

**Mt. Joy Township
Planning Commission Regular Meeting
Tuesday, July 12, 2016**

Meeting Minutes

Present: Terry Scholle, Chairman; Fred Lang; Vice-Chairman; Curtis Hawkins; Sindy Jennings; Ken Roberts; Susan Smith, Solicitor; Jeanne Gormont, Office Assistant

Absent: Sheri Moyer, Secretary

The Mount Joy Township Planning Commission met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, PA 17325.

Call to Order: Starting Time: 7:00 pm

Chairman Comments: None.

Public Comments: None

Approval of Minutes: Planning Commission Meeting Minutes from May 10, 2016. Ms. Jennings moved, seconded by Mr. Roberts, to approve the meeting minutes amended adding Susan Smith, Solicitor as being present. Motion carried unanimously.

Preliminary/Final Plans: None.

Correspondence: None

Business:

- ASA – 7 year review: Ms. Smith said this is a required seven year review of Mount Joy area 2 ASA. Ms. Smith said they are making a recommendation whether to continue that ASA in that form with those property owners. Mr. Lang moved, seconded by Ms. Jennings, to recommend to the Board of Supervisors for the Mt. Joy Area #2. ASA 7 year review be approved. Motion carried unanimously.
- Herrick – Zoning Hearing Board Hearing: Ms. Smith briefly summarized the incidents leading up to this hearing. In 2012 Herrick applied for relief in the form of variance from Township Zoning Ordinance Section 10 attachment 3:1. 75' setback requirement and Section 110-141.D 30' buffer yard requirement. The Application proposed a front setback of 70 feet, side and rear setbacks of 50', with a 15' buffer yard. The variance was approved with conditions. In 2014 the Zoning Officer issued a determination letter that certain conditions attached by the Zoning Hearing Board to its decision approving a variance had been violated. Mr. Herrick appealed for relief from the Zoning Officer's Determination. The Zoning Hearing Board granted the appeal. Subsequently, the Township appealed the decision of the Zoning Hearing Board which was argued with the Commonwealth Court. Ms. Smith said he still has not obtained a Use and Occupancy permit from Labor and Industry and is clearly using the building, and there is three times the equipment and material sitting on the property outside of the building than in

the first enforcement action. Another enforcement notice was sent out indicating he is now in violation beyond what we saw at the time of the first violation. Mr. Herrick is appealing that enforcement notice before the Zoning Hearing Board. Ms. Smith questioned the members if they have any recommendations or comments whether or not the appeal should be granted. Mr. Scholle said that if not in compliance it should be denied. Ms. Jennings moved, seconded by Mr. Roberts, to recommend the Zoning Hearing Board enforce the conditions, not permit activities on the property without the building being completed and to take whatever measure necessary to make sure that the protected standards of the Ordinance are applied. Motion carried unanimously.

- Zoning Ordinance – Supplemental Standards for Special Uses:

-  Definition of Family: Ms. Smith said the Board decided to define a family as “Any number of persons occupying a dwelling unit and maintaining a common household; provided that the number of adult occupants who are not related to the other adult occupants shall not exceed:

- i. one in number where the dwelling unit is occupied by two or more adults who are related;
 - II. three in number where all of the adult persons occupying the dwelling unit are not related.
 - one person
 - related couple
 - extended family (no limit)
 - related couple or extended family and one stranger (e.g., caretaker, boyfriend, etc.)
 - two strangers (e.g., unmarried couple, two buddies, etc.)
 - three strangers
 - any of the above includes any number of children (so long as related to one or more adult occupants) under the age of 22

Along with that would be the definition of a group home which is a residential facility for people who have some type of handicap or disability. Mr. Scholle moved, seconded by Mr. Lang, to recommend the definition of family section to the Board. Motion carried unanimously.

-  Limited Lodging: Ms. Smith said that this is an evolving use. Ms. Smith explained the proposed document is for limited lodging. She went on to say that people living in an area which attracts tourists will rent out a room or rooms to them. Ms. Smith said in her proposal the use would be considered an accessory use, just for sleeping and lodging, and went on to briefly discuss the standards. Mr. Lang moved, seconded by Mr. Hawkins, to recommend the limited lodging section to the Board. During discussion, Ms. Jennings was concerned with the number of children. Ms. Smith said that the size would limit the number of children. Mr. Hawkins questioned about pets. Ms. Smith said they have the right to say either yes or no. Ms. Smith said they could add a provision that dealt with pets. Following the discussion the motion was amended, Mr. Roberts moved, seconded by Ms. Jennings, to recommend the limited lodging to the Board with the provision of the pets as stated. Motion carried unanimously.

Adjournment: Mr. Scholle moved, seconded by Ms. Jennings to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:30 p.m.

Transcribed and submitted,

Sheri L. Moyer
Secretary