

**Red Lion Borough Council
Meeting Minutes
Monday, February 8th, 2021**

Members present in-person

Cindy Barley
Tina Frutiger
Muriel Slenker
Stephanie Weaver
Chris Minnich
Dennis Klinedinst
Tony Musso

Others present

Dianne Price, Borough Mgr. (Zoom)
Dan Shaw, Codes/Zoning
Mike Craley, Solicitor
Jeff Shue, Engineer
Brett Patterson, Public Works
Mayor Walt Hughes (Zoom)
Stacy Myers, Recording Sec'y

Visitors present

Randy Gray
Samantha Craley
Scott Gingrich
Jordan Ilyes
Grant Anderson

Meredith Yakelis (Zoom)
Ian Montgomery (Zoom)
Nick Rhoads (Zoom)

1. The meeting was called to order @ 7:00p.m. A moment of silence was observed, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**—Mrs. Frutiger made a motion to approve the January 11th, 2021 Meeting Minutes; Mr. Minnich seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**—with tonight's meeting also being held virtually, Mrs. Price stated she received no written questions, comments or concerns to be addressed by Council tonight. Jordan Ilyes (Ilyes Holdings, LLC) & Grant Anderson (Site Design Concepts) were present to discuss the redevelopment of 252 N. Franklin Street. Jordan is anxious to develop this property into high-end apartments & said the building has great bones. With the Rail Trail running beside it, he hopes it will make the apartments even more appealing. He's currently working on another project in Dallastown that he should complete in 3 weeks, at which time, he'd like to move onsite to 252 N. Franklin. Otherwise, he will need to begin another project in Hanover & it may be a year until he can come back to Red Lion. Because Borough staff & Jeff Shue had some areas of concern with the site plan, Jordan's Engineer, Grant Anderson created a much more detailed site plan in an effort to address those concerns. Grant presented a site survey that was conducted from a drone. At last week's Work Session, Jeff Shue had asked Jordan & Grant to review the Borough's SALDO & make a list of sections that would hinder (or put undue hardship) on them while trying to move forward with this project. There is a unique building on the property, along with a lot of gravel & pavement, but Jordan & Grant are proposing to maximize the use of the property to make it a viable multi-use building. There are 19 waiver requests Grant presented to Council; some related to administrative issues, others related to design & construction.
 - *Section 304*—typically when plans are distributed to the Borough, they also get distributed to YCPC, York County Conservation District & PennDOT, but there are no State roads involved in Jordan's project & since the proposed disturbance will be under 1-acre, it's not required he go to YCCD for permitting, but this is a risk that Jordan will take, ensuring the disturbance stays under 1-acre. And they prefer the plan not go to YCPC to save time & streamline the process. Jordan & Grant will work with the Borough Engineer, Solicitor & Zoning Officer to review the plans & work to resolve any issues.
 - *Section 307*—for Borough Council to approve the Land Development Plan. In an effort to streamline the whole process, Jordan & Grant plan to work with the Borough Engineer, Solicitor & staff rather than submitting a LDP.

- *Section 402*—requires a Preliminary Plan; however, Jordan wants to treat the detailed site plan as a Final Plan.
- *Section 404.2.N*—requires the dedication of right-of-way for road widening.
 - N. Franklin’s ROW is 50’—required to be 60’ because it’s a collector street
 - Cherry Street’s ROW is 45’—required to be 50’
 - Keener Ave’s ROW is 36’—required to be 50’
 - Cypress Lane’s ROW is 16’—required to be 22’

All these streets are built up & the dedication of more land will encroach into the buildings.

