

**Red Lion Planning Commission
Meeting Minutes
Monday, July 18th, 2016**

Members

Cindy Barley
Joyce Seabolt
Felix Milner
Bob Frutiger
Nevin Horne
Wade Elfner

Others

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

Visitors

Tina Frutiger
Robert Katherman

Joe Darrah
Jerry Stahlman

1. The meeting was called to order @ 7:00p.m. All present participated in the pledge to the flag.
2. Mrs. Barley made a motion to approve the June 20th, 2016 Meeting Minutes; Mr. Horne seconded. All were in favor; motion carried.
3. **A Special Exception application was submitted by Kitty & Harry Darrah, III for a home occupation (beauty salon) at 517 East Lancaster Street.** The property is located in the Residential Outlying Zone. Attorney Robert Katherman, from Katherman, Heim & Perry, is representing the Darrah's. Kitty was unable to be present tonight, so Mr. Katherman will question Harry (Joe) Darrah, III in regards to the Special Exception application. Kitty & Joe Darrah reside at 513 East Lancaster Street and have recently, through an estate sale, acquired 517 East Lancaster Street. They will reside at 517 East Lancaster Street and while renovating it, Kitty Darrah would like to continue her beauty salon business, which she has operated for 27 years, at that location (517).

Zoning Ordinance 27-504:6 was reviewed. General standards for a Special Exception are:

- *Is the business in harmony with its surroundings? Yes. Will anything change in regards to the appearance of 513-517 East Lancaster? No*
- *Is there a sign or any special lighting outside of Kitty's salon right now? No*
- *Is there anything to alert anyone that the business is operating in 517 East Lancaster? No*
- *Is there public water & sewer at the property? Yes*
- *Fire & police protection? Yes*
- *Will her use of a portion of this building in any way, negatively impact the properties on either side of 517 East Lancaster? No*

Of note, for 27 years Kitty Darrah has operated a beauty salon at 513 East Lancaster (which was owned by her parents) by Special Exception. She has no employees now and will not have any employees at the new location. Kitty's hours of operation will remain the same at the new location.

Zoning Ordinance 27-624 was reviewed; Home Occupation and Profession. Standard of this is to have an extremely low-impact business on a property where you live.

- *Will Kitty Darrah have any employees at the 517 East Lancaster Avenue business? No*
- *The external appearance of the business is a white-siding building to the rear of the 517 East Lancaster Avenue property. The main house is in the front of the property.*
- *Looking at the property now and after Mrs. Darrah begins conducting her business at 517 East Lancaster, there will be no noticeable change. No exterior lighting and no*

exterior signage will be added. Should the Planning Commission put any conditions on Mrs. Darrah's business, will she abide by them? Yes

- *Two parking spaces are required. There is currently a gravel lot with enough area for three parking spaces. There are no plans to expand the area and no lighting will be added to the parking area.*
- *Kitty's Beauty Salon business is through word of mouth only. No newspaper, TV or radio advertising is done.*
- *In the 27 years that Mrs. Darrah has conducted business at 513 East Lancaster, how many times has the Borough or Police been called with complaints about the business? None.*
- *Mrs. Darrah's hours of operation will be during the normal work day, unless she would have a customer needing a special appointment time. She has no problem should the Board want to impose certain hours.*

Jerry Stahlman, from Stahlman & Stahlman, Inc. Engineering discussed the lot coverage of 517 East Lancaster Avenue:

- *Ordinance requires 10,000 sq. ft. for Special Exception. Darrah's property is 14,000 sq. ft.*
- *Two parking spaces required. Three provided on gravel lot area.*
- *Front setback is 25'; side setback is 10'; rear setback is 40'*
- *Lot coverage allowed is 30%. Current lot coverage is 12.3%.*
- *Paved coverage allowed is 15%. Current paved is 8.9%*
- *Open space required is 70%. Current open space is 87%.*

Of note, the accessory building where the home occupation will be operated (517 East Lancaster) is listed "existing dwelling". The Darrah's are giving up whatever non-conforming right they have to have two single-family dwellings on one lot. 28% of the rear building is to be used for the home occupation. The rest of the rear building will be used as storage and this will be the representation to the Zoning Hearing Board. Although Ordinance 27-624 states "a Home Occupation has to be within the dwelling unit", the definition of a Home Occupation "allows it in an accessory structure".

Mrs. Barley made a motion to recommend approval of the Special Exception for a Home Occupation at 517 East Lancaster Avenue as presented; Mr. Horne seconded. All were in favor; motion carried.

4. **Welcome to the newest Planning Commission member, Joyce Seabolt, who resides at 105 West Lancaster Avenue. Joyce is taking the place of John Persing.**
5. **A Special Exception application was submitted by Lucky 7 Rod Shop for an Automobile garage (major) and a Variance from the requirement that all vehicles shall be repaired and removed from the premises within a 2-week period.** Because the applicant is not present tonight, the Board is not making a recommendation.
6. **Discussion was held on proposed Zoning Ordinance changes.**
 - **27-605**—Automobile and/or trailer sales; Automobile body shop and/or Automobile garage (major) are all lumped together. Does the Board wish to separate these? Do you want to allow them in different zones; Commercial vs. Industrial? Do you want to apply different standards to each?
 - **27-605(C)**—the 1600 sq. ft. showroom required for automobile or trailer display building devoted exclusively to the display of automobiles or trailers. This is an out-of-date requirement and it is now only permitted in Commercial or Industrial Zones. Some of the Board members believe this requirement to be overly restrictive.
 - A consensus was taken on the following Ordinance requirements that require Waivers:
 - Required public water & sewer at a mini-storage facility. The Board voted 5-1 to strike it as a requirement. (Mr. Frutiger opposing)

- Required 1600 sq. ft. showroom for automobile or trailer display. The Board voted 5-1 to strike it as a requirement. (Mr. Frutiger opposing).
 - All vehicles shall be repaired and removed from the premises within a 2-week period. The Board voted unanimously to strike as requirement.
7. **Other business**—discussion was held on the Rutter’s proposal to expand their store at the corner of Rt. 24/Winterstown Road. Mr. Frutiger stated that in order to get rid of any undesirable aspects of the current Rutter’s the Borough can put stipulations on any expansion plans of the store. If Rutter’s is changing the building, lighting, parking, entryways to store, maybe we could negotiate for the new, expanded store. Mr. Craley said no conditions can be put on anything above & beyond what they are changing; the conditions have to be within the perimeters of their proposed changes. Mr. Elfner, along with 5-6 of his neighbors is vehemently opposed to the expansion of that particular Rutter’s store as their properties border it. Some of the problems created by the 24/7 store are late-night deliveries from tractor trailers, bright lights, loud compressors on the roof and litter. While Mr. Elfner and his neighbors have nothing against Rutter’s Corporation and understand these are all part of conducting their business, they do not feel an expansion would create any more of a favorable environment for the neighboring properties.
8. **Adjournment**—With no further business before the Commission, Mrs. Barley made a motion to adjourn the meeting @ 8:30p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary