

Mount Joy Borough Planning Commission
January 13, 2016 Minutes



The January 13, 2016, Planning Commission meeting was called to order at 7:00 PM, by Vice Chairperson Wendy Melhorn. Commissioners Rebman, Sweigart, Miller and Deering were present. The Mount Joy Borough Zoning Officer, Stacie Gibbs was also present.

Wendy Melhorn welcomed Josh Deering to the Planning Commission.

The Planning Commission was provided a copy of the proposed revised By-Laws. The By-Laws included new language from Act 42 regarding alternate members. Wendy Sweigart was concerned regarding the fact that the Commission could have at least one alternate, but no more than three. Gibbs advised that Council only approved one alternate, but there is an option that the Commission could recommend up to three alternates. Sweigart questioned how would it be determined then which alternate would serve in a voting capacity. Sweigart advised that she is concerned that the Chairperson would have that sole discretion to choose which alternate served. Miller advised that Council could appoint alternates in an "A, B, C" fashion. Gibbs advised that it is not required to have that language in the By-Laws, but only an option that is now allowed under Act 42. The Commission requested the language regarding the option to have three alternate members be removed. Rebman questioned the language regarding the, "disqualification of a member by the governing body." Rebman asked if the governing body was Council and why would a member have to be disqualified. Gibbs advised that Council is the governing body. Miller advised that it is his interpretation that Council could disqualify a member if they have an application before the Commission for development, and they do not recuse themselves from the actual voting of the application. Rebman advised that would be unethical anyway. Miller agreed.

On a motion by Miller and a second by Rebman, the By-Laws were approved as amended.

Motion carried 5-0.

REORGANIZATION

On a motion by Miller and a second by Rebman, Wendy Melhorn was nominated for Chairperson. *Motion carried 5-0.*

On a motion by Rebman and a second by Sweigart, nominations for Chairperson were closed. *Motion carried 5-0.*

Wendy Melhorn accepted the nomination. On a motion by Sweigart and a second by Miller, Wendy Melhorn was appointed to Chairperson. *Motion carried 5-0.*

On a motion by Rebman and a second by Miller, Wendy Sweigart was nominated for Vice Chairperson. *Motion carried 5-0.*

On a motion by Rebman and a second by Miller, nominations for Vice Chairperson were closed. *Motion carried 5-0.*

Wendy Sweigart accepted the nomination. On a motion by Rebman and a second by Miller, Wendy Sweigart was appointed Vice Chairperson. *Motion carried 5-0.*

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MINUTES

On a motion by Sweigart and a second by Rebman the December 9, 2015 minutes were approved with corrections. *Motion carried 5-0.*

PUBLIC COMMENT

Ned Sterling asked if the Commission's By-Laws can be placed on the Borough website. The Commission and Gibbs advised that they would do that.

Ned Sterling asked the Commission if they were aware that Borough Council agreed to remove the Coleman property from the Historic Registry. The Commission acknowledged that they are aware of that.

Ned Sterling asked the Commission if they knew whether or not Council budgeted monies for a Hiking and Biking feasibility study. The Commission and Gibbs advised that they do not believe there was any monies budgeted for that.

Brian Youngerman, requested that the Planning Commission consider a concept regarding the Zoning Ordinance going forward. Youngerman advised that there may be a more effective way to make changes moving forward that is more feasible. Youngerman advised that perhaps certain items like the Historic Registry could be severed from the Zoning Ordinance and just referenced in the Ordinance. This way if Council wanted to make changes to the list, they could do so. Melhorn asked if Council planned on removing any more of the properties on the registry. Youngerman advised that if Council was presented with that request, they would have to take it under advisement. Rebman advised that the Commission worked hard on that list for two years, and although he kind of agreed with Mr. Coleman's request to remove his property from the list, he would not be in favor of removing any other property from the list. Youngerman advised that a huge task has been placed on the Council by making them the body that decides whether or not a property on the list should be demolished. Youngerman advised that he did not confirm yet if a list like the Historic Registry could be just referenced in the Zoning Ordinance and removed. Youngerman advised that this would allow a simple change to be done without going through a long and expensive process.

Gibbs advised that it is her understanding that because the Zoning Ordinance is regulated under the Municipalities Planning Code, certain things are required like advertising, holding a public hearing and sending those requests to the Lancaster County Planning Commission. She was not aware that a table, appendix or registry could just be referenced and therefor changed at any time.

Sweigart advised that she would have a real hard time being in favor of something like that where the public would not get to comment, and the Commission would not get to review and make recommendations. Sweigart advised that although it may seem like a better idea for a less costly and time consuming process, not having the public involved would not be a good idea.

Gibbs further advised that some municipalities do have their Floodplain Regulations and Map separate from the Zoning Ordinance. Gibbs advised that changes do not take place to the Floodplain Regulations or Map unless FEMA advises that changes need to be made.

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Josh Deering advised that the proposed new Zoning Ordinance has been in the works for two years now. Council and the public had every opportunity to come in and make comments.

Youngerman advised that he is not suggesting we obtain the Solicitor's feedback just yet. Youngerman advised that he may have discussions with the Administration and Finance Committee.

Kim Bare, 33 Penn Court Drive, advised that she is all for government making things easier, but not if it would mean losing any of the properties on the registry. Bare advised that the properties on the registry contribute to the character of the Borough.

Ned Sterling advised that Gibbs did a tremendous job defending the properties on the registry to Council.

UPDATES

The Planning Commission was provided a copy of the Zoning and Code Officer report by email. The Planning Commission was also provided a copy of the Zoning and Code Officers annual report for 2015.

Gibbs also announced that the new Borough website is up and active. She requested the public and the Commission view the site, subscribe to the RSS feed option and check out the new Stormwater Reporting page.

OLD BUSINESS

On a motion by Sweigart and a second by Miller, the Planning Commission recommended Borough Council delete Chapter 270, Zoning in its entirety and insert the new Chapter 270, Zoning as presented. Motion carried 5-0.

NEW BUSINESS

On a motion by Sweigart and a second by Miller, the Planning Commission recommended Borough Council authorize the Planning Commission and Borough Staff to research grant opportunities, and have discussions regarding a biking and hiking connection trail in Mount Joy Borough. Motion carried 5-0.

Gibbs advised that this request will also be a long project. Gibbs reminded the Commission of the action items provided to them from the Donegal Comprehensive Plan regarding completing the "Emerald Necklace," providing greenspace amenities and developing a Master Plan for the Little Chiques Creek Greenway and Trail. Gibbs advised that Dave Christian and Associates did do a study and create a plan some time ago. Gibbs advised that some of that can be used as a tool, as well as the Official Map of the Borough. Gibbs recommended that a new Feasibility Study and revised Master Plan be created that is separated into Phases.

The Planning Commission was provided a copy of the existing Official Map to review as recommended by Council, at the beginning of each year. Gibbs advised that there have been no comments or requests to make any changes to the Map. No action taken.

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On a motion by Rebman and a second by Miller, the Planning Commission adjourned. *Motion carried 5-0.*

Respectfully Submitted,

Stacie Gibbs, Zoning Officer