

MINUTES  
DILLSBURG BOROUGH PLANNING COMMISSION MEETING  
NOVEMBER 17, 2010

The November meeting of the Dillsburg Borough Planning Commission was called to order on the above date at 7:32 PM. Planning Commission Members in attendance were Chairman Allen Reeves, Vice Chairman Brian Radcliffe and Paul Eurich. Also present were Borough Engineer Mike Begis, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

Members Joe Robinson and Leon Zeiders and Borough Solicitor Mark Allshouse were absent.

There were no visitors present.

The first item on the agenda was the approval of the March 24, 2010 meeting minutes. Chairman Reeves indicated on page five, the sixth line down, the word “another” was misspelled and should be “another”. Vice Chairman Radcliffe moved to approve the March 24, 2010 minutes with correction noted. Paul Eurich seconded the motion. – Motion carried.

The second item on the agenda was the discussion of Rezoning Tax Parcel #58000020049E00000. Chairman Reeves asked if the PC members received a copy of the zoning change request. Manager Deibler indicated she emailed everyone a copy because the PC had to have a copy in their hands thirty days prior to the hearing. Vice Chairman Radcliffe stated he couldn’t figure out what part was Residential Suburban and what part was Commercial Highways from what was submitted. Borough Engineer Begis explained to the PC members which were which. Mr. Begis stated the purpose of this meeting is for the PC to submit their recommendation to Council indicating if this is a good idea or not. He stated it appears it was an oversight on the original map because typically zoning maps follow the property lines. Manager Deibler stated the dividing line is hard to determine on the maps. She stated there is only a map, there isn’t anything stating 5 degrees north of whatever. Vice Chairman Radcliffe stated there should be some surveys that were done for the different properties and development plans which show the zoning.

Chairman Reeves asked when the property was purchased by Mr. Bratic. Mr. Eurich stated from the information given it states something changed in ownership on August 26, 2009, but he purchased it years prior to that. Manager Deibler indicated all they can go by is what York County provides us. Chairman Reeves asked what does York County state. Mr. Eurich indicated according to the parcel key, August 26, 2009. Chairman Reeves asked if Mr. Bratic’s office building was on a different parcel. Manager Deibler stated yes. Chairman Reeves indicated when Mr. Bratic first brought the plan in, his office building was originally to sit at the end of Beaver Street. Mr. Bratic was requested and moved the building to its current location.

Vice Chairman Radcliffe indicated his guess was that Mr. Bratic had some plans for the property to want it all commercial. Chairman Reeves agreed.

Chairman Reeves asked about Third Street and if there was a right-of-way and does the Borough own the right-of-way. Vice Chairman Radcliffe indicated there is no right-of-way shown on the map. Manager Deibler stated York County thinks it's an alley. Chairman Reeves asked if Mr. Bratic's property ends at the end of Third Street. Engineer Begis stated Mr. Bratic isn't showing it on the plan. Manager Deibler indicated the map from York County shows Third Street connecting and the other map is from a surveying company. Chairman Reeves asked if the surveyor signed the map and is there a date on it. Vice Chairman Radcliffe asked if we should have Third Street connecting on the map. Chairman Reeves stated absolutely. Mr. Eurich stated the map is 08/02/2006.

Engineer Begis stated the purpose of this meeting is to make a recommendation to Council whether or not to make a change to the zoning map. He indicated at this point the argument as to whether or not add the Third Street connection may not matter. The Borough could require Mr. Bratic to provide an updated or new survey before Council officially changes the map. Vice Chairman Radcliffe asked if it would be appropriate for the PC to recommend to Council it be included. Engineer Begis stated yes. Manager Deibler stated Mr. Bratic assumes the Borough owns it because he always asks when the Borough is going to finish Third Street. Vice Chairman Radcliffe stated if Mr. Bratic wants to build something there and finish the street it would be great. Engineer Begis indicated the plans could come before the PC in the future.

Mr. Eurich asked if there would be a hearing with the Zoning Hearing Board. Engineer Begis stated Council holds the hearing, which is scheduled for December 14<sup>th</sup>.

Chairman Reeves stated at the time Mr. Bratic developed the land (where his building sits); he was planning on developing the whole property. Manager Deibler stated there hasn't been a development plan submitted; Mr. Bratic indicated when people come to look at the land, they want to know why it's two different zones. Engineer Begis stated if the land was to be developed it would have to meet all the requirements of the district. Vice Chairman Radcliffe stated he doesn't see any problems with making it all Commercial highway; he thinks it would be a good idea to mention the drawing should show the existing right-of-way.

Mr. Eurich asked what Mr. Bratic meant by the statement, "Moreover, Chapter 27 §305 provides a fifty foot extension from the boundary". Vice Chairman Radcliffe stated he thought it relates to the buffer size for Commercial Highway. Manager Deibler stated there is something in the Zoning Book and she doesn't know what it means exactly. Engineer Begis stated "in subdivided land where a district boundary line divides a lot held in single and separate ownership the regulations of a district may extend either portion of the lot a distance of no more than fifty feet beyond the district boundary line providing such extension does not extend the district boundary along a street or road". In other words, it is there in the case this may happen where the map hasn't been drawn absolutely correctly along the property; it's more or less automatic but it's assumed you can develop your property in that district. Vice Chairman Radcliffe asked if this has any bearing upon Mr. Bratic's request to rezone. Engineer Begis stated no, he was just making reference.

Engineer Begis indicated typically when they draw up zoning maps, you should follow property lines. In this case it might have been an oversight. Vice Chairman Radcliffe referred to an older zoning map and indicated it shows a measurement of 274 feet from the center line of Route 15 to the boundary line of the start of the Residential Urban area; he

asked if this had any significance. Engineer Begis indicated he didn't know how old the map was.

Vice Chairman Radcliffe moved to report to the Borough Council that the Planning Commission has reviewed the request from Dusan Bratic to change the zoning of all parcel #58000020049E00000 to Commercial Highway and we find no issues that would cause this to be a problem from the planning standpoint. We also request that if Borough Council does approve the zoning change that they request Mr. Bratic to redraw the map to include the right-of-way that exists connecting the two sections of Third Street on the map. Paul Eurich seconded the motion. – Motion carried.

**Old Business:**

Manager Deibler stated we still have the Sealover Property, McNaughton Property and Chestnut Hollow out and about. She stated Steve Quigley called the Borough at the end of July or beginning of August and stated they are ready and are coming in. As of today, still nothing. Mr. Vernon Sealover finally got the property back into his name from his wife's name after his sons passed away.

She indicated Mr. McNaughton would like to put up a couple of townhouses, but he doesn't want to tie up his money with the water and sewer. Other than that the Borough is just waiting.

There was discussion on the houses Mrs. Sebright owned and why Mr. McNaughton didn't take advantage of these two properties.

**New Business:** There was none.

**Adjournment:** As there was no further business, Vice Chairman Radcliffe moved to adjourn at 8:15 PM. – Motion Carried.

*Debbi L. Beitzel*

Debbi L. Beitzel  
Secretary/Treasurer

cc:           A. Reeves                   T. Knoebel  
              B. Radcliffe            M. Allshouse  
              J. Robinson           Mayor Snyder  
              P. Eurich                K. Deibler, Borough Manager  
              L. Zeiders              Council