

Birmingham Township Planning Commission (BTPC)
Minutes of the meeting January 10, 2017

The regular meeting of the BTPC was called to order by Ms. McCarthy at 7:30pm in the township building.

PRESENT: Nick DiMarino, Scott Garrison, Eric Hawkins, Dan Hill, Mary Pat McCarthy, Frone Crawford

ABSENT:

Also present: Ross Unruh, Esquire and Earl Stoltzfus (1345 Wilmington Pike, UPI#65-4-81.2)

A motion to approve the minutes of the December 13, 2016 meeting was made by Nick DiMarino and seconded by Mary Pat McCarthy. Motion carried unanimously.

Public Comment:

Mr. Unruh re-introduces his motion to amend the C-1/C-2 rear yard setback requirement in the proposed zoning ordinance section 122-45G. The re-worded zoning ordinance proposes that the 100 foot setback be adjusted to a 50 foot setback when the rear property line abuts a non-residential property; which is the case for the property Mr. Stoltzfus has a lease to purchase agreement on. Mr. Crawford reads his re-worded 122-45 D and G zoning sections. He suggests that the discussion last month indicated that the PC did not have any real issues with making this proposed change, but rather wanted to verify there would not be any negative ramifications in the future if this change is incorporated into the ordinance.

Mr. Crawford notes that he drafted into the ordinance language for C1 and C2 limiting the Floor area ratio which should address the issues the PC had for future buildings if and when the two parcels are combined. This proposed change is found in section 122-45 D.

Motion to approve the re-worded ordinance amendments to section 122-45 D and G(1 &2). (please see attached) was made by Nick DiMarino and was seconded by Mary Pat McCarty. Motion passed unanimously.

Mr. Unruh is going to prepare this document and send it on to Kristin and the BOS for the February meeting.

Mr. Stoltzfus asks if he needs to move forward with a special exception for the rear set-back change. Mr. Unruh states that no special ruling will be necessary as this proposed amendment to the ordinance will handle that. Since this is an amendment to the ordinance that was approved by the BOS at the January meeting, this change will require a hearing prior to being adopted.

Mr. Unruh is going to file a Conditional Use application (under the expectation that this proposed change to the ordinance will be adopted).and will be back at a PC meeting in the near future. The applicant is doing this because he is under time constraints for financing, etc.

Election of Officers for 2017:

The election of officers was handled at the December meeting. However, the HARB liaison was not directly identified at that time. It was decided tonight that Scott Garrison will be the HARB liaison.

New Business:

Nick DiMarino notes an open item about title searches on the remaining properties in the township that can be developed and their deed restrictions from the October meeting. Mr. Crawford will revisit this issue.

Mr. Shirring suggests that the PC move forward with an ordinance addressing drones before it becomes an issue. Mr. Hill asks how it will relate with the federal law on this issue. Mr. Shirring notes that the most recent CLE that he attended on this topic addressed many of these issues. Discussion ensued and Mr. Shirring will provide guidance to the PC after he discussed with the BOS.

Motion to adjourn the meeting was made at 7:55pm by Mr. DiMarino and seconded by Mr. Garrison and approved unanimously. Next meeting is scheduled for February 14, 2017.

Respectfully submitted,
Jennifer A. Boorse
PC Secretary