

**Planning Commission  
CHANCEFORD TOWNSHIP**

**MEETING DAY & TIME:** July 17, 2007

Bruce Miller opened the meeting of the Chanceford Township Planning Commission at 7:00 p.m. in the Community Building, 51 Muddy Creek Forks Rd., Brogue, PA. Mr. Miller led those in attendance in the pledge to the flag.

Members present: Vice-chairman Bruce Miller, Members Ralph Daugherty, Thomas Gizzi, Henry Tyson, John Urey, and Mark Bupp.

Members absent: Chairman John Shanbarger.

Others present: Township Engineer Casey Deller, Zoning Officer Jeffrey Koons, and Secretary-Treasurer Brenda Gohn.

There was a quorum present.

**APPROVAL OF MINUTES:**

Ralph Daugherty made the motion to waive the reading of the minutes of 6/19/07 and to approve the same as written. Seconded by John Urey, motion carried.

**SUBMITTALS AND SKETCH PLANS:**

Robert B. and Judy K. Burchett submitted a seven lot final plan (#L-5168) of their property located along Laurel Road. It was noted that Lot #6 (10 acres) has a 40' deeded right-of-way. The plan was accepted for review.

Joanne Dietrich on behalf of her brother, Joe Fullam, was present to discuss the transfer of a dwelling right from her property to Mr. Fullam's property located along Cramer Road. However, it was determined that her property is in the Rural Residential Zone. Therefore, it must be determined if it is possible for Ms. Dietrich to transfer the right.

David Hively was present to inquire about transferring a right from his father's property to his property. He was told that it appears he is meeting the criteria of doing this transfer as the Commission understands it. However, the wording needs to be cleaned up and the Commission must make sure everyone is on the same page with regards to the way this is implemented. It would require preparation of legal documents and drawings in order to document how the right is being transferred. It was the consensus of the Commission that in this instance, it is in line with what was intended by the Ordinance.

Blaine Marsh the potential buyer of the David Hively property was also present. He stated he spoke with Patty McCandless at Ag Land Preservation and was told a dwelling right was allowed to be used. The Commission discussed the need for subdivision regarding this dwelling right and determined he had two options - - Meet the requirements of our Subdivision and Land

Development Ordinance or appeal to the Zoning Hearing Board to make a special exception in this situation.

**SUBDIVISION PLANS FOR REVIEW:**

Heindel Family Farms Final Plan #070396 – Henry Tyson made the motion to table the plan due to the number of comments needing addressed. Seconded by Ralph Daugherty, motion carried. The comments are as follows:

1. Owner's notarized signature needs to appear on the plan (Section 601h).
2. Planning module approval by DEP and SEO (Section 602c).
3. Stormwater management – needs sizes and documentation of support shown on plan (Section 602h).
4. Need to touch up detail on the clear sight triangles for the proposed driveways.
5. The dated signatures and seals of the Professional Land Surveyor and/or Professional Engineer responsible for the plan must appear on plan prior to final approval.
6. Need to verify number of dwelling rights remaining and use dwelling rights table provided by Township Engineer.
7. The owner's printed name and address needs to be added to the signature block prior to plan recording.
8. Clarify the lot width for Lot #1 in the Lot Information Table.

Daniel F. and Patricia B. Redmond/Henry L. and Mattie B. Kinsinger Final Plan #3901-SDF-1 – Ralph Daugherty made the motion to recommend granting the following waivers:

1. SALDO Section 601 (scale).
2. SALDO Section 601m (orientation).

Seconded by Mark Bupp, motion carried.

Henry Tyson made the motion to approve the plan conditional on the outstanding comments being addressed:

1. Owner's notarized signatures need to appear on the plan (Section 601h).
2. Planning module approval by DEP and SEO (Section 602c).
3. The dated signatures and seals of the Professional Land Surveyor and/or Professional Engineer responsible for the plan must appear on the plan prior to final approval.
4. Merger agreement will be required for Lot #2 and #3.
5. Clarify dwelling rights table using the table provided by the Township Engineer.

Seconded by Mark Bupp, motion carried.

