

Red Lion Borough Planning Commission
Meeting Minutes
Monday, June 16th, 2014

Members

Wade Elfner
Beth Artman
Cynthia Barley
Felix Milner
Robert Frutiger

Others

Dianne Price, Borough Manager
D. Michael Craley, Solicitor
Stacy Myers, Recording Secretary

Visitors

Jim Denniston
Margaret Schmidt
Bridget McCauliff

Stephanie Weaver
Doug Schmidt
John Luciani

1. The meeting was called to order @ 7:06p.m. Everyone present participated in the pledge to the flag.
2. Mrs. Artman made a motion to approve the April 21st, 2014 meeting minutes; Mrs. Barley seconded. All were in favor; motion carried.
3. **Land Development Plan submitted by Patton Veterinary Hospital for an addition to an existing animal hospital.** Dr. & Mrs. Schmidt were present, along with their Engineer, John Luciani from First Capital Engineering. Mr. Luciani explained that the Schmidt's wish to expand the waiting room area of their existing 7,000 sq. ft. building. The appendage would be 1,600 sq. ft. onto the west side of the building. There are currently 40 parking spaces; 8 additional spaces would be added during the expansion. Borough Engineer, C.S. Davidson, and York County Planning Commission submitted comments regarding the plan. C.S. Davidson's are as follows:
 - *Zoning Ordinance Comment: Applicant indicated the expansion is covered under the previously approved Special Exception, issued by the Zoning Hearing Board. Zoning Officer confirms this to be true.*
 - *SALDO comment #1: Location width of all right-of-ways added to plans. East Broadway is State highway, right-of-way & cartway width provided on plans.*
 - *Comment #2: Statement of ownership on plans. Once all revisions are complete, Mrs. Schmidt will sign the plan prior to recording.*
 - *Comment #3: Certification that the planning module and any requirements have been approved by Department of Environmental Protection. No additional sewer units will be necessary.*
 - *Comment #4: Permanent monumentation of all property corners necessary. All concrete corner monuments will be set.*
 - *Comment # 5: Erosion & Sedimentation Plan. Mr. Luciani stated they are under the threshold for an NPDES (National Pollution Discharge Elimination System), which is one acre. They have an Erosion Control Plan but it is not reviewed by the County.*
 - *Comment # 6: Conditions imposed by Zoning Hearing Board in granting a Special Exception. Mr. Luciani stated they are compliant with all of the conditions.*
 - *Stormwater Ordinance Comment: seepage detail discrepancy on plan. This was corrected.*
 - *Operation Maintenance Agreement will need to be executed for the stormwater facility. This will be an outstanding condition...every time it rains it will need to be checked & maintained, and they will allow township officials to come do this.*

York County Planning Commission's comments are as follows:

- *Front setback has to be 50' on a major thoroughfare.* Added a 35' setback initially and the building is set way back from the main road.
- *Minimum required lot area for an animal hospital is two (2) acres.* This is a 2.3 acre property
- *Animal runs or similar structures must be located at least 25' from all property lines.* The fenced enclosures meet this requirement.
- *SALDO Comment #1: Name & address of property owner on plan.* Margaret Schmidt will sign the plan.
- *SALDO Comment #2: Location map on plan should be 1" = 1,000', they provided 1" = 2,000'.* This has been corrected.
- *Dimension for both western & eastern property lines, between the front property line and right-of-way are missing.* This has been provided.
- *Street right-of-way & cartway width of East Broadway need to be added.* This has been done.
- *Statement of ownership.* This has to be completed.
- *Finished grade.* Spot elevation will be done to drain water away from building.
- *Planning module.* Has been addressed.
- *E & S Plan.* Has been addressed.

The Schmidt's are asking for four (4) Waivers:

- Clear sight triangle—to use “safe stopping sight distance” that they now have
- Curbs—bumper blocks to be used in lieu of curbing. Water will collect and runoff into seepage pits.
- Stormwater--Additional underground seepage pit to accommodate stormwater infiltration runoff
- Waiver of preliminary and final plan

Mrs. Barley made a motion to approve these four (4) Waiver requests; Mr. Milner seconded. All were in favor; motion carried.

Mrs. Barley made a motion to recommend approval of plan with technical conditions. Solicitor Craley concurs that the three outstanding conditions are technical in nature and not an issue. Mr. Milner seconded. All were in favor; motion carried.

4. **Application submitted by Village Realty for a Variance to exceed the allowed paved area of 20% and for a Variance to allow a 25-foot setback from the right-of-way line of Country Club Road for property located at Boundary Avenue, Red Lion, PA.** Chairman Wade Elfner recused himself at this time due to his ownership of the property involved. Vice-Chairman Beth Artman took over the meeting. Because of the setback modification clause, Zoning Officer Dan Shaw determined the Variance for the setback can be withdrawn.

Variance to exceed allowed paved area of 20%. Impervious coverage of the parking area is 40%. There will be 12 indoor parking spaces and 12 outdoor parking spaces along with some guest parking. Mr. Craley stated that the rationale behind the limitation on impervious coverage is for water runoff control. What is being proposed is 7.99% over the allowed impervious if all of Boundary Avenue is obtained. If only to the center line of Boundary Avenue, the impervious cover of parking area is 27%. Solicitor Craley stated that in 2000-2001, it was determined that the adopted or “borrowed” portion of Boundary Avenue extended to the edge of Keener Kitchens parking lot. The sewer line extended a little beyond that. The Borough has no interest in that portion of Boundary Avenue. This is a civil matter to determine who actually owns the land, between Mr. Denniston & the landowner on the upper side. It is not Mr. Denniston's intent to integrate ownership of this property with the other properties on Country Club Road.

Mr. Denniston explained that what stormwater runoff collects on the property will run into retention facilities. The main factor of the Variance to consider is the adverse effect (if any) it would have on the adjoining properties. Stormwater runoff will be addressed during Land Development and engineering. The general consensus of the Commission was 8% impervious is acceptable; 20% is too much.

The layout of the property was discussed. It is a unique property which is overgrown with trees/shrubs. The property has never shown up on a plan. There isn't much that can be done with this piece of property being that to run sewer to it would be terribly expensive, which necessitates that it be used in this manner. Mr. Craley stated that if Mr. Denniston can show to the Zoning Hearing Board that the expenses involved in developing this piece of property are prohibited without having the return from the 10 townhouse units, he (Denniston) will meet the requirements, or the amount that he could reduce to meet the percentage of impervious coverage in the parking lot.

Mr. Milner made a motion to recommend approval of the Variance to the Zoning Hearing Board; Mrs. Artman seconded. A vote was taken, ending in a 2/2 tie vote, with Mrs. Barley and Mr. Frutiger opposing. This issue may go before the Zoning Hearing Board without a recommendation.

5. With no further business being before the Commission, Mrs. Barley made a motion to adjourn at 8:15p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary