

Adamstown Borough Planning Commission
Tuesday, January 19, 2021
MINUTES

The Adamstown Borough Planning Commission met on Tuesday, October 20, 2020. Amber Schnader called the meeting to order at 7:00PM.

Planning Commission Members: Amber Schnader, Stephanie Scheifly, Victoria Motter, SherrieAnn Welch-Strause

Others Present: Phil Ashear, Patrick Deibler, Elaine Burkholder, Barry Burkholder Jane Zimmerman, Melvin Zimmerman, Josie Motter, Sam Toffy

Minutes:

Minutes from the December 15, 2020 Planning Commission meeting were approved with a motion by S. Scheifley seconded by V. Motter and carried by a vote of 3-0-1 (S. Welch-Strause was not present during the motion).

NEL Holdings, LLC – 350 Adamstown Road ZHB Variance Application – Patrick Deibler of Kling & Deibler, attorney for the applicants, addressed the Planning Commission members regarding a variance application for 350 Adamstown Road. After review of the zoning officer’s Review Letter dated January 19th, Mr. Deibler said that they would be amending their application to the ZHB, as a section referenced in the application is not one found in the Borough ordinances. Settlement has also taken place since the original application was submitted, so the owner of record will also be updated on the ZHB application.

This property was advertised as a 3-unit rental property by auctioneers Kline, Kreider & Good. Immediately prior to settlement, the auctioneer as well as Mr. Deibler were made aware by the Borough solicitor that the property had never been approved as a 3-unit, as no permits had been pulled to convert the property into a 3-unit nor have the 2 additional EDUs been acquired. At the sale itself, the previous owner (Dorothy Fultz) agreed to pay for the application and additional water/sewer connections as well as whatever permitting may be necessary in order to convert the property into a 3-unit rental property.

At some time in 2000, the second living unit was added onto the original single-family residence. Approximately 15 years ago, the chicken coop located on the property was converted into the third living unit. From that point on, all three units were being utilized either by family members or as income-generating units. In their ZHB application, the applicants are seeking to utilize all three units as rental properties. There would not be any commercial business being conducted on the property. The hardship argument would be that, although the former chicken coop unit could easily be demolished, there would be a huge expense to demolish the unit attached to the original structure.

In addition to the 3 living units on the property, there are also several out-buildings. Borough zoning officer P. Asher questioned what would happen to those buildings. Mr. Burkholder explained that most of them would be removed and the salvageable ones would remain. There are a few retaining walls which Mr. Burkholder said would most likely remain in place.

Motioned by A. Schnader, seconded by S. Scheifley and unanimously carried to recommend conditional approval of the requested variance application for 350 Adamstown Road to allow a 3-unit rental property based on SDE’s Review Letter dated January 19th with conditions as follows:

- *Units must have inspections and must comply with the Rental Ordinance Program.*
- *Water and sewer EDUs must be purchased as required.*
- *The remainder of junk and vehicles must be removed from the property.*

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- *The property may not contain a commercial use.*
- *Accessory buildings that are not permitted and approved must be removed and all remaining buildings must comply with UCC regulations.*
- *Retaining walls which remain permanent and in place must comply with UCC regulations.*

Adjournment:

Motioned by V. Motter, seconded by S. Scheifley and unanimously carried to adjourn.

The meeting ended at 7:22PM.

Attested: S. Toffy, Borough Secretary