

Select Committee Minutes

August 25, 2014

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The regular meeting of the SELECT COMMITTEE to review comments from the Public meetings on the proposed Zoning Ordinance was held this evening at the Township Administration Building, 8230 Old York Rd, Elkins PA. The following Select Committee members were present: David Cohen, Eric Leighton, Bryan Havir, Brad Pransky, Ameer Farrell and Henry Sekawungu. The Select Committee convened at 5:45 p.m., and continued with reviewing the summary notes from the Public Meeting held on February 26, 2014 as follows:

Q16: Allowing a bar next to Wyngate seems like extreme zoning. Was sustainability taken into consideration?

Select Committee Response:

- The Committee tried to balance responsible development opportunities with sustainability. Sustainability was addressed by increasing setbacks and buffering. Additionally having a 25% limitation in relation to the bar is helpful but most of these types of limitations go hand in hand with the licensing.

Q17: What percentage of our current land use is commercial versus residential? And will this increase under the proposed zoning?

Select Committee Response:

- About 10% is currently commercial. This percentage would increase under the proposed zoning but not by much. The Committee also agreed to re visit the Cemetery portions along Route 309 and consider rezoning this as commercial, in addition to the High School and Cedarbrook areas.

Q22: How do you police the 25% limitation referenced in C-36?

Select Committee Response:

- The limitation may be based on the kind of liquor license issued by the State. That would be monitored by the Pennsylvania Liquor Control Board (LCB), or police (pg. 49). The way this is written will allow for more restrictions.

Q4: Why is there a requirement to go through the land development process for a Bed and Breakfast (B&B) establishment if there are no proposed site improvements?

Select Committee Response:

- The Committee held a lengthy discussion on Bed and Breakfasts. Checks and balance would be through zoning unless there is a proposed expansion of the parking area. The Committee agreed that this could be an enforcement problem if not regulated. They agreed that there was a need to have minimum standards in place through the Zoning process, but also needed a permitting process. Bed and Breakfasts may be permitted in most districts but with restrictions. The Committee went over the different regulating aspects and came up with the option of regulating them by special exception. An annual inspection should be required instead of the Subdivision and Land Development review process.

Response to comments from the March 26, 2014 Public Meeting

Q3: Are there design elements in the C2 District?

Select Committee Response:

- If located in the C2 District, the idea is to reduce the scale. The Committee discussed the provisions and design requirements. It was determined that no design standards currently existed and they agreed to consider including them in addition to building standards. The Committee will relook at the proposed standards, and come up with less generic standards that will be across the board for both C1 and C2.

Q4: When this process started in 2005, the Wyngate development was just a golf course and the Zoning changes may not have taken the new development into consideration. C1 might be better Zoning for the Wyngate area.

Select Committee Response:

- The July 2013 minutes stated that the committee did not desire to have this zoned as C1. The Select Committee agreed to change the “service station” language to “Gas Station”. The Committee will clean up the definitions for fueling stations/convenience stores, or similar uses, but parcels need to be the right size. For use C-9: Convenience Store:, the Committee will need to add language that delineates the specific district. [Under C. Commercial Uses, use C-30: Supermarket: b, the conditions of use...should be changed to C-28 (Retail Store) instead of C-26].

Q7: A question was brought up again about not wanting a bar and again this should be critical enough to respond but have not heard anything back. There appears to be a lack of synergy and inability to get any feedback.

Select Committee Response:

- As part of the process, the select committee is going through the questions.

Q8: What is the process for collecting and getting information to the Commissioners? How about placing the emails on a site that would be open to the Commissioners and citizens and give comments a fresh view where by anyone can look at them.

Select Committee Response:

- Q8 thru 14 boils down to process.

Q16: What is going to be the financial impact of this zoning change on assessed values, resale values and tax revenue/base?

Select Committee Response:

- This comes down to a three part answer as follows:
 1. The Township can ask the County to do the analysis.
 2. Can hire a private consultant familiar with financial impact studies.
 3. Can do nothing altogether due to the cost associated.A suggestion was made to also do a sampling of the different districts. Overall, a financial analysis is a big undertaking but given the options, Commercial

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developments generally will yield more benefits and more funding to the school district while residential developments may end up as a cost to the district.

The meeting adjourned at 7:10 p.m.



Bryan T. Havir
Township Manager

as per Henry Sekawungu