

# Mount Joy Borough Planning Commission Minutes February 12, 2020



The February 12, 2020, Planning Commission meeting was called to order at 7:00 PM, by Chairperson Wendy Melhorn. Commissioners Sweigart, Deering, Miller, Rebman and Alternate Dohl were present. The Mount Joy Borough Zoning Officer, Stacie Gibbs and the Borough Manager, Samuel Sulkosky were present.

## **REORGANIZATION**

**No corrections to the current By-Laws were made.**

**On a motion by Miller and a second by Rebman, Wendy Melhorn was nominated for Chairperson and accepted the position. *Motion carried 6-0.***

**On a motion by Miller and a second by Rebman, Wendy Sweigart was nominated for Vice Chairperson and accepted the position. *Motion carried 6-0.***

## **MINUTES**

**On a motion by Sweigart and a second by Miller, the January 8, 2020, minutes were approved with corrections. *Motion carried 6-0.***

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Deering expressed his concerns regarding the recommending and granting of waivers to applicants. Deering advised if this is going to continue then why is it in the ordinance. Gibbs advised any ordinance has the option to request waivers. Gibbs advised the Zoning Ordinance has the option for variances and special exceptions, and the Property Maintenance Code allows for appeals to the Council. Deering advised the ordinance is a law and it is there for a reason. Deering advised the request of a waiver of a traffic study for Farmview Revised Plan became a big discussion item at the last Council meeting. Gibbs asked if Deering would consider this for all sections of the ordinances. Deering advised the requests and granting of waivers of having to remove the downspouts through sidewalks is becoming a problem. Sweigart advised that she believes everyone should be able to apply for waivers or exemptions, and it is up to the Commission to make recommendations. Dohl advised having certain language in the ordinance allows the Commission to review the requests on a case by case basis. Dohl advised a traffic study for 20 townhome units in the back of a dead end is not really necessary. Dohl further advised that we need to have the 20-unit language requirement for a traffic study in the ordinance otherwise somewhere else it will not be this type of development. Miller advised that every waiver that has been recommended since he has been on the Commission has been reasonable.

## **PUBLIC COMMENT**

Ned Sterling, 13 W. Main Street, asked if the Complete Street Survey was done by the County. Sulkosky advised the survey was done by our consultant. Sulkosky advised this is part of the grant we received for the creation of a Complete Street Guidebook.

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## UPDATES

The Planning Commission was provided a copy of the monthly Zoning and Code Officer report by email.

## NEW BUSINESS

Todd Smeigh with DC Gohn Associates, Inc. on behalf of his client Cawley Real Estate, LLC (Mount Joy Dental Associates), owner of 1210 E. Main Street, Mount Joy, PA, was present and requested recommendations for approval for transfer of 0.48 acres from TE Connectivity located at 1250 E. Main Street, Mount Joy, to Cawley Real Estate Management (Mount Joy Dental Associates). Smeigh advised there are no proposed improvements with this plan.

Smeigh advised this has been in the works since 2017, but the dentist could not get in touch with the right people. He advised in 2019 they finally got ahold of the right people. Smeigh advised his client has a signed agreement to get additional land for additional parking. Smeigh advised the additional parking is not part of this plan. Smeigh advised the employees park across R230 and it is unsafe.

Smeigh advised the current property is just under .5 acres and the additional land they are adding on is about the same. Melhorn asked if there is a future plan to expand the building. Smeigh advised there is no plan to expand the building. Smeigh advised there is enough land being transferred for parking and stormwater management.

Dohl asked if they are getting all the land they wanted to get, or did they want more. Smeigh advised they may end up with about 40 parking spaces. Deering advised if he wanted to expand the building in the future could he expand in the rear. Smeigh advised he would probably not be able to expand because originally it was a walk-out house and all he has below is storage. Smeigh advised building code and elevations would become an issue. Smeigh advised he wants to do a patio for his staff out back. Smeigh advised he believes he got enough land that everyone would agree too.

**The Planning Commission recommended Council approve a Lot Line Change Plan for the subdivision and transfer of 0.48 acres from TE Connectivity located at 1250 E. Main Street, Mount Joy, to Cawley Real Estate Management (Mount Joy Dental Associates) 1210 E. Main Street, conditioned upon recording a new deed for 1210 E. Main Street, as enlarged, with a perimeter legal description within 30 days after the Plan is released for recording. *Motion carried 5-0.***

## OLD BUSINESS

The Planning Commission reviewed a draft ordinance and information regarding tiny homes and had an in-depth discussion. The Commission requested staff invite the Borough Solicitor to their next meeting to continue discussion and answer questions to assist the Commission in moving forward with a draft ordinance. Here are some of the key take away points from the meeting:

- Interest shown in being able to permit the conversion of existing garages into tiny homes
- Permit as a principal use in all residential districts. This was a key point of disagreement. Perhaps discussing the pros and cons.
- Permit accessory dwelling units on all lots. Not just lots that have an existing single-family dwelling.

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- Remove any language associated with the conversion of a single-family home to two units, one being an accessory dwelling unit.
- Assistance is needed to determine number of people permitted to reside in a tiny home
- Allow tiny homes to be rentals and not require the owner to live on the lot whether in the principal dwelling or accessory dwelling.
- How many accessory dwellings to allow for? Some folks have multiple units on their lot already. One owner has a single-family home along Main Street with 3 mobile homes in rear. Want to be able to replace mobile homes with accessory dwelling units.

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**On a motion by Miller and a second by Sweigart, the Planning Commission meeting of January 8, 2020, was adjourned. *Motion carried 6-0.***

Respectfully Submitted,

Stacie Gibbs, Zoning, Code and Planning Administrator