

**PLANNING COMMISSION MEETING MINUTES  
September 15, 2016**

**Call to Order:**

Vice Chairman Jim Nagle called the meeting to order at 7:01 PM

**Roll Call:** James Nagle, Rick Breneman, Matt Parido, Paul Browning, Andy Toms and Lamar Rohrer

**Staff:** Joellyn Warren Community Development Director, Denise Glatfelter Comm. Development Assistant, Supervisors Barry Hershey and Geoff Beers.

**Minutes Approval:**

Lamar Rohrer made a motion seconded by Rich Breneman to recommend approval of the August 18, 2016 minutes as presented. Motion passed 5-0 with one abstention.

**Old Business: Subdivision/Land Development Plan for Turkey Hill Minit Market Willow Street Pike/Long Lane.** Jim Nagle recused himself due to a conflict of interest. This plan was continued from the September 15, 2016 meeting. Due to the fact that Chairman Schreder was unable to attend the meeting, and Mr Nagle has recused himself as he is an employee of Willow Valley, a temporary chairman was needed for this meeting. Matt Parido made a motion to elect Paul Browning as temporary Chairman, motion was seconded by Andy Toms. Motion passed 5-0 with 1 abstention.

Tim Harrison was present to represent Willow Valley Associates. Also present were Joel Young and Jeff Case from Rettew Associates, and Rick & Diane Poillon from Willow Valley Associates. Applicant seeks to construct a 5,200sf Turkey Hill Convenience Store and gas station. Added to this Plan is a new connection point with a right in/right out access to Route 222S to the Turkey Hill Store. The new interior road would eventually connect to Willow Valley Drive, but not at this point of the development.

Willow Valley has requested the following Modifications from the Subdivision/Land Development Ordinance and the Stormwater Management Ordinance for The Turkey Hill Store:

Section 240-10 (A) Preliminary Plan  
Section 240-26.A Sidewalks and Curbs  
Section 240-26.B (1) Curbs  
Section 230-32.A.2(c) Loading Ration  
Section 230-37.A.1 Embankment Geometry, Maximum Interiorize Slope

Applicant had comments regarding lighting requirements suggested by the Township Engineer. Street lights are not permitted within a PennDot right of way, therefore the applicant is proposing to place decorative post lights on either side of the entrance/exit drive as close to the right of way as possible to allow for illumination for inbound/outbound traffic.

Brandon Harter from Russell, Kraft & Gruber was present to represent the Willow Valley Condo Association and stated the ongoing concern that the Condo Association has as we go through the phases of this project. Concerns still remain regarding the future access to Willow Valley Drive. As the Planning Commission has previously stated, they cannot enforce who can and cannot access/use Willow Valley Drive. This is a legal matter between the Condo Association and Willow Valley Associates.

Dr Charles King – 2534 Willow Street Pike, requests that caution be used with approval of the Final Plan. He stated concerns for the types of lighting that would be used both around the building itself, and around the gas pumps and canopy. He asked for consideration for the neighbors of this project with respect to the lighting and actual construction plans and any modifications that may be made.

Rich Breneman made a motion, seconded by Matt Parido to approve the modifications, subject to all the conditions of ELA's letter dated 9/8/16, staff memo dated 9/9/16 and LCPC memo dated 3/15/16. Motion approved 5-0.

Rich Breneman made a motion, seconded by Andy Toms to approve the plan and move the FinalPlan forward to the Board of Supervisors, conditioned on compliance with the applicant's testimony and subject to all of the conditions of ELA's letter dated 9/8/16, staff memo dated 9/9/16 and LCPC memo dated 3/15/16. Motion approved 5-0.

**New Business:** Final Land Development Plan – Jay & Jeremy Garber Eshelman Mill Road, Lancaster, PA – Steve Gergley from RGS Associates was present to represent Jay & Jeremy Garber. The applicant seeks to construct a 12,000sf building for landscaping/rental storage business and a Single Family Dwelling to be built at a later date. Applicant received approval from the ZHB in October 2015 for Special Exceptions for the size of the building and to allow for a rental storage business and landscape business. Applicant is proposing a single access drive off of Eshelman Mill Road for the landscape business and eventually the Single Family Dwelling that will be constructed at a later date. Applicant is also proposing a good amount of landscaping to screen the building from the neighbors as required by the Zoning Hearing Board. There were also concerns regarding deliveries, truck parking and truck idling. Deliveries will be made during regular business hours between 7am and 5pm. All deliveries are to be made on the east side of the building as required by the ZHB.

Jay & Jeremy Garber have requested the following Modifications from the Subdivision/Land Development Ordinance and the Stormwater Management Ordinance:

- Section 240-10 Preliminary Plan
- Section 240-24.R.2, 5, and 7 Access Drive, Horizontal Alignment and Signage
- Section 240-24.C Improvements to Existing Streets
- Section 240-36 Parkland Dedication
- Section 230-32.A.2.c Loading Ratio

Questions regarding the Waiver of Parkland Dedication, Section 240-36 were discussed. This waiver is requested due to the fact that at some point a single family dwelling will be built on this site which is a by-right use that does not trigger land development. The standard fee in lieu of would apply for the house only. No Parkland Dedication is required for commercial properties.

Rich Breneman made a motion seconded by Matt Parido to approve the modification requests, subject to ELA's letter dated 8/30/16, Staff Memo dated 9/9/16 in addition to the placement of road signs for "No Right Turns". Motion passed 6-0.

Paul Browning made a motion seconded by Lamar Rohrer to approve the plan and move the FinalPlan forward to the Board of Supervisors, subject to all of the conditions on ELA's letter dated 8/30/16, staff memo dated 9/9/16 and LCPC memo dated 8/17/16. Motion approved 6-0.

**Historic Preservation Ordinance Amendment** – The existing Ordinance which is listed in our Zoning Ordinance has 72 historic buildings listed on Comp Plan. The owners of the property that wish to make major renovations, or demolish the building need to go before the BOS for a Conditional Use request. The amendment to the Ordinance is to determine the criteria and a descriptive purpose and to evaluate whether a demolition or major renovation would be valid and who would make that determination to the BOS, such as an Engineer or an Architect. Our Solicitor has also recommended that the list of Historic Properties be codified as part of the Ordinance as well as the Historic Buildings Map and Table from the Comp Plan. Amendments to the original submittal have been made to include Section 285-37.C(2)(b) Consideration of demolition, Section 285-37(4)(a) Conditions, and Section 285-37(5) Demolition by Neglect.

Lamar Rohrer made a motion, seconded by Paul Browning to move the Historic Preservation Ordinance Amendment forward to the BOS with a request that homeowners whose homes are currently on the list, be notified, and that proposed amendment is consistent with the objectives of the formally adopted comprehensive plan. Motion passed 6-0

**Community Development Director Report** – There were no questions on this report.

**Adjournment:** A motion to adjourn the meeting was made by Paul Browning and seconded by Andy Toms. Motion was approved 6-0. Meeting was adjourned at 8:50pm