

**Planning Commission
CHANCEFORD TOWNSHIP**

MEETING DAY & TIME: September 18, 2007

John Shanbarger 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. Shanbarger led those in attendance in the pledge to the flag.

Members present: Chairman John Shanbarger, Members Ralph Daugherty, Thomas Gizzi, Mark Bupp, and John Urey.

Members absent: Vice-chairman Bruce Miller and Member Henry Tyson.

Others present: Township Engineer Casey Deller, Zoning Officer Jeffrey Koons, Secretary-Treasurer Brenda Gohn, and Township Solicitor Timothy Bupp (arrived at 7:40 p.m. and left approximately 8:10 p.m.)

There was a quorum present.

APPROVAL OF MINUTES:

John Urey made the motion to waive the reading of the minutes of 8/21/07 and to approve the same as written. Seconded by Ralph Daugherty, motion carried.

SUBMITTALS AND SKETCH PLANS:

Rodney Bosley of 769 Dellinger School Road was present to discuss relocating lots and driveways that were previously subdivided as well as subdivide off the existing house. It was suggested to him by the Township Engineer that he talk with a surveyor to find out the feasibility and cost effectiveness of relocating these lots.

SUBDIVISION PLANS FOR REVIEW:

Robert B. and Judy K. Burchett Final Plan #L-5168 – Ralph Daugherty made the motion to recommend approval of the following waivers:

1. A waiver from the requirement of SALDO Section 410 (preliminary plan requirement).
2. A waiver from the requirement of SALDO Section 601f (providing accurate dimensions along the road rights of way on Lot #7).
3. A waiver from the requirement of SALDO Section 501c (topography at five (5) foot intervals for Lots 6 and 7).
4. A waiver from the requirement of SALDO Section 601m (plan orientation).

Seconded by Thomas Gizzi, motion carried.

Ralph Daugherty made the motion to approve the plan contingent on the following comments being addressed.

1. Planning module approval by DEP and the Township SEO (Section 602c).
2. Stormwater management report needs to be reviewed by the Township Engineer (Section 602e).

Seconded by Thomas Gizzi, motion carried.

Ralph Daugherty made the motion to approve sending the planning module into DEP for approval. Seconded by Thomas Gizzi, motion carried.

SUBDIVISION PLANS TO BE TABLED:

Concord Commons Preliminary Land Development Plan #2022.001 – John Urey made the motion to table the plan due to the lack of revised plans and representation. Seconded by Mark Bupp, motion carried.

Cool Country Properties Preliminary Plan #060619 – Ralph Daugherty made the motion to table the plan due to lack of representation. Seconded by John Urey, motion carried.

AIRPORT ORDINANCE:

Attorney Timothy Bupp explained that the Supreme Court mandated we are required according to the Airport Zoning Act to adopt an Airport Ordinance. The Township will have discretion as to what we can incorporate into our Ordinance as long as it complies with the Airport Zoning Act 164. The Airport Zoning Act says if there is a model ordinance (distributed last meeting) that is what is to be adopted. The Ordinance would create a protective zone around Baublitz Airport to prevent people from erecting structures of a certain height as well as natural obstructions that would interfere with airport traffic. Attorney Bupp stated there is the potential of a financial burden on the Township due to residents wanting reimbursed if they cannot build in certain areas of their properties.

Bruce Eveler was present and stated that the small elongated section of the drawing is the only section the Township needs to take into consideration. Mr. Eveler further stated that a hazard survey would be given to any resident proposing to build in the hazard zone. This survey would be reviewed by the FAA to determine whether or not something can be built. If it is denied and the person proceeds to build anyway, then it is the Township's problem.

Bruce Eveler went on to say that the whole idea of this ordinance is to protect the public and it is an ordinance required by law. John Shanbarger stated that by us adopting an ordinance, we are restricting those, who get absolutely no benefit from this airport, from doing certain things on their property. Bruce Eveler stated that the primary surface is the most important because of the distance from the runway. Mr. Eveler also mentioned that night operations will be resuming in the future.

John Shanbarger feels that the Township should not do any more than necessary due to how it will affect surrounding property owners. He also stated that anything in the ordinance that we adopt will need to be enforced.

The York County Planning Commission is reviewing the Ordinance and will be sending their comments back to the Township.

FLOOR OPEN TO PUBLIC:

Pitts Dockman submitted information to the members regarding the Baublitz Airport and had the following comments:

Mr. Dockman stated that the FAA as well as the State was powerless to grandfather the Baublitz Airport. They could not enforce regulations adopted after the existence of the airport.

Mr. Dockman feels that the Supreme Court did not say that the Township had to adopt the model airport ordinance but had a choice to either adopt the model ordinance or other similar guidelines suggested or published by the FAA.

Section 411 does not provide for land uses permitted.

Act 164 does not make distinction on on-airport or off-airport structures. How is the Township going to know how and when to apply these regulations?

There could be a problem with hazardous wildlife attractants.

John Shanbarger made Mr. Dockman aware that this will all be discussed again after the York County Planning Commission comments are received.

Floor closed.

PROPOSED AMENDMENTS:

Copies of sample nuisance and off road vehicle ordinances were given to each member to be discussed at the next meeting.

ADJOURNMENT:

There being no further business, Ralph Daugherty made the motion to adjourn the meeting. Seconded by Thomas Gizzi, the meeting was adjourned at 9:22 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary

