

PEQUEA TOWNSHIP PLANNING COMMISSION
MINUTES of May 3, 2012

Call to order: A regular meeting of the Pequea Township Planning Commission was held on May 3, 2012. The meeting convened at 6:33PM in the main meeting room of the township's municipal building at 1028 Millwood Road, Willow Street, PA 17584. Members of the commission in attendance were: Mrs. Lucy Gillichbauer, Mr. Michael Hess, Mr. Robert Reidenbach, Jr., Mr. Bill Schall and Mr. Fred Witmer. Others in attendance were: Mr. Mark Deimler and Mr. Bob Heckrote.

Mr. Hess moved to accept the minutes as proposed, seconded by Mrs. Gillichbauer. The minutes were approved as read.

Mr. Deimler commented that the current zoning ordinance requirement, which requires that special exceptions be initially heard by the planning commission (PC), needlessly holds up the approval process for applicants. He explained that special exceptions are permitted uses with conditions and if an applicant meets those conditions then the township really can't deny the applicant's request. Because of this, any comments by the PC, either in support of or in disapproval of, special exception requests are ultimately inconsequential to the approval process. Mr. Reidenbach asked if there was an informal way that the PC be kept abreast of special exception requests. Mr. Deimler responded that he could notify PC members via email of upcoming special exception requests but iterated that all residents have the right to comment on special exceptions heard by the Zoning Hearing Board. The PC would not, however, be making formal comments in its capacity as a municipal agency. Mr. Deimler stated that it was going to be his recommendation to the Board of Supervisors (Board) to strike the clause in the current zoning ordinance requiring applicants to present their special exception requests initially to the PC. He also confirmed that there were a few other items in the current ordinance that he felt needed changed and was going to make those recommendations to the BOS at the same time. He informed the PC that if the Board agreed with his recommendations that a resolution would be compiled and that the PC would have a chance to review, and comment on, that amendment. Mr. Schall moved to recommend to the Board that they amend Section 1902 of the current zoning ordinance to strike the last sentence of that section. That sentence currently reads: *"The plan shall be submitted for review to the Township Planning Commission, which may authorize a member to appear and present evidence containing their comments to the Zoning Hearing Board, if the Planning Commission decides to comment."* Mr. Hess seconded. Motion carried. Mr. Witmer moved that we draft a letter from the planning commission to Mark, Connie and the Board of Supervisors requesting that Mark forwards any applications for exceptions to us as well as his other recipients at the same time with a short note explaining why we want this. Mr. Hess seconded. After a brief discussion, Mr. Witmer amended his motion to include all zoning hearing board applications. Mr. Reidenbach seconded. Motion carried 4-1 with Mr. Schall opposing.

Mr. Deimler then led a discussion about the Lancaster County Planning Commission's (LCPC) informal review of the Revised Zoning Ordinance (Draft) presented to the planning commission in January of this year. He said that

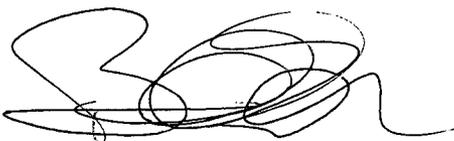
both he and the LCPC had made recommendations for changes to the Draft. The bottom line was to determine whether the revised zoning ordinance could serve as a base to which those changes could be implemented or basically start over and incorporate those changes. He said that a good zoning ordinance extends from the comprehensive plan, needs to have public participation and that this should be the role and focus of the PC. Mr. Deimler expressed concern that the Draft apparently had no public or PC participation during its creation. Because it was created by one or two individuals, he pondered how it expresses the interests and concerns of the community. He also commented that there were many potential legal issues regarding the Ag zoning district in the Draft, suggesting that there were sections that would not hold up in court and furthermore do not meet the County's guidelines for effective Ag zoning area.

Mr. Reidenbach asked whether it would be cheaper to start over. Mr. Deimler expressed concern for a lack of continuity in an ordinance that is piecemealed together. Mr. Reidenbach then asked if a better product could be obtained for the same cost, Mr. Deimler responded that it would depend on the direction the Board would take and to whom they would contract with for the project. Mr. Deimler further confirmed the County's characterization that the existing Draft would require a major overhaul in order to get it to the point where the county could support the zoning ordinance.

Mr. Hess moved that the planning commission take no further action on the draft of the revised zoning ordinance, that we recommend to the Board of Supervisors that they start the process of creating a new zoning ordinance and recommend to the Board of Supervisors that they amend current ordinances to address issues that will be presented by Mr. Deimler. Mr. Witmer seconded. Motion carried unanimously.

Mr. Schall asked Mr. Deimler if the comprehensive plan should be reviewed or revised concurrently with a new zoning ordinance. Mr. Deimler concurred that it would a good idea to take a look at it. Mr. Schall then moved to recommend to the Board of Supervisors that the township update its comprehensive plan. Mr. Hess seconded. Motion carried unanimously.

The meeting was adjourned at 8:04PM.



Bill Schall, Secretary

06/07/12

Date of Approval