- *Section 404.2.CC, DD & EE*—providing certifications from YCPC & Red Lion’s Planning Commission & Borough Council on the plans.
- *Section 506.3*—provide dedication of land for widening the existing ROW’s
- *Section 506.4*—to improve the roadway/widening of the cartways (of all above-named streets).
- *Section 509*—requires vertical curb be installed. There is already curb along N. Franklin & Keener Avenue, but none on Cypress & Cherry.
- *Section 510.1.C*—requires sidewalks “if it provides access to community facilities such as schools, shopping areas, etc.” There are currently sidewalks along N. Franklin & Keener Avenue, but none along Cypress & Cherry. Of note, there will still be on-street parking on one side of N. Franklin unless Borough Council makes that a “No Parking” area.
- *Section 511.7*—requiring street trees.
- *Section 511.8*—requiring streetlights. Currently, there are 2 streetlights on N. Franklin & Jordan is proposing to add onsite parking lights.
- *Section 512.1.E*—requires all driveways be constructed with a slope of no more than 10% within 25’ of the street ROW. This applies to the slope at the rear entrance of the West parking lot, which is 11.5% and Jordan is proposing to maintain that.
- *Section 512.2.D*—requires all access drives to be a width of 24’ (12’ per lane). Currently, there is one 16’ one-way access drive on the site & several other two-way drives ranging from 16’-22’ wide.
- *Section 516.3*—requires the connection of stormwater management facilities to existing storm sewers. There are storm inlets around the project, but not close to the proposed underground seepage pits.
- *Section 520*—requires concrete monuments at the intersection of the street ROW & the property lines. Because the site is mainly developed, there’s only one area feasible to sit the concrete monument & that will be at the rear entrance of the West parking lot.
- *Section 602*—requires surety to be posted for the public improvements.
- *Section 301.12*—requires all proposed stormwater management structures to comply with building setbacks. Three seepage pits are being proposed for the site & due to the sloping towards Cypress Lane ROW, the pit is at the bottom of the slope & it encroaches into the building setbacks. This won’t impact neighboring properties but is a technicality.
- *Section 308.4*—requires the project be reviewed/approved by YCCD, but again with disturbance being under one acre, Jordan understands the risk, as discussed above.
- *Section 603*—requires the developer post a bond for stormwater improvements.

With this being a unique project, Jeff Shue sent a detailed memo to Mrs. Price & Mr. Craley with his thoughts being this is more policy than anything else, but there are a few areas of concern for Jeff:

- There’s a municipal review process that a LDP encapsulates, ensuring that a Borough’s Planning Commission & Council understand everything. That will not be happening here, but as long as Council understands everything related to Jordan’s plan & what he’s proposing, that’s fine.

- The lack of other governmental reviews such as YCPC, but Jeff agrees this is a duplicate effort and in this case, is not necessary (or a risk).
- Not involving the York County Conservation District & obtaining a NPDES permit. If the land disturbance is over one acres, this permit is required. On this property, there is a lot of stone, in some areas the grading will be minimal, some areas more. But it's unclear whether that will count as "disturbance" and Jeff doesn't want the risk to be the Borough's responsibility. The Borough has a signed MOU that states the Borough will always give plans to YCCD for their review. Should YCCD receive a complaint, they can visit the site to make a determination of disturbance. Jeff said a pre-application meeting could be held with YCCD to gauge their feelings on Jordan's plan.
- Other regulatory agencies, like DEP that will need to approve the sanitary sewer permitting, but this can be done on a staff level.
- The plan includes physical improvements, i.e., joining streets, sidewalks, lights, trees, slopes of access, etc. that need to be decided on.

Jeff believes many of these issues can be discussed/addressed on a staff level by having a system in place to review details before bringing them back to Council for decisions. Jeff will work with Jordan & Grant, but some detailed discussion will be necessary on some issues.

The above created some questions/comments from Council:

- Time is a factor for Jordan. Some issues that need to come before Council when they only meet once/month, but Jordan & Grant are moving quickly to get Council what they're asking for in a timely manner. Jeff hasn't seen any design for the seepage beds & that must be done, but that also can be done on staff level & can be expedited.
- Jeff doesn't believe it's possible for Council to act on all the above waivers tonight. And Council members (& Mr. Craley) would like more time to review them. Jordan is ready to apply for his demolition permit but is holding off till he gets answers on the waivers.
- Mr. Klinedinst recommended a pre-application meeting with YCCD to avoid a future problem with not obtaining an NPDES permit. Grant reported that on some past projects with expanding buildings over paved parking lots that were over 60,000sq. ft., YCCD agreed the only disturbance was areas to be saw-cut & digging out for footers.
- Mr. Musso suggested giving Jordan approval to move forward with his site plan with Jeff Shue's oversight. This is a unique situation, but Mr. Musso trusts Jordan's knowledge & otherwise, this building may sit vacant for a while. Most other Council members are familiar with Jordan's work & trust his knowledge, having completed 20+ projects such as this.
- Mr. Craley asked if Jeff Shue can call YCCD & get a verbal approval; Jeff will try & report back. This would help with the time constraint Jordan is under, otherwise, Jordan is concerned that with COVID, etc., an approval from YCCD would take a month or more.

Three areas of concern when dealing with large projects like this are noise, parking & stormwater management. Noise & parking have already been addressed during the zoning process.

- Stormwater managements issues are unclear, but these are the main concern for Jeff, Mr. Craley & some Council members. Jeff hasn't been onsite yet but plans to visit soon.
- Because of the number of waiver requests, Mr. Craley suggested recessing this meeting until Monday, February 15th giving Council & himself more time to review them. Questions or concerns can be forwarded to Jeff or Mr. Craley & on Feb. 15th, Council can reconvene to discuss the plan, address concerns & grant the waivers, once decided. He said Council may want to require some type of bond be posted until all construction is complete.

- Of note when Ms. Weaver asked Fire Company members if the fire hydrant in front of the David Edwards building would be enough to extinguish the building, should it catch fire, they responded no, but there are two other fire hydrants in close proximity.
4. **Public Safety**—Ms. Weaver distributed the following reports:
 - **Fire Company Report**—Chief Gingrich stated:
 - January had 101 calls, 21 of them in Red Lion Borough
 - Training hours were added to the report by means of a training module added to the Fire Company’s software
 - New ladder truck is in the station. If any Council want to see it, this can be scheduled. It’s black & gold to go with the school district they serve & has 296’ of ground ladders on it.
 - Rescue truck is currently being remodeled to add shelving & air bags.
 - **EMA Report**—was distributed
 5. **Mayor Hughes Remarks & Recommendations**—no report, but Mr. Klinedinst asked if the Mayor could contact Lion Pharmacy to check the possibility of getting COVID-19 vaccines for Borough residents. Mayor Hughes said many local pharmacies are getting the vaccine but are currently backlisted. He will contact Beth at Lion Pharmacy & report back.
 6. **Solicitor’s Report**—Mr. Craley reported:
 - He contacted the Rail Trail Solicitor regarding any issues related to Ed Pearson’s property, the ROW & the survey. Mr. Craley will review the information he was given & report back at next Monday’s meeting.
 7. **Engineer’s Report**—Jeff Shue reported:
 - Street work project on Martin, Summit & Railroad—bid opening will be the morning of Monday, March 8th, so Council will be able to award the bid that night at their meeting. Mr. Klinedinst mentioned there are some vehicles along the road project route that have expired tags & will need to be moved. Borough staff will look into this. Once the bid is awarded & costs are known, Mrs. Price said she will mail letters to residents who will need to replace/repair their sidewalk during this project.
 - Lancaster Street opening—DEP is requiring extensive permitting on the General Permit for this & unfortunately, those requirements could take up to a year & will involve approx. \$20,000-\$25,000 in engineering costs. Council would like to put this on hold due to the money being spent on roads this year.
 - Rt. 24/Rt. 74 Project—working with Borough staff to obtain supplemental information for PennDOT
 8. **Parks & Recreation**—Mrs. Barley & Meredith Yakelis reported:
 - Food Truck Fridays will be held the 3rd Friday of June, July, August & September from 4:30-7:00pm in the Municipal Parking Lot.
 - June 5th—Suds ‘n’ Song is being planned
 - Summer Camp—counselors are booked & registration for campers will begin in March
 - Softball program is going well
 - Cheer program is going well & will be done in a couple weeks
 - March 27th—Easter Egg Hunt @ 11am—tickets are available & pre-registration is required through Event Brite online ticketing system. Tickets are going fast! There will be no breakfast due to COVID restrictions. There will be 3 egg hunt groups:
 - 5 years & under (50 tickets)—a parent must accompany their child(ren)—tickets going fast!
 - 6-10 years (75 tickets)—about 50% full
 - Special needs @ 11:30am

- Waive alcohol restriction for Suds ‘n’ Song & Food Truck Fridays—Mrs. Barley made a motion to waive the alcohol restriction for these events; Mr. Minnich seconded. Motion carried, with Mr. Klinedinst & Ms. Weaver opposing.
- Park equipment to be purchased with grant money—Meredith is still reviewing opinions & reviews, but many Rec groups haven’t had problems with it. Some of the equipment will be placed near the playground to be visible on security cameras. At Council’s request, she will contact York City for feedback, as they recently installed some park equipment.

9. **Municipal Services**—Mr. Minnich reported:

- February 17th—water shut offs for delinquent bills
- April 5th—proposed flushing of the water system
- Hydrant discussion—Mr. Minnich & Mr. Klinedinst discussed the possibility of charging the Authority for use of the hydrants mainly because the Borough will be maintaining them & paying for the water. A yearly fee of \$200/hydrant (total \$19,400) was suggested. The Municipal Authority used to pay the Borough’s water & sewer, but in 2010, that stopped. Mr. Klinedinst said \$200/hydrant sounds steep, but he feels that what the Borough will be paying in hydrant maintenance, a fee should be charged.

Mr. Craley said in the other municipalities he represents, the Municipal Authority owns the fire hydrants as part of their water system and, in his opinion, it should be their responsibility. He said it’s their water, they’re paying to have it produced and if the water is used to maintain or flush the hydrants, that’s part of the cost of operating their system & to provide a potable product.

Mrs. Barley said the Borough was paying to keep water to the hydrant. RLMA was charging the Borough \$7.50/hydrant which was considered a “standby fee”, but no one was maintaining them. Mr. Minnich said the Authority stated they will fix a hydrant when it breaks, which isn’t good enough because, in the event of a fire we want to ensure a hydrant is in good working condition. RLMA staff told the Borough (per an email), at the time of flushing, they lube the hydrants & perform any necessary maintenance; however, when Council asked to see preventative maintenance records, they were told there were none until Mrs. Price was granted access to RLMA’s data system CSDatum.

Mr. Craley said public water is provided to residents of Red Lion Borough & part of providing public water is to have fire hydrants available for fire suppression. The Borough can be held liable if water does not come from a hydrant. The public water service provider typically owns everything to the curb box & if there is no shut-off at the curb box (if in the street, not past the curb line) it should be the Authority’s responsibility.

Brett Patterson created a list of hydrants in need of preventative maintenance and while Mrs. Barley & Mr. Musso aren’t in favor of charging RLMA a \$200/hydrant fee, they feel RLMA needs to conduct the maintenance on the hydrants. Until the Borough is shown documentation that the Authority has conducted hydrant maintenance, Borough staff may need to do it; however right now, no one is doing it. If the Borough owns the hydrants, we could possibly see what hydrant maintenance costs are involved after one year & go from there. Borough staff wants to see what hydrant problems/concerns RLMA staff is experiencing when they’re in the field, so it can be addressed. Brett gave an example of a hydrant on Franklin Street where he said, if a hose were connected to it, more water would come out underneath the street than the hose. It’s been like that so long, the sidewalk & curb is sinking so to him, that’s a hydrant that needs repaired/replaced.

Brett stated another problem is that staff can’t get some of the valves to shut off because they’re not exercised. RLMA says the Borough owns the valves, but in Brett’s opinion, that’s part of the preventative maintenance of a hydrant. If you can’t get the valve to shut off, you can’t “maintenance” it.

Flushing of the water system cannot be done until after the Borough conducts street sweeping. This can be coordinated, but Council agreed the Authority should be sent notice in writing of what the Borough expects in hydrant maintenance.

Mr. Craley gave a scenario from Glen Rock Water Authority, who purchases water from York Water. When they flush the hydrants, they ensure the hydrants work properly. It's York Water, paid for by their ratepayers, that's going into the stormsewer. It seems like a waste, but it's a necessity. He believes flushing the hydrants should be included in the cost of maintaining the water system. But the direction to the staff needs to come from management. At RLMA's February meeting, Mr. Klinedinst can request preventative maintenance be done by RLMA staff. It seems they're turning on hydrants & checking pressure, but not lubing the hydrant or other maintenance that will increase the life/function of the hydrant.

