

Minutes – June 12, 2019

McSherrystown, Pennsylvania
Zoning Hearing – Conditional Use

Council of the Borough of McSherrystown met at 7 p.m. on Wednesday, June 12, 2019 in the Municipal Building, 338 Main Street, McSherrystown, Pennsylvania with Patricia D. McKim-Bortner presiding.

President McKim-Bortner led the Pledge of Allegiance to the Flag of the United States of America and the Invocation for Divine Guidance.

Present on roll call were the following members of Council constituting a quorum: Patricia D. McKim-Bortner, Michael J. Calderone, James A. Forbes, Robert D. Niedererr, Lisa Koontz, and Stephen J. Pascoe. Other Borough Officials in attendance included: Mayor Anthony J. Weaver, Justin George, Esq., (Substituting for Robert Campbell, Esq., Solicitor,) Scott J. Cook, Manager/Zoning Officer and Gerald C. Walmer, Secretary/Treasurer. Michael F. Woods, Chief of Police was absent.

The hearing has been scheduled on the application of Alexia Colin requesting approval for a conditional use of the McSherrystown Zoning Ordinance, Chapter 215-10 (B) – Home Occupation to install a lawn shed on her side yard area as an office and for sales of boutique items. The property, located at 505 South St. is in an R-1 Residential District.

Manager Cook noted that the hearing was legally advertised on 5/21 & 5/28 in The Gettysburg Times and proof of publication was received. The property was posted on the front and rear and a notice was placed in the Borough office. The applicant/property owner has applied for a conditional use hearing and notices were sent to neighboring property owners.

Zoning Officer Cook explained that the property is at 505 South St. and that the applicant resides at the same. The applicant has applied for a conditional use hearing to allow for the installation of a lawn shed on the property to be used as an office for online sales and direct sales on the premises. Cook went on to advise the Council that the applicant had been advised of the off-street parking requirement and would have to provide parking for the existing house as well.

Justin George, Esq. asked if any members would like to be a party to the hearing and advised that public comments would be heard at the end.

Applicant Alexia Colin was sworn to tell the truth by Justin George, Esq.

George listed the requirements for conditional use permits to be issued and that they must be met or considered for the permit to be granted.

Joseph E. Vonsas, Vice President arrived at 7:06

Applicant Alexia Colin described how her small business had grown and wanted to

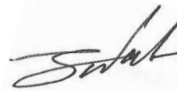
Minutes – June 12, 2019

expand to a “She Shed.” Colin said she would be selling clothing and accessories and did not know the percentage of direct-to-customer sales that would take place in the new building. She also stated that there would be no employees. Giovanni Colin, the applicant’s husband, said the building would be about 30’ x 21’. Manager Cook was asked what the allowable floor area of the building could be by ordinance. He said about 400 sq. ft. Manager Cook also relayed that under the home occupation ordinance, a business had to have less foot traffic than a commercially zoned area due to the residential zoning of the community. Councilmember Forbes recommended that the building be positioned in the rear of the existing residence due to the proximity of parking. Manager Cook agreed with Councilmember Forbes because of neighbors, off-street parking, and foot traffic. A new sketch was not necessarily needed if the building was placed in the rear of the existing home advised Manager Cook. Councilmember Pascoe commented that the town was landlocked and any new business would be a good thing for the community. Neighbor David Groff expressed concern over parking. Councilmember Pascoe described existing businesses that had brought higher traffic volume to the area already and said that there shouldn’t be any concern of a slight increase. Manager Cook said a lawn shed was permitted.

Councilmember Neidererr moved a motion to grant approval for the conditional use under the McSherrystown Zoning Ordinance, Chapter 215-10 (B) – Home Occupation to install a lawn shed so long as it met zoning requirements, is in the rear of the lot, and has a stone parking lot. Councilmember Koontz seconded, motion carries.

Written confirmation of Council’s decision will be sent to Alexia Colin, applicant/owner.

Adjournment was declared at 7:25 p.m.



Gerald C. Walmer
Borough Secretary

Minutes – June 12, 2019

McSherrystown, Pennsylvania

Council of the Borough of McSherrystown reconvened at 7:26 on Wednesday, June 12 2019 in the Municipal Building, 338 Main Street, McSherrystown, Pennsylvania with Patricia McKim-Bortner presiding.

