

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
March 18, 2009**

A meeting of the Manheim Township Planning Commission was held on Wednesday, March 18, 2009 at 6:30 p.m. The following members were present: Mr. Jeffrey Sturla; Mr. Michel Gibeault; Mr. Robert Wolf; Mr. Cory Rathman; Mr. Donald Reed; Mrs. Mary Ellen Hollinger and Mr. Michael Martin. The following Township staff was present: Mrs. Lisa Douglas and Mrs. Shannon Sinopoli.

Roll Call

Mr. Sturla called the meeting to order at 6:35 p.m. and conducted roll call.

Minutes

Mr. Sturla asked for a motion on the February 18, 2009 Planning Commission meeting minutes.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to approve the February 18, 2009 meeting minutes.

Motion Approved 7-0.

Comprehensive Plan

Mr. Sturla indicated that the Comprehensive Plan will be placed on the next couple of Planning Commission meeting agenda's to allow for public comment with the hopes that further discussion amongst planning members and recommendation will be forthcoming in May or June.

Mrs. Douglas indicated that, in addition to attending the Planning Commission meetings to make public comment, the public may also submit comments via mail or email which are copied and forwarded to the planning members and the commissioners.

Mr. Sturla asked for public comment. There was no response.

Subdivision/Land Development Plans

1. **Landis Homes Retirement Community, South Campus – Preliminary Subdivision/Land Development Plan - 1001 East Oregon Road – Zoned Institutional.**

Present representing this Preliminary Land Development Plan was Mr. Craig Smith and Mr. Mark Hackenburg, RGS Associates and Mr. Linford Good, applicant.

Mr. Smith provided an update to the plan and indicated that initially the plan included the proposal for both conventional stormwater management basins and Legacy Sediment for future purposes.

Mr. Smith indicated that due to the timely process of obtaining joint permits for the Legacy Sediment, the floodplain improvements have been removed from this plan and that the applicants will be coming back with the Legacy Sediment proposal at a later date.

Mr. Smith advised that a meeting was held with staff and Rick Kane, Township Emergency Management Coordinator, regarding the issue of providing a second access for emergency vehicle purposes.

Mr. Smith indicated that they are proposing a secondary access and are currently working out the details for the construction.

Mr. Hackenburg indicated that the applicant would like to delay the construction of the secondary access and not propose it with the submission of Phase I. Mr. Hackenburg asked the planning members what they felt would be the trigger for the construction of the secondary access.

Staff advised that during discussions, it was agreed upon by the applicant to construct the second access with Phase I, however, that further discussions with Mr. Kane can take place to obtain his opinion on when the construction of the second access should occur.

Mr. Smith discussed the requested modifications and indicated that based on the latest staff review letter, an additional request is being made for Specific Permission for the work in the floodplain involving the proposed bridge and culvert outfalls.

A brief discussion took place regarding the modification request of providing sidewalk along the access drives.

Mr. Smith indicated that in lieu of providing the sidewalk along the drives, the applicant is proposing an interior bituminous path network system throughout the site.

Planning members suggested that the applicant add path connections along the private roadways to connect with the proposed path system.

Mr. Smith indicated that those additional connections will be added to the plan drawings.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to table this plan and modifications until all outstanding comments can be adequately addressed.

Motion Approved 7-0.

2. **2363 Oregon Pike – Preliminary Subdivision/Land Development Plan - 2363 Oregon Pike (corner of Oregon Pike & Landis Valley Road) – Zoned B-3.**

Present representing this Preliminary Subdivision and Land Development Plan was Mr. Bill Swiernik, David Miller and Associates and Mr. Dave Marschka, applicant.

Mr. Swiernik presented the proposed traffic improvements and indicated that the proposed improvements are in addition to and go beyond what is required by the Worthington project.

Mr. Swiernik indicated that there will be two left turn lanes and one right turn lane added at the intersection heading north on Oregon Pike.

Mr. Swiernik indicated that the two left turns onto Landis Valley Road will have approximately 340-feet to a merge point.

Mr. Swiernik discussed the requested modifications.

Discussions took place regarding the need for sidewalk along the full frontage of Oregon Pike and Landis Valley which encompasses the Universal Athletic parcel and the Village of Olde Hickory parcel.

Mr. Marschka indicated that he is having discussions with both of these property owners to coordinate the construction of sidewalk.

Mr. Swiernik indicated that there are stormwater and geotechnical comments that need to be worked out.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Rathman, seconded by Mr. Reed, it was recommended to table this plan until all outstanding comments can be adequately addressed.

Motion Approved 7-0.

Rezoning/Text Amendment/Conditional Use Reviews

1. **Manheim Township -Text Amendment Petition to amend the Manheim Township Zoning Ordinance - Wind Energy Systems**

Mrs. Lisa Douglas, Manheim Township Planning/Zoning Director presented this Text Amendment Petition.

Mrs. Douglas indicated that since the February Planning Commission meeting, revisions have been made to address some of the concerns and/or suggestions made during that meeting.

Mrs. Douglas indicated that she met with Mr. Ben Strunk who was present at the February meeting and knowledgeable about Wind and Solar Energy Systems, however, there are still some items that need to be looked at further.

Mrs. Douglas indicated that some of the revisions include the definition for height to indicate measured to the tip of blade; further defined language restricting the system for use by the property owner only; utility grid connection approvals; additional language pertaining to the height of the system; mechanical equipment requirements and maintenance and ownership language to replace the proposal for the posting of a performance bond.

In response to the restricting of the system for use by the property owner only, Mr. Sturla pointed out that such restriction would prevent a property owner from selling back to the grid.

Mrs. Douglas indicated that language could be added to permit that provided that the property owner enters into an agreement with a utility provider.

Lengthy discussions took place regarding the maximum number of wind energy systems per lot.

Mrs. Douglas indicated that the initial intent was to restrict a property to one (85-foot maximum) wind "turbine", not one wind "system" which could comprise of 5-10 turbines, however, after conducting further research and from information provided by Mr. Strunk, one turbine may not be sufficient enough to power everything that a property owner wishes to connect.

It was also discussed that some wind systems may only have a height of 10-feet, in which case the restriction to only one turbine would be overkill.

Different suggestions were made on how to determine a maximum number of turbines per lot.

Mr. Strunk suggested that it be based on lot area or one grid connect, however, one grid connect could mean 12 turbines.

Mrs. Sinopoli suggested basing it on acreage, such as properties that have between 1-3 acres would be limited to one turbine; properties with 4-6 acres would be limited to 2 turbines; 7-10 acres 3 turbines, etcetera with a maximum cap of twelve permitted turbines on any single lot.

Mr. Sturla stated that if the sole purpose of these systems is just for the property owner, then maybe the service rating could be the definitive number.

Mr. Gibeault stated that with technology changing daily, a number really cannot be determined right now, and suggested that it just be limited to one or two turbines and let the process dictate the need for additional amendments to the ordinance.

Everyone agreed that a vehicle to restrict the maximum number while providing for flexibility needs to be further investigated.

Discussions regarding setback distances took place and planning members felt that the language for setbacks should also be reconsidered and tightened, especially for properties abutting residential uses/districts.

Mr. Sturla asked for public comment. There was no response.

Staff indicated that the new date for the public hearing is May 11, 2009.

On a motion by Mr. Gibeault, seconded by Mr. Wolf, it was recommended to table this text amendment petition.

Motion Approved 7-0.

2. Manheim Township - Text Amendment Petition to amend the Manheim Township Zoning Ordinance - Solar Energy Systems

Mrs. Lisa Douglas, Manheim Township Planning/Zoning Director presented this Text Amendment Petition.

Mrs. Douglas indicated that since the February Planning Commission meeting, revisions have been made to address some of the concerns and/or suggestions made during that meeting.

Mrs. Douglas indicated that the solar systems would be permitted on an existing roof or on the ground and would need to adhere to the requirements of each individual underlying zoning district for purposes of height and setback requirements.

Mrs. Douglas indicated that the initial intent of this ordinance was geared towards an individual property owner as an accessory use.

Mrs. Douglas advised that some of the revisions included adding language restricting the user to the property owner; utility grid connection approvals; height requirements; lot coverage percentage and mechanical equipment requirements and maintenance and ownership language to replace the proposal for the posting of a performance bond. In addition, the language pertaining to the color of the systems has been removed.

Discussions took place regarding what the percentage of lot coverage permitted for ground mounted systems should be.

Planning members felt that most residential users will not eat up all of their yard area by covering it with solar panels and that these ground mounted types of systems are more inevitable for a commercial user.

Mr. Sturla felt that there should be two separate ordinances for solar energy systems, one geared towards residential usage and one geared toward non-residential uses.

After further discussion, planning members felt that there should be two solar energy ordinances, separating the residential user or residential district versus non-residential users or a non-residential district.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Rathman, seconded by Mr. Gibeault it was recommended to table this text amendment petition.

Motion Approved 7-0.

Public Comment

There was no public comment.

Adjournment

On a motion by Mr. Reed, seconded by Mr. Rathman, it was recommended to adjourn the meeting.

Motion approved 7-0 and the meeting adjourned at 10:00 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, April 15, 2009 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli