

MINUTES  
DILLSBURG BOROUGH PLANNING COMMISSION MEETING  
AUGUST 22, 2007

Chairman Allen Reeves called the August meeting of the Dillsburg Borough Planning Commission to order on the above date at 7:30 PM. Planning Commission Members in attendance were Vice Chairman Brian Radcliffe, Paul Eurich and Leon Zeiders. Also present were Borough Engineer Mike Begis, Borough Solicitor Mark Allshouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

The first item on the agenda was the approval of the July 25, 2007 meeting minutes. Vice Chairman Radcliffe moved to approve the minutes as presented. Seconded by Paul Eurich. – Motion carried.

The second item on the agenda was the Discussion/Review of the Hayes/Final Minor Subdivision Plans. Manager Deibler indicated the Zoning Hearing Board would be reviewing this also tomorrow, August 23<sup>rd</sup>. Chairman Reeves indicated he understood its two residential on one lot attached to each other and now wants to be divided. Vice Chairman Radcliffe assumed the owner wants to sell them individually. Manager Deibler indicated they are rental properties as of now and the owner is considering selling them. Paul Eurich indicated he couldn't argue against it, because his parents lived next door years ago and were the first double property to divide into single homes. Vice Chairman Radcliffe indicated he didn't have a problem with this either and would recommend approval subject to the engineer's comments be addressed. Engineer Begis indicated the first item was the existing structures don't meet the current Borough setback requirements, which is the reason for the Zoning Hearing Board meeting. Chairman Reeves stated they never would and Engineer Begis indicated that is correct. Vice Chairman Radcliffe asked if this would come back to the Planning Commission for Subdivision approval. Solicitor Allshouse indicated this was the plans and a condition upon the approval of the Zoning Hearing Board. Engineer Begis indicated they requested two waivers: 402.A – Plan Scale, which he indicated they don't need because they do meet the requirements. 403.A.1 – from the requirement of a preliminary plan, which he indicated the Borough does allow for a Final Minor Subdivision but a waiver is required. Vice Chairman Radcliffe asked if this was in their application. Solicitor Allshouse stated it was listed on the front of their application. Vice Chairman Radcliffe indicated the application stated "Warrington Township" instead of Dillsburg Borough. Manager Deibler indicated the sections were correct. Chairman Reeves indicated to make sure they have the correct Dillsburg Borough Ordinances, the outcome of the Zoning Hearing Board, and the first waiver regarding plan scale is not applicable and the only issue was not submitting a preliminary plan. Leon Zeiders indicated a concern with the garage not being a divided garage. It is one garage that sets in the middle of both properties. Leon Zeiders asked if the basement and attic are separated. Paul Eurich indicated yes, unless it was changed in recent years. Vice Chairman Radcliffe indicated it would be up to the owner to put the divider back in the garage. Discussion on garages within the borough. Chairman Reeves asked how the residents get into their garages. Leon Zeiders indicated there is a stone driveway that runs behind the properties in order to get into them or they

could come up along the side of their houses. Paul Eurich indicated there are double car driveways between each house. Leon Zeiders also indicated to make the bonding significant enough to make sure the property markers are in. Vice Chairman Radcliffe moved to report to the Zoning Hearing Board that the Planning Commission has no issues with the requested subdivision and therefore no barriers to their approval. Seconded by Paul Eurich. – Motion Carried. Vice Chairman Radcliffe moved to have the Borough Manager contact the surveyor who prepared the plans and application for the subdivision request to verify the ordinance used, since the application states Warrington Townships. Seconded by Paul Eurich. – Motion Carried. Vice Chairman Radcliffe moved if the surveyor verifies that the Dillsburg Borough ordinances were used in his review and preparing the request; the request for a waiver of the plan scale requirement of 1" = 100' is not applicable according to the Borough ordinances and wouldn't have to be considered; recommend approval to the Borough Council of the request for waiver of submission of a preliminary plan and submit a final plan. Seconded by Leon Zeiders. – Motion Carried. Vice Chairman Radcliffe moved to recommend approval of the final/minor subdivision plan of Paul S. and Katherine B. Hayes subject to prior approval of the Zoning Hearing Board of the waiver from the setback requirements, subject to prior approval of the Borough Council of the waiver of preliminary plan requirement and subject to the owner and surveyor meeting all the requirements outlined in the memo from KPI Technology, the Borough Engineer, dated August 16, 2007. Seconded by Leon Zeiders. – Motion Carried.

