

**Minutes of the Regular Meeting of the  
PALMYRA BOROUGH PLANNING COMMISSION**

Wednesday October 1, 2014

Jim Hartman called the meeting to order at 7:00 p.m. in the Council Chambers of the Palmyra Municipal Building, 325 S. Railroad Street, Palmyra, PA, 17078.

**Attendance:** Jim Hartman, Steve Ricker, Mark Smith, Joe Templin, and Gretchen Van Scyoc were present. Borough Manager Roger Powl was also present.

**Approval of Minutes:**

A Motion was made by Mark Smith, seconded by Joe Templin, to approve the September 3, 2014 meeting minutes as written. **Motion Carried.**

**Public Comment:** None

**Action & Discussion Items:**

1. **Ordinance #757 - Street Vacations:**

The Planning Commission reviewed an ordinance that proposes to vacate S. Prince Street south of E. Oak Street; S. Mark Street south of Orchard Drive; N. Lincoln Street south of Spruce Street at Fireman's Park, and; a north/south paper alley south of Spruce Street that is also on the Fireman's Park property. Mr. Ricker asked why the Borough would be vacating the portion of N. Lincoln Street that is to serve as the new main entrance for Fireman's Park as designated on the plans for the park upgrade project, and Mr. Powl responded that this was a suggestion by the Borough Solicitor but, he apologized that he could not recall the specific reasons for the suggestion and explained that he would follow-up and provide the answer to that question via an e-mail to the Planning Commission members. Mr. Hartman explained that the width of the paper alley on the Fireman's Park exhibit is very hard to read, and expressed concern that the Borough Solicitor was not requiring the preparation of surveyed plats and legal descriptions indicating the right-of-way dimensions, distances, and bearings for the areas being vacated. Mr. Powl explained that Staff provided the Solicitor with the GIS maps to be used as exhibits in the ordinance as she requested. He further explained that he believed surveyed plats were not necessary since the deeds for the underlying land already references the right-of-way that will be extinguished and new deeds will no longer reference the public right of way. Mr. Powl explained that the Solicitor was out of the country on vacation and he will revisit this issue with her upon her return and advise the Planning Commission members of her explanation.

A **Motion** was made by Steve Ricker, seconded by Jim Hartman, to make a recommendation to Borough Council to grant all necessary waivers of the Palmyra Subdivision & Land Development Ordinance so that the Borough of Palmyra will not be required to prepare, submit, and obtain approval of a subdivision & land development plan for the Fireman's Park upgrade project. **Motion carried.**

A **Motion** was made by Jim Hartman, seconded by Steve Ricker, to make a recommendation to Borough Council to enact Ordinance #757, with a further recommendation to provide plat & legal descriptions for Exhibit "B" and Exhibit "C", and, that all exhibits be signed and sealed by a certified professional land surveyor. **Motion carried.**

2. **Palmyra Draft Zoning Ordinance - Palmyra SALDO Amendment:**

Mr. Powl explained that he provided the SALDO amendment and all other remaining revisions requested by the Planning Commission to planner Harry Roth so that he could produce the final update to the Draft Zoning Ordinance. Mr. Roth returned the 3<sup>rd</sup> and Final Draft of the Zoning Ordinance with highlighted changes in just a few days. Mr. Powl explained the he was provided with a finalized Zoning Map, and

the entire ordinance in Microsoft Word, which completes the Borough's contract with Mr. Roth. Any further revisions will need to be done in-house by Borough Staff or outsourced at additional cost to Mr. Roth, or another consultant. The Planning Commission discussed how to proceed from this point. Mr. Powl explained that the Regional Comprehensive Plan was adopted by Borough Council at their March 26, 2013 meeting, therefore, the Draft Zoning Ordinance needs to be enacted by Borough Council by March of 2015 to comply with the two-year time limit established by the PA Municipalities Planning Code (MPC) for adopting a zoning ordinance in support of a comprehensive plan. Mr. Powl explained that, as a requirement to secure the validity of the zoning ordinance, Section 607(b) of the MPC requires the planning agency hold at least one public hearing, the governing body is also required to conduct a public hearing, and the County planning agency must be given a period of 45-days prior to the governing body's scheduled public hearing to review and comment on the proposed Draft Zoning Ordinance. Mr. Powl explained that the Planning Commission also needs to determine if they feel the Draft Zoning Ordinance is in a final form suitable to be formally presented to Borough Council for their consideration and enactment. Ms. Van Scyoc expressed a desire to delay the public hearing to a couple of weeks after the November meeting to allow time for the Planning Commission to read through the ordinance to check Mr. Roth's edits. After a brief discussion, the Planning Commission took the following action:

A **Motion** was made by Jim Hartman, seconded by Steve Ricker, to advertise a public hearing, as required by the PA Municipalities Planning Code for the Draft Zoning Ordinance, to occur at the November 5, 2014 Planning Commission meeting. **Motion carried 4-1, with Gretchen Van Scyoc opposing.**

A **Motion** was made by Jim Hartman, seconded by Steve Ricker, to forward the Draft Zoning Ordinance onto Borough Council for their final review and approval, contingent upon the Planning Commission having the ability to add additional revisions to the Draft Zoning Ordinance prior to final enactment by Borough Council. **Motion carried.**

3. Shadowstone - Waiver of the Land Development Process:

Mr. Powl explained that Mark Johnson of RGS Associates submitted the waiver request for the requirements of preparing, submitting, and obtaining a fully engineered land development plan for the planned addition of two manufactured housing units on private street stubs that will no longer be needed and will be abandoned by Shadowstone. Mr. Powl explained that the waiver request submission was complete but, did not meet the deadlines for action at this meeting. Due to the nature of the request and the briefing previously provided to the Planning Commission by Mr. Johnson, Mr. Powl decided to add the waiver request to this month's meeting agenda for the Planning Commission's consideration. After a brief discussion, the Planning Commission agreed to take the following action:

A **Motion** was made by Jim Hartman, seconded by Mark Smith, to make a recommendation to Borough Council to grant waivers of Sections 318-4(A), 318-4(E), and 318-4(F) of the Palmyra Subdivision & Land Development Ordinance so that Shadowstone will not have to prepare, submit, and obtain approval of a land development plan for the addition of two new manufactured housing units on existing private street stubs that will be abandoned, contingent upon: Shadowstone preparing a stormwater management plan by a professional engineer in compliance with the Palmyra Stormwater Management Ordinance, and, recording said plan, which shall show all existing, new or relocated, and to be extinguished stormwater easement areas. **Motion carried.**

3. Lennard C. & Pamela J. Sheriff Final Subdivision Plan(521 & 523 W. Cherry St):

Mr. Powl explained that he has had no contact from Matthew & Hockley Associates concerning this plan since the last meeting. He confirmed that the current time extension will expire on November 30<sup>th</sup>.

**Communications:** None.

**Other Business:**

1. Mr. Ricker asked for an update on the new Sheetz, and Mr. Powl explained that since municipalities are now required by PennDot to submit Highway Occupancy Permits (HOP's) on behalf of developers, the Borough Solicitor has been working with Sheetz attorney Ron Lucas of Stevens & Lee on a stormwater management agreement for the stormwater facilities to be installed within the PennDot right-of-way. Basically, the agreement stipulates that the Sheetz, as the owner, will maintain the stormwater facilities on behalf of the HOP applicant, the borough. Mr. Powl explained the he has not heard anything new on this agreement so, he is assuming that this is where the delay on the project lies.
2. Mr. Smith asked if the Palmyra Public Library has given any indication on whether they will relocate permanently to the former Fulton Bank building on the Town Square. Mr. Powl explained that Borough Councilman Bob Longenecker, who also serves on the Library Board, explained at a recent Borough Council meeting that the Library Board is elated at the potential that the Square location provides the Library. Mr. Longenecker also informed Council that they are very aware that the plans for the new firehouse hinges on the Library's decision to build at the municipal campus or not, therefore, they are working to hire an architect to study the feasibility of the Fulton Bank building to serve as a library, with a necessary addition, and to have a decision made by the end of this year.
3. Mr. Ricker inquired about the status of the cell tower proposed for the Borough owned property on the northeast corner of Main Street & Lingle Ave, and Mr. Powl responded that the attorney representing the cell tower company was very ill and could not attend the scheduled September zoning hearing so, the Zoning Hearing Board granted a continuance until October 20<sup>th</sup> beginning at 5:30 p.m.
4. Mr. Templin reported that the eastern most fuel pump at the Turkey Hill along W. Main Street has been sinking and it appears nothing is being done to correct the situation so, he expressed concern that a possible sinkhole is beginning to form, which may swallow the fuel pump. Mr. Powl will report this to Light-Heigel for investigation to determine if anything can be done to force repairs.
5. Mr. Ricker reported that the 900 Block of E. Maple Street appears to be sinking again. Mr. Powl explained that this has been a nagging issue that warrants further study. He explained that he is going to try and include money in the 2015 Budget to have a geophysical study conducted there, similar to what was done for the 300 Block of E. Cherry Street, to determine how more permanent repairs can be made.

**Adjournment:**

A **Motion** was made by Steve Ricker, seconded by Mark Smith, to adjourn the meeting at 8:23 p.m. **Motion Carried.**

Respectfully Submitted,

Roger E. Powl  
Borough Manager