

APRIL 18, 2007
WAYNESBORO, PA 17268
PUBLIC HEARING RE: PROPOSED RECYCLING
CENTER

Council President Richard George called the public hearing to order at 7:00 p.m. with the following in attendance:

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

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benschhoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Kevin Grubbs, Head of Engineering Services
Ray Shultz, Police Chief

Mr. George noted that the purpose of the hearing was to discuss the proposed Recycling Center at 100 E. Sixth Street, Waynesboro, PA, as required under Zoning Ordinance No. 937, Article VII - Conditional Uses, Section 33 and 34 “Junk Yard”. Those in attendance will be given the opportunity to present and ask questions concerning the matter.

Mr. George further noted that Borough Council will consider the Recycling Center Land Development Plans for approval at their regularly scheduled meeting this evening, beginning immediately after the public hearing.

The hearing was duly advertised in *The Record Herald* on April 4th and April 11th, 2007. Those wishing to comment for the record were asked to rise; and Mr. George administered the oath.

Kevin Grubbs testified to the following –

- Reiterated advertisement of the public hearing in *The Record Herald* on April 4th and April 11th
- Waynesboro Planning Commission reviewed the plans submitted after revisions were requested; and made a recommendation to Borough Council for approval of those plans, based on all conditions (including those under the “Conditional Use” section for junk yards).
- Public notification was sent out in accordance with the Zoning Ordinance

Don Kornfield noted that the matter was carefully reviewed (and approved unanimously) by the Waynesboro Planning Commission. A variance was granted for a buffer zone along Sixth Street (across from an industrial zone and industrial facility). The buffer was put in place in all areas of the new facility that adjoin a residential use. In addition, a 90-day turnover is part of the plan – meaning that nothing will be accumulated and stored at the facility for over 90 days. This facility is located in a junk yard zone; and the owner is requesting Council’s approval for the conditional use (the actual use

will be a recycling center). The Zoning Hearing Board also unanimously approved the requested variance; and Mr. Kornfield added that their proposed use plan for the property is appropriate. The owner of the property was also present to answer any questions Council may have regarding the matter.

Kevin Grubbs stated that the Planning Commission set forth certain conditions to be met under the conditional use section of the Zoning Ordinance, as follows:

- 1) No material shall be placed in any junk yard in such a manner that it is capable of being transferred out of the junk yard by wind, water or other natural causes.
- 2) The boundaries of any junk yard shall at all times be clearly delineated.
- 3) All paper, rags, cloth and other fibers, and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.
- 4) The land area used for junk yard purposes shall not be exposed to public view from any public street or road by virtue of its location on a hillside or location on a plateau below street level.
- 5) Such junk yard shall be entirely enclosed by a solid fence or wall, at least eight (8) feet but no more than ten (10) feet high, constructed of plank boards, brick, cinder block or concrete, with access only through solid gates. The fence or wall shall be situated no closer to any street or property line than fifty (50) feet, such fence or wall shall be kept in good repair and neatly painted in a uniform color.
- 6) The contents of such a junk yard shall not be placed or deposited to a height greater than the height of the fence or wall herein prescribed.
- 7) Between the fence or wall and the street or property line, buffer plantings shall be placed that are either:
 - (a) One (1) deciduous tree (one and one-half [YT] inch caliper minimum) at an average of one (1) tree per forty (40) lineal feet or buffer plus one (1) evergreen tree (three [3] foot minimum height) at an average of one (1) tree per twenty (20) lineal feet of buffer; or
 - (b) One (1) deciduous tree (one and one-half [YZ] inch caliper minimum) at an average of one (1) tree per forty (40) lineal feet of buffer plus one (1) deciduous shrub (three [3] foot minimum height) per four (4) lineal feet of buffer. Shrubs shall be privet, forsythia or vibernum species.
- 8) All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects or other vermin. When necessary, this shall be accomplished by enclosure in containers, raising of materials above the ground, separation of types of material, preventing the collection of stagnant water, extermination procedures or other means.
- 9) No explosive, toxic, radioactive or highly flammable materials shall be kept on the property.
- 10) No burning shall be carried on in any junk yard. Fire shall be prevented and hazards avoided by organization and segregating of stored materials, with particular attention to the separation of combustibles from other materials and enclosure of combustibles

where necessary (gas tanks shall be drained), by the provision of adequate aisles (at least fifteen [15] feet) for escape and firefighting and by other necessary measures.

11) All vehicles must be drained of all liquids before they are placed in the junk yard. An impervious base, free of cracks and sufficiently large for draining liquids from all vehicles, shall be provided. The base should be sloped to drain to a sump or holding tank and liquid shall be removed from the site as often as is necessary to prevent overflow of the system. Curbing around the pad must be able to retain run-off from a 100 year, 24 hour storm. All hazardous liquids shall be properly disposed of according to the Department of Environmental Resources' rules and regulations.

12) A Land Use Permit shall be obtained on an annual basis.

Stephen Monn, a member of the Waynesboro Planning Commission, commented that the business owner was very cooperative and followed through with every suggestion throughout the planning process. He feels that this should be "a good use for the property".

Solicitor Melissa Dively recommended the record indicate that the applicant has noted agreement with all conditions read by Kevin Grubbs. The owner/applicant stated his name (Paul Brandon Williard) and concurred with all conditions presented.

Councilman McCammon questioned if the Zoning Hearing Board had placed any stipulations on the variance granted. Kevin Grubbs noted there were none.

Hearing no further questions or comments, the public hearing was adjourned at 7:10 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant