

**Red Lion Planning Commission
Meeting Minutes
Monday, June 20th, 2016**

Members

Beth Nidam
Robert Frutiger
Nevin Horne
Wade Elfner

Others

Dan Shaw, Codes/Zoning
Dianne Price, Borough Manager
Mike Craley, Solicitor
Jeff Shue, Engineer
Stacy Myers, Recording Sec'y

Visitors

Troy Leiphart
Neal Metzger
Trey Elrod

Dennis Klinedinst
Tim Rutter

1. The meeting was called to order @ 7:00p.m. All present participated in the pledge to the flag.
2. Mr. Frutiger made a motion to approve the April 18th, 2016 Meeting Minutes; Ms. Nidam seconded. All were in favor; motion carried.
3. **A revised Land Development Plan was submitted by Troy Leiphart Masonry, Inc. for a Mini-Storage facility in the Industrial Zone at Neff Street Extended.** Trey Elrod, with Gordon Brown and Associates addressed the Borough Engineer's comments regarding the LDP. Mr. Elrod addressed the Borough Engineer's comments as follows:

Per Building Ordinance:

- *No proposal has been submitted to address the screening and buffering as required.* The revised plan shows a 6' chain-link fence with slats to provide the screening/buffer along the property line. The fencing is not required by Zoning Ordinance, but because of the Red Lion Mile and the nature of his property, Mr. Leiphart is amenable to put up the fence w/slates to promote privacy and deter trespassing.

Per SALDO:

- *Certification, seal and signature are required on title page.* To be done.
- *Statement of ownership required.* To be done.
- *Certification that the planning module for Land Development waivers has been approved by PADEP.* These have been submitted; have not yet received.
- *Erosion & Sediment Implementation Plan to be submitted to York County Conservation District.* Has been submitted; have not yet received. Grading shown on the plan is revised grading & includes retaining wall.
- *Required waivers for preliminary plan & plan scale.* A Preliminary Plan would allow property owner to improve infrastructure that the Borough requires by Ordinance, which could be done without obtaining a bond. Jeff Shue suspected Mr. Leiphart will submit a financial estimate for security for fencing, etc or anything required by Ordinance. Then there is no need for a Preliminary Plan; they can go right to a Final Plan. Jeff is amenable to this. Jeff also agrees with the waiver for plan scale. These waivers will need to be acted upon.
- *A bonding/cost estimate is required (as stated above) to eliminate the need for a Preliminary Plan.* The estimate will be submitted when other issues are resolved and before the plan goes before Borough Council.
- *Turning templates should be reviewed by the first responders to ensure turning radius is adequate for emergency vehicles.* Via email to Dan Shaw, Scott Kopp, Red Lion EMA Director, stated he had no problem with the turning radius for emergency vehicles. He wanted to verify where the nearest fire hydrant was, which is located at Neff Street. This email will be given to Jeff Shue for verification.

- *Stormwater Management Plan—operation and maintenance agreements will need to be established & recorded as required by Ordinance.* Mr. Elrod stated there is now a signed O & M Plan; however, York County has to approve this first.
- There is 1 (one) outstanding item and 4 (four) conditions and the waivers before the Commission for action.
- Ms. Nidam made a motion to recommend approval of the Preliminary Plan Waiver; Mr. Horne seconded. All were in favor; motion carried.
- Ms. Nidam made a motion to recommend approval of the plan scale Waiver; Mr. Frutiger seconded. All were in favor; motion carried.
- At Jeff Shue and Mr. Craley's recommendation, Mr. Frutiger made a motion to recommend approval of the plan subject to conditions involving 1C, 1D, 1F, Stormwater comment 1A and resolution of item G. Ms. Nidam seconded. All were in favor; motion carried.

