

Planning Commission Meeting Minutes  
April 12, 2016

The regular meeting of the East Lampeter Township Planning Commission was held on Tuesday April 12, 2016 at the East Lampeter Township Office 2250 Old Philadelphia Pike Lancaster, PA 17602. Chairman Keylor called the meeting to order followed by the Pledge of Allegiance. Other Commissioners present were Mr. Siesholtz, Mr. Rutt, Mr. McCuen, and Mr. Ranck. Also present was Tara A. Hitchens, Director of Planning/Zoning Officer and David Sinopoli, Asst. Township Zoning Officer.

The following persons signed in as being present:

Matthew Cabry	Brad Mowbray, High Associates
Sharyn Young, LCPC	Drew Hughes
Phillip Pace, TreeHouse Private Foods	Brian Spray, Rettew
Mark Stanley, MWN	Bruce Fry, Tanger
Tom Smithgall, High Associates	Tom Polczynski, Tanger
Caroline Hoffer, Barley Snyder	Henry Trabal, Ames Reese, Inc
Fred Clark, Clark Associates	

Minutes:

The minutes of the February 29, 2016 meeting were approved as written on a motion of Mr. Rutt and a second by Mr. Ranck with all voting in favor.

The minutes of the March 8, 2016 meeting were approved with one sentence to be stricken on the second page on a motion of Mr. Siesholtz and a second by Mr. McCuen with all voting in favor.

Old Business:

a) None.

New Business:

a) High Associates 355 Pitney Road #2016-02 Land Development Plan

Mr. Tom Smithgall and Mr. Brad Mowbray of High Associates and Mr. Brian Spray of Rettew Associates and Mr. Mark Stanley of McNees, Wallace, and Nurick were present to represent the plan.

Mr. Smithgall gave a brief overview of the proposal being 83 units with 82 apartments in the proposed building and the existing dwelling being another rental unit.

Mr. Spray indicated that the site is located across the street from the College of Health Sciences and behind the church that sits at the corner of Pitney and Greenfield Roads intersection. It was also noted that approximately half of the property encompasses streams and floodplain but that all structures and parking would be located outside of the both and the only work that would be done in the floodplain would be to plant an extensive riparian buffer.

Mr. Spray read through the waivers and modifications requested and the review of such provided in the David Miller Associates review letter dated April 4, 2016 and email from Scott Hain dated April 12, 2016. Mr. Spray also read through the zoning issues raised by the David Miller Associates review letter and Mr. Spray noted that the site has been designed to meet the draft zoning ordinance.

Mr. Smithgall indicated that the stream crossing would be a timing issue for the project as it would require a joint permit which will take at least 24 months to acquire. High Associates would be ok with a condition subject to acquiring the necessary permits from the Army Corps of Engineers, PA DEP, and East Lampeter Township.

Mr. McCuen questioned if all the open space could be on the one side of the creek. Mr. Spray noted that the intention is to provide recreation space with benches and a trail.

Mr. Smithgall noted that the recreation area would be passive recreation only, not a playground or athletic field.

Mr. Siesholtz questioned the maintenance of the bridge if it were put in place over the stream and wanted the applicant to think through emergency stipulations as well should someone be hurt on the other side of the stream.

Mr. McCuen noted that if the pedestrian crossing occurs, then there should be a continuation of the pedestrian system to Greenfield Estates.

Mr. Spray indicated that the applicant had no issues with complying with the subdivision and land development and stormwater management issues raised in the David Miller Associates review letter.

Mr. Spray then read through the Lancaster County Planning Commission review letter dated February 9, 2016 and indicated that the crosswalk issue could not be complied with given the Township staff direction of no mid-block crossing on Pitney Road.

There were no comments from the general public.

Mr. Keylor questioned what the contingency plan is if the Board of Supervisors does not adopt the draft zoning ordinance. Mr. Smithgall noted that modifications, variances and the like may be required. Mr. Stanley stated that the applicant fully understood the risks involved in moving forward with the plan and is aware that there would be no deemed approval or recordation without the adoption of the draft zoning ordinance.

Mr. Keylor noted that there are advantages to the path taken by the applicant and that he is appreciative of the faith the applicant has in the process.

Mr. Siesholtz stated that any approval absolutely must be conditioned on the adoption of the draft ordinance as well as no recordation of the plan and no issuance of building permits until the draft zoning ordinance is adopted by the Board of Supervisors.

Mr. Ranck questioned the architectural feel of the building from the view of the church. Mr. Spray indicated that there would be some screening with a 15 foot buffer and 30 foot buffer on the church lot.

Mr. Mowbray noted that these units would share recreational amenities with Greenfield Estates.

Mr. Siesholtz questioned if an agreement with the church would be necessary. Mr. Spray stated that a pedestrian easement would be necessary.

Mr. Siesholtz questioned if Greenfield Estates had a Home Owner's Association. Mr. Mowbray responded with a no.

Mr. McCuen stated that the development could generate more traffic along Pitney Road, especially with the College going in. Should this be looked at further or had this been looked at. Mr. Spray noted the applicant is providing widening along Pitney Road as part of the project.

Mr. Keylor questioned if this triggered a traffic impact study. Ms. Hitchens responded no it did not. Mr. Spray followed up with a Transportation impact assessment was completed to show that no TIS was necessary.

Mr. Keylor questioned if traffic was looked at with the college. Ms. Hitchens responded that it was. Mr. Smithgall stated that it was actually looked at well in advance of the college.

Mr. Rutt questioned if the riparian buffer would be thick are when planted and that he was not sure if the pedestrian bridge was necessary or what the attraction would be to provide a bridge. Mr. Spray indicated that it wouldn't only be for these residences, but also for the community as a whole.

Mr. Siesholtz questioned if public transit would be coordinated with this development. Mr. Smithgall stated that there is a shelter at Greenfield Estates and that they continue to work with South Central Transit Authority for rerouting with the development of the College.

On a motion by Mr. Siesholtz and second by Mr. Ranck, with all voting in favor, the Planning Commission recommended conditional approval of the land development plan contingent upon the draft 2016 zoning ordinance being adopted by the Board of Supervisors with the applicant being aware that no plan could move forward without such adoption. Further, the Planning Commission conditioned the approval based on the April 4, 2016 review letter and 4/12/16 email from David Miller Associates, Lancaster County Planning Commission review letter dated 2/19/16 with the exception to number 2 regarding a mid-block crosswalk. The land development is also conditioned upon coming into compliance with the zoning issues noted in the David Miller Associates review letter of April 4, 2016 to

the satisfaction of the zoning officer. Finally, the land development is conditioned upon the applicant moving forward with construction of a pedestrian crossing across Stauffer Run within 3 years and obtaining all necessary permits and providing proof of sufficient activity in doing such to the Township staff.

b) Clark Associates 2205 Old Philadelphia Pike #2016-06 Land Development Plan (Parking Lot)

Mr. Fred Clark of Clark Associates was present to represent the plan. Mr. Clark would like to start the parking lot and then start PennDOT approvals after recording the plan. The sidewalk will be extended to the property line and the curbing will be provided.

Mr. Keylor read over the waivers and modifications section of the David Miller Associates review letter dated April 12, 2016 and the Lancaster County Planning Commission review letter dated March 29, 2016.

Mr. Clark noted that he was willing to comply with the review comments provided.

There were no comments from the general public.

Mr. Siesholtz questioned whether or not the previous agreement put in place would be nullified, Ms. Hitchens indicated it would be once the improvements were complete.

Mr. Siesholtz stated that the Amtrak access is rutted and muddy, causing a mess on Mr. Clark's property.

Mr. Clark noted that he is willing to pave or provide different stone for this legal access for Amtrak.

On a motion by Mr. Rutt and second by Mr. McCuen, with all voting in favor, the Planning Commission conditionally approved the land development plan based on the David Miller Associates review dated April 12, 2016 and the Lancaster County Planning Commission review dated March 29, 2016 and installing the curb and right of way via a HOP permit. All waivers and modifications requested were granted as noted in the David Miller Associates review of April 12, 2016.

c) Tanger 311 S.K. Tanger Blvd #2016-07 Modification of Conditional Use

Ms. Caroline Hoffer of Barley Snyder, Mr. Brian Spray of Rettew, Mr. Bruce Fry and Mr. Tom Polczynski of Tanger were all present to represent the proposal of modification of the conditional use.

Ms. Hoffer briefly went through the history of the project and indicated that the request was to allow restaurants within the expansion area of 126,000 square feet as that became an option when the tenant mix was being finalized. Ms. Hoffer indicated that no other conditions of the original conditional use would change.

Mr. Polczynski stated that the types of food uses that they would be considering would be what is known as fast casual, counter service, or grazing foods. There would be no full table service restaurants with wait staff. It was also noted that this is the number one complaint from visitors of the outlet center.

Mr. Keylor noted that food trucks have been allowed on the premises for a periods of time. Mr. Spray stated that food trucks were on the premises when traffic counts were conducted and thus, this type of use was already taken into account in the traffic analysis.

Mr. Keylor questioned if there would be any destination eateries? Mr. Polczynski noted that was not the intent.

Ms. Hoffer discussed parking requirements of the current zoning ordinance and indicated that any proposed restaurant use would need to prove that the parking requirements could continue to be met within the expansion area.

Mr. Siesholtz questioned if the 126,000 square feet of expansion area was to be increased. Ms. Hoffer indicated that it was not.

Mr. Siesholtz questioned if there was a limit on the number of these types of establishments. Mr. Polczynski noted that 10% would be the highest percentage of the 126,000 square feet that would be needed, if the parking could still be accommodated. Mr. Keylor noted that the parking in essence regulates the amount of these types of restaurants that could be on-site.

On a motion by Mr. Siesholtz and second by Mr. Rutt, with all voting in favor, the Planning Commission recommended conditional approval of the modification of conditional use based on a maximum of 10% of the 126,000 square foot expansion area and that the types of restaurants do not include full table service. In addition, all parking requirements must continue to be met whenever a new restaurant is proposed.

d) Ames Reese, Inc 2575 Old Philadelphia Pike #2016-08 Waiver of Land Development  
Henry Trabal of Ames Reese was present to represent the requested waiver of land development. Mr. Trabal indicated that the waiver of land development is being sought to move some equipment into a storage container that would be placed on the site in the southeastern corner which would not impeded egress, nor would impeded any parking areas. The storage container would be placed over existing impervious surface. The intent is to have the storage container on the site through land development to expand the manufacturing by approximately 3 times.  
Mr. Ranck read the Township staff review dated April 6, 2016.

On a motion by Mr. McCuen and a second by Mr. Ranck, with all voting in favor, the Planning Commission recommended conditional approval of the waiver of land development with the condition that the storage container be placed where indicated and that it be removed 24 months after the issuance of the Certificate of Occupancy.

e) TreeHouse Private Brands 2060 Old Philadelphia Pike #2016-09 Waiver of Land Development  
Mr. Phillip Pace, Human Resource Director at TreeHouse Private Brands was present to represent the proposed waiver of land development. Mr. Pace indicated that two temporary office/training trailers are proposed to be placed in the front western most parking area of the site to accommodate trainers and training facilities as the site moves to SAP, a software program.

Mr. Keylor questioned if any parking would be allowed in the area, Mr. Pace answer that it would not be, so the loss of parking would actually amount to 17 spaces, which still does not impact the overall parking on the property.

After discussion of a date certain for this type of software upgrade, Mr. Pace indicated that possibly to the end of the year.

On a motion by Mr. Rutt and a second by Mr. McCuen, with all voting in favor, the Planning Commission recommended conditional approval of the waiver of land development based on the April 7, 2016 Township Staff review with the condition being that the temporary trailers are removed by December 31, 2016.

f) Floodplain Ordinance Technical Amendment  
Ms. Hitchens noted that FEMA determined that one date was incorrect in the recently adopted ordinance amendment, thus the date of May 1990 had to be changed to December 16, 1980.

On a motion by Mr. Keylor and a second by Mr. Siesholtz, with all voting in favor, the Planning Commission recommended approval of the technical amendment.

Briefing Items:

a) TRU by Hilton Lancaster 2310 Lincoln Highway East Revised Land Development Plan  
Ms. Hitchens indicated that the existing recorded plan for a Four Points hotel would be replaced by the 112 room TRU, which is a new brand for Hilton. Slight modification to the layout on the site from the former plan.

b) WAWA 2132 Lincoln Highway East Land Development Plan

Ms. Hitchens indicated that the plan was to provide an enclosed trash receptacle area with compactor, cardboard area and remove sheds that exist on the property.

Other Business:

a) LUAB – No meeting was held since the last meeting of the Planning Commission.

Announcements:

a) The draft zoning ordinance was released for formal review and comment by the Board of Supervisors on March 21, 2016, formal action by the Planning Commission will take place May 10, 2016, LCPC action will take place May 9, 2016, and the Board of Supervisors will hold the public hearing on May 16, 2016

b) Sharyn Young of the Lancaster County Planning Commission handed out flyers pertaining to a PMPEI course that LCPC is hosting for municipal officials free of charge for Subdivision and Land Development Reviews September 13, 20, 27

c) LCPC breakfast meeting to be held on April 15 at 7:30am at Bird-in-Hand Restaurant

d) Intern has completed an inventory of all sidewalk, curb, right of way deferrals, waivers and modifications that have been granted since 1983.

e) Township staff reviewed the ECHO units approved via the Board of Supervisors and Planning Commission since 1980 to find 4 additional ECHO units that were not currently part of the annual review system.

f) Township staff recently determined all of the waivers, modifications, and deferrals granted for sidewalk, curb, and right of way improvements since 1983.

Adjournment:

On a motion by Mr. Ranck, a second by Mr. Rutt, and a unanimous voice vote, the meeting was adjourned. The next Planning Commission meeting will be held on May 10, 2016 at 7:30pm at the East Lampeter Township Office 2250 Old Philadelphia Pike, Lancaster, PA 17602.

Respectfully submitted,

Tara A. Hitchens, AICP

Director of Planning/Zoning Officer