Mr. Craley stated the Borough could be held liable if we know there's a problem resulting from the issue above & we don't help correct it and it results in damage or injury.

More discussion will be held at Council's reconvened meeting next Monday, 2/15/21.

10. **Public Works**—Mr. Klinedinst reported:

- Mr. Klinedinst made a motion to approve the handicapped parking space at 25 Henrietta Street; Mrs. Barley seconded. All were in favor; motion carried.
- Wise Avenue—the Borough only adopted the blacktop area. The Municipal Authority plans to extend that water main, so Mr. Klinedinst wanted to be clear what the Borough owns.
- 2021 Road Projects—changes discussed at Work Session have been incorporated into the bid specs. Mrs. Barley made a motion to advertise the bids; Mrs. Frutiger seconded. All were in favor; motion carried.
- Municipal Parking Lot—Mr. Klinedinst requests an income report for 2020.
- Photos of the sidewalk areas torn up by Met-Ed's replacement of poles. Mrs. Price has submitted those to Met-Ed but has received no response.

11. **Planning, Zoning & Redevelopment**—Mrs. Slenker reported:

- Appointing members to Economic Development Committee—members aren't required to be Borough residents. The first meeting will be held via Zoom on Monday, February 22 @ 6pm.

Action on the interested people can be held next Monday, 2/15 at Council's reconvened meeting. Staggered terms for committee members need to be determined, whether 1-yr, 2-yr, & 3-yr terms.

Letters of interest were received from Ian Montgomery, Candi Duda & Walt Hughes. Other members will be Muriel Slenker, Stephanie Weaver & Dianne Price.

Some representatives from York County Economic Alliance may join for discussion via Zoom. Other possibilities for guidance in discussion will be Lloyd Smucker or someone from Stan Saylor's office, but any non-voting members can be invited to attend anytime.

- Planning Commission Meeting will be held February 22nd @ 7pm to discuss Rutters' (Winterstown Rd.) Land Development Plan
- No Zoning Hearing will be held in February or March.
- Dan Shaw plans to mail 10-11 citations for snow removal. Mr. Klinedinst asked who's responsible to shovel ADA ramps; it is the property owner's responsibility to do so.
- The vacant auto parts building on West Broadway—Mr. Klinedinst asked if apartments can be created there. Dan said that building is in the RT Zone. A two-family residence can be created as a "use by right" if it meets all requirements of square footage & parking.

12. **Administration**—Mrs. Frutiger reported:

- 2020 Audit has begun.
- The Borough Office is planning to purchase a new copier & Mrs. Price would like to donate the old one to Roars.
- Bradley Ream is the new Manager of Red Lion Ambulance Club

- Evans Fishel has passed away—Evans served on Borough Council & as Council President, Mayor, held office at the Red Lion Elks & was a big part of the Red Lion community. Condolences will be sent to his family; sympathy cards can be sent as a regular Borough expense; however, monetary donations (or flowers) can't be sent from Borough funds. Ms. Weaver will get a card for Council to sign.
 - Mr. Klinedinst made a motion for Borough staff to follow federal & state guidelines pertaining to any COVID-related illnesses; Mrs. Slenker seconded. All were in favor; motion carried.
13. **Communication**—a quote for security cameras (2 new cameras to be added to the 6 current cameras) was presented. Council recommended getting quotes from other companies, as satisfactory service hadn't been received from CIA in the past & Council believes \$10,000 is too steep a cost for two cameras.
 14. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mr. Minnich seconded. Motion carried with Mr. Klinedinst opposing.
 15. **Council recessed tonight's meeting @ 9:19pm until Monday, February 15th, 2021 @ 7:00p.m.**

Respectfully submitted by:

Stacy Myers, Recording Secretary

Red Lion Borough Council
Reconvened Meeting of February 8th, 2021
Monday, February 15th, 2021

Members present

Cindy Barley
Muriel Slenker
Stephanie Weaver
Chris Minnich
Dennis Klinedinst
Tony Musso

Others present

Dianne Price, Borough Manager
Mike Craley, Solicitor
Jeff Shue, Engineer
Stacy Myers, Recording Sec'y

