

The Wilmington Township Board of Supervisors met at the township building at 35 Auction Road on October 13, 2015. The workshop was called to order at 9:02 a.m. Supervisors Chad Taylor, William Roth and Brian Caiazza were present. Residents present are on the attached sign in sheet. The pledge to the flag was given.

Public Comments - None

Ms Lisa Holm from MCRPC explained non-conforming use according to the zoning ordinance being generally a business that began prior to being zoned. They can continue legally as a non-conforming use but must follow the regulations outlined in the zoning ordinance and must request a variance to change anything. The request may be considered if it meets the non-conforming rules outlined.

Ms. Holm also explained the differences between home-based businesses v. other types of businesses. A home-based business is now regulated by the State planning code and is permitted anywhere in the township provided it abides by other regulations outlined in the zoning ordinance and makes no noticeable change to the character of the district. They may request a variance for any changes outside of what is allowed in the ordinance. Other businesses may have additional regulations such as parking, signs, etc as outlined in the zoning ordinance.

Last, Ms. Holm explained that variances can be granted/sought when the use/need does not meet the current zoning. Anyone can apply for a variance, but it is solely up to the Zoning Hearing Board to approve or deny the request.

She indicated that in place of rezoning, the township should document when all the non-conforming uses or businesses started in the township. Any business that began prior to the current zoning ordinance would be permitted but any change to the business/building would require a variance. Any business beginning after the current zoning ordinance would need to be documented and those businesses would need to acquire a variance to become legal. She felt it would be up to the township to document when those businesses started. (Solicitor)Mr. Acker felt the responsibility to prove when the business began would be dependent on the situation. Ms. Holm felt that to look at only a portion of the township businesses would prove not effective since the non conforming uses are throughout the township. A land use map was provided and noted as a reasonable record of uses in the Township prior to the current zoning ordinance and map.

Residents voiced concerns about traffic, pollution, real estate values, deliveries, singling out the businesses on Route 18, and loss of an agricultural community if Route 18 would become commercial. They questioned why the Board would revisit rezoning of Route 18 four months after deciding to not rezone it.

Mr. Taylor and Mr. Caiazza stated that the Zoning Hearing Board said they would not look at approving a variance for businesses on Route 18 because there is nothing they can do on their end.

Mr. Caiazza stated that the Board needs to fix the problem of the businesses being on Route 18, making them legal and is not interested in looking at the rest of the township. He wants to protect those businesses if something would happen to them.

Mr. Acker stated that the Board is looking at adding a Highway Commercial category to the Zoning Ordinance, which is what Route 18 could become.

There was confusion as to whether Route 18 was commercial in the past, but it was determined it was not.

This topic will be continued at the October 14 meeting. The workshop began a recess at 10:24 a.m.

The workshop restarted at 10:45 a.m. Included in the 2016 budget:

- four culverts on Garrett Road, two on Orchard Road, one on Cowden Road and one on Brenneman Road.
- A roller will be rented three times for Brenneman Road
- Both trucks will be undercoated by Armor Linings
- A tractor/mower will be budgeted
- The old pavilion will be enclosed
- A donation to the FVD will be included
- Tree trimming
- Attendance of one supervisor and secretary to state convention

Mr. Taylor made a motion to adjourn the meeting at 12:00 p.m., seconded by Mr. Caiazza.

Cindy Black, Secretary