**M I N U T E S**

**LOWER SWATARA TOWNSHIP \*REGULAR MEETING**

**PLANNING COMMISSION MARCH 26, 2020 7:00 P.M.**

\*Tonight’s meeting was an electronic meeting held via Zoom due to the COVID-19 restrictions.

Meeting was called to order by Chauncey Knopp at 7:00 P.M. with the following present:

Chauncey Knopp, Chairman

Eric Breon, Vice Chairman

Dennis Fausey

James Young

Peter Henninger, Solicitor

Ann Hursh, LST Planning & Zoning Coordinator

Others in Attendance:

Betsy McBride, Township Manager

Absent:

Tonya Condran, Recording Secretary

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES:**

Mr. Knopp asked if there was a motion to approve the Febuary 27, 2020 meeting minutes. Motion was made by Mr. Fausey to approve the minutes and seconded by Mr. Young. All were in favor. Minutes were approved.

**NEW BUSINESS:**

None.

**OLD BUSINESS:**

**Discussion of the recodification of the Lower Swatara Township Ordinances.**

Mrs. Hursh explained that months ago she went over all the changes with the Planning Commission. The changes were minor: conflicting items, grammar issues, some typos, the penalties being made standard, etc. These changes are done so now it must go through the Planning Commission approval and then the Board of Commissioners. It is up for adoption at the April 1, 2020 BOC meeting.

Mrs. Hursh started with Zoning, Chapter 27, Section 27-2015. She explained that they added Township Planning and Zoning Director and Building Code Official, Fire Chief and the Planning Commission. Most of the changes are like that, just minimal. On page 51, they added the section for Land Development definition. They amended the “Sunshine Act” definition. We removed the reference to Chapter 75, which was Solid Waste Management. We deleted the whole section of “Flood Plain” because it was in another section, Chapter 8.

Mr. Henninger added that this recodification is to make things consistent; there were different penalty provisions for different sections of the subdivision/zoning ordinances. We also cleaned up requirements as far as electronic submissions. It wasn’t much more than that.

Mr. Breon asked how they go about approving this…individually or as a whole.

Mr. Henninger responded that because this recodification involves these administrative changes, it has to come through the township Planning Commission because it references Subdivision and Land Development, so he feels we can handle it all at once. Unless there is an issue with any of the proposed revisions. Some things that we changed or added were: definitions in Land Development to be consistent with the MPC, revised mail notice definition, added No Impact Business, revised the Sunshine Act definition which was from 1986 to the current definition from 1998, deleted references to Chapter 75, changed Fire Marshall to Building Code Official, and changed the fire protection references to the Uniform Construction Code, and the BOCA National Building Code is now the International Building Code. So it is basically just administrative changes, it doesn’t really change anything within the “guts” of the Zoning Ordinance at this time.

Mrs. Hursh went on to explain the changes within the Subdivision and Land Development changes. Section 22-204 had a typo that needed corrected. Section 22-405, tells people how many copies are needed at submission of plans. Instead of sepia copy, we replaced that with a digital copy. Section 22-407, the same, we replaced the sepia copy with a digital copy and there was a typo. Sections 22-502 and 22-502.4.f, typos also. Section 22-608 references fire hydrants, which was a duplicate, so they took it out of here and just left it in the Zoning Ordinance. Section 22-609, there was a reference to the Shade Tree Commission, so they removed that since the Shade Tree Commission hasn’t been active in years.

Mr. Henninger wanted to give kudos to Ann Hursh and Don Fure for reviewing the entire codification as part of this process. He added that there were other duplications and conflicts that were corrected. He also elaborated on eliminating the Shade Tree Commission, saying that it was not needed in the 35 years that he has been with the township, so they just took it out along with any references to it. He also wanted to clear up what “shade trees” are. They are basically the trees that run along the streets, usually between the curb and sidewalk. We still have provisions though.

Mr. Breon asked if this only has to deal with trees that are in the right-of-way.

Mr. Henninger replied that is basically what that means. And the reason they decided to get rid of that, was because we never really did anything with it, but we still have provisions that require attention if your tree is overhanging into the right-of-way, so it doesn’t affect that. The Shade Tree Commission was all about what type of trees could be planted, and if you could remove the tree, would you have to replant the tree…and we just never got into that with regards to those trees along the roads. We still have provisions that require the property owner to trim them up so our plow trucks, garbage trucks, and whatever else can get through there.

