

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
February 18, 2009**

A meeting of the Manheim Township Planning Commission was held on Wednesday, February 18, 2009 at 6:30 p.m. The following members were present: Mr. Jeffrey Sturla; Mr. Michel Gibeault; Mr. Robert Wolf; Mr. Cory Rathman; Mr. Donald Reed; Mrs. Mary Ellen Hollinger and Mr. Michael Martin. The following Township staff was present: Mrs. Lisa Douglas and Mrs. Shannon Sinopoli.

Roll Call

Mr. Sturla called the meeting to order at 6:35 p.m. and conducted roll call.

Minutes

Mr. Sturla asked for a motion on the January 21, 2009 Planning Commission meeting minutes.

On a motion by Mr. Reed, seconded by Mr. Wolf, it was recommended to approve the January 21, 2009 meeting minutes.

Motion Approved 7-0.

Comprehensive Plan

Mrs. Douglas indicated that the Comprehensive Plan will be placed on the next Planning Commission meeting agenda's to allow for additional public comment.

Mrs. Douglas indicated that, in addition to attending the Planning Commission meetings to make public comment, the public may also submit comments via mail or email which are copied and forwarded to the planning members and the commissioners.

Mr. Sturla asked for public comment. There was no response.

Subdivision/Land Development Plans

1. **Lancaster Contact Lens** – Preliminary/Final Land Development Plan - 700 Eden Road – Zoned I-1.

Present representing this Preliminary/Final Land Development Plan was Mr. Kevin Varner, Diehm & Sons.

Mr. Varner indicated that this plan is located on the corner of Eden Road and Crooked Oak Drive and consists of a small addition to the existing building located on a 1-acre lot.

Mr. Varner indicated that Zoning approvals were obtained for a few variances necessary due to existing site constraints.

Mr. Varner advised that curbing and sidewalk is being proposed along the frontages of Eden Road and Crooked Oak Drive.

Mr. Sturla questioned what the geotechnical study showed for the current level of groundwater.

Mr. Varner indicated that he thought the level was at 5-feet below surface, but would have to go back through the geotechnical study to verify.

Mr. Varner indicated that the pipes are 3-feet with 1-foot of cover; therefore the bottom of the pipes would be at 4-feet.

Mr. Varner advised that he would contact the Township Engineer to have him verify the groundwater level.

No further discussions took place.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Rathman, seconded by Mr. Gibeault, it was recommended to approve this plan and modifications contingent upon the Township Engineer review of the groundwater condition relative to the elevation of the stormwater pipes and contingent upon a clean review letter.

Motion Approved 7-0.

2. Manheim Township Library - Preliminary/Final Land Development Plan 2099 Fruitville Pike - Zoned R-2.

Present representing this Preliminary/Final Land Development Plan was Mr. John Gazsi, Derck & Edson.

Mr. Gazsi advised that all of the outstanding stormwater issues have been worked out with the Township Engineer and that the latest comments were all administrative.

No discussions took place.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to approve this plan and modifications contingent upon a clean review letter.

Motion Approved 7-0.

3. Lancaster Northwest Gateway/Armstrong Project – Preliminary/Final Lot Add-On Subdivision Plan - Southwest Corner of Stevens Street and Old Manheim Avenue – Zoned R-3.

Present representing this Preliminary/Final Lot Add-On Subdivision Plan was Mr. Jim Boyer, David Miller and Associates.

Mr. Boyer advised that this plan consists of the joining together of seven existing lots into one which will eventually be combined with the adjoining larger tract from the previous subdivision plan which was recently approved and recorded.

Mr. Boyer indicated that the improvements with this proposal, including the streetscape, will be completed in conjunction with the improvements presently underway.

Mr. Boyer indicated that the latest review letter generated only administrative comments.

No discussions took place.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Gibeault, seconded by Mr. Reed, it was recommended to approve this plan and modifications contingent upon a clean review letter.

Motion Approved 7-0.

4. Tom W. Ponessa - Preliminary/Final Lot Add-On Subdivision Plan - 160 Valley Road – Zoned R-3.

Present representing this Preliminary/Final Lot Add-On Subdivision Plan was Mr. Grant Smith, Stackhouse Bensinger Inc.

Mr. Smith indicated that this plan consists of a simple neighbor-to-neighbor land exchange.

Mr. Smith advised that there are no current or long range plans for any improvements to either parcel.

Mr. Gibeault questioned the lack of floodplain labeling on the plan drawing.

Mr. Smith indicated that staff had made such comment and that they will be adding floodplain lines to plans.

No further discussions took place.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Reed, seconded by Mr. Wolf, it was recommended to approve this plan and modifications contingent upon a clean review letter.

Motion Approved 7-0.

Rezoning/Text Amendment/Conditional Use Reviews

1. Manheim Township -Text Amendment Petition to amend the Manheim Township Zoning Ordinance - Wind Energy Systems

Mrs. Lisa Douglas, Manheim Township Planning/Zoning Director presented this Text Amendment Petition.

Mrs. Douglas indicated that there has been some interest in the community to install Wind Energy Systems; therefore staff was directed to address such interest, as well as Solar Energy System usage, by means of adding language to the Zoning Ordinance.

Mrs. Douglas indicated that Wind Energy Systems would be permitted as an accessory use, but limited to the Agricultural District and only by Conditional Use.

Mrs. Douglas indicated that the limit would be a maximum of one per lot and advised that the maximum height would be 85-feet, which is the current height limitation for silos, and would be measured up to the tip of the blade.

Mrs. Douglas indicated that the systems could also be constructed on an existing structure and that the setback for each system would be based on the actual height of the wind system.

Mrs. Douglas stated that in addition to height and setback requirements, there are also requirements proposed including the enclosure of equipment, blade restrictions, climbing restrictions, no advertising and/or signage; noise limitations to 60 decibels and federal aviation requirements when a system is too close to an airport.

Mrs. Douglas indicated that there is also language in the proposed amendment (as well as the following amendment for Solar Energy Systems) to require a landowner to post a performance bond with the Township upon approval and installation of a wind energy system as a vehicle to ensure that such system would be removed upon abandonment of more than 12-months.

Mr. Sturla and Mr. Rathman felt that 12-months for abandonment was not long enough.

Mr. Sturla expressed concern over what would happen in the case of someone trying to sell their home in today's market and that home and system sits for longer than 12-months before selling, and whether or not there should be a time extension clause.

Planning members discussed the need for posing a performance bond.

Mr. Gibeault felt that as long as the systems are maintained and a maintenance agreement is endorsed by the owner, there shouldn't be a need to care how long the system is up.

Planning members were in agreement to remove the requirement for posting a bond.

Mrs. Douglas indicated that she would strengthen some of the language as discussed including removing the word abandon, since it is more a function of stability and structural integrity, which can possibly just be enforced through the zoning ordinance or code department.

Mr. Sturla asked for public comment.

Patron Benjamin Strunk – 229 Bluff View Drive

Mr. Strunk indicated that he saw the energy systems on the agenda and, based on his background and experience with solar and wind energy systems, he thought he could lend a hand with both proposals.

Mr. Strunk indicated that he has a background in power plant engineering and design and got into alternative energy 6-7 years ago and has been involved with construction and design on about 5-6 small wind farms, plus 1.7 mega watts of solar panel installations.

Mr. Strunk indicated that he read through both proposals and thought that they were very well written, however, suggested that a few language revisions and/or additions be applied.

Mr. Strunk suggested that the language clearly state or specify that the maximum height is measured to the "tip of blade" due to manufacturer measurements for height stopping at the center of the hub.

Mr. Strunk provided a brief overview of the technical aspects of wind energy systems.

Mr. Strunk indicated that limiting an owner to only one turbine is really no benefit to anyone in light that it would take 4 to 5 turbines to equal the standard 200 amp service that is found in most homes. Mr. Strunk suggested that it be worded as one turbine "system" for the entire property because of needing more than one turbine to accommodate the utility consumption.

Mr. Sturla asked Mr. Strunk to copy the Township on other municipal ordinances from around the country that address such systems so that the planning members can take a look at what's already out there and what is working.

Mr. Strunk indicated that he would provide such information.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to table this text amendment petition.

Motion Approved 7-0.

2. Manheim Township - Text Amendment Petition to amend the Manheim Township Zoning Ordinance - Solar Energy Systems

Mrs. Lisa Douglas, Manheim Township Planning/Zoning Director presented this Text Amendment Petition.

Mrs. Douglas indicated that this amendment has similar language as the previous Wind Energy System petition, however, Solar Energy Systems would be permissible as an accessory use in any zoning district (as opposed to just the Agricultural District) and without the need to go through the conditional use process.

Mrs. Douglas indicated that the solar systems would be permitted on an existing roof or on the ground and would need to adhere to the requirements of each individual underlying zoning district for purposes of height and setback requirements.

Mrs. Douglas advised that the panels and the structure of a solar system are considered one complete system.

Mrs. Douglas stated that in addition to the standard height and setback requirements, there are also requirements proposed to include unnecessary glare, no advertising and/or signage and federal aviation requirements.

Mrs. Douglas advised that this amendment also has the performance bond and abandonment language in it, similar to the wind system requirement, which will be reviewed and revised.

After a brief discussion, it was also recommended to remove the color restriction language from the amendment.

Mr. Sturla asked for public comment.

Patron Benjamin Strunk – 229 Bluff View Drive

Mr. Strunk indicated that he felt that this amendment was a good blue print, however, appeared to be very residentially oriented and that the commercial and industrial users may suffer.

Mr. Strunk provided a brief overview of the technical aspects of solar energy systems.

Mr. Strunk thought that two separate text amendments, breaking out requirements for residential use versus commercial use, would be beneficial.

Mr. Strunk indicated that the standard color for solar systems is black.

Discussions involving the screening of the mechanical units took place.

In reference to the requirement for the posting of a performance bond, Mr. Strunk advised that solar energy units are portable, therefore, requiring the posting of a bond would not be necessary because a land owner would take the system with them when they move and the fact that an owner would still be making money if it remains plugged in.

Mr. Sturla questioned the need for a noise decibel restriction language which would place a cap on the noise level for the standard rating amongst manufacturers.

Planning members suggested adding language to exclude mirrored systems and felt that splitting the requirements for residential users versus commercial users was a good suggestion.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to table this text amendment petition.

Motion Approved 7-0.

Public Comment

There was no public comment.

Adjournment

On a motion by Mr. Gibeault, seconded by Mr. Rathman, it was recommended to adjourn the meeting.

Motion approved 7-0 and the meeting adjourned at 8:05 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, March 18, 2009 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli