

**Mt. Joy Township
Planning Commission Regular Meeting
Tuesday, November 12, 2024**

Meeting Minutes

Present: Kim Birckhead, Chairman; Kenneth Mutzabaugh, Vice-Chairman; Ben Hawkins; Ben Mearns

Present Via Zoom: Chris Burne

Also Present: Christine Demas, Chair-Board of Supervisors, Sandy Yerger, Supervisor, Sam Wisner, Solicitor

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. In addition to being in person, the meeting was also accessible by remote ZOOM platform. The meeting was called to order at 7:00pm.

Public Comments: None

Chairman Comments: None

Approval of Minutes: Mr. Hawkins moved seconded by Mr. Mutzabaugh, to approve the minutes from September 10, 2024, and October 8, 2024 (no meeting). Motion carried, unanimously.

Business:

Discussion about Ordinances: Supervisor Demas said the issue here involves the lack of clear definitions for "construction company headquarters" and "construction company with headquarters and outside storage" in the zoning code, particularly within the mixed-use area along Baltimore Pike. The concern is that without a specific definition for what constitutes "outside storage," businesses could potentially store materials of any kind, such as construction materials or equipment, inappropriately. This could include storing items in the front yard, along property lines, or stacking materials to excessive heights. Since the term is not well-defined in the ordinance, the regulations would default to the benefit of the business, potentially allowing them to store materials however they choose.

Attorney Wisner pointed out that while there is a general regulation (Section 135-325) prohibiting the outdoor stockpiling of materials in the front yard, this is the only specific rule currently in place. However, the absence of further clarification means there are no clear guidelines for other types of outdoor storage, which could lead to issues with how materials are stored, the impact on the surrounding area, and the safety of those storage practices. Essentially, the lack of a definition for these terms creates a gap in the zoning code that could lead to unintended consequences, such as uncontrolled storage practices and safety concerns.

Chairman Demas highlighted a specific issue that brought attention to the lack of definitions in the zoning code. A company renting a former repair shop along Baltimore Pike was using the space for "temporary storage" related to a project (likely for fiber optic cable installation by Brightspeed). They had large amounts of materials, such as cable spools and boxes, stored outside. Complaints were raised about the materials being stored outside, particularly in the front yard, which led the zoning officer to enforce the rule prohibiting outdoor storage in the front yard. However, the company struggled to fit all the materials inside the building, and they argued that the storage was only temporary.

This situation prompted a review of the existing zoning regulations, specifically around "construction company headquarters" and "construction company with outside storage," both of which are not well-defined in the code. She stated the gap in the ordinance and raised the concern that businesses could take advantage of this ambiguity, leading to unchecked storage practices.

Attorney Wisner suggested that this issue could be added to the agenda for the next meeting, where the board could explore other municipalities' zoning regulations to address this gap. He emphasized that the lack of clear definitions in the code creates an opening for businesses to interpret the rules in their favor, which could lead to unintended consequences.

The primary concerns raised were:

1. Ensuring no storage occurs in the front yard, which is already partially addressed in the ordinance.
2. Adding provisions for screening or fencing to buffer the visual impact of outdoor storage, especially in residential or mixed-use areas.

The conversation is focused on tightening zoning regulations to close the gaps and prevent future issues, particularly around how materials are stored, and ensuring that storage doesn't negatively impact the surrounding community.

Attorney Wisner raised several key concerns regarding outdoor storage, including:

1. **Stacking Height:** How high materials can be stacked is a crucial issue. Too much height could lead to safety and accessibility problems, particularly in case of a fire.
2. **Fire Access and Circulation:** Ensuring there is sufficient space for emergency responders to access the site is important. This includes ensuring that aisles between stored materials are wide enough for fire trucks and other vehicles to navigate.
3. **Hazardous Materials:** It's essential to avoid the storage of hazardous materials or materials that could become unsafe if left for extended periods.

To address these issues, Attorney Wisner suggested looking at ordinances from other municipalities like Newville and Camp Hill, which have provisions for outdoor storage. He emphasized that the township should pull pieces from different examples that suit its needs and create a custom ordinance.

Ms. Birkhead asked whether the commission would model the ordinance after any one example or create a new one from scratch. Attorney Wisner clarified that the goal is to form an ordinance that best fits the needs of the township, focusing on ensuring that outdoor storage is tied to the contractor's business and not just a standalone storage yard. The idea is to have storage associated with a primary business function, such as a construction office or other civil structure.

Chairman Demas brought up the lessons learned from recent junkyard inspections. The junkyard ordinance was initially written to ensure that storage did not negatively impact the visual appearance (or "view shed") of the area. As part of the cleanup, junkyards had to follow regulations for setbacks, blocking off storage areas with landscaping, fences, or walls to reduce their visual impact. After the cleanup, these areas looked significantly better, and the complaints decreased.

Attorney Wisner suggested applying similar principles to the new outdoor storage ordinance, ensuring that storage areas are properly screened or buffered to prevent them from looking "junkie" or unsafe. The goal is to maintain a clean, aesthetically pleasing environment that minimizes negative visual impacts on the surrounding community.

In summary, the discussion emphasizes addressing concerns about the visual impact of outdoor storage, ensuring safety (e.g., stacking height, fire access), and creating a well-defined ordinance that prevents misuse or unsightly storage practices, drawing on lessons learned from other areas like junkyard regulations.

Key Considerations for the Ordinance:

- **Fencing or Buffering:** A requirement for some type of visual screening (e.g., fencing or landscaping) to buffer storage areas from adjacent properties.
- **Height Limits:** A regulation on how high materials can be stacked, likely based on the size of any fencing or buffer.
- **Clear Aisles for Access:** Ensuring that storage areas allow for circulation and access, particularly for emergency responders.
- **No Hazardous Materials:** Prohibiting the storage of hazardous materials and inoperable vehicles.
- **Time Limits on Storage:** Imposing time limits on how long materials can be stored outdoors ensuring that they are cycled out and not left for extended periods.

By bringing all these pieces together, the Planning Commission aims to create a well-rounded ordinance that balances the needs of businesses with the concerns of the community, ensuring that outdoor storage areas are safe, aesthetically pleasing, and well-regulated.

Attorney Wisner will send the sample ordinance to use as templates to Ms. Moyer who will distribute to the Planning Commission members for further discussion at next month's meeting.

Adjournment. With no further business, Mr. Mutzabaugh moved, seconded by Mr. Mearns to adjourn the meeting. Motion carried. The meeting adjourned at 8:03 p.m.

Respectfully submitted,

Sheri Moyer
Township Secretary