Mrs. Hursh added that we do not allow trees to be planted between the curb and the sidewalk anymore because it causes a maintenance nightmare.

Mrs. Hursh continued with discussion about the approval blocks on the plans. Years ago, the plans were filed by Plan Book and Page, but now they are filed by using an Instrument Number by the Recorder of Deeds. So that was changed.

Mrs. Hursh continued with Section 24-404, the Preliminary Plan procedure. It used to say that 14 days before the meeting was the Planning Commission deadline. When we had one plan at a time, that was adequate; however, we have been getting many large plans (UPS, D&H, Wilsbach, etc.), two weeks is not enough so we added that the new deadline is now 28 days before the meeting. This will give HRG more time to review. They also added that we require a digital copy upon submission.

Mr. Henninger said that it also makes sure they are submitted in time for County comments.

Mrs. Hursh said we also changed that the Final Plan must be submitted to the Township Zoning Coordinator instead of the Code Enforcement Officer. The Preliminary Plan and the Final Plan both must be submitted 28 days prior to the meeting and both require a digital copy upon submission.

Mr. Henninger said that anywhere it referenced “Zoning Officer” was changed to “Zoning Coordinator” because that is the title of the position in Lower Swatara Township.

Mr. Henninger summed it up that all that was changed besides typos and corrections, what that we now have a 28 day deadline, we now need a digital copy instead of sepia copy, and the elimination of the Shade Tree Commission. So now all we would need from the Planning Commission members is a recommendation to the Board of Commissioners to approve the recodification. This is on the BOC agenda for next Wednesday, April 1, 2020.

Mr. Young asked at this time about the Sign Ordinance.

Mrs. Hursh responded that she is working on the Sign Ordinance and it should be ready for review at the next Planning Commission Meeting. She is modeling it off of the Montgomery County Sign Ordinance, so if anyone wanted to look at that ordinance, just type “Montgomery County Sign Ordinance” in the search bar of your browser.

Mr. Young asked Mr. Henninger about the 40 foot height limit that two of our recent plan submissions had asked for variance on. Mr. Young wanted to know if that would be up for discussion any time soon.

Mr. Henninger said yes, we could discuss that and any other Zoning Ordinance changes when we discuss the Sign Ordinance.

Mrs. Hursh said if the Planning Commission could think of anything else like that, to please send her an email with their concerns and she will add it to the list. She already has on the list the six foot height limit for commercial fences. She feels this is not good enough for some of these warehouses that stores goods.

Mr. Henninger agrees that having to go through a Zoning Hearing to put a ten foot fence up is ludicrous. He added that we took care of lighting some years ago and he thinks we are good with our parking regulations now, but the Sign Ordinance and the Fence Ordinance are clearly outdated.

Mr. Young asked what the time frame was on accomplishing this Sign Ordinance revision.

Mr. Henninger said it may be a two or three month process. He also wanted to add that concerning electronic billboards, one of his clients (Lamar Advertising) could come to explain all the federal regulations, what they do and why they do it. Mr. Henninger just wanted to make the disclaimer that he does their local zoning work. Off-site advertising is an area that has changed mightily over the years.

Mr. Knopp asked Mrs. Hursh if this is something we need to do at this point.

Mrs. Hursh said that she felt we should wait until we have something to look at, then if the Planning Commission has questions on it or concerns or need more information, we could go from there.

Mr. Knopp asked if there was a recommendation on the recodification of the Lower Swatara Township Ordinances.

Mr. Young made the motion to recommend the approval of the changes.

Mr. Fausey seconded the motion.

All were in favor.

**OTHER BUSINESS:**

The next Planning Commission Meeting will be held on Thursday, April 23, 2020 at 7:00 P.M.

**ADJOURN:**

A motion was made by Mr. Breon and seconded by Mr. Fausey to adjourn the meeting. All were in favor.

Meeting adjourned at 7:55 P.M.

Respectfully Submitted,

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Ann Hursh, Planning and Zoning Coordinator