Visitors

Samantha Craley
Jordan Ilyes
Grant Anderson

1. Council reconvened their February 8th, 2021 Meeting tonight at 6:58p.m.
2. **Discussion about the proposed apartments at 252 N. Franklin Street**—after reviewing Jordan Ilyes' waiver requests submitted at last week's meeting, Jeff Shue prepared a memo for Council which was broken into 3 categories:
 - Administrative process of understanding waivers of Ordinances/specific details—since there's no LDP for this project, Council can decide to allow staff to review certain issues/areas before bringing them to Council for action.
 - Outside agencies that are involved—YCPC typically reviews LDP's but won't review this site plan, so Jordan Ilyes will be unable to get the plan recorded.
Also, the Borough has a Memorandum of Understanding with YCCD, as discussed last week that stipulates when they will get involved in a project. Due to time constraints, Jordan doesn't want to send the plan to YCCD, maintaining that he will keep disturbance of the site under one-acre per the NPDES Permit; however, he admitted they will go over the 5,000-sq.ft. of disturbance which, at minimum, puts them in a review process with YCCD.
 - PADEP/Red Lion Municipal Authority should look at the plan to ensure sanitary sewer & water needs are being met. This is a technical issue that staff can work out.

In reviewing the plan, Jeff said what is more policy-driven than anything else is that Council will need to make a decision on the surrounding street improvements. Jordan has asked that Council not require improvements such as curb, sidewalks, street widening, etc.

Jeff believes stormwater management & erosion & sediment issues need to be resolved, but this can also be resolved through staff. Jeff believes the part of the site needing the most discussion is that of the large building & that of a rear parking lot, being that there are certain things that aren't "industry-standard" with those areas.

Mr. Craley suggested, because of the time constraint that Jordan is under & the fact that Council only meets once/month (for action items), if there are items needing attention before a whole month passes, Council can recess their regular meeting & reconvene mid-month, as they're doing tonight.

There are two aspects of conservation that Jeff discussed:

- Under one acre of disturbance requires a review at a local level within a reasonable (hopefully) amount of time. Jeff believes this could be done relatively quickly.
- Over one acre of disturbance requires applying to the State for an NPDES permit which would take 6 months or more to obtain.

What's involved with this site is how "disturbance" is defined. The developer is adding to existing stone areas & calling it undisturbed. While this is done by some developers, Jeff said,

due to the MOU between the Borough & YCCD, the safe bet would be to have YCCD look at that interpretation to see if they agree with it. And if the Borough allowed Jordan to move forward without getting YCCD's review/approval & in fact, it would be more than one-acre of disturbance, the Borough would be in violation of the MOU. Mr. Craley will review the MOU to learn the details involved, but because the Borough is responsible for the enforcement of the Clean Streams Act, if something happens causing pollution & the Borough doesn't do anything to mitigate the situation, Jeff said they would be in violation of their MS-4 permit.

Jeff discussed other areas of concern with the site plan:

- Cypress Lane is a 16'-wide alley—the parking lot coming off Cypress will have runoff/drainage. A lot of the area is currently stone & Jordan is planning to expand the stone area, so Jeff said something can be designed to capture the drainage. There are 14 parking spaces that back onto Cypress. Mr. Craley said the Zoning Ordinance prohibits backing over a local street, but it doesn't define "local street". An alley is considered a service street, simply used for ingress & egress to a property & Mr. Craley doesn't feel Cypress would be subject to the restriction of the ZO.
- Tiebacks of wall along Keener Avenue are underground, but a functional part of that wall will be in the public right-of-way.
- The 16' one-way lane coming off N. Franklin snakes between the proposed wall, up a fairly steep grade into a standard parking lot, exiting onto Cherry Street. Where the lane "snakes" are randomly proposed parking spaces that Jeff foresees being problematic. Jordan doesn't see a problem with these spaces. When it's private vs. public parking, residents love that those spaces are available. In some urban areas, he has created parking garages & even in tight spaces, he's received no complaints from residents. As another less-expensive option, Jeff suggested eliminating some of the parking spaces in the small "pod" that he's viewing as problematic, along with some others against the Rail Trail & those backing onto Franklin Street, it would be a total of 27 spaces in areas that could be used for other things. In this suggested scenario, many of the proposed walls aren't necessary either. Jordan needs those 27 parking spaces to meet the Zoning Ordinance requirements & without going back to the Zoning Hearing Board, nothing can be done about that. As an option, Mr. Craley said a developer's agreement could possibly be created stating the Borough would waive the requirement of putting in those 27 spaces now, but in the future, if the parking lots are full & Jordan ends up with overflow, he would put them in at that time.

