sharon Myers Esq., Solicitor

GHI, Doug Stambaugh, P.L.S., Township Engineer

Amy Perry, Abbottstown-Paradise Joint Sewer Authority