

**Red Lion Borough Planning Commission
Meeting Minutes
Monday, March 18, 2019**

Members

Cindy Barley
Melanie Thompson
Joyce Seabolt
Ian Montgomery
Nevin Horne
Wade Elfner

Others

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

Visitors

Dianne Price
Stephanie Weaver
Dennis Klinedinst
Scott DeBell, Site Design Concepts

Mike Zelger
Emory Pajer
Mike Jeffers, Kinsley Properties
Tina Frutiger

1. The meeting was called to order @ 7:00p.m. Everyone present participated in the pledge to the flag.
2. The Commission welcomed Ian Montgomery as their newest Board member.
3. Ms. Seabolt made a motion to approve the December 17th, 2018 Meeting Minutes; Mr. Horne seconded. All were in favor; motion carried.
4. **Land Development application with revisions was submitted by Kinsley Properties** for Broadway Land Company for a building addition for The Mill of Red Lion, located at 327 East Broadway. Scott DeBell presented the revised land development plan, last revised March 11th, 2019. A few revisions that were made since the plan was last seen by the Planning Commission were as follows:

- The Mill extended their expansion 20' more to the West.
- The parking spaces along the side along the building are now 10' wide (previously 8')
- Currently, steps are on the East side of the building (where ADA ramp is located). The new dock will be there & those steps removed. Front steps currently come down one side; steps will be added on both sides at the front of the building.
- The existing ADA ramp/railing will remain.
- Previously, concrete islands (on Rt. 74 with gravel in the center) were proposed—plan now shows a curb straight across the front with two designated driveway locations. The curb will be depressed on both sides, designed for cars & trucks to run over it, if necessary; however, Jeff Shue is concerned that, should a car hit it, there will be damage because the curb will be designed to act as an 8" wall. He suggests those construction details be addressed appropriately.

The East side driveway will be "Enter Only"; West side will be full movement (both Enter & Exit). PennDOT had wanted clearly defined entrances in the front of The Mill; this proposed layout has been submitted to PennDOT & the developer is now waiting for PennDOT's reply. Jeff Shue explained the proposed curb is a dual-reveal curb with 8" on both sides, acting as a barrier wall to the street. He is concerned how the drainage will be handled with this curb design because there will be rainwater running on both sides of the curbing (runoff from the parking lot & also from the street side). The only place for the runoff to go will be the proposed street entrances. This area is approx. a 1% grade and there is currently water that lays in that area because of the 1% grade. Jeff would like to see paving restorations done after the curb is installed. If the paving restorations (of the parking lot & PennDOT's

roadway) are not done, the developers need to ensure the curbing is not adding more of a drainage problem to that area.

Mr. DeBell said stormwater runoff currently runs along the gutter line in that area & it will continue to do so after the curbing is installed. He doesn't foresee a problem with the flow of that water, and they aren't currently proposing to do anything with that stormwater runoff.

- Regarding this plan, Mr. Craley stated there is no State preemption on the above issues. Commonwealth Court states that if the municipality has an Ordinance concerning ingress, egress, curbs, etc. (beyond what PennDOT requires), the developer may be required to meet that municipality's Ordinance. PennDOT doesn't take precedence over the Borough's Ordinance.
- Mr. DeBell stated truck-turning movements were reviewed—tractor trailer's turning radius' do encompass the front parking spaces, so those deliveries would need to be done in "off hours", but box trucks can accommodate the area for making deliveries. Jeff Shue asked that the truck-turning movements get submitted for his review.
- Additional parking spaces along the rear of the property will be employee parking, most likely. The applicant has spoken to the adjacent property owner about the private drive access. The private drive behind The Mill, comes out onto North Boxwood Road. North Boxwood was vacated & is now privately owned by Glenn Rexroth. Agreement for Mr. Flickinger (owner of the trailer park) & the trailer park residents to use that drive was given at that time, but this doesn't include the trailer park residents coming across property owned by The Mill. Jeff Shue & Dan Shaw suggested having an agreement in place in the event The Mill changes ownership. Mr. Craley agreed, but this would be a private issue that the Borough wouldn't get involved in.
- There would be pedestrian access from those parking spaces behind The Mill down to the store. Jeff Shue is concerned about this also, that it comes right on the backside of the loading area.

Jeff Shue's comments from his letter of March 18th, 2019 were addressed, some of which were already discussed above:

- Drainage flows along the proposed curb—*this will be analyzed to understand what the impacts are. PennDOT will also review this & in order to get the PennDOT permit, the developer should abide by PennDOT's comments. Jeff Shue stated his comments/concerns were very much like those of PennDOT. Because the developer hasn't gone through PennDOT's formal review process yet, they're not sure what needs to be dealt with, what waivers will be necessary, etc.*
- Proposed dual-reveal curb—*developer to look at Jeff's concern regarding the strength of this.*
- Limits of pavement restoration & final pavement grades should be clearly defined—*the grades are shown on the plan & developer will continue to detail the limits of the pavement.*
- PennDOT will need to ensure the final proposal prior to the plan approval.
- Proposed 11 parking spaces adjacent to the private drive & the grade from these proposed parking spaces to the building, which is not protected with any vehicular barrier. Pedestrian movement from the parking spaces to the proposed sidewalk is not clearly defined. *To be reviewed and/or addressed.*
- Some administration details that are necessary--signature, seal & date the plan and statement of ownership must be signed, dated & notarized. *Will be addressed.*
- Location of pedestrian entrances & exits--*already shown on the plan*
- Location, arrangement & dimensions of truck loading & unloading spaces & docks—will show dimensions. A loading dock, noted on the plan appears to conflict with the ADA entrance, parking spaces & pedestrian walkway from the proposed 11 parking spaces in the rear. *There probably will not be a lot of foot traffic in the rear of the property, but the dimensions of the docks will be shown on the plan.*

- Location dimensions & materials of walls, fences & landscaped area must be detailed on the plan. Jeff encourages the developer to talk to Codes Enforcements about this. *To be reviewed and/or addressed.*
- Stormwater Management Plan requirements per the Borough's Stormwater Management Ordinance:
 - Runoff directed to the back wall of the existing building suggests the addition of an inlet to prevent runoff running on the face of the building.
 - Infiltration structures are to be in compliance with the building setback regulations. A waiver would be required for this.
 - Operation & Maintenance Agreement must be filed.
 - Runoff along the proposed curbing along the state highway must be conveyed via details.
 - Infiltration & water quality benefits—*developer is proposing to add a water quality basket*
- A Planning Module for Land Development and/or any required waivers approved by DEP—*The Mill is not planning an increase of employees & correspondence with RLMA was given.*
- Erosion & Sedimentation Control Plan must be prepared & reviewed by York County Conservation District.
- Several waivers will be required
 - Preliminary plan waiver
 - Waiver of adjoining public roadway improvements
 - Waiver of concrete curbing
 - Waiver of sidewalks
 - Waiver of street tress
 - Waiver of street lights
 - Waiver of connection of on-site storm sewer to public storm sewer
 - Waiver of concrete monumentation of property corners
- A lighting plan for the property
- Bonding estimates will be required to be reviewed & bonding posted for proposed improvements.
- RLMA final review & approval
- PennDOT must review & approve the alteration of existing driveway.

Dan Shaw said the time limit on the plan is May 10th, 2019 in order to not require an extension. Mr. Craley said there are too many outstanding issues that need to be resolved on this plan before coming to Borough Council for approval. There are too many variables as to what PennDOT may require. Jeff Shue said, most importantly, the drainage issues need to be addressed & he feels PennDOT will address them in their resubmission. Once that happens, the plan can come back before Planning Commission.

5. **A Special Exception submitted by Lion Bowling Center** for a multi-use building. Mike Zelger, owner of Lion Bowling Center & Red Lion Alesmiths had previously proposed building a large addition onto Lion Bowl to create a microbrewery. This multi-use facility was approved by the Zoning Hearing Board; however, after many discussions, inspections with the LCB, and basically a difference of opinion, Red Lion Alesmiths changed their mind & decided on a different location.

A health inspector had told Mike about Emory Pajer after learning Mike's desire to add a fun, but tasteful brewery atmosphere to Lion Bowl. Mike said he obtained a strong recommendation of Emory through Dallastown Borough and stated he & Emory share the same vision of opening a small-type (3.5pt) brewing center inside the bowling center.

Emory Pajer introduced himself as a Dallastown resident since 2008, a 9-year employee of Allegro Winery and a homebrewer since 1992. Years ago, his grandfather owned a bar called

Scrubby's & he would like to use that name for the microbrewery at Lion Bowl. Emory is not proposing high alcohol-content beers, but more low-alcohol brews that Mike Zelger believes would create an enjoyable atmosphere for the bowlers & other patrons. The hours of the tap room would be consistent with the bowling center, so they would not be open as late as a typical bar.

Lion Bowl would be leasing the space to Emory Pajer, who had an idea of where to put the brewery within Lion Bowl. It will be located at the side entrance of the bowling center, which Mike approved of. He believes the idea of sitting inside the tap room & watching where the beer is made would be an enjoyable experience for customers. With this proposed area for the brewery, the bowling center is only losing one handicapped parking space, which will now be moved closer to the side door (main entrance).

Emory stated he only needs approx. 600 sq. ft. of space for the brewing operations and since he doesn't want to concentrate on food and/or a menu, Mike Zelger can concentrate on expanding the current food menu with good pub food.

More inspections must take place and Mike Zelger stated a few changes may be ahead, but for now, the plan is to sell the beer that is made on the premises, in addition to Allegro wine. No hard liquor will be served. Mike Zelger said, by law, they would be allowed to serve any beer, wine or spirits made in PA, but 50% of the sales must be Emory's beer he brews on the premises. Mr. Craley stated for the record, he has done some legal work for Lion Bowling Center in the past, primarily regarding corporate and/or shareholder issues, but not regarding zoning and he has not been consulted on the microbrewery issue. This proposed use would be a small-type processing facility for the microbrewing, not a tavern. Asked if there were any issues at the last Zoning Hearing regarding specific requirements for the uses that will need to be looked at, Dan Shaw said there were no issues or concerns with the use. Mike Zelger stated if someone is applying for a regular liquor license, the State requires a 300' setback from a school zone, but if applying for a craft beer license, the State waives that 300' setback requirement. Even though it does not apply, Lion Bowl (& proposed microbrewery) still exceeds that 300' from Red Lion School District property.

Mrs. Barley made a motion to recommend approval of the Special Exception; Mr. Horne seconded. All were in favor; motion carried.

The Zoning Hearing to hear & act on this case will be held on Tuesday, April 9th, 2019 @ 6p.m.

6. **Adjournment**—With no further business before the Commission, Mr. Montgomery made a motion to adjourn the meeting @ 7:50p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary