

APRIL 4, 2007
WAYNESBORO, PA 17268
PUBLIC HEARING RE: PROPOSED
AMENDMENTS TO SUBDIVISION/LAND
DEVELOPMENT AND ZONING ORDINANCES

Council President Richard George called the public hearing to order at 7:15 p.m. with the following in attendance:

Borough Council Members – Allen Porter, Jason Stains, Craig Newcomer, Richard George, Charles McCammon and Allen Berry

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benshoff, Maintenance Superintendent
Kevin Grubbs, Head of Engineering Services
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Ray Shultz, Police Chief
Ron Flegel, Fire Chief

Mr. George stated that the purpose of the hearing was to discuss proposed ordinances amending the Subdivision and Land Development Ordinance and the Zoning Ordinance of the Borough of Waynesboro. The hearing was duly advertised in *The Record Herald* on March 20th and March 27th, 2007. Those wishing to comment for the record were asked to rise; and President George administered the oath.

With regard to the proposed ordinance amending the Zoning Ordinance, Kevin Grubbs noted that the proposed amendments were reviewed by the Waynesboro Planning Commission on several different occasions (due to revisions recommended by the Commission, as well as the Borough Solicitor). He testified to the following::

- October 16, 2006 - First review by Planning Commission (revisions recommended)
- December 12, 2006 - Second review by the Planning Commission (additional revisions recommended)
- January 8, 2007 - Reviewed again by the Planning Commission (more revisions recommended)
- February 12, 2007 - Waynesboro Planning Commission recommended that Borough Council proceed with advertisement of the proposed ordinance for adoption
- February 21, 2007 - Borough Council reviewed the proposed ordinance and approved advertisement of the public hearing to be held on April 4th
- March 6, 2007 - Delivered a copy of the proposed amendment to the Franklin County Planning Commission for review and comments

- March 20 and 27, 2007 - Proposed amendment to ordinance advertised in *The Record Herald*
- April 3, 2007 - Received comments from the Franklin County Planning Commission in support of proposed amendment

Mr. George requested a brief explanation of the proposed amendments to the existing ordinance.

Borough Solicitor Melissa Dively explained, as follows:

- Section I, regarding definition of “Alley” and Section II, regarding definition of “Street” – these changes came about as a result of an issue Council met with last spring (an alley that was called an avenue or street, but did not conform with the definition of a street). This language makes it clear that if a particular thoroughway does not conform to the definition of a street, it is (by default) an alley. A list of ordained streets will be maintained by the Borough.
- Section III, regarding non-conforming uses – Council requested a change in the previous timeframe for repair/replacement of damaged non-conforming uses, which outlined “commencement within two (2) years and completion within four (4) years” and is being changed to “commencement within one (1) year and completion within two (2) years” ... otherwise, the non-conforming use is thereby abandoned.
- Section IV, regarding signs – the Planning Commission gave much time and consideration to addressing signs affixed to a building to make it clear that they shall not be more than 12 feet in height above the normal mean external finished grade of the building to which the sign is mounted; and in all events, a business sign affixed to a building must remain below any portion of any window on a second story.

No further questions or comments were voiced regarding proposed amendments to the Zoning Ordinance.

With regard to the proposed amendments to the Subdivision and Land Development Ordinance, Kevin Grubbs testified to the following:

- February 12, 2007 - proposed amendment reviewed by the Waynesboro Planning Commission and Borough Solicitor (after review, they recommended that Borough Council proceed with advertisement of a public hearing and consideration of the proposed ordinance for adoption)
- February 21, 2007 - Borough Council reviewed the proposed amendment and approved advertisement of the proposed amendment for discussion at a public hearing on April 4th
- March 6, 2007 - a copy of the proposed amendment was delivered to the Franklin County Planning Commission for review and comment
- March 20 and 27, 2007 - proposed amendment was duly advertised in *The Record Herald*
- April 3, 2007 - received correspondence from the Franklin County Planning Commission (no comment offered, due to the fact that this is an internal change to Borough policies)

Mr. Grubbs noted that there was some concern raised at the last Council meeting regarding the proposed change in the submission deadline from ten (10) days to thirty (30) days prior to the Planning Commission meeting. He explained that 30 days will coincide with the Franklin County Planning Commission's review period; it will allow additional time for review/revisions by the Planning Commission, Borough Council members and staff; it will ensure that utility issues can be addressed by the Waynesboro Borough Authority and/or approved and in place; it will allow sufficient review time by the engineering consultant (alleviating the need for approval contingencies); and it will provide adequate time for issues regarding variances and/or special exceptions to be applied for prior to the Planning Commission's recommendation for approval.

Mr. Grubbs also noted that the Municipalities Planning Code, as well as other neighboring municipalities, require a 30-day submission deadline. He feels that this change will make the review process for the Borough of Waynesboro much more efficient. He added that, if approved, a 60-day enactment date will apply to the changes; and he plans to work with the developers to ensure that they are aware of the change.

Councilman Newcomer questioned the need for twenty (20) sets of drawings, as this is quite an expense for developers. Mr. Grubbs explained the distribution process, noting that individual copies are provided for all Planning Commission and Borough Council members. Discussion ensued, and it was the consensus of Council that a compromise to fifteen (15) drawings could be made. Council members agreed to waive the need for individual copies and will be responsible to viewing a set of plans on file at the Borough Office. Due to this change, Solicitor Dively recommended that the proposed ordinance (with this amendment) be re-advertised. (She added, however, that another public hearing is not required for this change.)

Hearing no further comments, the hearing was adjourned at 7:37 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant