

MINUTES
DILLSBURG BOROUGH PLANNING COMMISSION MEETING
DECEMBER 19, 2007

Chairman Allen Reeves called the December meeting of the Dillsburg Borough Planning Commission to order on the above date at 7:37 PM. Planning Commission Members in attendance were Paul Eurich and Joe Robinson. Also present were Borough Engineer Mike Begis, Borough Solicitor Mark Allshouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

Vice Chairman Radcliffe and Member Leon Zeiders were absent.

The following visitor was present: Steve Quigley from H. Edward Black representing Mr. Vernon Sealover for Winfield.

The first item on the agenda was the approval of the October 24, 2007 meeting minutes. Paul Eurich indicated on page two, #17, the second line, the word "straighten" should be "straightened" and on page five, second line, the word "Branford" should be "Branfield". Chairman Reeves indicated on page three, the next to last line, the word "responsibility" should read "responsible". Paul Eurich moved to approve the minutes with the corrections noted. Seconded by Joe Robinson. – Motion carried.

The second item on the agenda was the Discussion/Review of the Winfield Phase 1 Final Land Development Plans. Mr. Quigley asked the plans be forward to Council in order to have Phase 1 approved. He stated Phase 1 contains 27 units. Mr. Quigley indicated the comments from KPI, dated December 17, 2007, were received and had no issues with them. Mr. Quigley went over some of the comments with the planning commission:

- Estimate of improvements will be provided along with the developer's agreement. Mr. Quigley asked if the Borough had a standard developer's agreement. Solicitor Allshouse indicated the engineers have one and would see that he gets the form. Solicitor Allshouse also stated when the forms are completed forward them to him and KPI.
- Sewage plans are with DAA and have asked for some detail work be added to the plans, which are being done.
- Home Owners Association documents: Mr. Quigley asked if Dave Getz had called him in this week. Solicitor Allshouse indicated he did not.
- Traffic Impact Study: Mr. Quigley indicated they agreed to use the last version of the sketch from McNaughton, which had been received from KPI and was forwarded to Grove Miller.
- The E & S plan is at York County.
- The HOP plan is at Penn DOT.

Engineer Mike Begis asked regarding the letter from York County, dated December 12, 2007, for the NPDES permit application, if they did the completion review. Mr. Quigley indicated that was correct.

Engineer Begis asked Borough Solicitor Allshouse if he had seen a copy of the HOA documents. He indicated he had seen them. Engineer Begis asked if the Borough had a copy. Mr. Quigley indicated they had. Solicitor Allshouse indicated it was early November and the language with regards to the police ability to enforce the street

ordinances was added. Mr. Quigley also stated there were comments on the length of time and cap on some dollars.

Engineer Begis asked what the status was on the sewage. Mr. Quigley indicated DAA wanted them to make some more details on the design.

Chairman Reeves indicated comments from the York County Planning Commission were received. Mr. Quigley indicated he hadn't seen any based on these set of Final Phase 1 plans. Manager Deibler indicated there were some sent previously, but none recently.

Engineer Begis asked if the developer anticipated any more comments from YCPC. Mr. Quigley indicating he doesn't expect to see any.

Engineer Begis stated comment #6 was a continuance from the preliminary plan approval and conditions that still need to be addressed.

Engineer Begis indicated the plan doesn't require approval because there is an extension until March. He asked what the developer had to gain from the approval tonight and probably wouldn't get Council's approval with the outstanding comments and permits.

Paul Eurich indicated on the letter from the Commonwealth of Pennsylvania, dated November 16, 2007, it states "upon resubmission"; and asked if the HOP permit had been resubmitted. Mr. Quigley indicated it had. Chairman Reeves asked if Penn DOT is still reviewing the HOP. Mr. Quigley indicated they were.

Paul Eurich asked about the letter, dated October 11, 2007, revised November 26, 2007, #13, regarding underground electrical service and what it meant by the developer requesting this be a condition of approval as the utilities won't plan or execute agreements until a municipal approval is completed. Mr. Quigley indicated the electric utilities won't begin to design it until there is an approved plan.

Engineer Begis asked regarding the Penn DOT letter, dated December 4, 2007, comment #6, what they were referring to needing two copies of the traffic signal package. Mr. Quigley indicated he didn't know and would have to ask Rick Bitner what they mean. Chairman Reeves indicated he understands #3 to mean when coming out of Winfield Drive, there is no left turn allowed. Mr. Quigley indicated he didn't know the answer to that and was confused about the SR2005. It came to the conclusion this letter might be referencing the wrong information and comments.

Chairman Reeves indicated the developer is requesting the Planning Commission to recommend approval subject to the three outstanding conditions; Engineer Begis interrupted and stated the Planning Commission would recommend approval, subject to the December 17, 2007 correspondence from KPI. He continued indicating there are six outstanding items; three which were pointed out and outstanding from the preliminary plans. Chairman Reeves asked what the status was with DAA. Mr. Quigley stated they had reviewed it once and have asked that additional design work and more details be done. Chairman Reeves stated the HOP documents were submitted a few months ago. Mr. Quigley verified they were and had been reviewed. He also stated there are a couple of outstanding comments in which Solicitor Allshouse and their attorney need to talk about. Manager Deibler asked if the six comments on the December 17, 2007 memorandum are also on the preliminary plan. Engineer Begis stated only #6, a, b, and c. Chairman Reeves asked who the traffic engineer was. Engineer Begis indicated they use Trans Associates and comments pertaining to the traffic impact study still remain outstanding. Engineer Begis stated the only item not yet received are the comments from the York County Conservation District (YCCD) regarding the Erosion Control Plan. Engineer Begis indicated he would like to see #6, the conditions from the preliminary plan taken care of or the first round of comments from York County Planning

Commission (YCPC). Mr. Quigley indicated it helps having the approval and/or conditional approval and every step further aids in any negotiations Mr. Sealover is having with other parties. Chairman Reeves indicated it's a disadvantage to the Borough to approve the plans, even with conditions. Paul Eurich stated he agreed with KPI due to the fact there are still outstanding comments that haven't been met. Mr. Quigley requested the plans to be tabled until next month based on the comment letter from KPI dated December 17, 2007. Paul Eurich moved to table the plans requested by Mr. Quigley. Seconded by Joe Robinson. Joe Robinson stated the Planning Commission has never pushed a plan ahead that doesn't have the sewer approval or the HOP approval. – Motion Carried.

The third item on the agenda was the Discussion/Review of the Chestnut Hollow Phase 2 Time Extension. Engineer Begis indicated Chestnut Hollow Phase 2 requires a time extension or denial by the Planning Commission. He stated they are concentrating on the comments from Carroll Township at this point. He indicated Council would have to act on the plans in January 2008, so therefore a recommendation is needed tonight. Chairman Reeves asked if there was any reason to deny the plans. Solicitor Allshouse asked how significant the changes from Carroll Township are. Engineer Begis indicated the stormwater is in Carroll Township and the review is being done by their engineer and is a long process. He also stated KPI received a complimentary copy of the Carroll Township comments and in the Borough portion of the plans the changes are probably minimal. Chairman Reeves asked if the Planning Commission recommends the Borough to extend the time. Joe Robinson indicated in the past, we couldn't make a recommendation without a request from the developer. He stated the Planning Commission can move that the Borough Manager contact the developer and request a conditional approval upon receipt to Council. Solicitor Allshouse stated before a motion is made to include if an extension is requested we move to grant it otherwise the plans would be denied. Paul Eurich asked if a request was received requesting an extension. Manager Deibler indicated it had not. Joe Robinson asked how the developer would be notified. Manager Deibler stated she usually calls them and then follows up with a letter. Joe Robinson moved to direct the Borough Manager to contact the developer and inquire about their intentions whether they would like an extension or not and if such extension would be received; the Planning Commission would make a motion to recommend to Council for approval. If no request for extension is received, Joe Robinson moved the Planning Commission recommend to Council the plans be rejected. Seconded by Paul Eurich. – Motion Carried.

Old Business: There was none.

New Business:

ZHB - Manager Deibler indicated there would be a Zoning Hearing Board meeting coming up on the Knauer property at Greenbriar and Harrisburg Pike. She stated probably sub-division plans would be received. She indicated the little green house and the big white apartment building are on the same lot; and they want to subdivide it. Chairman Reeves stated he thought it was separated years ago. Manager Deibler indicated the owners came to the Zoning Hearing Board years ago and the ZHB granted the waiver they needed, but they never followed through with it. Chairman Reeves asked if there was anyone living in the green house at the present time. Manager Deibler indicated Bob Shelly, the Borough's Building Code Inspector, stated it's uninhabitable. Joe Robinson asked what the owners want to do. Manager Deibler indicated they would like to sub-divide the two lots in order to sell the green house. She also stated the two

vacant lots that are up for sale have been sub-divided and recorded, however the owners have indicated the Borough approved to allow a four-unit apartment be built there; the Borough hasn't approved this. Joe Robinson asked if the lot size meet the performing use. Manager Deibler indicated it meets none of the requirements.

Development across from Logan Park - Manager Deibler indicated Carroll Township would be reviewing plans for the development across from Logan Park and having some issues with it and stated if Dillsburg Borough Planning Commission sees any problems with how it would affect Dillsburg; they are more than welcome to come to the Planning Commission meeting being held in January or February. Manager Deibler indicated it would have houses, townhouses and businesses all mixed together in the development. She indicated it had been suggested that if all the homes and businesses are placed in the area, it would make the Dillsburg traffic worse and could flood Logan Park.

Ownership of Logan Park - There was discussion on the joint ownership of Logan Park between the Dillsburg Borough and Carroll Township.

Adjournment: As there was no further business, Paul Eurich moved to adjourn at 8:36 PM. – Motion Carried.

Debbi L. Beitzel, Sec/Tres

cc: A. Reeves M. Allshouse
 B. Radcliffe Mayor Snyder
 J. Robinson K. Deibler, Borough Manager
 P. Eurich Council
 L. Zeiders T. Knoebel