4. **Tim Rutter and Neal Metzger, representing Rutter's Farm Store were present to discuss options for the store located at the corner of Winterstown Road and South Main Street.**

Rutter's was approached by Mr. McCleary, owner of 730 South Main (next to Rutter's store) to gauge Rutter's interest in buying his property in plans of expanding the store. McCleary's property is currently zoned Residential Outlying, but would need to be rezoned to Commercial in order for Rutter's to expand their store, parking lot, etc onto it. Mr. Rutter and Mr. Metzger attended the June 13th Council meeting to discuss this; however, Council wanted the issue to originate with Planning Commission. This is very preliminary, but Rutter's suggested Borough Council do a map amendment to the Zoning Map in order to rezone the McCleary property. Discussion was held on whether or not other properties in the area could also be rezoned at the same time. In the event the residents try to sell their properties, Mr. Elfner stated it would be very difficult for a buyer to get financing for a residential property located in the Commercial Zone. Under this advisement, the Board decided all other residential properties in that vicinity should remain part of the Residential Zone.

A store expansion would mean more parking, moving the gas pumps and also moving the entrance to the store away from the intersection. Discussion was held on many options and some problems that the current store creates. Some Commission members were amenable to the expansion of the store; however, Mr. Elfner was vehemently opposed. As a neighbor of this particular Rutter's store, Mr. Elfner stated the noise from the compressors, lights (this store is open 24/7), littering from the store, he is not in favor of a store expansion. Nothing against the Rutter's corporation, but this particular store he feels, is large enough. The alley running behind the store cannot handle the traffic flow as it is and Mr. Elfner stated a larger store means more traffic traveling at unsafe speeds through the alley, not to mention more noise, more lights, etc. Mr. Rutter stated with new LED lighting, it is easier now to direct the lighting away from neighboring properties; however, lighting is only one of the issues Mr. Elfner is opposed to. Mr. Horne stated that since Mr. Elfner, as a neighbor is opposed to the idea, then he is also opposed. After much discussion, a consensus was taken. Ms. Nidam & Mr. Frutiger are in favor of rezoning one adjacent property (730 South Main) if the alley would not be opened for access to & from Rutter's. Mr. Elfner & Mr. Horne are against the rezoning of 730 South Main Street, believing it would have a negative impact on neighboring properties. This input will be referred back to Borough Council.

5. **The following proposed Zoning Ordinance changes were discussed.**

- *Section 27-605C--Requirement of a 1600-sq. ft. display room for automobile and trailer sales.* This issue is on hold until input is gathered from other Board members.
- *"Multi-Use" should be added to Table of Contents.*
- *Water/sewer hookup at a mini-storage facility in Industrial Zone—currently this is required and requires a waiver for properties without. Should this be added as requirement?*

- *Section 27-410—Parking, or Section 27-629 pertaining to mini-storage facility—how many spaces should be required? Where should they be located?* If a facility is strictly mini-storage, parking is not required because mini-storage is not considered commercial space. The Board favors “one space per story or 5,000sq. ft. (whichever is greater) of mini-storage area”, either as a requirement in 27-629 or 27-410. Mr. Craley recommends it go under Section 27-410 as an added line for mini-storage facilities.
 - *Termination of enterprise and signage*—add or remove sign identification of business, once business has moved. Change the wording in Ordinance from “pertaining” to “identifying”.
 - *Section 27-504B*—typo, “extension” should be “exception”
 - *Section 27-414-3*—typo, “relationship”
 - *Page 27:51*—typo, “changed” should be “change of”
 - *Part 4, General Use Regulations—to add or delete “pets” from paragraph.* If Borough wants to limit number of animals that residents keep as pets, Mr. Craley suggested doing that in the Animal Ordinance, not the Zoning Ordinance. For a breeding/boarding kennel, Zoning is where that should be listed; refine “kennel” definition to include boarding and breeding. Pet problems due to noise, lack of clean-up, etc. should be listed under Nuisance Ordinance.
 - *Day care parking*—what is excessive? Currently allows one space/employee plus one space per 100sq. foot of habitable floor area. The Board does not believe this is excessive.
6. **Adjournment**—With no further business before the Board, Ms. Nidam made a motion to adjourn the meeting @ 8:52p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary