

Paradise Township York County  
 Planning Commission Minutes (Amendment 1)  
 January 23, 2023

1. Call to Order/Pledge to the Flag.

2. Attendance.

<u>Commission Members</u>	<u>Township Employees</u>	<u>Design Firms/Engineers</u>	<u>Residents</u>
Mr. Kevin Barnes	Mr. Neal Doyle, ZO/BCO	Mr. Clark Craumer, PLS	Mr. Tom King
Mr. Korry Beard	Mr. Doug Stambaugh, PLS, SEO		Mr. Duane Stelfox
Mr. Matt Osborne			JW Paving (Mr. Joe Wells)
Mr. Mark Bentzel			4 others
Mr. Brent Auchey			

4. Approval of December 19, 2022 regular PTPC meeting minutes and annual reorganization minutes. Mr. Auchey made a motion to approve the regular meeting and reorganization meeting minutes. The motion was seconded by Mr. Bentzel and was passed unanimously.

5. Citizen's Concerns.

a. n/a

6. Communications.

a. Paradise Township Supervisor's Meeting (PTSM) Report. Mr. Beard provided an update regarding the BP Real Estate Waiver requests to the supervisors. The supervisors approved several routine waivers but deferred decision on any waivers that pertain to road width, turning radius, driveway placement until feedback on PennDOT is received.

b. Miscellaneous. n/a

c. Zoning Officer. Mr. Doyle reported that the next zoning hearing board will be on Wednesday, February 15<sup>th</sup> at 7:00 pm. In addition, he also reported that he would be meeting with Mr. Stambaugh, Mr. Barnes and BP Real Estate on January 24<sup>th</sup> to continue analysis on the LDP at 6782 Lincoln Hwy.

7. Zoning Requests.

a. Clifford and Linda King Subdivision, 7421 Jacobs Mill Road, Designer: SLS & Geomatics, Plan expiration April 22, 2023. Mr. King was present to present the Clifford and Linda King zoning hearing variance request to do a two-lot subdivision of 13.6

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acres that would result in two lots, one on the northern side of Jacobs Mill Road where the existing home is located (6.6 acres) and a new vacant lot to the south of Jacobs Mill Road (6.98 acres). The land use code for the original property is farm/agricultural. The PTPC recommended that the applicant update the zoning hearing board application to detail whether the applicant wants to create a new agricultural or residential lot.

Regardless of the type of new lot that is created, the subdivision as requested does not comply with the zoning ordinance for two reasons:

(1) A new 6.98 acre agricultural lot would be smaller than the 25-acre minimum size per paragraphs 402A and 403A.

(2) A new 6.98 acre residential lot would be larger than the maximum 90,000 square foot size per paragraph 402A and 403A.

Mr. Bentzel made a motion to recommend approval of the variance provided that the lot use is coded as residential, Mr. Osborne seconded the motion and the motion passed unanimously.

b. J.W. Paving and Sons, Inc. and Carollynn Wells. Mr. Wells was present to present a zoning hearing board request regarding the property in the Village District located at 7685 Lincoln Highway. Mr. Wells desires to use the various buildings on the property for multiple uses including a business office, church, café, laundromat, and possibly a contractor shop. The PTPC informed Mr. Wells that a PennDOT permit and a land development plan would be required to proceed should the zoning hearing board approve his requests. The laundromat and contractor uses are only permitted in the village district by special exception per paragraph 802.

(1) Mr. Osborne made a motion to recommend approval of the special exception for the Laundromat. Mr. Beard seconded the motion and the motion passed unanimously.

(2) Mr. Bentzel made a motion to recommend approval of the special exception for the contractor shop. Mr. Osborne seconded the motion and the motion passed unanimously.

Amendment: After publication of the original version of the January 23, 2023 PTPC minutes, PTPC members became aware of an error in the JW Paving request for a



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contractor shop use in the village district. During the January 23 meeting, the PTPC explained that a variance was required to support the contractor shop use. However, the original version of the minutes erroneously referenced a special exception being required to establish a contractor shop use, the minutes should read that a variance is required to establish a contractor shop use in the village district.

8. Sketch Plans

a. Duane Stelfox, 7343 Lincoln Hwy. – Mr. Stelfox was present to present a sketch plan for a boutique that would be located inside an existing pole building at 7343 Lincoln Hwy. The PTPC informed Mr. Stelfox that a retail store is permitted in the village district but that he will require a land development plan and get a PennDOT permit.

9. Plans / Waivers for Review.

a. Tall Grass Meadows Ph II, Designer: KPI Technology, Plan expiration April 11, 2023. There was no representation at the meeting. Mr. Beard made a motion to postpone discussion. The motion was seconded by Mr. Bentzel and was passed unanimously.

b. Jason M. Bross Land Development, Designer: Hanover Land Services, Plan expiration April 9, 2023. There was no representation at the meeting Mr. Barnes reported that septic testing is on a temporary hold due to weather. Mr. Auchey made a motion to postpone discussion. The motion was seconded by Mr. Bentzel and was passed unanimously.

c. New Era Land Development Plan - 7415 Lincoln Hwy. / (Fred and Linda O'Brien), Designer: Jack N. Powell PE, Plan Expiration February 2, 2023. There was no representation at the meeting. Mr. Doyle reported that the township was in receipt of a 180-day time extension request and that a time extension request is sufficient without approval by the board of supervisors. The new expiration date will be August 1<sup>st</sup>, 2023. Mr. Osborne made a motion to postpone discussion. The motion was seconded by Mr. Auchey and was passed unanimously.

d. Ronald and Lona Mellott Subdivision, Designer: Hanover Land Services, Plan expiration February 20, 2023. There was no representation at the meeting. Mr. Doyle

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reported that the township was in receipt of a request to withdraw the plan from consideration without approval. The plan will be removed from the February 2023 PTPC meeting.

e. Clifford and Linda King Subdivision, Designer: SLS & Geomatics, Plan expiration April 22, 2023. Mr. Auchey made a motion to postpone discussion of the plan and retain it on the agenda until the results of the zoning hearing board are known. Mr. Osborne seconded the motion and the motion passed unanimously.

f. BP Real Estate Investment Group LP (6782 Lincoln Highway), Designer: Site Design Concepts, Plan Expiration May 20, 2023. There was no representation at the meeting. Mr. Beard made a motion to postpone discussion. The motion was seconded by Mr. Osborne and was passed unanimously.

g. John B. and Elizabeth W. Fawcett Subdivision (320 Summit Dr.), Designer: Clark Craumer, Plan Expiration July 22, 2023. Mr. Craumer was present to discuss a this plan which includes three property owners: 82.7 acres owned by the John Bauer Fawcett Trust, 4.94 acres located at 7961 High Rock Road owned by Jason A. and Nicole F. Forry and 3.0 acres located at 7964 High Rock Road owned by Daniel R. and Katherine C. Trimmer. The sketch plan calls for two acres from the Fawcett property to be subdivided and combined with the Forry property and for 0.10 acres of the Trimmer property (triangle on the norther side of High Rock Road) to be subdivided and combined with the Forry property. The 3.0 acre Trimmer property is a single family detached dwelling and therefore is an existing non-conforming use because it does not exceed the minimum lot size of 5 acres per ZO 502.A. The minimum lot area of the Trimmer property may be reduced down if two approved test sites for on-lot septic and area for suitable on-lot well are provided per 503.D.1. Mr. Craumer explained that the portion of the Trimmer property that on-lot septic tests should not be required because the small triangular land area that would be combined with the Forry property is located on Forry's side (north) of High Rock Road and in the public right of way on High Rock Road. Since both homes are built, changing ownership of this small piece of land consisting of 0.5% of the current Trimmer property does not change the use of either

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property. Mr. Bentzel made a motion to postpone discussion. The motion was seconded by Mr. Osborne and was passed unanimously.

10. Ordinances / Other Business.

a. Time Extension Procedure. Mr. Barnes explained that municipal codes requires that any land development plan that expires without action from the municipality is considered approved. Historically, there have been several applicants who did not request to extend expiration of LDPs in time for the BOS to act on the extension request. The PTPC will establish a calendar on the google drive to track plan expiration dates and will also develop an extension form letter that will pre-filled as a part of the original LDP request. This will allow the zoning officer to submit timely extension requests to the BOS.

11. Adjournment. Mr. Beard moved to adjourn the meeting at 7:59 pm. The motion was seconded by Mr. Auchey and passed unanimously.