

Planning Commission Meeting Minutes – DRAFT  
November 17, 2014

The regular meeting of the East Lampeter Township Planning Commission was held on Monday November 17, 2014 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. Ranck and Mr. Stumpf. Also present was Tara A. Hitchens, Director of Planning/Zoning Officer and David Sinopoli, Assistant Township Zoning Officer.

The following persons signed in as being present:

Mark Stanley,	Ed Ostrowski, Harbor	John Kreider
McNees,Wallace and Nurick	Engineering	Paul Artale, DMA
Tom Smithgall, High	Gene Clark, Calumet	Gwen Newell, LCPC

Minutes:

The minutes of the October 20, 2014 meetings were approved on a motion of Mr. Stumpf and a second by Mr. Ranck with all voting in favor.

Old Business:

None

New Business:

a) Clark Associates - #2014-23 2205 Old Philadelphia Pike – Land Development Plan

Mr. Ed Ostrowski of Harbor Engineering and Mr. Gene Clark of Calumet were present to represent the plan. Mr. Ostrowski described the intent of the plan as a demolition of the existing garage and construction of a new three story office building totaling approximately 21,000 square feet with associated parking. Impervious area on the site was being decreased due to the establishment of greenbelts along property boundaries and a new inlet was being established to handle a low lying area of the property and connection with the storm drain system established in Old Philadelphia Pike. Mr. Ostrowski indicated that the applicant and engineer have no issues with the subdivision and land development and stormwater comments in the November 14, 2014 review letter of David Miller Associates. Mr. Ostrowski did note that the applicant would be willing to offer a time frame in which the curb, sidewalk, and roadway improvements could be deferred to and would be willing to post financial securities with the Township for those improvements but that they would continue to request a deferral. The curb, sidewalk, and roadway improvements that may be deferred would only be in front of the existing dwelling on the site, all other portions of the site will have curb, sidewalk and roadway widening was done with the previous planning effort for the site.

Mr. Stumpf noted that PennDOT typically has a time frame in which no improvements can occur, although that seems to have gone by the wayside with a few projects along Old Philadelphia Pike. Ms. Hitchens noted that Sheetz had an agreement with PennDOT to alter the new road surface.

The October 28, 2014 review letter from Lancaster County Planning Commission was read and Ms. Gwen Newell was present to indicate that it would be beneficial to include at least two tree species within the parking areas.

Mr. Keylor questioned if the emergency services received notification of the plans. Mr. Ostrowski indicated that they had but only the Chief of Police had responded to date.

On a motion by Mr. Stumpf and a second by Mr. Ranck, with all voting in favor, the Planning

Commission recommended that the waivers and modifications noted as granted in the November 14, 2014 review letter from David Miller Associates be granted, that the modifications noted as denied by granted as deferrals with the applicant recording a deferral agreement between the applicant and the Township and that the applicant post a financial security to complete the specific improvements deferred. Additionally, the land development plan was conditionally approved based on the November 14, 2014 review letter of David Miller Associates with a revision to the ADA ramp to be out of the right of way per SALDO comment #11 and the October 28, 2014 review letter of Lancaster County Planning Commission items 2 and 3.

b) Bird-in-Hand Restaurant and Theater - #2014-25 2740 Old Philadelphia Pike – Deferral of Planning to Leacock Township

Mr. Paul Artale of David Miller Associates was present to represent the request and review the project. Mr. Artale noted that the client was considering a pedestrian pathway and crosswalk along and across Old Philadelphia Pike from the Restaurant/Theater to the Bakery across the street however was not able to meet PennDOT requirements for the placement of the crosswalk and thus will only be providing a pedestrian connection to the farmer's market, all of which would occur within Leacock Township. No improvements are proposed within East Lampeter Township.

In addition, Mr. Artale indicated that the client would be moving forward with improvements to the Family Inn, Restaurant, and parking areas. The client has been through a number of zoning issues, all within Leacock Township to get to this point.

Mr. Siesholtz noted that the crosswalk in this area has always been an issue and that it never seems to meet PennDOT standards but that everyone knows it is needed, thus it really should be addressed in some fashion.

Mr. Stumpf echoed the same sentiments about the crosswalk and indicated that he was disappointed not to see it occurring at this time.

On a motion by Mr. Stumpf and a second by Mr. Siesholtz, with all voting in favor, the Planning Commission recommended that the planning be deferred to Leacock Township, but would appreciate if Leacock Township and the applicant further consider the merits of a crosswalk and/or pedestrian access between the Theater/Family Inn/Restaurant to the Bakery.

c) Zoning Text Amendment - #2014-26

Mr. Mark Stanley of McNeese, Wallace and Nurick and Mr. Tom Smithgall of High Associates were present to represent the proposed text amendment to the zoning ordinance regarding apartments and multi-family dwellings.

Mr. Stanley reviewed that High Associates was recently before the Zoning Hearing Board for a variance to the definition of the term apartment in order to put more than 12 units per apartment building but that the zoning hearing board denied the request. Interestingly the zoning hearing board had approved the request on multiple occasions previously for the Bentley Ridge development. The zoning hearing board indicated that those approvals had been in error.

Mr. Stanley noted that the draft zoning ordinance was on hiatus due to unforeseen circumstances and that the market is specifically calling for the types of dwellings that have been constructed at Bentley Ridge, thus given the decision of the zoning hearing board and the hiatus of the draft ordinance the thought was to pursue a text amendment.

Mr. Stanley stated that the requested change would not alter the requirements for lot size, lot width, lot coverage or any other bulk requirement that is required within the ordinance. Further, it would not alter any UCC requirements. The request is to eliminate the upper limit within the definition of

apartment house and multi-family. Apartment house would remain at a height requirement of 3 stories and multi-family which is only within the Business Park zoning district would remain at 65 feet maximum height.

Mr. Keylor questioned if apartments are allowed within the BP. Mr. Stanley noted that apartments are part of the multi-family definition, that definition and use “multi-family” is only allowed within the BP. Apartment houses are allowed within the R-2, R-3 and MU, but the use “multi-family” is not.

Mr. Stumpf noted that the density might not work in other areas. Mr. Stanley noted that the lot area requirements per dwelling were not being requested to be changed, just the upper limit of the number of units within a building.

Mr. Siesholtz questioned how primarily was defined for multi-family. Mr. Stanley noted that within the specific requirements of the multi-family section within the BP zoning district 5,000 square feet of the first floor is allowed to be community space, recreation space, or retail space that is directly benefiting the residents of the multi-family structure. Thus, this change from exclusively to primarily is a consistency change that is necessary within the BP to allow the specific criteria to remain. Mr. Stanley further indicated that there is nothing within the proposed changes that would allow retail within the first floor of multi-family building outside of the BP zoning district but that is something that the Board of Supervisors should consider in the draft ordinance.

Mr. Ranck questioned if anyone knew where the 12 came from. Mr. Stanley indicated that he was not certain where it came from but from what they could tell had been in the zoning ordinance since at least 1990.

Mr. Siesholtz noted that it could have been anything and back then fire suppression was not as advanced as it is now, it may have had something to do with that.

Ms. Newell indicated that if the Township is willing to move forward with no upper limit, then they should also consider moving forward with increasing height limitations to go up rather than out. A three story building in an R-2 may be appropriate but in an R-3 or MU there should be considerations for higher buildings.

On a motion of Mr. Keylor and a second by Mr. Ranck, with all voting in favor, the Planning Commission recommended approval of the proposed text amendment changes. Mr. Keylor stated that he hoped that the hiatus of the draft ordinance would be short and that the Board of Supervisors could consider a zoning ordinance in 2015 that would include a definition of multi-family that is a more manageable grouping. He further indicated that he agreed with Ms. Newell that different district should have different rules and that this should all be incorporated into the draft zoning ordinance.

#### Briefing Items:

a) Pennsylvania State Police Troop J Fuel Tank Replacement – Ms. Hitchens briefed the planning commission on the proposed relocation of the fuel tank on the property and that a waiver of land development had not yet been received.

b) McNeil Pharmaceuticals – Ms. Hitchens quickly went through the history of the site and the plans that had been before the planning commission in the recent past. The applicant now proposes to change some of the stormwater facilities on the site and formalize the parking in the rear of the site. This plan is basically a “clean up” plan.

#### Other Business:

a) Devon Creek Conditional Use Application – Ms. Hitchens informed the Planning Commission members present that Keystone Homes has submitted an application for a conditional use to change

the phasing of the project known as Devon Creek or formerly known as Warrington.

b) LUAB – Mr. Sinopoli reported that there was no quorum at the last meeting, thus it was canceled after waiting 20 minutes for other members to arrive.

Adjournment:

On a motion by Mr. Stumpf, a second by Mr. Siesholtz, and a unanimous voice vote, the meeting was adjourned. The next Planning Commission meeting will be held on Monday December 15, 2014 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