

**Liberty Township, Adams County  
39 Topper Road, Fairfield, PA 17320  
Planning Commission Monthly Meeting**

**May 22, 2018**

The Planning Commission of Liberty Township, Adams County, met on Tuesday, May 22, 2018, at 7:30 p.m. in the Liberty Township Municipal Building, 39 Topper Road, Fairfield, for the regular monthly meeting.

**Present:** Nancy Wenschhof, Chair; Barb Ruppert, Secretary; Vince Gee, Geoff Grant, Judie Hogan and Alternate Rich Luquette; Dominic Picarelli, Township Engineer.

**Not Present:** --

**Oath of Office:** Judie Hogan was sworn in as vice chair.

Nancy Wenschhof called the meeting to order at 7:30 p.m.

**Public Comment:** None.

**Minutes:** The April 17 meeting minutes were reviewed. Vince Gee moved for approval of the April 17 meeting minutes. Barb Ruppert seconded the motion. All voted yes, and the motion passed.

**Old Business:** None.

**New Business:**

**Accessory Structure Placement**

It is not clear when or if an accessory structure could be placed between the principal structure and the road because it is referenced differently in different sections of the Zoning Ordinances. The Planning Commission is recommending wording changes in the SALDO and Zoning Ordinances to eliminate confusion about the difference between a "yard" and a "setback." The Planning Commission discussed deleting "yard" references from the "setback" definitions and requirements that occur in the Zoning Ordinances.

Members are considering whether to recommend matching the township ZO's "yard" definitions to the Adams County Zoning Ordinance. Dominic Picarelli recommends the ZO should also include the county's definition of "building line" if the PC recommends this change, since the county definition includes it.

In looking at possible revisions to Section 303.4, which addresses the placement of accessory structures, the Planning Commission is considering whether they advise absolutely no accessory structures in front yards, or to allow these structures under clearly defined conditions. Members discussed factors such as the size of the lot; the size of the structure; the use of the structure; the distance of it from the principal structure; the distance of it from the road and property setbacks; whether it completely blocked the view of the principal structure; and which zoning district it is in.

Dominic Picarelli noted that another township had a similar situation regarding the unsightliness of big RVs on large lots; they addressed the situation by pushing the allowed placement of RVs to the back of the lot and requiring screening with trees. Some townships say any accessory structure over 1,000 sq. ft. is a conditional use and must be approved by township supervisors. Structures under 1,000 sq. ft. without electricity do not need a building permit.

The PC discussed whether to allow accessory structure front yard placement only in cases where a property owner has a long driveway and needs a garage near the road to get their cars out in bad weather. If we limit it in this way, Dominic Picarelli recommends that we create a new use, create a detailed definition

for it, and add these items into the ZO. He has never seen that in a ZO, but we could call it a "Residential Transportation Garage." He suggests limiting this use to Ag and Conservation zones, a minimum lot size, a minimum distance from the road, a maximum distance from the house, and a maximum garage size, as well as noting structure dimensions, use, placement that doesn't cross the center line of the principal structure, and garage doors that open to the side into the driveway, not facing the road. He recommends we add it first as a conditional use that township supervisors need to approve, and if the supervisors see that most requests coming to them are reasonable, then we can add it into the ZO.

The PC also discussed whether to take a more flexible approach and change Section 303.4 to note conditions under which accessory structures would be allowed in front yards. These conditions would include limiting the allowance to Ag and Conservation zones, having a minimum lot size, and other conditions as noted in the "Transportation Garage" discussion.

Geoff Grant volunteered to draft language regarding the above possibilities for the PC to review at its next meeting.

### **No-Impact Home-Based Businesses**

The definitions and the ordinance related to these businesses do not match and should be made consistent. Township Engineer Dominic Picarelli says the MPC has all of the information in the definitions because all no-impact businesses are allowed everywhere in the state. Therefore, we could just make sure all information is in the definition, and in Section 435.1 say that these businesses are allowed.

But the township solicitor says 435.1 should contain all of the information because it outlines the rules. Dominic Picarelli advises then that we should remove the numbered/lettered information from the definition so that we don't have information in two places that could become inconsistent if the township makes a change on this item. The Planning Commission will address this in its review of the Zoning Ordinances.

### **Land Use Permit Expiration**

There is nothing in the Zoning Ordinances on when land use permits expire and if they can be renewed. Dominic Picarelli recommends that if we add a deadline, it should match the building permit expiration period, which is 12 months. Land use permits should be renewable as long as the Zoning Ordinances haven't changed. A land use permit doesn't expire once the building is built. The Planning Commission will add this in its review of the Zoning Ordinances.

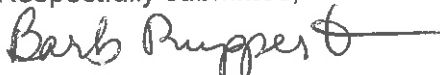
### **Other Business:**

**SALDO Review Section IV** – Members will continue reviewing the SALDO again at Article IV, Section 410, at the next meeting. Some specific issues to address:

- The Planning Commission requests a copy of the latest driveway ordinance change on driveway permits and drainage pipes so that it can add it to its update of the Zoning Ordinances. It is unclear whether the driveway requirements apply if a driveway accesses any road or only if it accesses a public road.
- The Planning Commission should consider whether to recommend defined setbacks for both principal and accessory structures in each zoning district.

At 9:27 p.m., Vince Gee moved to adjourn the meeting. Judie Hogan seconded the motion. All voted yes, and the motion passed. The next meeting is scheduled for June 19 at 7:30 p.m.

Respectfully submitted,



Barb Ruppert

Planning Commission Secretary