

SEPTEMBER 6, 2006  
WAYNESBORO, PA 17268  
PUBLIC HEARING RE: RE-ZONING ON E.  
SECOND STREET

---

Council President Richard George called the public hearing of the Waynesboro Borough Council to order at 7:21 p.m. with the following in attendance:

Borough Council Members – Allen Porter, Jason Stains, Craig Newcomer, Richard George, Charles McCammon and Allen Berry

Mayor Richard Starliper

Borough Staff – Lloyd R. Hamberger, II, Borough Manager  
Kevin Grubbs, Head of Engineering Services  
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)

Mr. George noted that the purpose of the hearing was to discuss the proposed ordinance regarding re-zoning on E. Second Street. The hearing was duly advertised in *The Record Herald* on August 17<sup>th</sup> and August 24<sup>th</sup>, 2006. He then administered the oath to individuals who intended to give testimony during the hearing.

Kevin Grubbs testified to the following:

- June 20, 2006 - received petition from Timothy Misner for re-zoning of 64 E. Second Street
- July 12, 2006 - Borough Council set hearing date for September 6, contingent upon review by Waynesboro Planning Commission
- July 17, 2006 - Waynesboro Planning Commission reviewed and recommended approval of the re-zoning from General Commercial (GC) to Medium Density Residential (RM)
  - July 21, 2006 - proposed ordinance hand-delivered to Franklin County Planning Commission for review and comments
- August 17 and 24, 2006 - proposed ordinance advertised in *The Record Herald*
- August 23, 2006 - posted property perimeter with proposed ordinance and Notice of Public Hearing, and mailed/hand-delivered notices of hearing to properties in the surrounding area as follows:
  - 70-80 E. Second Street
  - 45 E. Second Street
  - 30 Walnut Street
  - 42-44 Walnut Street
  - 43-45 Walnut Street
  - 33 Walnut Street
  - 23-29 Walnut Street
  - 101 Walnut Street
  - 121 Walnut Street
  - 110 Walnut Street
  - 50 S. Broad Street
- September 6, 2006 - received recommendation for approval from Franklin County Planning Commission

Timothy Misner, representing Cindy Potter (the property owner), was in attendance. In question/answer format, they described the property as a two-story house in which Ms. Potter previously operated her accounting practice. She also lived, for a while, in the second floor apartment. They noted that the property is no longer desirable as a business location, because it is quite small and not handicapped accessible.

Jean Rosenberger, a local realtor, was also present. She responded to Mr. Misner's questions and noted that the property is listed for sale, but she has had no offers to use the property as it is currently zoned (because it looks and feels like a single-family home). She has had three inquiries for office rentals, two from apartment investment companies and 39 inquiries for residential use. It is her opinion that the house is too small to be used as two apartments, and is more conducive to conversion to a single-family home.

Mr. Misner added that the property is adjacent to an RM district, which would permit a single-family house; and would be adjacent to Town Center, which would also permit a single-family house. Accordingly, they are asking that this property be zoned similar to the properties adjacent (RM) to permit a single-family residence. As it is, the property cannot be used in the GC district at this point in time.

Ronald Shultz, who owns the property beside 64 E. Second Street, was present to obtain information regarding the request. He asked for clarification on the uses permitted in a Medium Density Residential (RM) zone, adding that he would have no problem with a single-family dwelling (but is concerned about parking and waste if a fast-food restaurant were to be permitted). Kevin Grubbs reviewed permitted uses in an RM zone, as well as those permitted in the current GC zone.

Councilman Porter asked if off-street parking is available at the property. Mr. Misner stated that there are four (4) parking spaces behind the building.

Hearing no further comments, the hearing was closed at 7:30 p.m.

Respectfully Submitted,

Melinda S. Knott  
Administrative Assistant