

**Red Lion Borough Planning Commission
Meeting Minutes
Monday, January 20th, 2020**

Members Present

Cindy Barley
Beth Nidam
Melanie Thompson
Joyce Seabolt
Muriel Slenker (arrived @ 7:05pm)
Ian Montgomery
Wade Elfner

Others Present

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

Visitors

Dianne Price
Glenn Rexroth

1. The meeting was called to order @ 7:00p.m, followed by the pledge to the flag.
2. Mrs. Barley made a motion to approve the October 21st, 2019 Meeting Minutes; Ms. Nidam seconded. All were in favor; motion carried.
3. **Reorganization of Planning Commission**—Mrs. Barley made a motion to nominate Wade Elfner as Chairman and Beth Nidam as Co-Chairman; Mrs. Seabolt seconded. All were in favor; motion carried.
4. **Zoning Hearing application was submitted by Rexroth TICP for a Special Exception for an industrial park and a Variance to use Redco Avenue as a collector street for primary access** for property located at 100 Redco Avenue, Red Lion, PA. See #5 below.
5. **Zoning Hearing application was submitted by Rexroth Equities for a Special Exception for an industrial park and a Variance to use Redco Avenue as a collector street for primary access** for property located at 401 E. Broadway, Red Lion, PA.

Dan Shaw suggested the Committee look at both above applications together. The only reason there are two separate applications is because they have separate owners.

Mr. Craley noted that not much information was submitted, just the application and a drawing, but if Section 626 is reviewed, there is nothing listed to see if Mr. Rexroth meets the requirements.

Dan said the width & total lot area is not listed on the application; however, Dan has reviewed the plan and found that Mr. Rexroth complies with all requirements of Section 626 other than the access drive, which is why he's applying for the Variance.

The access drive on the presented plan is Redco Avenue, because Boxwood Road had been closed off to truck traffic on a previous Land Development Plan. Cars & small vehicles may gain access through Boxwood, but the only access for truck traffic is Redco Avenue. Boxwood Road was vacated at the request of the Borough because they (Borough) didn't want to do any improvements to the Boxwood/Rt. 74 intersection; i.e. adding a traffic signal or adding another lane.

Mr. Craley said he has no problem with granting the Variance. It's necessary because of what the Borough wanted at that intersection/area. When the Commission creates their list of amendments to the Zoning Ordinance, having Redco Avenue being designated as a collector street will be on that list.

Mr. Craley suggested, when Mr. Rexroth goes to the Zoning Hearing Board, he takes a chart showing the requirements of Section 626 & his proposal for compliance.

Dan Shaw stated the original Redco building was approved as a multi-use building & that's why Mr. Rexroth didn't have to create an industrial park at that time. Mr. Rexroth would eventually like to put a few extra buildings on the old Yorktowne property & also on the 401 E. Broadway property. Dan advised him to get the industrial park's Special Exception so he can proceed with his plans to add buildings.

Mr. Craley stated Section 626:1A states "all uses are permitted if they're permitted in the Industrial Zone", and this would be a condition that Mr. Rexroth should understand for this

proposal. He would still need to comply with the requirements in that he can't put something in that building that is not allowed in that zone. Dan Shaw said Mr. Rexroth has received Variances & Special Exceptions in the past (for the dance studio & car dealer) which have all been approved by the Zoning Hearing Board, so he's (Rexroth) familiar with what kind of operation is allowed in that zone.

If there would be two separate owners of these properties discussed tonight, Boxwood Road would've never been able to be vacated because their access on the collector street would've been denied. Mr. Craley said if Glenn Rexroth didn't own all this property, this would be a different situation, although Dan Shaw stated there is a private access street in the rear of the property that connects Redco with Boxwood.

Mrs. Barley made a motion to recommend approval of the Special Exceptions & Variances for both 100 Redco Avenue & 401 E. Broadway; Mrs. Seabolt seconded. All were in favor; motion carried.

6. **Discussion on proposed Zoning Ordinance amendments**—Dan Shaw had previously distributed a list of zoning changes that the Committee had talked about. Some of which are:

- Designate Redco Avenue as a collector street
- Multi-use buildings, which are allowed in the Borough Center, Industrial & Commercial Zones, but Dan suggested adding a stipulation for a multi-use building to not include residential uses in an Industrial Zone. Multi-use buildings currently allow residential uses; however, the Committee doesn't feel residential should be allowed (nor would be wanted) in an Industrial Zone. A multi-family dwelling is currently allowed (by Special Exception) in an Industrial Zone; i.e. Opera House, the Block House & Specialty Industries.
- Removing tattoo parlor from the "Adult Facilities" definition. Ms. Thompson suggested adding massage parlors to this as well because it states, "regardless of whether the same includes sexual conduct", which is meaning if the uses don't include sexual conduct, it's still considered an adult facility. She suggested reviewing this language to something more modern & appropriate.
Dan said a "certified massage therapist" is listed in ZO definitions under a "Personal Service Business", but the language referenced by Ms. Thompson can be reviewed for revision.
- The above items plus others on the list of proposed amendments can be discussed at the March Planning Commission meeting. The Committee can review them until then.

7. **Other Planning Commission business**—

- In reference to previous discussion about a transient AirBNB situation on Wise Avenue, Mr. Craley said there was a recent PA Supreme Court case about this type of thing. The court considered an AirBNB to be a commercial enterprise & **not** a single-family dwelling, so Mr. Craley feels these could be restricted in the Borough, providing the language in the Zoning Ordinance is precise & worded correctly.
- Mr. Craley gave an update on the Rutter's at South Main/Winterstown Rd.—Rutter's reps came to a recent Council meeting to discuss their proposal to PennDOT which includes 1) to permanently close off access to the alley for deliveries & store access and, 2) to restrict left turns from the Rutter's parking lot onto Winterstown Road. It would be **only** right-turn in & right-turn out.

8. **Adjournment**—With no further business before the Committee, Mrs. Barley made a motion to adjourn the meeting @ 7:32p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary