

# PARADISE TOWNSHIP PLANNING COMMISSION

## MEETING MINUTES

February 22, 2021

The regularly scheduled meeting of the Paradise Township Planning Commission was held February 22, 2021 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

Brent Auchey

Barry Schuchart

Korry Beard

Doug Stambaugh

Neal Doyle

There were two (2) others present

### 3. Approval of the Meeting Minutes of January 25, 2021:

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

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

a. There were none.

### 5. Communications:

a. Kevin Barnes presented the notes from the Supervisors meeting of February 8, 2021.

b. Miscellaneous: None

c. Zoning Officer:

Neal Doyle reported that General Code needs copies of the Ordinance reviews provided to the Supervisors over the last few years. Bob Nivens will provide them from Planning Commission records.

### 6. Sketch Plans:

a. Clark Craumer presented the Doug and Lori Kent sketch plan. Their intention is to subdivide their 6.72 acre parcel into two parcels, a 2.00 acre plot containing the home and a 4.72 acre plot which will be added to the adjacent 31.31 acre farm. Doug Stambaugh thinks that there may be a nitrate issue. It has been shown that it is in the Rural Conservation zone and not in the Agricultural zone as indicated.

There is also an issue with the number of land subdivisions on this tract. From Neal and Lance we suspect it has passed the cumulative lot threshold that would permit it go through as a minor subdivision plan, and therefore it will result in other design and review requirements that would not otherwise be needed.

- b. Clark Craumer also presented the Gerald Bortner plan to subdivide a 113.28 acre Parent Tract on Admire and Big Mount roads into a 10.00 acre and 103.28 acre parcel with the current home on the 10.00 acre parcel. There was a discussion as to which of the parcels becomes the Residual Tract. By definition the "RESIDUAL TRACT - The portion of the original lot remaining after the subdivision of a new lot or lots from the original lot", but is it the one containing the home, or is it the one with the largest acreage or possibly, the one still occupied by the original land owner. Our ordinances are not descriptive enough so Kevin Barnes felt we needed more guidance from our Solicitor and will contact her in the morning.

If it is decided that the 10 acre parcel with home is the Residual Tract, then it is possibly exempt from the Maximum Lot Area of 2 acres per the Zoning Ordinance 402.A., assuming it complies with Zoning Ordinance 404.B.2.b. This section of the Ordinance requires that "All lots created by subdivision shall meet the minimum and maximum lot area and minimum lot width requirements of Section 402. However, the residual tract does not need to meet the maximum lot area requirements of Section 402 provided the use of the lot does not change from that which existed prior to the subdivision.

If it is decided that the 103.28 acre parcel is the Residual Tract, then a Zoning Variance from section 402.A will be needed to subdivide off the 10 acre parcel.

Additionally our ordinances only allow large plots of this size to be broken down into five (5) lots including the parent tract so this will need reviewed.

## 7. Old Business:

- a. Tall Grass Meadows, Phase 2 (Plan Expires: April 13, 2021)-

As no one was present to discuss this plan, Bob Nivens motioned, seconded by Korry Beard to postpone the plan. The motion passed.

- b. Smith and Kopp Reverse Subdivision (Plan Expires: July 24, 2021)-

No one was present to discuss this plan however there was a debate on Doug Stombaugh's list of 20 comments on the plan. Bob Nivens felt that many of these comments were not necessary for this reverse subdivision where only two pieces of land were being joined together as these comments appeared more applicable to a future home site. Doug explained that because this was being considered as a final plan, that each of the comments must be considered, addressed and if necessary, a waiver request submitted. Bob Nivens motioned to postpone the plan, seconded by Barry Schuchart, and the motion passed.

- c. Alleys and Service Drives Ordinance-

Kevin Barnes had previously asked for our solicitors input on this ordinance. He reported that Sharon Myers Esq. provided the following:

Option #1: Would be to remove the alleys/ services drives entirely and let everything fall the street and driveway previsions. This is her preferred option, as she does not see that they are consistent with our township as they are more appropriate in urban settings.

Option #2: Make it that alleys and service drives are only usable by special exception, so that we can put case by case restrictions on them

Option #3: Limits them to commercial use only.

After discussion, we decided that Option #1 was the course we would offer the Supervisors, but first we have to look at our ordinances to see what the impact would be, should we continue in this direction. Bob Nivens will provide a list of where there is mention of alleys and service drives in both the SALDO and ZONING Ordinances so that we can further discuss this issue at the next PTPC meeting. Brent Auchey motioned to have Bob Nivens review the alleys and service drive references in the SALDO and ZONING ordinances, decide which need to be removed or maintained and bring the information back to the PTPC. Bob Nivens seconded and the motion passed.

#### **8. New Business:**

a. We still need one new PTPC member given the recent resignation of Mike Zeigler.

b. Plan Checklists:

The various plan checklists....Sketch, Preliminary, Final and Stormwater....were discussed as to how we can get developers to fill them out and submit them with their applications for developments. This came about due to the problems that Doug Stambaugh encountered with the Smith and Kopp Subdivision.

There is no Township Ordinance that forces developers to fill out the checklists nor will there be. The quick thought was to revise the instructions on the form, by adding a note that strongly suggests that these forms are to be filled out entirely before submitting any plan. Bob Nivens was tasked to look at this and come up with suggestions as to how best to do it. Barry Schuchart motioned for this to be done, seconded by Brent Auchey and the motion passed.

#### **9. Adjournment:**

Having no further business, a motion was made by to adjourn the meeting by Bob Nivens, seconded by Korry Beard. The meeting was adjourned at 8:20 P.M.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on March 22, 2021 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: KB, BS, KB, BA

Clark Craumer, Supervisor

Lance Biesecker, Supervisor

Dean Bentzel, Supervisor

Neal Doyle, Zoning Officer

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

CGA, Sharon Myers Esq., Solicitor

Amy Perry, Abbottstown-Paradise Joint Sewer Authority