Ralph Daugherty made the motion to approve sending in the Request for Planning Waiver and Non-Building Declaration to DEP after the SEO has signed it. Seconded by Thomas Gizzi, motion carried.

James P. and Yvonne L. Ropp Final Plan #L-5164 – Ralph Daugherty made the motion to recommend granting the following waivers:

1. SALDO Section 501.r (slopes).
2. SALDO Section 601.c (topography).
3. SALDO Section 601.m (plan orientation).

Seconded by John Urey, motion carried.

Henry Tyson made the motion to approve the plan. Seconded by Mark Bupp, motion carried.

Concord Commons:

Justin Kuhn and Len Parrish were present to discuss outstanding issues and answer any questions.

The plan has been sent back to York County Planning Commission and requested they table the plan until the issues are resolved.

No PennDOT permits have been obtained and they are working on obtaining two drainage easements for the stormwater management.

Ralph Daugherty made the motion to table the plan. Seconded by John Urey, motion carried.

McNeal Property:

Ralph Daugherty made the motion to table the plan. Seconded by Henry Tyson, motion carried. The comments that need addressed are as follows:

1. Waiver request from the requirement of Section 601 (scale).
2. Waiver request from the requirement of Section 601.m (plan orientation).
3. Owner's notarized signature (Section 601h).
4. Existing driveways be shown on the plan (Section 602h).
5. A signed Request for Planning Waiver and Non-Building Declaration be submitted to be sent into DEP.
6. Dated seals of the Professional Land Surveyor and/or Professional Engineer responsible for the plan must appear on the plan prior to final approval.
7. A lightning strike should be added if the proposed Lot B is to be joined to the adjacent Cornerstone property with an executed merger agreement provided.

Cool Country Properties:

Ralph Daugherty made the motion to table the plan. Seconded by Mark Bupp, motion carried.

Fern Keener:

Henry Tyson made the motion to table the plan. Seconded by Mark Bupp, motion carried.

**FLOOR OPENED TO PUBLIC:**

Edward Grissinger asked the Commission to look at the proposed amendments to the Contractor’s Office and see how they relate to the purpose of the existing ordinance, especially to the quality of life. He also asked them to look at the Nuisance Ordinance due to the inability to enforce it. Dr. Grissinger asked the Commission to look at the number of house clusters on the zoning map when considering allowed uses in these areas.

Floor closed.

**AGRICULTURAL SECURITY AREA:**

John Urey made the motion to recommend approval of the following additions to the Agricultural Security Area:

Tod and Tara Klunk – FL 43 (42.05 acres)  
FL 43A (10 acres)

Reed E. and Mary Ann Shaul – GM 6 (176 acres)

David R. Sr. and Annette S. Warner – GL 165A (98.94 acres)

Seconded by Henry Tyson, motion carried.

**PROPOSED AMENDMENTS:**

Transfer of development rights was discussed and Section 207.10 was amended as follows:

The owners may transfer the right to construct or erect dwellings as provided by Section 207.6 (a) of this Ordinance from one tract to another owned by them provided the resulting single family dwelling unit or units are located on lots which, when considered as a part of the entire tract, consist in their entirety either of land of equal or lower quality for agricultural use than any land on which a single family dwelling lot could feasibly be located on the transferor tract.

In the second paragraph of Section 207.10, the word *of* between owner and owners needs to be changed to *or*.

Zoning Issues:

Rural Residential Zone – need to be specific as to whether or not this zone has dwelling rights.

Section 206.6 – clarify the chart so that it only applies to dwelling rights being transferred within or out of this zone not being transferred into this zone from the Agricultural Zone.

Building Rights – do we need to modify the Ordinance to take a position on whether or not a property has rights after it has been put into Agricultural Land Preservation.

Contractor's Office and Noise Ordinance – Contractor's Office and Noise Ordinances will be discussed at the next meeting.

**ADJOURNMENT:**

There being no further business, Ralph Daugherty made the motion to adjourn the meeting. Seconded by John Urey, the meeting was adjourned at 10:03 p.m.

Respectfully submitted,

Brenda C. Gohn  
Secretary