

MINUTES
ELIZABETHTOWN PLANNING COMMISSION
February 9, 2010

The Planning Commission met at 6:30pm with the following Commissioners in attendance: Jeff Kinsey, Dick Earhart, Anita Paynter, and Ralph Spayd. Also present were Planning and Zoning Director Brandon Porinchak.

The minutes of the January 26, 2010 meeting were approved on a motion by Earhart and second by Paynter.

Public Comment:

There was no public comment to be heard.

457 Sunrise Blvd Special Exception Request:

Applicant for the special exception request was present. Tracy Adams, applicant, presented a request for special exception to Section 603 of the Zoning Ordinance. Applicant will be presenting the request in front of the Zoning Hearing Board at their March 1, 2010 meeting. Applicant is requesting a recommendation for conditional approval from the Planning Commission to establish a residential day-care facility at 457 Sunrise Blvd within an R-1 district.

Adams stated that she has been a day-care provider for 18 years and has operated a licensed residential day-care facility at 612 North Hanover St. in Elizabethtown Borough for the past 8 years. Applicant is requesting a special exception because they will be moving to a new home. Spayd asked how many children are cared for at her current residence. Adams stated that she watches up to 10 children however, there are never more than 6 children in her care at any one time. Earhart stated that the special exception allows for only 4 children. Adams stated that she will be asking for a variance to allow for six children.

Spayd enquired as to whether or not applicant had a "Star Rating" from the state Department of Public Welfare. Applicant confirmed that she has a 1 Star rating and is working on a 2 Star rating. Applicant volunteered that she is the only child care provider within the borough which has a star rating.

Earhart stated to applicant she is required to meet the requirements for Special Exception under Section 1407 Day-Care Residence of the Zoning Ordinance. Applicant stated that rear yard is large enough to meet area requirements for outdoor play space and that the finished basement in the new home is large enough to accommodate the requirement for indoor play space. Earhart indicated that the ordinance requires a 10 foot buffer yard on the side and rear yard lot lines. Applicant stated that she will comply with this requirement by planting screen plantings or installing a fence.

Kinsey asked when children will be at the facility. Applicant stated that the first child arrives at 6:20 AM and the last child leaves at 5:00 PM. Spayd noted that the Ordinance for child care facilities does not permit children to arrive prior to 6:30 AM and that the applicant be mindful of this requirement. Spayd mentioned that the ordinance requires outside activities to be conducted

between the hours of 8 AM and 7 PM. Applicant stated that the children are not permitted outside until before 10 AM.

Paynter questioned the applicant on parking provisions for individuals dropping-off and picking-up children. Applicant stated that there will be a minimum of two off-street parking spaces in the driveway for loading and unloading of children.

There being no further discussion, the Planning Commission took the following action:

A motion was made by Earhart and second by Spayd to recommend conditional approval of a special exception request to Section 603 – Special Exceptions R-1 District. A justification for the conditional approval is that the applicant currently operates a Day-Care Residence and that they will comply with conditions of Section 1407 of the Zoning Ordinance.

Conditions

- a) The applicant is requesting a special exception to operate a day-care residence for up to four children and is requesting a variance to allow for up to six children. As the applicant stated she watches up to 10 children at the day-care residence, the applicant must present to the Zoning Hearing Board a written schedule when children are present at the facility, indicating there are no more than six children present at one time.
- b) Applicant must meet the requirements of Section 1407 (d) of the Zoning Ordinance requiring a buffer yard of no less than 10 feet along side and rear yard lot lines.

Other Business

There being no further business, the meeting was adjourned at 7:35 pm on a motion by Spayd and second by Paynter.

Respectfully submitted,

Brandon Porinchak
Planning and Zoning Director