

**Tulpehocken Township Planning Commission Meeting
May 7, 2020**

Present: Planning Commission Members: Robert Sattazahn, Gary Deck, John Zimmerman, Scott Hetrick, Laverne Frey, Chris Hartman, Matt Mack and Heather Claman.

The Planning Commission meeting began at 7:32 p.m. and continued with the pledge to the American Flag.

John Zimmerman made a motion to approve the minutes from the March 5, 2020 Planning Commission meeting, seconded by Robert Sattazahn and approved unanimously. Planning Commission didn't meet in March 2020 due to lack of business.

Public Comments: None.

Active Plans:

Mountain Meadows Phase II: Discussion on the street light status. The Board of Supervisors are in favor of taking dedication of the street lights for Phase I. However they want to make sure that everything is working and that we know the location of all the street lights in Phase I. The Township Solicitor stated that once the Board of Supervisors give the go ahead, his office will draft the Deed of Dedication and that can be done in a timely manner. John Zimmerman stated that we need to give Mr. Hurst a timeline to have the lights converted to LED.

The Township Engineer stated that Mr. Hurst is trying to see if he can work the plan to have a flag lot and get an additional lot. Louie agreed to pay for fees associated with outstanding attorney fees the Township may have for the zoning amendments.

The Township Engineer stated that hopefully next week (week of May 11) Mr. Hurst, Martin's Paving, the Township Roadmaster and Township Engineer will meet out at the development on the resurfacing of the roads.

New Plans: None.

Walk-In Discussions:

Other Business:

Vincent Zimmerman owns 7673A Lancaster Avenue. He purchased this property within the last year and removed the living quarters in the cement block garage (south side of building) to use for storage for his automotive business, Professional Automotive. He would like to park his wrecker and rollback truck in the garage, however the height is too low. The roof is in bad shape. The current structure is 28 feet by 64 feet and he would like to erect a 40 feet by 70 feet pole building. He would be sure that new building is eight feet away from the house. It is currently three feet. The distance from the road to the current garage is approximately 30 feet.

The new structure will be over stone area. And the intent of the garage is just be for storage for the automotive business on the adjoining property. There would be two garage doors on the

North side. He is not looking to operate any business out of this new building. It would be approximately 1,000 square feet of an increase from the current garage.

Was using the garage for storage for engine parts but now he currently has the roof off the garage. Nothing is in the garage right now.

The Township Solicitor referred to Section 1023 in the Zoning Ordinance. Private garages or private parking area in residential, agricultural and preservation districts. A private garage or private parking area may be utilized only as an accessory use to the main use, except that no more than two parking spaces in the private garage accessory to a one family or two family dwelling may be rented to a person who is not a resident of the main building. Village Center is considered both residential and commercial property. There is an issue that private garages in the residential district can only be used to support the main use. Mr. Zimmerman is not a resident of the dwelling. The new garage would be for two spaces.

The current renters will not use the current or new garage. They park in front of the existing dwelling.

In the future if anyone would want to operate a business garage out of the new building, the owner would need a variance. The property cannot be sold as a commercial property.

There may be an increase in the stormwater, however the exception criteria maybe met.

When Mr. Zimmerman obtains a zoning permit it should state that any vehicles from his business that are parked on this lot are in the garage.

Under the definition of land development, any accessory structure in the Village Center District under 1,000 square feet land development is not required. Any accessory structure that is over 1,000 square feet would need land development. Since Mr. Zimmerman's building is a replacement building and is over 1,000 square feet a waiver of land development is required.

If there is a water spigot in the garage that would not be an issue. If a toilet would be installed, an additional sewer edu would need to be paid for and he would be billed one edu for the garage. Therefore, the property would go back to a 3 edu property as there are 2 units in the dwelling.

Reasons for waiver of land development for this proposal would be the size of the garage, sewage demand if applicable, well is on lot, and the stormwater is over existing impervious which would need to be evaluated or the slight increase could be turned over to grass and accessibility to the garage.

If the property is sold in the future, Mr. Zimmerman may want to have an easement on the property that the new owner may need to go on the business property (currently owned by Mr. Zimmerman-Professional Automotive) to get into the new building.

When looking at increasing the square footage by 1,000 square feet the Planning Commission needs to make sure that there is enough impervious area there with grass or make an area to put

some sod to have grass grow. The footprint is the same or about the same there is no issue. If it goes over that it could be an issue

The stormwater is not a waiver of land development. The Township Engineer will need to inspect.

John Zimmerman made a motion to recommend to the Board of Supervisors to grant a waiver of land development with the following conditions. Seconded by Robert Sattazahn and approved unanimously.

- *If ownership would change that there would be an easement granting access to the garage.*
- *The Township Engineer to meet out at the site to make sure that the gravel is hard compacted and not infiltrating.*
- *If a toilet would be installed, an additional sewer edu would need to be paid for and he would be billed one edu for the garage.*
- *The Township Engineer would need to address stormwater.*

The zoning permit should list boundaries so the property cannot become something that the Township did not agree upon now or in the future. It should also list if ownership would change that there would be an easement granting access to the garage.

Mr. Zimmerman may be interested in the future to combine his commercial property with the rental property. It was recommended that he would need to go to the Zoning Hearing Board to combine the properties to use the proposed new garage as a commercial use but to keep the rental units in the dwelling as they are currently or tear the dwelling down. If approved he would combine the two properties into one deed.

Neal Hess/Vista Springs LLC who owns 113 Rehrersburg Road applied for a use variance from Section 741.15 of the Zoning Ordinance. He would like to install a fence and run in shelter for approximately sixteen cattle. This property is located in the Industrial Commercial Zoning District. *John Zimmerman made a motion to recommend the following to the Zoning Hearing Board. Seconded by Laverne Frey and approved unanimously.*

- *Relocate the run in shed and manure storage closer to the dwelling on own property. Currently both are close to neighboring properties.*
- *Have the Conservation District contacted to address stream bank fencing and crossing.*

Mark Wilson who owns 183 Deck Road applied for a dimensional variance from Section 644.02 of the Zoning Ordinance. He would like to install a 32 x 32 pole building. This property is at an existing residence located at 183 Deck Road, Tulpehocken Township, said property being situated within the RR – Rural Residential District.

Laverne Frey made a motion to recommend the following to the Zoning Hearing Board. Seconded by Robert Sattazahn and approved unanimously. The applicant should have a spot survey performed to confirm the location of the property lines. It would be in his best interest to have the survey completed prior to the Zoning Hearing.

The Planning Commission members discussed the Municipal Officials Dinner to be held Thursday, May 28, 2020. At this point the consensus is that the dinner will most likely not be held, no decisions on attending were made.

The Township Engineer stated that there is a 2 acre property along Route 419 in which there is an interested party that would like to put a butcher shop on the property. The party would need a zoning hearing meeting for a special exception use since it isn't allowed in any zoning district in the Township.

Laverne Frey stated that Dalton Zimmerman contacted him about the possibility of building a church/school on one of the lots owned by Mr. Zimmerman behind the Four Points Gas Station (North of the gas station). The Township Engineer stated that Mr. Zimmerman did reach out the Zoning Officer. The church/school is not an allowable use in the Industrial Commercial District. It is an allowable use in all of the other zoning districts. They would also need to obtain a HOP permit from PennDot which could also be a difficult task. It would be an Industrial Commercial type setting with a decent amount of traffic going in and out of that area and to put students in the realm of a manufacturing area could pose as a safety concern for the children.

Robert Sattazahn made a motion to adjourn the meeting at 9:30 p.m., seconded by Gary Deck and approved unanimously. The meeting was adjourned.

Respectfully submitted,

Heather Claman, Planning Commission Secretary