



Hellam Township Planning Commission
July 11, 2024
6:00 P.M.

1. Opening Agenda

- A. Call to Order
- B. Pledge of Allegiance

2. Minutes Approval

- A. June 27, 2024 draft meeting minutes

3. New Business

4. Old Business

- A. Target Practice Area Ordinance
- B. Ordinance review Restaurant, Drive-through & Restaurant, Fast-Food

5. Ongoing Business

- A. Solar Ordinance Amendment
- B. EAC Checklist
- C. Riverland 1&2 Ordinance
- D. Logistics/Warehouse Ordinance
- E. Understanding the Township (review of prior research and tasks to continue and validate research)

6. Correspondence/Reports

- A. Zoning Monthly report May 2023
- B. Update on multi-municipal comp plan

7. Upcoming Meetings

Next Planning Commission Meeting – July 11, 2024

8. Adjournment

Zoom Log In

Meeting ID: 634 220 1697

Password: Hellam44

**HELLAM TOWNSHIP
PLANNING COMMISSION MEETING
Minutes of June 27, 2024**

The meeting was called to order at 6:00 PM by Chairman Devin Winand. The meeting was held at the Hellam Township Municipal Building. Chairman Winand led the Pledge of Allegiance. Other members present were Vice Chairman John Kokiko, Michael Shillott, Steve Fetrow, John Eifert, and Christopher Altland. Other attendees included Lee McBride, potential Planning Commission Alternate, Jason Test, Zoning Officer, and Kate Nopulos, Administrative Secretary.

Minutes Approval:

Upon a motion by Mr. Shillott and seconded by Mr. Eifert, the minutes from the June 13, 2024 meeting were approved. Motion carried unanimously.

New Business:

Ordinance Review: Restaurant, Drive-Through SS 490-109 & Restaurant, Fast Food SS 490-110

Much discussion was had regarding both ordinances and their current wording, using the proposed installation of a Dunkin Donuts restaurant at 351 Cool Springs Road (LL-50A), as an example. Topics discussed included the limitations of using a 200-foot setback requirement from any Rural/Rural Agricultural Zone, the narrow scope of the definition for noise generation being limited to "speaker/microphone system", and the term "noise impact" not including speaker position/direction & decibel level requirements. During this discussion, Mr. Fetrow recommended that they also look at the current sign ordinance, so collectively the Commission decided to add it to *On-Going Business* for future meetings. Edits to the Ordinances in question included combining them into a singular, more complex, ordinance, with the setback requirements being reduced. The proposed changes can be reviewed in the attached draft ordinance.

Old Business:

N/A

On-going Business:

Chairman Winand suggested that the draft Target Practice Area ordinance and the draft Restaurants, Fast-Food and Drive-through ordinance be advertised at the same time, to save the Township money on advertising. Mr. Shillott tells the Commission that the EAC checklist will be completed when Supervisor Otterbein is back in town, and that there's nothing new to report for the Solar Ordinance Amendment. He also gave an update saying that the DEP Growing greener grant was submitted June 21, 2024.

Correspondence/Reports

Zoning Monthly Report for May 2024 was reviewed without notes.

Meeting adjourned at 7:16 PM.

Respectfully submitted,

Jason Test
Zoning Officer

DRAFT

ORDINANCE NO. 2024-01

**HELLAM TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

AN ORDINANCE WITH REGULATIONS FOR PRIVATE FIREARM TARGET PRACTICE AREAS

§ 490-117-1 Purpose.

The purpose of this Ordinance is to provide for the safety of all persons and the protection of all property in Hellam Township with respect to firearm target practice and to foster an environment where firearm users are employing the best practices for resident safety. For purposes of this Ordinance, the term “firearm” shall include (a) any “firearm” as defined by the Pennsylvania Uniform Firearms Act (18 Pa.C.S. 6101 et seq., and (b) any muzzle-loaded rifle or other weapon and any weapon, long-barreled or otherwise, that discharges a bullet or other projectile using ignited black powder.

§ 490-117-2 Backstops.

- A. All target practice areas or places where firearms are used for target practice shall have a proper backstop, where fired rounds are prevented from passing more than ten feet beyond the target, constructed or placed as hereinafter set forth.
- B. A natural hillside or a man-made earthen berm may be used as a backstop. Trees or wooded areas may not be used as a backstop, as a projectile can find its way through trees and can be deflected beyond the target range.
- C. If a hillside or man-made earthen berm is not present, a barrier must be constructed and deployed in accordance with the following provisions before an area may be used as a target practice area.
 - (1) The backstop shall have a minimum height of six feet and a minimum width of six feet.
 - (2) The backstop shall be made of any material that will stop fired bullets, including dirt, sand, or milled wood. The backstop cannot be made of a material that would cause a bullet to ricochet, such as tires, stones, logs or cement. Steel may be used, but only if the steel backstop is angled downward at a forty-five-degree angle so that any ricochet will cause the bullet to deflect straight down into the ground. The backstop must be of sufficient depth to stop any projectile that may be used at the target practice area.
 - (3) The backstop must be of sufficient depth to stop any projectile that may be used at the target practice area or target practice area. The necessary depth will be dependent on the material used for the backstop, with a minimum depth of four feet if dirt, sand, or wood is used.

§ 490-117-3 Location.

- A. Target shooting is permitted on property owned by the shooter provided the location meets the requirements for backstops, as set forth above, and the setback requirements set forth below. Invited guests of the property owner are also allowed to shoot, provided the same requirements are met.

- B. The target shall be set at a clear distance from any residential building, human work area, or domesticated animal ranging area.
- C. The target must be set back 100 feet and the firing stand must be set back at least 50 feet from the property line or public roadway in any direction.
- D. The firing stand shall not be within any structure/residence.

§ 490-117-4 **Shooter Conduct.**

- A. At all times when a target practice area is active, there must be at least one responsible person present.
- B. Target practice shooting may only be conducted from 9:00 a.m. and must be concluded ½ hour before sunset. Night target shooting may be conducted as long as the Emergency Services Department is notified and must be concluded by 10:00 p.m.

§ 490-117-5 **Exceptions.**

The following acts shall not constitute a violation of this chapter:

- A. The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty, including, but not limited to, active operations, training exercises, and ceremonies.
- B. The discharge of a firearm in self-defense as legally permitted pursuant to the laws of the Commonwealth of Pennsylvania.
- C. The discharge of a firearm to the extent it is regulated by the Pennsylvania Game and Wildlife Code.

§ 490-117-6 **Interpretation of provisions.**

- A. Nothing in this chapter shall be read or interpreted to conflict with the Pennsylvania Uniform Firearms Act.
- B. Nothing in this chapter shall be read as regulating the lawful ownership, possession, transfer, or transportation of firearms, ammunition, or ammunition components when carried or transported for purposes not prohibited by the laws of the Commonwealth of Pennsylvania.

§ 490-117-8 **Violations and Criminal Penalties.**

Police Officers will use their discretion as to charges for First Time offenses. Any person who violates any provision of this Ordinance commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$600 nor more than \$1,000 for each separate offense, and, in default of the payment of such fine, may be sentenced to imprisonment for 90 days for each separate offense. The provisions of this Ordinance shall be enforced by (a) the Hellam Township Police Department or (b) by employees of the Township authorized to conduct inspections or investigations, who, for purposes of this Ordinance, are hereby declared to be law enforcement officers authorized to issue or file citations for summary violations under this Ordinance, and the Hellam Township Police Department and the Board of Supervisors are each hereby authorized to prosecute these offenses. For purposes of this section, a summary offense may be prosecuted before any District Justice with jurisdiction over Hellam Township. There is no accelerated rehabilitative disposition authorized for a summary offense.

ENACTED and ORDAINED by the Board of Supervisors of Hellam Township, York County, Pennsylvania, in lawful session assembled, this ___ day of _____, 20__.

TOWNSHIP OF HELLAM

Attest:

Board of Supervisors

Corina Mann, Secretary

David Cox, Chairman

Chapter 490. Zoning

Article IV. Specific Criteria

§ 490-108. Restaurants, fast-food, drive-through.

Restaurants, fast-food, drive-throughs are permitted as provided in Article II herein and subject to the following criteria:

- A. The applicant shall demonstrate that adequate water supply and sewage disposal can be provided.
- B. Exterior trash receptacles shall be provided and routinely emptied so as to prevent the scattering of litter. All applications shall include a description of a working plan for the cleanup of litter;
- C. Any exterior speaker/microphone ordering system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties; shall not face any residential use
- D. All exterior seating/play areas shall be completely enclosed by a minimum three-foot high fence;
- E. No part of the subject structure, and/or speaker/microphone ordering system, shall be located within any 100-foot set-back, in any direction, of any residential use
- F. A twenty-foot-wide landscape buffer planting strip D shall be provided between this use and any abutting residential use in accordance with the requirements of Ch. **280**, Landscaping; and
- G. [Amended 10-17-2019 by Ord. No. 2019-07]
- H. Each drive-through lane shall have a minimum of 200 feet of on-site stacking preceding the order location.