

The Peach Bottom Township **Planning Commission** met on **September 17, 2009** at 7:00 p.m. in the Recreation Center. Members present W. Manifold, E. Cromwell, S. McConnell, D. Stewart, D. Welker, D. Arnold, B. Hushon and W. Carter.

A **motion** to accept the minutes as presented was made by W. Carter & 2nd by D. Arnold vote 8/0

Kutrick -139 Slate Spring Rd., Map 10 Parcel 15

A hardship permit was issued for a trailer in 1992. His mother passed in October and he wishes to convert this trailer into a storage building. The property is zoned residential and the current ordinance does not allow a conversion of a mobile home into storage. The Attorney and Zoning Officer informed that he will need to apply to the ZHB for a variance. He does not have a problem removing the trailer, but is requesting extra time to comply. The Supervisors gave 60 day to remove the trailer. He was advised to attend the next Supervisors meeting to request an extension and for subdivision information to make an appointment with the Zoning Officer.

Grafton, Louis- Map AP Parcel 59, Quarry Road, 1.18 acres

He is creating 2 buildable lots using the Delta Sewer System and private wells. He is also taking .12 acre to combine with an adjoining property. He has acquired sewer reservations for this subdivision and a DEP exemption. YCPC comments were reviewed; the site data needs to indicate the lots are served by wells, site triangle at the driveways, surveyor certification, owner's intent and notarized signatures. The plan also needs a merger agreement.

Motion to sign the plans contingent on addressing the YCPC comments and signed merger agreement was made by E. Cromwell and 2nd by D. Arnold vote 8/0

Boone – 788 Bair Rd., Map BO Parcel 15B, Subdivision Request - no representative present.

Peach Bottom Township & South Eastern School District Land Swap.

Map 8 Parcels 1, 2, and 3A

A waiver is requested for topography since this is a non building subdivision, no wells or septic will be added this is served by the Delta Water and Sewer Authority.

Motion to sign the plans and recommend the Supervisors waive the topography requirement was made by B. Hushon and 2nd by E. Cromwell vote 8/0

Zoning Officer Report

There is a storm water issue on Roycroft Lane, Map BP Parcels 50B & 50C. In the original subdivision plan from 1988 this particular property does not note a water retention basin required because it was the original trailer. The storm gutter on this property and the slope is sending water onto the neighbor's property.

The attorney advised that the property owner has to solve the problem; he needs to deal with the excess storm water running onto his neighbor's property and into the basement.

Letters Requested

Hawkins -384 Hollow Rd.–permits expired in May have not received finals or renewals.

Prosecutions Requested

Baldwin – 605 Wise Rd., Map AP Parcel 1J – On Lot Management violation

Frantz- 747 Cold Cabin Rd., Map CQ Parcel Y34 R0026 – On Lot Management violation

Goodman – 226 Pine Tr., Map 1 Parcel 411 – On Lot Management violation

Traup– 293 Grove Rd., Map CQ Parcel 11E- decks without permits, picked up application, never applied for the permit they need both Zoning and UCC permits.

Motion to recommend the Supervisors authorize the Attorney to send the requested letter and start the requested prosecutions if not in compliance by the date noted on the attorneys letter was made by E. Cromwell and 2nd by D. Arnold vote 8/0

CAFO Section 336 Committee – The committee is waiting for outside soil quality information. They have a request by the Supervisors to present 3 issues in the Zoning Ordinance to the Commission, but are not prepared at this time and will present at the next meeting

Zoning Ordinance Section 309 – Windmills, Windwheels, and Wind Energy Conversions

Conectiv loaned a sound meter to the Commission, but no readings have been taken at this time. Chairman McConnell presented information on a publication with scientific data on windmills. The setback and height requirements are based upon tower height and blade length, engineer certified base and construction. Commercial Units today meet the sound requirement in the proposed ordinance. Chairman read the attorneys rendition of a windmill ordinance per last month's review and recommendations.

The commission discussed moving the windmill ordinance through independently or put with the other ordinances that have been in the works for the last year.

Motion to forward this amendment to the Supervisors and YCPC for review was made by S. McConnell and 2nd by D. Stewart vote 8/0

Subdivision and Land Development Ordinance – Section 805 Curbs and Sidewalks

The Attorney will contact the Township Engineer for specifications and supply an amendment to the Commission.

Keeping of Livestock –

The Chairman read Springettsbury Townships Ordinance on Keeping of Livestock.

The Zoning Officer gave her review of the samples. Lot size, clear number of animals or equivalent weight; we do not need anything complicated.

S. McConnell noted a problem to address is over grazing which is the number of animals per area. The Zoning Officer said it is more an issue of what there hooves do to the ground. An acre or acre and a half is reasonable with a certain weight limitation. Separate poultry from livestock.

Shrewsbury and Codorus Townships prohibit livestock on less than a 1 ½ acre.

M. Payan suggested the Township looked to the Human Society for information.

In the proposed ordinance we need to include restraining and shelter requirements.

A. Cooper asked if this was only for the residential zone.

The attorney stated it should be for small lots, they are in every zone.

In discussing lot size and zone, residential use and distance from neighbors was mentioned.

B. Hushon suggested we start with a set of rules for the residential zone then move to the other zones.

S. McConnell wants to look at live weight and lot size in both districts. The agricultural zone should not be different with horses they need room, for the animal and for health. It should be residential use.

E. Cromwell informed, there are 379 parcels in the agricultural zone that are less than 2 acres.

B. Tenney and S. McConnell with information from the Zoning Officer will work on this issue.

B. Hushon cautioned on a new wave of going green and producing your own food, there needs to be a balance.

Vegetation Height – health, safety and property value issue.

Other municipal ordinances were reviewed addressing this problem.

The Attorney suggested in all zones on lots of 2 acres or less with a dwelling and with an exclusion if used for agricultural purposes.

B. Hushon asked the Zoning Officer in what zone we have the problem.

She informed that in both residential and agricultural zones and pointed out several properties and the time frame in which this problem continued.

The Attorney noted that these are bank owned properties, a lien would be placed on the property.

The Zoning Officer read the Chanceford Townships Ordinance. It does not state how the municipality will notify the property owner.

D. Welker stated that it should not apply to people living in their houses. He is concerned with circumstances beyond, the person living on their properties control.

The Attorney advised that the Supervisors can administer this as to not create a hardship.

B. Hushon stated that 8” is too short 12” would be a better height.

E. Cromwell asked, what about my liberty, if a neighbor’s property brings down my property value.

D. Welker, but do not penalize the whole Township for a few problems.

S. McConnell clarified that the fine and mowing would come after notification and would be enforced at the discretion of the Supervisors. There will be some arrangement made to help if there is a legitimate problem.

The Attorney explained the lien process at the request of D. Arnold.

The consensus was a height of 12 inches.

D. Arnold asked to table this until next month.

The Chairman put the question on the table. Do we need a Mowing Ordinance?

D. Arnold- No, Not at this time

W. Manifold- Yes

E. Cromwell – Yes I would go with 12”

W. Carter- No

S. McConnell- Yes

B. Hushon - Yes, for foreclosed houses only.

D. Stewart – No

D. Welker – Yes, for foreclosed houses only.

The Attorney clarified that this would be for properties listed for sale by the sheriff, or have been sold to a non resident owner.

With that suggestion the NO’s were asked again. Do we need a Mowing Ordinance?

D. Stewart - No

W. Carter – Yes

D. Arnold- Not at this time

The Attorney will take Chanceford’s Ordinance as a good starting point to create a draft using 12” as a height limit.

D. Gemmill expressed his concern with the cost to taxpayers. The Attorney explained that this is only on improved lots and when they are sold the lien is paid.

Lighting Ordinance

E. Cromwell did a tour with the light meter and was amazed at what a difference the angle makes. It is reasonable that the foot candles drop off quickly with angle and shielding. At the property line the measurement really drops off. We need to define when it becomes a nuisance.

W. Carter will do ball field lights tomorrow night.

Motion to adjourn at 9:08 p.m. was made by D. Arnold and 2nd by W. Carter, vote 8/0