

**Planning Commission
CHANCEFORD TOWNSHIP**

MEETING DAY & TIME: March 18, 2008

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, Vice-chairman Bruce Miller (arrived at 8:03 p.m.), Members Ralph Daugherty, Thomas Gizzi, John Urey, and Mark Bupp.

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 2/19/08 and to approve the same as written. Seconded by John Urey, motion carried.

SUBMITTALS AND SKETCH PLANS:

Earl Dettinger was present with a sketch of his property located along Lucky and Dettinger Roads. Also, he submitted a letter he received from soil scientist, Mark Mills. Mr. Mills' letter verified the justification for the location of the lots along Lucky Road. Mr. Dettinger was given the okay to proceed.

Samuel Kiser and Sharon Skiles submitted a sketch of property located along Halls and Snyder Corner Roads involving Windsor and Chanceford Townships. There is no development in Chanceford Township. However, it will be reviewed with regards to what effect the development in Windsor Township will have in Chanceford Township. Mr. Kiser was advised to keep in touch with Casey Deller and if Windsor Township accepts the plan, Chanceford Township has no problem accepting it as well.

SUBDIVISION PLANS FOR REVIEW:

Esther Knisely Final Plan #L-5041 – Ralph Daugherty made the motion to recommend granting the waiver from the requirement of Section 601c (topography). Seconded by John Urey, motion carried.

John Urey made the motion to approve the plan. Seconded by Mark Bupp, motion carried.

Jared Wotring Preliminary/Final Plan #3198-D-1 – Ralph Daugherty made a motion to table the plan due to the number of concerns and comments to be addressed. Seconded by John Urey, motion carried.

SUBDIVISION PLANS TABLED:

Cool Country Properties Preliminary Plan #060619 – Ralph Daugherty made the motion to table the plan due to lack of representation and revised plans. Seconded by Mark Bupp, motion carried.

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

ZONING APPLICATION – INTERPRETATION

Donna Calabrese and Leslie Dancosse were present to discuss their zoning hearing application. Ms. Calabrese stated they weren't actually expanding but moving structures around. However, the runs were increased from fifteen feet to thirty feet. John Shanbarger told her this constitutes an expansion. She stated they would also like to install security fence to double secure the property.

After a lengthy discussion, the Planning Commission concluded that they need to amend the application and request a Special Exception from the Zoning Hearing Board for an expansion as well as meet all the requirements of Section 427. The Commission and Zoning Officer emphasized that they need to verify if they have the required 1,000 feet from a dwelling. Ralph Daugherty made the motion to recommend approval. Seconded by Thomas Gizzi, motion carried. Bruce Miller abstained due to a conflict of interest.

PUBLIC COMMENT:

Pitts Dockman commented to the Commission that we only need an Ordinance if we have a public airport and felt we should try to get the word public into our ordinance.

PROPOSED AIRPORT ORDINANCE:

Attorney Bupp stated the Planning Commission has the following options:

1. Recommend amendments to the Supervisors which, therefore, would require the Supervisors asking the court for an extension of time.
2. Recommend the ordinance be adopted as currently proposed.
3. Recommend the ordinance by adopted as currently proposed but refine after adoption.

This being said, the Planning Commission along with Attorney Bupp proceeded to review the York County Planning Commission comments and recommendations.

1. Section 2.3 Primary Surface – York County Planning Commission recommends making this surface 250 feet. However, if the Planning Commission recommends making this surface 250 feet rather than the actual 100 feet, this area would be prohibited for any crops to be grown as well as the Township would be expanding the airport beyond its boundaries. The Planning Commission recommended leaving this section as currently proposed.

2. Section 2.3 Runway – York County Planning Commission feels the existing width of the runway (100’) should be considered informational rather than regulatory. The Planning Commission recommended leaving this section as currently proposed.
3. Section 2.4 Transitional Surfaces – York County Planning Commission recommends this section should be revised to more closely reflect the language of the model ordinance with regards to the surfaces’ extension to where said surfaces intersect the horizontal and conical surfaces. The Planning Commission recommended leaving this section as currently proposed.
4. Map of the Airport Overlay Zone – York County Planning Commission feels this map should be revised to include the names and dimensions of the zones/areas indicated by the map. Tim feels this map can be labeled to reflect the proposed ordinance without going back to the County.
5. Section 4 Airport Surface Zone Height Limitations – York County Planning Commission commented that the Chanceford Township Zoning Ordinance does not currently define tree farms or silviculture – would such agricultural operations be considered crop or non-crop for the purpose of this Ordinance? The Planning Commission recommended leaving this section as currently proposed.
6. Section 5.1 Reasonableness – York County Planning Commission commented that all regulations of the Ordinance should be, in as much as possible, free from subjective interpretation on a case-by-case basis. The Planning Commission recommended leaving this section as currently proposed.
7. Section 5.2 Use Regulations – York County Planning Commission recommends the language be revised by the removal of the term “unreasonable” as no preventable bird strike hazard to aircraft should be considered reasonable. The Planning Commission recommends leaving this section as currently proposed.
8. Section 5.3(b) Marking and Lighting – clerical change from Board of Appeals to Zoning Hearing Board.
9. Section 6 Permits and Variances – York County Planning Commission recommended that the regulations be revised to require that any application involving an obstruction, whether structure or vegetation, in approach areas, as well as those within identified airport zones and/or in close proximity, be forwarded by the applicant to the FAA and PA Bureau of Aviation for review prior to any Township action or such applications. The Planning Commission recommended leaving this section as currently proposed.
10. Section 6.1(a) No Interference with Agricultural Operations – York County Planning Commission recommended that this section be reviewed in consultation with the PA Bureau of Aviation as some crops may pose a hazard in the primary surface and approach zones.

The Planning Commission recommended leaving this section as currently proposed.

11. Section 6.3 Nonconforming Uses Abandoned or Destroyed – York County Planning Commission recommends this section be revised to permit the restoration of such structures, regardless of the percentage of destruction, so long as the structure is reconstructed so that it will not exceed the applicable height limit and would not otherwise constitute a hazard to aircraft. The Planning Commission recommended leaving this section as currently proposed.
12. Section 7.1(b) – York County Planning Commission feels that the purpose and appropriateness of the procedure of requiring written determination from the FAA to accompany an application for action by the Zoning Hearing Board made to the Zoning Officer by complaint from a landowner concerning land not owned by the complaining landowner is unclear and should be revised in consultation with the PA Bureau of Aviation/FAA. The Planning Commission recommended leaving this section as currently proposed.
13. Section 7.2 Notice to Department – York County Planning Commission feels this section is confusing and recommends revising to clearly state that when the Township decides to grant a permit or variance, the Township shall notify the PA Bureau of Aviation of its decision in writing. And further, the notice should be forwarded to the PA Bureau of Aviation so as to reach that Bureau at least ten days in advance of the date upon which the decision on the permit or variance is to be officially issued. The Planning Commission recommends leaving this section as currently proposed.
14. Section 8 Recovery of Damages and Costs – York County Planning Commission recommends this section be deleted in its entirety. The Planning Commission recommends leaving this section as currently proposed.

Attorney Bupp asked the Commission to look at the Benner Township Ordinance as it compares to Chanceford Township's.

John Shanbarger made the motion to recommend that the Supervisors approve the ordinance as written with the exception of the minor clerical and map labeling changes. Seconded by Ralph Daugherty, motion carried.

ADJOURNMENT:

There being no further business, Ralph Daugherty made the motion to adjourn the meeting. Seconded by Bruce Miller, motion carried unanimously. The meeting was adjourned at 10:03 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary

