

**ABBOTTSTOWN BOROUGH PLANNING COMMISSION
MINUTES
May 9, 2006**

CALL TO ORDER – The meeting was called to order by Chairperson Becky Fengfish at 7:02 p.m. on Tuesday, May 9, 2006. Member present in addition to Becky, was Craig Peterson. Jeannie Warner and Mark Leonard arrived after the call to order and Rick Meckley was unable to attend. Others in attendance were Tom Ladue, Borough Engineer and Toni Fenker, Secretary/Treasurer. Warren Moore, Zoning Officer was not able to attend. Visitors present were Mr. Craumer, Mr. Holtzinger, Mr. Doug Kollmar of Worley Surveying, Mr. and Mrs. Shearer and numerous residents of Sutton Road.

DISCUSSION ON PROPOSED BERWICK TOWNSHIP SUBDIVISION ON KINNEMAN ROAD- Mr. Clark Craumer presented a preliminary plan and requested a letter from the Borough indicating approval of the access onto Kinneman Road as required by the Township due to the Borough being responsible for maintenance of the road. He indicated that a traffic study had not been prepared because it was not a requirement for approval based on the plan containing only 27 town homes. The Borough Engineer saw no problems with the access. Craig made a motion to recommend to Council that the approval be granted. Second by Mark and carried. Because actual approval of Borough Council is required, Mr. Craumer requested to be placed on the Council agenda for the next meeting.

APPROVAL OF MINUTES of April 11, 2006 was delayed until a quorum was present. Mark motioned to approve. Second by Jeannie and carried.

DISCUSSION ON SUTTON RUN ESTATES- Mr. Doug Kollmar of Worley Surveying was present to discuss the revised preliminary plan submission of 4/24/06. He indicated he was continuing to work with the Sewer Authority regarding the pump station location, that he had received a verbal approval from Jeff Hines of York Water Co. for water service, that the storm water management plan revisions were still underway and that he expected to receive and submit the Traffic Impact Study from Herb Miller within the next two (2) weeks. He and the Borough Engineer discussed several issues regarding the revisions and remaining outstanding items. Tom informed him that he could request a waiver from the Planning Commission on the wetlands approval from the Army Corp of Engineers to obtain preliminary plan approval but that with the waiver, the approval from the Corp would be necessary prior to final plan approval. Tom explained also that he would prefer that the enforcement of the easement agreement in General Notes #12 rest with the Homeowners Association. Tom pointed out that a reverse subdivision approval from the Borough was necessary and Doug indicated it had not yet been

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done. Doug stated that the proposed easement at the intersection of White Pine and Sutton Roads was not in place yet. Tom indicated he had no issues with a stub street indicated on the plans. There were extensive questions from the Sutton Road residents and discussion between the residents, the Commission and the Developer's and Borough's Engineers regarding the proposed widening of Sutton Road and its impact on the residents. The road is currently approximately 16' wide and the Borough Engineer explained that the ordinance requires it to be a 36' wide cart way (paved area) with a 60' right of way due to the fact that it will become a collector street. The current plans show improvement to only a portion of the road with only a 23' cart way. The current right of way is 40' to 50' along sections of the road. The Borough Engineer explained to the residents that the developer would have to compensate them for any additional right of way and that there would be no way to change the ordinance requirement of road width, but that the developer could request a waiver from Borough Council. He also explained that until the Traffic Impact Study was completed we would not know for sure exactly what the requirements for the road improvements would be and that it was premature to make assumptions on where the widening would impact. He assured residents that the road improvement cost would be borne by the developer per ordinance. A resident was concerned that the development would negatively impact his taxes and was assured by Chairperson Becky Fengfish that there would be no tax impact to the current residents because the taxes are born by the purchasers in the form of real estate transfer taxes and everyone's annual real estate taxes are based on their own property appraisals. She also explained that the Planning Commission and Borough Council could not deny someone the use of their land as long as they met all ordinance requirements in the zoning, subdivision and development of it, even if the members did not personally like the plan. Mr. Kollmar indicated that he would forward the traffic study in his receipt to the Borough so that it could be reviewed by the Commission at the next meeting. He indicated that he would not return to meet with the Commission until July or August because it would take some time to address the issues in the most recent review of the plans.

OLD BUSINESS-

The secretary reported that the Chronister/Miller Final Plans had not yet been received and that Mr. Duncan had decided not to submit plans for improvements to the Hoffbrauhaus, as did Mr. Holtzinger for his property on W. King St. All other items of old business related to prior applications are under referral to the Borough Solicitor for enforcement action.

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OTHER BUSINESS

DISCUSSION ON HOLTZINGER, 586 W. King St. property-

Mr. Holtzinger attended to question the Commission and the Borough Engineer on the need for a storm water management plan for his proposed addition to the existing Beauty Salon. He complained that the cost of the necessary plans for the improvements were more than the cost of the improvements themselves. He also questioned how the Abbotts Manor development ever got approval and accused someone of having been paid off for the approval. The entire Commission and the Engineer attempted to explain the ordinance requirements to him to no avail. He believes that it is ridiculous to expect the same plans for a small dollar project as a high dollar project. When he was asked why he felt that he should not be subject to the same law as all other property owners in the borough he had no response. He has not submitted a land development plan and withdrew his request for a setback variance from the Zoning Hearing Board.

OLD BUSINESS-

All items of old business related to prior applications are under referral to the Borough Solicitor for enforcement action. Warren explained the current status of the Beiler Box/G & S Foods land development plan.

The Secretary explained that Borough Council was awaiting Adam's County review letters on the SALDO amendments and that they would have to be advertised prior to being enacted.

ADJOURNMENT –There being no further business to discuss, Mark Leonard made a motion to adjourn at 8:27pm. Second by Craig Peterson and carried.

Respectfully submitted,

**Toni Fenker, Secretary Treasurer
Abbottstown Borough Planning Commission**