

MINUTES
WEST MANCHESTER TOWNSHIP
PLANNING COMMISSION
DATE: May 14, 2024

The meeting was called to order by David Beecher at 7:00 p.m.

ATTENDANCE

Planning Commission Members:

David Beecher – Present
Patrick Hein – Absent
Felicia Dell – Present
Jennifer Smith-Funn – Absent
Fred Walters – Absent

Staff:

Rachelle Sampere, Zoning Officer – Present
Rainer Niederoest, Dawood Engineers – Present

Tonight's Planning Commission meeting was held in person and broadcasted over Zoom. There was not a quorum present for tonight's meeting, therefore no formal action was taken on any of the following agenda items.

APPROVAL OF MINUTES

The April 9, 2024 meeting minutes will be reviewed at the June 11, 2024 Planning Commission meeting.

ZONING HEARING BOARD CASES

ZHB 24-07 – Kenneth A. & Julia P. Mintz – request an interpretation §150-5 Definition of a Dwelling Unit; in the alternative requests a Variance §150-51.A Permitted Uses to allow the existing single-family detached dwelling with an in-law's quarters (having its own separate cooking and sanitary facilities) to be considered one dwelling unit **located at 2119 Sycamore Road** (Tax Map: 10; Parcel: 0109) in the R-3 Residential Zone.

Mr. and Mrs. Mintz presented the Zoning Hearing application to the Planning Commission. Mrs. Mintz explained that she and her family purchased the property approximately six months ago. Mrs. Mintz said that the property consists of an existing single-family detached dwelling with an in-law's suite that was constructed approximately thirty years ago. The previous owner submitted an affidavit to the Township that stated that the in-law's suite would only be occupied by a relative or by the owner. The property was sold to the Mintz family. When they obtained a permit to construct an inground swimming pool, the site plan indicated an in-law's suite was located to the rear of the single-family detached dwelling. Zoning Officer Sampere noted that an in-law's suite is not a permitted use in the R-3 Residential District and looked through the Township's records to determine how this in-law's suite was permitted. She spoke with the Township Manager and was told that if there are two dwelling units on the property, having separate cooking and sanitary facilities, it should be billed as two dwelling units. Mr. and Mrs. Mintz did not agree with Zoning Officer Sampere's interpretation of a dwelling unit and single-family detached dwelling, as defined by the Township's Zoning Ordinance. The Mintzes explained that they purchased the property so they could live with their adult daughter, son-in-law and their grandson as one family. They share duties in maintaining the home, shopping and cooking meals. Mrs. Mintz explained that this home is perfect for them because they each have their own living areas and their own kitchens, but they share the dining room for all of their meals. Neither kitchen is large enough to be used as an eat-in-kitchen. They are willing to sign an affidavit stating that the in-law's suite would only ever be occupied by relatives

or by the property owner. They do not believe the space could be divided and an interior locking door could be installed due to the transition between the two spaces. They are requesting that this dwelling be considered one dwelling unit based upon the definitions provided in the Zoning Ordinance.

Ms. Dell read the Zoning Ordinance's definition of family, dwelling unit and single-family detached dwelling and agreed with Mr. and Mrs. Mintz' interpretation of the definitions. Ms. Dell agreed that this should be considered one dwelling unit.

Dr. Beecher agreed with the Zoning Officer's interpretation of a dwelling unit and said that if the variance would be granted by the Zoning Hearing Board, and the property was sold in the future, the in-law's suite could potentially be renovated to install a locking door between the main house and the in-law's suite. The in-law's suite could potentially be rented to someone other than a relative of the owner without the Township's knowledge. He believes granting the variance is not appropriate and would open the Township up to more requests for similar situations as two dwelling units on one lot is not a permitted use in the R-3 Residential Zone.

Due to lack of a quorum at tonight's meeting, this Zoning Hearing Board application was forwarded to the Zoning Hearing Board without a formal recommendation from the Planning Commission. Zoning Officer Sampere will inform the Zoning Hearing Board members and their solicitor of the discussion regarding this case and reiterate that no formal recommendation could be made at tonight's meeting.

NEW BUSINESS

SK-24-01 – Sketch Plan for York Garber I – West Manchester – to depict the proposed construction of a 15.39-acre solar energy farm facility and related site improvements located at 1750 Taxville Road (Tax Map: IG; Parcel: 0059) in the Agricultural Zone. Briefing.

The applicant requested that this item be tabled due to the lack of a quorum.

SK-24-02 – Sketch Plan for York Garber II – West Manchester – to depict the proposed construction of a 19.07-acre solar energy farm facility and related site improvements located at 1750 Taxville Road (Tax Map: IG; Parcel: 0059) in the Agricultural Zone. Briefing.

The applicant requested that this item be tabled due to the lack of a quorum.

T-887 – Preliminary/Final Land Development Plan for Pine Creek Structures – to depict the construction of a commercial sales yard and related site improvements on a 2.83-acre parcel for Pine Creek Structures (accessory building sales) **located at 4545 West Market Street** (Tax Map: HG; Parcel: 0004K) in the Highway Commercial Zone. Review/Action.

Mr. Joseph Stein of Warehaus gave a brief overview of the preliminary/final land development plan and the requested waivers for the project. Mr. Stein stated that the proposed use of the property will be a sales office and sales yard for sheds, swing sets, playhouses, pergolas and other accessory structures. Mr. Stein explained that there will be a paved two-way access drive at the north of the property connected to the approved Wawa site development and a paved one-way access drive at the south of the property connected to the Wawa site development. There will be no access onto the site from West Market Street (Route 30). There will be stone area where the accessory structures will be placed for display. The

accessory structures will be arranged so a delivery trucks and tow motors can maneuver through the site. Stormwater management is proposed on-site to the north of the project. Traffic to the site is estimated at 15 cars per day, with a maximum of 30 cars per day during sales events. Delivery trucks are estimated to access the site approximately once every 3 months. The site is mainly for display, as the accessory structure orders are typically customized. The display units are rarely sold.

Mr. Stein explained that he received comment memos from the York County Planning Commission, the Township Engineer and the Township Zoning Officer at the in-house staff review. He and his staff are working through the comments and will attend the June 11, 2024, Planning Commission meeting to formally present the plan for review and action.

No action was taken on this item due to the lack of a quorum.

T-888 – Preliminary/Final Land Development Plan for Proposed Flex Industrial Building for 1850 Lemon, LP – to depict the re-development of the parcel for a proposed industrial flex building and associated improvements on a 7.328-acre parcel **located at 1850 Lemon Street** (Tax Map: IH; Parcel: 0030B) in the General Industrial (I-3) Zone. Review/Action.

The applicant requested that this item be tabled due to the lack of a quorum.

T-889 – Preliminary/Final Land Development Plan for Proposed Multifamily Residential Development for Weldon Drive, LLC – to depict a proposed multifamily residential development (building with 24 dwelling units) and associated improvements on a 2.93-acre parcel **located along Weldon Drive** (Tax Map: 05; Parcel: 0037H) in the R-4 Residential Zone. Review/Action.

The applicant requested that this item be tabled due to the lack of a quorum.

DISCUSSION

Zoning Officer Sampere reminded the Planning Commission members that there will be public meeting for the West Manchester Township Comprehensive Plan on May 21, 2024, from 6:30 p.m. until 8:30 p.m. This plan will be used to manage existing and future development and the infrastructure and facilities (parks) on which the quality of life relies. Before the plan is advanced for adoption, the Township invites all Township residents to attend the meeting to give their comments on the plan.

ADJOURN

The meeting adjourned at 7:58 p.m.