There is another piece of vacant property that, if Jordan can get access to, could be used for the 27 parking spaces. It's unclear whether that vacant property is available, but Jeff believes parking would be more functional there, if possible.

Jordan is not planning to build all the apartment units at once anyway, so it could be a stipulation that the last 14 units can't be built until the additional parking spaces are onsite. Jordan was planning to create 50 units first, most on the lower level which he planned to use some of those spaces for (ADA spaces too) but he could possibly make this work, although it does restrict him.

Jordan said he may need some relief from parking. Mr. Craley said reducing parking through a Variance isn't really the appropriate method to use, but if this will be a multi-phase project for Jordan, the Borough could begin the process of amending the ZO for large projects like this to reduce the parking requirements. It would make the ZO requirements less stringent.

And since it's multi-phase, Jordan could possibly come back stating he has no need for the additional parking. Then Council would have justification in reducing the parking requirement based on actual circumstances.

Additionally, the Rail Trail ROW extends to the edge of the N. Franklin St. building. The lower side of the driveway is 27' away from the Rail Trail, which means almost half of the Trail's 60' ROW is being used for the developer's one-way driveway.

The existing loading dock on the building is the area for the proposed outdoor-seating deck for the brewery, but because Council isn't amenable to giving up any of the Rail Trail, Jeff Shue wondered if the driveway could be pushed away from the Trail then Jordan wouldn't be using 27' of the Trail's ROW. And rather than the 16' one-way lane, he would have 24' & more area for ADA spaces & other parking.

After more discussion and/or suggestions for parking & creating outdoor space for the planned brewery, Jordan believe the phased approach for parking is manageable. Council is favorable to that idea & creating a developer's agreement as Mr. Craley mentioned previously. The agreement would define how much parking will be initially required & what parking will be deferred.

- Concerning Erosion & Sediment control, Jeff suggests having a meeting with YCCD to give them the developer's interpretation of the plan to keep disturbance under one acre. Jordan & Grant said they foresee a 45-60-day delay by going to YCCD for a plan review & if that is the case, Jordan may have to back out of the project; however, Council doesn't want to be held liable for violating the MOU.
There are other technical issues that Jeff said he can resolve with Jordan & Grant, but he suggests going to YCCD to get the project confirmed. Other projects that Jordan has completed successfully can be brought to YCCD as confirmation too.
The Borough's MOU with YCCD is tied to their permit with the State & if not followed, they could get fined. A copy of the MOU was given to Jordan & Grant which, once they reviewed it, they understood better the Borough's position on everything discussed. Council does not want to delay the project in any way, but as Mr. Craley mentioned before, recessed & reconvened meetings (mid-month) can always be held if issues need to come before Council in an effort to keep things moving.
- Mr. Craley said, if Council isn't requiring a formal Land Development Plan, the developer is required to pay professional review fees (Jeff's time, Mr. Craley's & of Borough staff) & his recommendation would be that Jordan pay the review fees outlined in the SALDO & in the Municipal Planning Code.
- Mr. Klinedinst & Mr. Musso plan to meet at the site with Jeff, Jordan & Grant, if possible to confirm the Rail Trail ROW in relation to the building. Flags or markings can be made so other Council members can also view the area in question.
- More discussion was held on curb & sidewalk & if Council plans to do any improvements on the streets surrounding this project. Cherry Street (basically an alley) will have a lot more traffic, so this will be reviewed to see what an impact heavier traffic will have on it. Milling & paving on Cypress should also be researched. Jeff will need input on Council's wishes for this.
- Jeff will bring back to Council what is being proposed for stormwater & the technicalities can be worked through.
- Jeff isn't too concerned about meeting the Land Development Ordinance standards because Council wants to see this property developed & there's no need to belabor what items can't be resolved on the site. There are some things like slope & setbacks that are technicalities.
- Stormsewer discharge will be reviewed. Jeff can do this with Grant to be sure concerns are addressed.
- Jordan already has a capacity letter from the Red Lion Municipal Authority which they'll send to Springettsbury too. The planning module will then be sent to DEP.
- Mr. Craley can begin a proposed list of items that Council can provide relief on that won't hinder Jordan's progress.

Mrs. Barley made a motion authorizing Jeff Shue to attend York County Conservation District & to give Jordan and/or Grant other necessary guidance in an effort to work out technicalities; Mr. Minnich seconded. All were in favor; motion carried.

Of note, Jordan gave verbal agreement to pay the professional review fees as would normally happen on a Land Development Plan.

3. **Hydrant Discussion**—Mr. Minnich asked for clarification on this discussion started at last week's meeting. Mrs. Price would like to see RLMA waive the fees they're currently charging the Borough if Borough staff is conducting hydrant maintenance. This won't cost RLMA anything because they never charged the Borough sewer & water on their buildings & properties. Now the RLMA pays half & to offset that, the Borough maintains the hydrants. Mr. Craley believes RLMA should maintain the hydrants as part of their water system. Many municipalities pay a fee to the water company for hydrants.

Mr. Minnich said a couple years ago, it was discussed to give the hydrants to the Authority & the Borough would maintain streets, but nothing came of that.

Mrs. Barley suggested giving it a year to get an idea of hydrant maintenance costs.

Mr. Klinedinst spoke to Mike Poff (RLMA Board Chairman) & requested that RLMA staff create a report while flushing that includes the condition of the hydrant, what was done to it & what needs to be done to it, but Mr. Poff gave no confirmation this would be done.

Borough staff will go with RLMA staff at the time of flushing to make a determination on the hydrants, but these are all expenses that the Borough is currently paying, & after a year, we should have a better idea of expenses & at that time, they can be passed through to the necessary entities. The Borough was paying \$7.50/hydrant for what they believed was a maintenance fee, but it wasn't. That fee became a "standby fee".

Council believes something should be in writing to RLMA that Borough staff will go along during flushing in an effort to create a hydrant checklist of what needs to be done.

If it's determined, after a year of cost gathering, that the Borough will keep the hydrants, Mr. Craley said preventative maintenance must be done to ensure they're in good working condition & water is at the hydrant for fire & safety reasons.

Mrs. Price said flushing should be done after the Borough's street sweeping & a staff member will go along with RLMA staff to create a report on the hydrant & what it may need. Brett Patterson is comfortable doing hydrant inspections & performing preventative maintenance & has been training Borough staff to do the same.

4. **Pearson property dispute**—Mr. Craley reported C.S. Davidson's survey was consistent with Mr. Pearson's survey in that his property line is in the gravel area but not on the Rail Trail & the deed coincides with that. The railroad valuation map isn't definitive, but it doesn't supersede the fact that Mr. Pearson can make a claim of ownership to where the pin is located. So, if Mr. Pearson's ownership down to the point doesn't compromise the Rail Trail, Council can move forward with installing a fence at the property line, if they wish. Of note, Mr. Pearson didn't own the property when dirt was placed on it, as he previously stated.

So, the outcome is that the Borough was mowing & maintaining this area for years but will no longer do so.

On the other side of the Charles Street bridge, a wall is being proposed to be built, but Jeff Shue hasn't done a deed research on that yet. He thinks that every other property line matches the valuation map documents & said no other way will determine it unless all the deeds are pulled.

5. **Other business**—The Borough's snow citation fines range from \$25-\$50, but the District Justice's fines increase that amount. Mrs. Price has pictures of all properties who received a fine this last snowstorm & she stated, no attempt at shoveling was made prior to mailing the citations.
6. **Adjournment**—Mrs. Barley made a motion to adjourn the meeting @ 8:30p.m. Motion carried, meeting adjourned.

Respectfully submitted by--

Stacy Myers, Recording Secretary