

Planning Commission Meeting Minutes
May 13, 2013

The regular meeting of the East Lampeter Township Planning Commission was held on Monday May 13, 2013 at the East Lampeter Township Office 2250 Old Philadelphia Pike Lancaster, PA 17602. Chairman John Keylor called the meeting to order followed by the Pledge of Allegiance. Other Commissioners present were Mr. Siesholtz, Mr. Stumpf, Mr. Ranck and Mr. McCuen. Also present was Tara A. Hitchens, Township Director of Planning/Zoning Officer.

The following persons signed in as being present:

Gwen Newell – Lancaster County Planning Commission
Tom Smithgall – High Associates
Mark Stanley – Hartman, Underhill and Brubaker for High Associates
Steve Gergley – Harbor Engineering for Volleyball Corner
Craig Williams – Strausser Engineering for Wenger's Construction and Yoder
Bill Swernick – David Miller Associate for Country Acres Campground
Justin Smucker – Country Acres Campground
Jerry Smucker – Country Acres Campground
John Blowers – East Lampeter Township Supervisor
Bill Helm – Volleyball Corner

Minutes:

The minutes of the April 15, 2013 meeting were approved as written on a motion by Mr. Stumpf and a second by Mr. Ranck and all voting in favor.

Old Business:

a) Business Park Zoning Text Amendment - Mr. Mark Stanley and Mr. Tom Smithgall represented the petition. Mr. Stanley began by noting that one common theme at the last meeting was the number of comments from David Miller Associates, the Township Engineer. Mr. Stanley noted that there were a number of repetitive comments throughout the document. Mr. Stanley, Mr. Smithgall, Scott Hain and Brian McElroy both of DM/A, and Ms. Hitchens, Township Staff discussed the comments in the DM/A letter and addressed all but three comments which are before the Township Planning Commission in a revised letter tonight. Mr. Stanley noted that some items addressed dealt with landscaping, parking, definitions, continued concern of the number of acres for residential thus a maximum number of acres was added to the amendment. Mr. Stanley indicated that the applicant was back before the Township Planning Commission to update them on what has occurred. Mr. Keylor thanked the applicant for taking the time to work with Township Staff and Engineer. Mr. Siesholtz questioned if the applicant has been before the Township Board of Supervisors - Not yet, public hearing is set for June 10th at 4pm. Mr. Keylor thanked the applicant for supplying a strike through and underline version so that changes could be easily seen. Mr. Keylor noted that part of the motion at the meeting the month prior was that direction from the Board of Supervisors was needed, thus he believed that the motion stood from last month. Mr. Keylor indicated that he would ask for general consensus from the rest of the Township Planning Commission. Mr. Stanley indicated that he would appreciate hearing from the remainder of the Township

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Planning Commission any comments they may have.

Mr. Siesholtz questioned if the May 10th letter from DM/A should be read for the public to hear. Mr. Ranck read the three comments on the DM/A letter and Mr. Keylor then asked if there was any public input.

Mr. Stanley noted that the three comments to the Township Board of Supervisors are thoughts and the Township shouldn't try to regulate everything as the amendment attempts to build some common sense into the ordinance. Greenfield and High Associates currently has a mix of uses and does a good job of mixing them appropriately without major conflicts.

Mr. Smithgall noted that the second comment on the DM/A letter really speaks to Red Rose Transit Authority and the third comment deals with construction signage of trailers.

Mr. Stumpf agreed with Mr. Keylor that the review letter from DM/A doesn't change the motion from the month prior.

Mr. Siesholtz was still looking for direction from the Township Board of Supervisors but wanted it noted that the applicant spent a number of hours working with Township staff and the Township Engineer.

Mr. Smithgall questioned what direction the Township Planning Commission was looking for from the Township Board of Supervisors.

Mr. Keylor began by reviewing that Greenfield currently has residential mixed into the overall site and is zoned such.

Mr. Smithgall noted that it is difficult when an applicant addresses all of staff and engineer concerns or majority of them and still doesn't get anywhere.

Mr. Ranck stated that he felt the applicant and the Township Planning Commission were at a log jam but that the Township Planning Commission still needed direction from the Township Board of Supervisors.

Mr. Keylor stated that unless the Township Board of Supervisors gives direction on the policy and concepts he remains resolved that the prior motion stands for this item.

Mr. Stanley questioned if it was not the duty of the Township Planning Commission to give guidance to the Township Board of Supervisors on these types of issues.

Mr. Keylor noted that if the Township Board of Supervisors were to offer guidance then there may be a different recommendation tonight. He went on to state that the applicant has taken a number of districts and combined them and allow for uses that are greater than uses allowed in zones elsewhere throughout the Township. Further, the applicant has submitted numerous times and the Township Board of Supervisors has yet to give an affirmative response.

Mr. Stanley indicated that it was an unfair characterization by Mr. Keylor of the results of prior attempts.

Mr. Keylor noted that the applicant did not participate in public meetings regarding the draft zoning ordinance. Mr. Smithgall rebutted by noting that the public wasn't allowed to ask questions at those meetings until a short period at the end of the meeting and the applicant did provide significant comments when the document was made available to them for draft review.

Mr. McCuen indicated that he was not present for prior meeting and that he would recuse himself as he is an employee of the applicant. However, some thought should be given to amending the motion if the concern was the comments from DM/A and it seems majority of those were addressed.

Mr. Siesholtz noted that many of the uses allowed by special exception now would be allowed,

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by right, uses in the amendment. He indicated that he is at a loss as to what both High and the Township would truly get out of the amendment.

Mr. Stanley stated that the world has changed from a marketing perspective and in regards to ordinances with conditional use and special exception that just adds another layer which adds time and money which allows prospective tenants to look elsewhere. Greenfield competes with other areas of Lancaster County, surrounding counties to Lancaster County and other states for companies to locate there.

Mr. Smithgall indicated that the draft zoning ordinance is just unworkable for a corporate center or industrial or manufacturing facilities with multiple stories required and the Township must recognize that there is a different market than what is written in the draft zoning ordinance. Be reminded that with the delay of the draft zoning ordinance High was told to work with the 1990 zoning ordinance, attempted to address how the way the world works through a zoning ordinance of 1990. Mr. Smithgall questioned what exactly was not liked about the Business Park Ordinance amendment

Mr. Stumpf, Mr. Keylor, Mr. Siesholtz and Mr. Ranck acknowledged general consensus that the motion from the prior month stood.

New Business:

a) Wenger's Construction Stormwater Management Plan - Craig Williams of Strausser Engineering represented the applicant. Mr. Williams read over the waivers/modifications listed on the 4/23/13 letter from DM/A and discussed the rationale for each waiver/modification request.

There were no comments from the general public.

Mr. Siesholtz questioned what water is taken into the basin? Mr. Williams responded by showing the general drainage areas to the facilities and indicated that some would be directly from the structure.

Mr. Stumpf questioned if the level spreader is going to have water backing up and attracting mosquitos? Mr. Williams notes that these types of facilities really need to be properly installed and maintained to function properly to avoid such a scenario.

On a motion of Mr. Stumpf and a second by Mr. McCuen the Wenger's Construction Stormwater Management Plan was recommended for conditional approval with the condition that all comments in the DM/A letter of 4/23/13 be addressed. The motion also included the recommendation to approval all waiver/modification requests as noted in the DM/A letter of 4/23/13.

b) Country Acres Campground - Bill Swernick of David Miller Associates represented the applicant, Justin and Jerry Smucker, owner and applicants, were also present. Mr. Swernick gave a brief history of the site and decisions of prior Zoning Hearing Board actions regarding the site. Mr. Swernick noted that there was a need to discuss with Township staff the need for stormwater issues with the improvements of Leven Road. Mr. Swernick indicated that he had previously discussed a number of issues with Lee Young, but they remain on the review

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letter from Rettew.

Mr. Swernick noted that he had prepared a request for a time extension to August 23, 2013. Mr. McCuen questioned the fence along the berm adjacent to the residential structures. Mr. Swernick noted that the owners of the campground have been working with the adjacent residential property owners and that was a requirement of the Zoning Hearing Board decision although other vegetative options may be considered given the comment from LCPC. Mr. Swernick noted that Leacock Township has reviewed and deferred all approvals to East Lampeter Township as the property is split by the Township boundary. Mr. Swernick also noted that Leven Road will be widened from 19 feet to 34 feet and that there will be a few waivers/modifications that will be requested in the near future. Mr. Swernick indicated that sidewalk access from the campground to Route 30 was a concern of the owners for two reasons: they don't want children riding bikes or wandering down to Route 30 and they don't want any unregistered guests believing they can enter the property.

Mr. Keylor tabled action on the plan until further action was taken by the applicant and noted that the August 23, 2013 time extension was allowed by the applicant.

- c) Volleyball Corner – Mr. Steve Gergley of Harbor Engineering represented the plan and discussed the waivers and modifications that were being requested noting that one additional request was made earlier in the day given discussions with DM/A. Mr. Gergley noted that he has no issues with either the DM/A comments or the LCPC comments. Mr. Siesholtz asked if the applicant was agreeable to all comments, with the exception of #15 which the modification was submitted for earlier today. Mr. Gergley indicated that was correct.

On a motion of Mr. Stumpf and a second by Mr. McCuen, and all voting in favor, the Volleyball Corner Preliminary/Final Land Development Plan was recommended for conditional approval with the condition that all comments in the DM/A letter of 4/29/13 and the comments in the LCPC letter of 4/30 be addressed. In addition, all requested waivers/modifications were approved, including the waiver/modification requested earlier that day.

- d) 1857 Colonial Village Lane – David Miller of Rettew Associates represented the project. Mr. Miller noted that he would not be seeking any action by the Planning Commission that evening and that he would like to meet with ELT staff and DM/A staff in order to clean up the letter prior to coming back to the Planning Commission. Mr. Miller did indicate that the site will have approximately 160-180 employees as it is a consolidation of other locations into this one location.

Mr. Keylor noted that the item would be tabled until action is taken by the applicant.

- e) John Yoder Stormwater Management Plan – Mr. Craig Williams of Strausser Engineering and Surveying represented the plan. The intent of the plan, as noted by Mr. Williams, is to construct a 154 foot by 34 foot greenhouse. The greenhouse will be used to hang tobacco in

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the fall and raise fruits/vegetables the remainder of the year. Scott Hain of DM/A and Mr. Mark Deimler have been working together to determine if the plan falls within the exemption provisions within the stormwater management ordinance. Mr. Siesholtz questioned if the greenhouse would be typical or plastic. Mr. Williams noted it would be plastic. Mr. Stumpf noted that an updated letter from DM/A would be advisable in order to move forward with an exemption of the stormwater management ordinance. Mr. Williams indicated that there was an issue in proving the actual building locations to staff at DM/A. Mr. Siesholtz noted that the applicant should have all documents in order prior to being seen before the BOS.

On a motion of Mr. Siesholtz and a second by Mr. Stumpf, and all voting in favor, the John Yoder Stormwater Management Plan was recommended for conditional approval for a waiver of land development with the conditions that new or revised letters are received from DM/A prior to going before the BOS and that the plan is recorded prior to a building permit being issued.

Briefing Items:

- a) There were no briefing items

Other Business:

- a) LUAB – the BP Zoning Amendment and the proposed ELT amendment for the keeping of animals in residential district and items regarding signage were reviewed at the April LUAB meeting.
- b) Smart Growth Transportation Program – Ms. Hitchens asked if there were any potential projects that the Planning Commission would like to be considered for this program as an NOI is due June 14, 2013 to LCPC.

Adjournment:

On a motion by Mr. Siesholtz, a second by Mr. Stumpf, and a unanimous voice vote, the meeting was adjourned at 9:50pm. The next Planning Commission meeting will be held on Monday June 17, 2013 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