The third item on the agenda was the Discussion/Review of the ECI/Preliminary Final Land Development Plans. Engineer Begis indicated these plans were recommended by the Planning Commission at last meeting and inadvertently put on the agenda. Borough Manager indicated the plans were sent in for the PC to review. Engineer Begis indicated Borough Council approved the plans at their last meeting held on August 14, 2007 and the plans should have been directly submitted to KPI Technology for review. Chairman Reeves asked if there were enough copies for the signing and sealing process. Engineer Begis indicated KPI didn't look at them yet and aren't ready to be signed due to some outstanding issues with sewage. Vice Chairman Radcliffe indicated the Dillsburg Area Authority is on track to get the sewage system resolved. He indicated DAA wants to have all the sewer lines on the property remain private because they don't serve anyone else and let ECI maintain them, however no approval has been given yet. Chairman Reeves asked where do the sewer lines connect to the system. Engineer Begis indicated they have an existing sewer line at Church Street. More discussion on the sewer lines. No action was needed to be taken.

The fourth and fifth items on the agenda were the Discussion/Review of the Winfield/Revised Final Subdivision Plans and the Preliminary Land Development Plans. Engineer Begis indicated he called Mr. Steve Quigley after the Council Meeting and asked him to call Mr. Vernon Sealover to see if KPI should spend more time and money on these plans or to hold off. Mr. Quigley indicated he would call the Borough Manager to have these plans tabled and not to review the plans further until they have an opportunity to decide what action to take next. Manager Deibler stated Mr. Quigley didn't call. Chairman Reeves asked what the PC's duty was. Solicitor Allshouse asked what the deadline on the plans was. Vice Chairman Radcliffe indicated the meeting held on September 26, 2007 the Planning Commission would have to act on it. Solicitor

Allshouse indicated the Planning Commission has another meeting, there is no representative present at the meeting tonight and the engineers hasn't reviewed anything; so table the agenda item and the Borough Engineer or the Borough Manager should follow up to see what the status is. Vice Chairman Radcliffe indicated the Planning Commission couldn't act on the plan because the private streets waiver was denied. Solicitor Allshouse stated if Mr. Sealover/Developer does nothing in September, The Planning Commission would deny the plan because the private streets weren't approved and/or if they do come in September, depending on what they did, it could be a new plan. Vice Chairman Radcliffe indicated the action the Planning Commission could take because of the action taken last month, we did recommend the approval by the Borough Council of the Final Subdivision Plan; so we could ask the Borough Council to have this place back on the agenda. Manager Deibler asked if it would be the final subdivision plan. Engineer Begis indicated it would be the Revised Final Subdivision Plan. Vice Chairman Radcliffe moved to recommend a second-time to Borough Council to approve the Winfield Revised Final Subdivision Plan which was inadvertently not considered at the Borough Council Meeting held on August 14, 2007, subject to the developer meeting all the conditions according to the engineer's memo dated June 20<sup>th</sup>. Seconded by Paul Eurich. – Motion Carried.

Vice Chairman Radcliffe commented on the disapproval of the private streets by the Borough Council. There was more discussion on the disapproval of the private streets.

Chairman Reeves asked the other members of the Planning Commission their thoughts on where they would like to see Winfield Drive to go in the future. There was a lengthy discussion on the subject.

Old Business: Borough Manager Deibler indicated it was in regards to the Northern York Regional Comprehensive Plan meeting that was held on Monday, August 20, 2007. She stated the next step was to present the amendment, which included the map, the definition of rural conservation, the change of wording to multi-municipal land use regulatory approach, and the tables to York County Planning Commission for their comments and to display for public comments. Leon Zeiders indicated his personal opinion was what they were going to agree to, they never did agree to, so there was no proposal to vote on. Chairman Reeves indicated the Carroll Township Planning Commission did vote to accept the changes. Leon Zeiders indicated they made changes after that. Manager Deibler indicated that was what she heard and doesn't know what changes were made. She indicated in all the meetings she attended, the only changes that were going to be made were the new map, because Carroll Township and Franklin Township and Franklinton Borough had changes in their zoning, the definition of rural conservation was made tighter, the multi-municipal land use regulatory approach on the old plan, it indicated to pick A, B, or C, no one ever picked one. Chairman Reeves indicated they now picked B. Discussion. Manager Deibler indicated because of the other changes, the some tables needed to be changed. Chairman Reeves indicated these were what the Planning Commission voted on, the other items weren't voted on and wasn't a part of this, but they were the only ones (Carroll Township Planning Commission) voted to recommend to their Commissioners to adopt it. He continued by stating there was no quorum from Dillsburg Borough, Franklin Township, or Franklinton Borough. He asked if this would still go to the YCPC before the other municipalities would vote on it. Manager Deibler indicated it was her understanding that

