

Planning Commission Meeting Minutes

June 17, 2013

The regular meeting of the East Lampeter Township Planning Commission was held on Monday June 17, 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, and Mr. Ranck. Also present was Tara A. Hitchens, Director of Planning/Zoning Officer and David Sinopoli, Assistant Zoning Officer.

The following persons signed in as being present:

Bill Swiernick – David Miller Associate for Country Acres Campground
Justin Smucker – Country Acres Campground
Jerry Smucker – Country Acres Campground
Matt Crème, Esq. – Country Acres Campground and Millcross Properties
Roger Fry – Rich and Martin Plans
Michael Rich – Rich Plan

Minutes:

The minutes of the May 13, 2013 meeting were approved as written on a motion by Mr. Siesholtz and a second by Mr. Ranck and all voting in favor.

Old Business:

- a) Quality Centers – A written time extension was received requesting a 90-day time extension for the plan. On a motion by Mr. Keylor and a second by Mr. Stumpf, with all voting in favor, a 90-day time extension was granted.
- b) Harvey Heller Subdivision Plan – A written time extension was received requesting a 90-day time extension for the plan. On a motion by Mr. Keylor and a second by Mr. Ranck, with all voting in favor, a 90-day time extension was granted. Time extension request for 90 days
- c) Country Acres Campground – Mr. Bill Swiernick and Mr. Matt Crème, Esq. represented the applicants Jerry and Justin Smucker, who were also in attendance. Mr. Swiernick went through all of the modification requests for the project and noted that the most significant that could make or break the project were the modification for a pedestrian linkage from the campground to Leven Road and the curb and sidewalk improvements along Lincoln Highway in front of the Sisko property where the stormwater facilities will be placed. Mr. Crème noted that the Rettew Associates letter calls for these improvements within the project area. The ordinance states within the streets of the project and neither helps. Mr. Crème also indicated that the PA MPC allows for on-site improvements but that the Commonwealth Court has noted on-site improvements may extend beyond the project area to accommodate a safe and appropriate access, which includes stormwater. Mr. Crème went on to note that the Planning Commission and the Board of Supervisors must determine how much is too much when it comes to the improvements along Route 30 for this particular project. Mr. Keylor questioned if the Township Solicitor has been involved in the Route 30 sidewalk and curb issue? Ms. Hitchens indicated that no, there has not been involvement of the solicitor. Mr. Keylor indicated that the Township Planning Commission doesn't typically take

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modifications/waivers without the full plan. Mr. Swiernick noted that input on the curb and sidewalk along Route 30 would be most helpful.

Mr. Siesholtz asked if curb and sidewalk along Leven Road would be completed as part of this project. Mr. Swiernick noted that the one side (west/north) and crosswalk and access on east side but not the full length.

Mr. Siesholtz questioned if the stormwater management would be on the Sisko property. Mr. Swiernick noted that it would be part of the PennDOT HOP and then would travel to an existing inlet.

Mr. Stumpf noted that with curb and sidewalk along the Sisko property they may lose a driveway and that would significantly impact them and they are not part of the project.

Mr. Stumpf questioned if the roadway width was needed to accommodate trailers accessing the campground. Mr. Swiernick noted it will be less tight maneuvering on that roadway.

Mr. Ranck asked if there were any concerns with the signage so that no one goes beyond the driveway. Mr. Crème indicated that this was handled by a Zoning Hearing Board action soon after the Zoning Hearing Board granted the expansion of the campground.

Mr. Keylor questioned if this was a modification or waiver request. Mr. Swiernick noted that they were asking for a waiver of installation of curb and sidewalk and were not asking for a deferral either.

Mr. Siesholtz asked if there were any public transportation facilities in the general area. Ms. Hitchens indicated that anywhere along a bus route anyone can wait for a bus without there being a set stop, they just flag the bus down.

Mr. Siesholtz noted that some physical structure could be used to “stop” the pedestrian traffic from the campground out to Leven Road such as a bollard, off-set gate, or something of the sort. He believed that the connection to Leven Road was a necessity. Mr. Jerry Smucker noted that the general bicyclists from the campground are between the ages of 8-14 and the parents are around the campfire, not with the kids as they bike the campground necessarily and they (the Smuckers) are concerned for the safety of the children if they were to approach Route 30. Mr. Siesholtz questioned if the applicant was requesting action on the full plan. Mr. Swiernick noted that they were not at this time because the project will cease if the improvements along Route 30 are required. Further, after meeting with the Township Manager and Ms. Hitchens it was noted that the applicant could seek approval of the modifications/waivers prior to full plan approval.

Mr. Keylor asked if the applicant would be here tonight with these requests if the stormwater pipe along Route 30 were not a necessity. Mr. Swiernick believed they would not be at this meeting requesting such modifications/waivers.

Mr. Swiernick added that other measures were looked at to avoid having the stormwater facilities along Route 30 and went on to explain all those measures.

Mr. Stumpf believed that the pedestrian way should be provided from the campground to Leven Road but that the applicant should not be responsible for improvements along Route 30.

Mr. Jerry Smucker noted that the improvements along Route 30 would kill the project.

Mr. Keylor noted that the Planning Commission is not to consider the financial aspects of the project in their decision making. Mr. Keylor then questioned if the applicant would be comfortable putting 25% of the cost of the curb and sidewalk in an escrow account for 2 years and if it is not used by the Township for the project then the funds would be returned to the applicant. There was no response from the applicant.

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On a motion by Mr. Siesholtz and a second by Mr. Ranck, with all voting in favor, the Planning Commission granted the modification requests indicated in the June 11, 2013 letter from Rettew Associates as letters a, b, c, e, f and g with the stipulation that there be curb and sidewalk at the radii of Route 30 only. In the same motion the Planning Commission recommended disapproval of the modification request d and indicated that this should be accomplished with a physical barrier of some sort.

d) 1857 Colonial Village Lane – Mr. David Miller of Rettew Associates and Mr. Tom Smithgall of High Associates represented the plan. Mr. Miller noted that there was a new letter issued that day from David Miller Associates and that all conditions of both David Miller Associates letter of June 17, 2013 and LCPC of May 14, 2013 were or would be addressed.

On a motion by Mr. Stumpf and a second by Mr. Siesholtz with all voting in favor, all waiver/modifications were granted and the plan recommended for approval conditioned upon the June 17, 2013 letter of David Miller Associates and the May 14, 2013 letter of LCPC.

New Business:

a) Michael Rich – Mr. Roger Fry and Mr. Michael Rich were present to represent the plan. Mr. Fry went through the response letter to the David Miller Associates and LCPC reviews. The Planning Commission noted that any utilities should not be directly under the new building when they are routed.

Mr. Siesholtz noted that the privacy fence chosen should be “nice” to the adjoining properties. On a motion by Mr. Siesholtz and a second by Mr. Ranck, with all in favor, the Planning Commission granted all waiver/modification requests and recommended approval of the plan conditioned upon the David Miller Associates letter of June 7, 2013 and the LCPC letter of June 11, 2013.

b) Clifford Martin – Mr. Roger Fry was present to represent the plan. Mr. Fry went through the response letter to the David Miller Associates and LCPC reviews. There was a brief discussion on the ownership and maintenance of the cemetery near the site.

On a motion by Mr. Siesholtz and a second by Mr. Ranck, with all but Mr. Stumpf voting in favor as he abstained, the waivers/modification and the plan were recommended for approval conditioned upon the David Miller Associates letter of June 11, 2013 and May 28, 2013.

Briefing Items:

- a) Millcross Properties – Mr. Matt Crème went over a brief history of the project and the settlement of the court proceedings.

Other Business:

- a) LUAB –Mr. Sinopoli notes that the Lancaster City Zoning Ordinance update and the airport project in Manheim Township were the two items discussed at the LUAB meeting that month.

Adjournment:

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On a motion by Mr. Siesholtz, a second by Mr. Stumpf, and a unanimous voice vote, the meeting was adjourned. The next Planning Commission meeting will be held on Monday July 15, 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

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