

**Planning Commission
CHANCEFORD TOWNSHIP**

MEETING DAY & TIME: February 17, 2009

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. He led those in attendance in the pledge to the flag.

Members present: Chairman John Shanbarger, Vice-chairman Bruce Miller, Members Ralph Daugherty, Mark Bupp and John Urey.

Members absent: Thomas Gizzi.

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

A quorum was present.

APPROVAL OF MINUTES:

Ralph Daugherty made the motion to waive the reading of the minutes of 1/20/09 and to approve the same as written. Seconded by Bruce Miller, motion carried.

SUBMITTALS & SKETCH PLANS:

Kent E. & Nan L. Ness submitted a 2 lot Final Plan #081201 of their property (EM-29) located along Wolf Road. The plan was accepted for review.

SUBDIVISION PLANS FOR REVIEW:

Earl Dettinger Final Plan #080421 – Bruce Miller made the motion to recommend the following waivers be granted and that the plan be approved conditional on the following comments being addressed:

1. A waiver from the requirement of SALDO Section 601b (north arrow).
2. A waiver from the requirement of SALDO Section 601m (plan orientation-sheet 2).
3. A waiver from the requirement of SALDO Section 501 (preliminary plan requirement).
4. Owner's notarized signature needs to appear on the plan (Section 601h).
5. Planning module approval by DEP and Township SEO (Section 602c).
6. The five stormwater management comments from the Township Engineer's letter of February 16, 2009.
7. Note needs to appear on the plan regarding the soils testing. Requested additional text to the note by the Township Engineer—"based on the findings of this investigation, it is determined that the area of the proposed lots 2 through 7 meet the requirements of the ordinance for soils of low quality for agricultural use".
8. Table regarding the transfer of dwelling rights needs to appear on the plan as provided by the Township Engineer.

Seconded by Ralph Daugherty, motion carried.

February 17, 2009 Chanceford Township Planning Commission Regular Meeting Minutes

John Shanbarger had a concern as to how the transfer of dwelling rights will appear on GN-5A when recorded. Casey Deller will discuss this issue with the Township Solicitor. Also, Casey will verify that all information on the plan is correct before the Board's approval of the plan.

James C. & Carole J. Hale Final Plan #L-5267 – J. C. Hale and Lee Faircloth of Gordon L. Brown & Assocs. were present to continue the discussion of the oversized Lot #4. Both feel there is justification for the lot size due to a utility easement on the property, irregular shape, narrowness, steep slopes and wetlands. A revised plan was presented showing the location of three proposed future lots with a twenty-five foot private right of way to verify that the lots can be located on land of lower quality soils.

Casey commented that adequate information needs to appear on the plan to justify the size of Lot #4.

Bruce Miller requested the slopes be shown more clearly as well.

Ralph Daugherty made the motion to table the plan due to the lack of York County Planning Commission comments. Seconded by Mark Bupp, motion carried.

Steven T. & Patricia M. Ashley Final Plan #L-5288 – Bruce Miller made the motion to table the plan due to the lack of York County Planning Commission comments. Seconded by Ralph Daugherty, motion carried.

Jason A. & Marla C. Urey Final Plan #08100 – John Urey made the motion to table the plan due to the lack of York County Planning Commission comments. Seconded by Mark Bupp, motion carried.

SUBDIVISION PLANS TO BE TABLED:

Cool Country Properties Preliminary Plan #060619 – Ralph Daugherty made the motion to table the plan due to lack of representation or a revised plan. Seconded by Bruce Miller, motion carried.

Jared Wotring Final Plan #3198-D-1 – Bruce Miller made the motion to table the plan due to lack of representation or a revised plan. Seconded by Ralph Daugherty, motion carried.

ZONING HEARING APPLICATION:

Carrie B. Hall was present to discuss her application for a special exception in order to erect a Yoga studio on her property at 340 Bacon Rd.

After review of the application and much discussion, Bruce Miller made the motion to recommend this special exception that exceeds fifty percent of the ground floor area be granted with the following compensating factors:

1. It is located in the Agricultural Zone.
2. The subject property exceeds one acre lot size. Lots are approximately two and three acres.
3. This size is needed to have a viable business.
4. There are no know objections from neighbors.

February 17, 2009 Chanceford Township Planning Commission Regular Meeting Minutes

5. It is recommended that the new structure be located within all setback lines.
Seconded by Mark Bupp, motion carried.

TEXAS EASTERN GAS TRANSMISSION:

John Shanbarger made the Commission aware that Texas Eastern Gas Transmission, LP is applying for an Erosion & Sedimentation Control General Permit for earth disturbance associated with oil and gas exploration, production, processing or treatment operations or transmission facilities (ESCGP-1) from the DEP.

PUBLIC COMMENT:

Henry Kinsinger was present to inquire about the progress of his situation of being able to build a house on his property behind the recently built barn. The Planning Commission feels he should be allowed to build the house behind the barn because of the location of the pre-existing produce building as well as the wording of Section 304 in the Zoning Ordinance. Jeff Koons stated he would like to do further research of the Zoning Ordinance before making a determination.

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 10:10 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary