

Planning Commission Meeting Minutes
August 19, 2013

The regular meeting of the East Lampeter Township Planning Commission was held on Monday August 19, 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, 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:

William Swierni, David Miller Associates
Jerald Smucker, Country Acres Campground
Justin Smucker, Country Acres Campground
Charles Suhr, Host/Tanger
Sander Mednick, Host/Tanger
James Snyder, Host/Tanger
Mason Mednick, Host/Tanger
Parker Mount, Host/Tanger

Minutes:

The minutes of the July 15, 2013 meeting were approved with minor typo correction on a motion by Mr. Siesholtz and a second by Mr. Ranck and all voting in favor.

Old Business:

a) Country Acres Campground – Mr. Swernik, Mr. Jerald Smucker and Mr. Justin Smucker were present to represent the land development plan. Mr. Swernik began with the review letter dated August 14, 2013 from Rettew Associates and the Lancaster County Planning Commission letter dated April 30, 2013. Mr. Swernik proceeded to go over the requested and granted modifications by the Board of Supervisors. Mr. Swernik discussed that there was a meeting that morning with Jim Caldwell of Rettew to discuss the possible resolution to the stormwater management issues. Mr. Swernik noted that the applicant is willing to comply with all Rettew comments and work through them. Mr. Keylor questioned if all LCPC comments had been addressed, Mr. Swernik noted that each was or would be. Mr. Keylor questioned how the Board of Supervisors voted on each of the modifications, Mr. Swernik noted that all modifications were approved by the Board of Supervisors as presented by the applicant.

MOTION:

On a motion of Mr. Siesholtz and a second by Mr. Ranck, the Planning Commission recommended to conditionally approve the land development plan based on the August 14, 2013 review letter from Rettew Associates and the April 30, 2013 review letter from the Lancaster County Planning Commission.

New Business:

a) Host/Tanger Subdivision – Mr. Suhr as the attorney for the applicant represented the plan along with James Snyder, the engineer for the land development plan. Mr. Suhr noted that it was a straight forward subdivision of 13 acres to be taken from the Host property and transferred to the Tanger property. Mr. Suhr went over the David Miller Associates letter dated August 9, 2013 and the Lancaster County Planning Commission letter dated August 13, 2013. Mr. Suhr noted that most of the improvements requested by David Miller Associates should be included when a true land development is presented to the Township.

Mr. Suhr indicated that the proposal was a straight forward land swap. Mr. Snyder believed that the development issues should be deferred at the minimum.

Mr. Suhr noted that the golf course would be reconfigured and would be maintained at 18 holes. One of the holes would change from a par 5 to a par 4.

Mr. Suhr added that only commercially zoned property would be conveyed to Tanger.

Mr. Keylor guided the Mr. Suhr in that the David Miller Associates letter is different in that the applicant is seeking waivers and not all of those waivers were specifically requested by the applicant. A blanket waiver is not appropriate.

Mr. Suhr noted that the waivers should not even apply as the 13 acres in question has no access to Lincoln Highway East or Millstream. Mr. Keylor questioned if there would be a second access for Tanger? Ms. Hitchens noted that Tanger was working with Ramada on a secondary access.

Mr. Snyder indicated that majority of the property being transferred consists of the driving range and one hole of the golf course.

Mr. Keylor noted that there were no questions from the general public.

Mr. Siesholtz inquired if there would be any development at this time of the 13 acres or if this truly was a conveyance of the 13 acres. He also questioned if both Tanger and Host were requesting this transfer.

Mr. Suhr noted that it was just a conveyance and that it was the Host's responsibility to get the subdivision completed as part of the settlement agreement.

Mr. Keylor stated that David Miller Associates is indicating that the following items must be done and that the applicant is not meeting those items. Mr. Snyder hasn't specifically asked for the waivers that David Miller Associates has noted. Mr. Snyder indicated that he is fine with asking for more specific waiver or deferrals.

Mr. Keylor noted that this is an opportunity for the Township to request for improvements, whether or not there was land development as a subdivision is a subset of the definition of land development.

Mr. Siesholtz indicated that he didn't want to look at a blanket deferral for these sites but would want to see the right-of-way width indicated on the plans. The applicant is showing nothing on the balance of either site.

Mr. Suhr provided that the lender will not give approval to show the right-of-way lines, the owners don't have the authority to dedicate right-of-way. When the development carries the need, with land development, thus a variety of reasons that the right-of-way is not shown on the plans and it just can't happen.

Mr. Siesholtz noted that the parcel being subdivided is part and parcel to the entire tract so the Township can look at the whole parcel for both the Tanger and the Host.

Mr. Snyder questioned if the Township would prefer to look at the improvements along Millstream more closely once the project is at land development phase.

Mr. Keylor went through the David Miller Associates letter dated August 9, 2013.

Mr. Keylor questioned why prior Tanger and Host plans couldn't be used to depict the buildings, drive lanes, parking, etc on both sites on this plan.

Mr. Snyder noted that he would request a modification of plan scale, that the monuments would be completed, that a waiver of typical cross sections would be requested, that evidence of DEP requirements would be provided, will request specifically for curb and sidewalk deferrals, and that the stormwater management note will be added. Mr. Snyder continued with revised deeds will be provided for the Tanger lots as Tanger will be doing a lot consolidation with the land development process. Mr. Suhr noted that revised deeds is the wrong term and that no one ever revises a deed only new deeds are created and does not necessarily need to be done with a subdivision.

Mr. Ranck questioned how the existing land use of the golf course would be affected. Mr. Suhr noted that the one hole would go from par 5 to par 4 and that the driving range would be eliminated.

Mr. Siesholtz asked if Mr. Snyder would clarify his waiver requests in writing to Township staff prior to being seen before the Board of Supervisors. Mr. Snyder noted that he would.

Mr. Siesholtz questioned if the Township were to take additional right-of-way now in existing condition then curb and sidewalk would still be the owner's responsibility. Mr. Suhr noted that deferral to land development gets the Township and the applicant both what they want. Mr. Siesholtz didn't necessarily agree.

Mr. Ranck noted that he was not willing to give too many waivers too soon.

MOTION:

On a motion of Mr. Siesholtz and a second by Mr. Ranck the Planning Commission recommended that the subdivision plan be conditionally approved based on the letter dated August 9, 2013 from David Miller Associates and the letter dated August 13, 2013 from Lancaster County Planning Commission.

The Planning Commission had the following recommendations on the waiver/deferral requests:

Plan scale – recommend granting

Perimeter streets including improvements and any related SALDO comments in the 8/9/13 DMA letter – deferral until future development plans are submitted

SALDO comment #4 – submit waiver and grant

SALDO comment #8 – submit waiver and grant

b) Oak Grove School Board – action on the waiver of land development request to relocate a parochial school was tabled given that the school board will need to seek a special exception to be within the rural zoning district.

c) Millcreek Square – waiver of land development for building B loading dock expansion and façade change. Mr. Tom Smithgall and Mr. Steve Evans of High Associates represented the waiver request.

Mr. Smithgall went over the loading dock expansion and façade changes that were proposed and the fact that they were consistent with the conditional use approvals from October 16, 2007.

Mr. Siesholtz questioned if the crosswalks will be changed to meet up with the ADA parking spaces given the relocation of the ADA ramp. Both Mr. Smithgall and Mr. Evans agreed that made sense to do.

MOTION:

On a motion of Mr. Siesholtz and a second by Mr. Ranck, the Planning Commission recommended that the waiver of land development be conditionally approved with the conditions based on the Township staff review of August 14, 2013 to provide an as-built plan for the site upon completion of the project and that the crosswalks be relocated to align with the relocated ADA ramp and ADA parking spaces.

Other Business:

- a) LUAB –Mr. Sinopoli distributed all the materials that LIMC staff provided for LUAB issues and indicated that he would continue to do so in the future.

Adjournment:

On a motion by Mr. Siesholtz, a second by Mr. Ranck, and a unanimous voice vote, the meeting was adjourned. The next Planning Commission meeting will be held on Monday September 16, 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