President McKim-Bortner made a request to approve regular meeting minutes from May 8th and the special meeting on May 21st. Councilmember Pascoe made a motion to approve and was seconded by Councilmember VonSas, motion carries.

The Financial Review and Budget Analysis reports had previously been distributed to the Borough Council by Manager Cook. Councilmember Pascoe asked if there was anything out of the ordinary with regards to the Borough's fiscal condition. Manager Cook said that there was nothing out of the ordinary and that all bills had been paid and everything was up to date.

President McKim-Bortner officially adjourned the prior held zoning hearing and dismissed stenographer Lacy Kern.

COMMUNICATIONS

5/06/19 – Local Governments and Schools: “Enhance Your Financial Insight” Presented by SEK on 7/24/19. Secretary/Treasurer Walmer will be attending the free seminar. Manager Cook requested for a motion to be made to send Walmer to the seminar. Councilmember Forbes made the motion to approve and was seconded by Councilmember Koontz, motion carries.

PUBLIC PARTICIPATION

Kathy Todt addressed a safety concern with covered trailers associated with the carnival at 3rd Street. Mayor Weaver explained that the safety concern had been addressed by having the fence and trailers moved closer to the location where they had been in prior years.

REPORTS

Mayor Weaver reported that the carnival was going on and that it was packed. He thanked the public participant for bringing up the safety issue with the trucks and fencing along 3rd Street.

Police Chief Woods was absent. Councilmember Neidererr asked about the excessive number of traffic stops over the prior month. Mayor Weaver reported that the high

Minutes – June 12, 2019

number of stops was not necessarily tickets given, but that the high number of stops was related to a new officer not having investigations and court appearances to make. The Council requested to meet the new officer at the next monthly meeting.

Manager Cook's report for the month of May included the following:

- 1) Swept up anti-skid stone for Borough office parking lot and washed down entire area.
- 2) Installed "No Parking" signs on garage doors and police parking only areas.
- 3) Chipped brush on site throughout town once per week.
- 4) Finished backfilling topsoil and placed seed around new pavilion.
- 5) Chipped and collected brush as needed from storm damage throughout town.

Note: Emptied trash containers at all Borough offices. Performed daily maintenance and repairs on police and borough vehicles and equipment. Mowed and maintained all recreation areas as needed. Dragged and lined all ball diamonds as needed.

Gasoline Usage:

06 Explorer: 35.3

15 Ford truck: 24

Can: 2

John Deere 720: 48.9

17 Ford Dump: 44.5

TOTAL: 154.7

Diesel Usage:

Kubota: 35.5

Chipper: 30

John Deere 750: 5

Skid Loader: 5

TOTAL: 78

S.A.V.E.S

Diesel: 231.8

Gasoline: 7.5

Manager Cook spoke about the Borough's two Ferris mowers purchased in 1996 and 1997 that were taken out of service earlier in the year and replaced with a John Deere mower. Manager Cook requested a motion to have the two, retired mowers advertised for sale on Municibid.com. Councilmember Koontz made a motion to sell the two mowers and was seconded by Councilmember Pascoe, motion carries.

Highway Committee Chairman Calderone mentioned that pothole repairs would be starting soon. Addressing Manager Cook, he also noted the road construction on Oxford Ave. Manager Cook stated that Columbia Gas had done a gas project there and that the state requires the street to be overlaid with asphalt, but what has been called a "small sinkhole," had been discovered. Manager Cook further posited that the sinkhole was in

Minutes – June 12, 2019

Conewago Township and that they were sorting out whose responsibility it was to repair.

Zoning Officer Cook gave an update related to last month's meeting about the traffic study and moving the sign back at the corner of N. Second St. and North St. He updated the Council by reporting that the sign had been moved and that the homeowner near the intersection had a home occupation business. The homeowner, during a conversation, said that the home occupation business was being moved to the Hanover area in the week following the meeting.

NEW BUSINESS

Approval to pay listed expenditures was given on a motion moved by Councilmember Pascoe, seconded by Councilmember VonSas. Motion carries.

Adjournment was declared at 7:39 p.m. on a motion moved by Councilmember Niedererr, seconded by Councilmember Pascoe. Motion carries.

A handwritten signature in black ink, appearing to read "G. Walmer", is written on a light-colored rectangular piece of paper.

Gerald C. Walmer
Borough Secretary