all the Planning Commissions have to indicate the amendments could go out for public display and comments; will go to the school and YCPC for their comments. She continued by stating once the comments are received back, Planning Commission could review the comments and state whether or not to present the plan to Borough Council to approve. Chairman Reeves asked a vote doesn't have to be made in regards to accepting the changes that were made before sending it down to YCPC. Manager Deibler indicated that was her understanding. Leon Zeiders indicated his concern was not having a clean copy. Manager Deibler asked what they changed. Chairman Reeves indicated there was severe discussion about every word in it. He also stated there were many present that don't want the Comprehensive Plan. Discussion. Vice Chairman Radcliffe indicated it would be nice for them (CTPC) to ask what a good date would be before scheduling. Chairman Reeves indicated there is another meeting planned to be held on Monday, October 29, 2007. Manager Deibler indicated they hope to have a quorum of Council Members present at the meeting on the 29<sup>th</sup> of October and for them to approve it. Manager Deibler stated she is requesting a comment from the Planning Commission if they feel the plan is ready to go to YCPC and out for public review. Chairman Reeves indicated yes. Leon Zeiders indicated no. Solicitor Allshouse indicated the only thing that could go out, would be whatever was approved. Leon Zeiders indicated the CTPC were the only ones that approved the plan. Solicitor Allshouse indicated they are proposing to advertise what was approved by the CTPC only. Manager Deibler stated this is what they want sent to the YCPC and to the public for review and PC has copies. Solicitor Allshouse stated what the PC could do to be sure if you would grant approval is simply approve for publication and circulation to the Planning Commission agenda as drafted prior to the meeting with no changes. Manager Deibler indicated for the last six months, Carroll Township, Dillsburg Borough, Franklintown Borough, Franklin Township and YCPC representatives have been looking at the plan. The reason it started was Franklin Township and Carroll Township was changing their zoning and some spots, so the map had to be changed. Then looking at the map, someone indicated the rural conservation definition was broad, so the definition was tightened up, and someone indicated it states to pick A, B, or C, so the whole group picked one. Vice Chairman Radcliffe indicated it seemed there were changes made to the plan on Monday, August 20<sup>th</sup> that revised what was sent out. Manager Deibler indicated she didn't think so and Chairman Reeves agreed. Solicitor Allshouse stated CTPC approved the plan that was worked on for six months in writing, regardless what happened three hours after, the CTPC recommended the approved plan and now asking the other municipalities' planning commissions to recommend what was worked on and pre-written prior to the meeting. Manager Deibler indicated just to be out for public review and YCPC review. Solicitor Allshouse stated not approving the comments, just saying go ahead to send out for public review and YCPC review; after the PC receives the YCPC comments, it comes back to the PC for review; and then you can recommend approval/disapproval to Borough Council. He stated they are looking for your consent on advertising the plan. Chairman Radcliffe asked why Council isn't approving this instead of the PC. Solicitor Allshouse indicated it's the recommending body or MPC. Discussion. Borough Manager Deibler indicated it all started because the official map had to be changed due to Carroll Township and Franklin Township changing their municipal maps. She stated you can't change the map unless all everyone votes, so in theory if Dillsburg Borough says "no", they can't change the map. Chairman Reeves indicated it's an improvement and should be an active ongoing process and important that we do update the map. Paul

Eurich moved to approve the passing on of the map to YCPC for their review and posting it for public review. Seconded by Vice Chairman Radcliffe. – Motion Carried.

New Business: None.

As there was no further business, Vice Chairman Radcliffe moved to adjourn at 8:50 PM. – Motion Carried.

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Debbi L. Beitzel, Sec/Tres

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