

THE BOROUGH OF NEW SALEM PLANNING COMMISSION
September 30, 2008

A meeting of the New Salem Planning Commission was held September 30, 2008 At 7:00 pm. Edith Hinkle has resigned from the Planning Commission as she is currently in a Nursing Home. Edward Mundorf was appointed by Borough Council to fill out her term. The meeting was called to order at 7:00 pm by Kim Martin, Acting Chair, with a salute to the flag. Present at the meeting in addition to Kim Martin were Commission members Edward Mundorf, Thomas Miller, and Patricia Wainwright, Secretary Cheryl Bahn, Engineer Jeff Spangler and Solicitor D. Michael Craley. George Rabenstine was absent from the meeting.

Motion was made by Miller/Wainwright to appoint Kim Martin as Chairlady of the New Salem Planning Commission. Motion carried unanimously.

Motion was made by Wainwright/Mundorf to appoint Thomas Miller and Vice-Chairman of the New Salem Planning Commission. Motion carried unanimously.

Subdivision Plan for Sherwood Plaza

Mr. Robert G. Sandmeyer, Site Design Concepts, and Brad Rohrbaugh, Sherwood Plaza LP, were present at the meeting to present a subdivision plan for a three-lot subdivision of the Sherwood Plaza property 79-3-12. The property is in the mixed use zone. The existing use is that of a store or retail shop. The two additional proposed lots would be single family residential homes.

Mr. Jeff Spangler, JR Holley Associates, and the York County Planning Commission had reviewed the plan and sent comments to the Borough. Mr. Sandmyer presented a revised plan to address the comments suggested by the Engineer and the YCPC.

After going through each comment, there were still some outstanding items.

Holley Comments

Zoning #5 The Borough should determine if the proposed fence, existing vegetation, and proposed trees are acceptable to meet the requirements of Section 410.a of the Zoning Ordinance regarding screening.

SALDO - #4 A planning module exemption approval from DEP is required (Section 405.e.8) Must be signed by Borough Council

#5 A cost estimate for the sanitary sewer, storm sewer, and screening shall be submitted to establish an amount for financial security (Section 405.e.7)

General Comments #4 A waiver has been requested for submission of a preliminary.

It was expressed by Mr. Sandmyer that a solid wall of fencing is better as a sound barrier than a vegetation screen. Since Sherwood Plaza is the owner of the whole lot, the Borough can require the fence as a condition of approval of the subdivision. It would be installed at the point of Building Permit Application for the first house.

Mr. Spangler has received a cost estimate for the sanitary sewer, storm sewer, and screening for financial security - he will issue a letter of approval as soon as the Borough makes the decision on the screening.

Motion by Miller/Wainwright to recommend approval of the request for waiver of a preliminary plan as the sketch plan that had been presented was quite detailed. Motion carried unanimously.

Motion by Mundorf/Miller to recommend approval of the plan as submitted, with the condition that appropriate financial security be received and that the DEP planning module exemption be approved. Motion carried unanimously

Melissa Stone Special Exception

Application for special exception has been received from Melissa Stone, 35 Forry Street, who was present to present her application. Her property is in the Village Center. She would like to relocate her AVON from Sherwood Plaza to a building that she would build on her property. Currently she lives in the residence on that same property. She presented the information that she was interested in a change of operations where she would consult with customer by appointment only instead of having posted hours. While this change would qualify for a home business, she wants to house the business in her new building rather than her home. Only shop type occupations are allowed in outbuilding, plus the outbuilding must have been in existence at the time of the adoption of the Zoning Ordinance. A variance would be required to operate a business in a new or old accessory building as a home business. She could also place an addition on the house to operate her building. The current application does not meet the requirements for a special exception.

She might qualify for a dual use lot, asking for a variance from the requirement to have separate utilities. She does not want to connect the second use (retail shop) to sewer as she does not plan to have water in the building. With the condition that if there was ever a sale of the property, then separate utilities would be required.

Mr. Craley suggested that she could either withdraw her application or in writing submit a waiver of the requirement that the Zoning Hearing Board hear the case within 60 days from the date that the application was submitted.

Motion by Miller/Wainwright to table the matter with the understanding that Melissa Stone will submit a written waiver of the 60 day rule and submit and revised plan. Motion carried unanimously.

There being no further business, Motion by Wainwright/Miller to adjourn the meeting at 8:15 pm. The next meeting will be October 25, 2008 at 7:00 pm, *if necessary*. Motion carried unanimously.

Respectfully submitted,

Cheryl D. Bahn
Secretary