

PARADISE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

May 24, 2021

The regularly scheduled meeting of the Paradise Township Planning Commission was held May 24, 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 six (6) others present

3. Approval of the Meeting Minutes of April 26, 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 May 10, 2021.

b. Miscellaneous: There were none

c. Zoning Officer:

Neal Doyle reported reviewing the 1st draft of the codified Township ordinances. These will be electronic and available on line. Bob is concerned that we won't have reviewed these for accuracy prior to their release.

6. Sketch Plans:

a. Palmar Kauffman and Glenn Wherley were present to discuss the possibility of selling of 5 acres of parcel 42-000-HE-121.B to Mr. Wherley through a short sale to avoid foreclosure, of which there is a deadline of June 17, 2021. They are working with Attorney Brent Diefenderfer with CGA Law Firm who directed them to attend the meeting. Mr. Kauffman said he had initially obtained the 5 acres in question and later obtained additional acreage that was subsequently subdivided several times bringing it to its current size. Per the most recent plan from 2015 no subdivision rights are remaining. They believed the original 5 acres to be a separate parcel that could be sold off but due to the barn being constructed over the line between the original 5 acres and the additional land, that boundary would need shifted. They inquired about the YCPC

CAP process. We informed them that at this time Paradise Township has not adopted that procedure and that per the previous subdivisions and tax map it was all one property, but there is the possibility it could be multiple tracts that make up the single parcel.

After discussion there were numerous questions that required answering to determine if what they were requesting is feasible. Based on the information provided, PTPC recommended they consider the following steps. First, review the deed(s) to determine if it is a single description, multiple tracts that make up a single parcel, or by chance, multiple deeds that should be multiple parcels. We recommended that a surveyor could assist them with this and help them through additional steps if applicable. Second, we recommended in the event there is multiple tracts, they should contact the Board of Supervisors to determine the feasibility of making them separate parcels, and if possible, an add-on subdivision would be the procedure to adjust the property line. If it is a single description or it is not feasible to split the tracts, a subdivision would need a variance to proceed since there are no development rights.

In the process of the discussion and reviewing the previous subdivision, it came to the PTPC's attention that the property boundary as shown on the 2005 subdivision between this parcel and parcel 42-000-HE-121 differ. The PTPC made them aware of this and that we were not aware of any subdivision that approved such a change. We therefore have concern about the accuracy of the boundary on the 2015 subdivision. We recommended that this should be investigated further to determine what if any action is needed to rectify.

7. Old Business:

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

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

b. Bross Land Development (Plan Expires: October 25, 2021)-

It was reported that there has been a wedding at the Bross property in the barn. Lance Biesecker and Neal Doyle will be meeting with our lawyer to discuss the issues related to the recent Cease and Desist that was forwarded to the Bross', prior to the wedding. As no one was present to discuss this plan, Bob Nivens motioned, seconded by Brent Auchey to postpone the plan. The motion passed.

c. Zoning Hearing Time Limit-

As specified in our ordinances, there is 6 month time limit to obtain a zoning permit or the variance, or special exception expires.

- *Variance, 1706 F. Time Limits. Unless otherwise specified or extended by the Zoning Hearing Board, a variance authorized by it expires if the applicant fails to obtain a zoning permit or use certificate within 6 months from the date of the authorization of the variance.*
- *Special Exception, 1707 I. Time Limits. Unless otherwise specified or extended by the Zoning Hearing Board a special exception authorized by the Zoning Hearing Board expires if the applicant fails to obtain, where required to do so, a zoning permit within 6 months of the date of the authorization of the special exception.*

A motion was made by Bob Nivens, seconded by Korry Beard, to revise the wording and follow on with additional instructions to both the Planning Commission and the Zoning Hearing Board. The

wording should state that "within one year, all applicable permits and approvals must be obtained and any Variance or Special Exception remaining dormant for that period of one year, is void." Additionally, the Planning Commission and the Zoning Hearing Board are to notify the applicant of this requirement in both written and oral form. The motion passed.

8. New Business:

a. Measic Zoning Change-

Davin and Vicki Measic were present to discuss their request to change the zone of their property on South Ridge Rd., parcel no 42-000-GE-0087.U, from MDR to Commercial. They have a lawn care business at that location. As it is located adjacent to another commercial property, the PTPC had no objections other than to determine if two neighbors, north and adjacent to this property would also be interested in revising their zone. Barry Schuchart motioned, seconded by Bob Nivens, to recommend APPROVAL of this zone change to the Supervisors. The motion passed.

9. Adjournment:

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

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on June 28, 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