

**Red Lion Borough Planning Commission
Meeting Minutes
Monday, October 19th, 2020**

Members present

Cindy Barley
Beth Nidam
Joyce Seabolt
Muriel Slenker
Ian Montgomery
Wade Elfner

Others present

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

Visitors

Atty. John Senft
Donna Deerin-Ward

Brittney Russell
Eric Townsley

1. The meeting was called to order @ 6:56p.m., followed by the pledge to the flag.
2. Ms. Nidam made a motion to approve the August 17th, 2020 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.

Regarding the August 17th minutes that pertained to Ilyes Holding, LLC's application for the development of the David Edwards building (252 N. Franklin St), the Zoning Hearing Board:

- Approved the Variance to not require the 5th parking space, "*one additional parking space per every 5 dwelling units*".
- Allowed reduction in the parking space size to 9' x 18'
- Denied the request to reduce the number of required parking spaces per unit from 2 spaces to 1.5 spaces. This was a suggestion/recommendation from the Planning Commission & Borough, which the ZHB upheld.

Mr. Ilyes will use his additional lot across from the David Edwards building, should it be necessary to obtain the required parking spaces.

3. **Zoning Hearing Application was submitted by True Performance Strategies, LLC** for a Special Exception to allow a commercial recreation establishment and a Variance to not require access via an arterial or collector street. The property is located at 34 N. Railroad Lane in the Borough Center Zone.

Mr. Senft, legal counsel for Mrs. Ward presented the Special Exception & Variance application. Mr. Craley stated the deed shows the owner as "Artemis-Art of Living, LP", but the applicant is "True Performance Strategies, LLC"; how are the two related? True Performance will be the tenant; Artemis is the property owner. Mr. Craley said we want to ensure the applicant has permission from the property owner to do what they're requesting. It was suggested that the Zoning Hearing Board get the proper documents or something in writing to verify the property owner gives the lessee permission to apply for this Special Exception & Variance.

True Performance Strategies will be the operating entity for a fitness center being proposed for the bottom of the property at 34 N. Railroad Lane, which is a multi-use building.

They plan to accommodate 15-16 people in the facility at one time, and the hope is that bringing the people to the facility will also bring patronage to other surrounding businesses.

The Special Exception they're requesting is because all commercial recreational establishments in the Borough Center Zone are required to be approved by Special Exception. The applicant believes this type of recreational establishment will be very compatible with the surrounding businesses & appealing to people.

Needed to satisfy the Ordinance for this type of use, the applicant has applied for a Variance to not require access via an arterial or collector street. Mr. Senft distributed drawings showing 34 N. Railroad Lane has no way to satisfy that requirement due to the footprint of the building &

position of N. Railroad Lane. There are lots of ways to get to a collector street (First Avenue, Broadway, Main) through alleys that will be safe for motorists & that won't cause an abundance of traffic.

Mr. Craley asked:

- With the maximum amount of people accessing the facility at one time being 15-16, there should not be a huge impact on local traffic travelling on the surrounding alleys.
- How does the applicant plan to meet Subsection D of 215:51, stating "the proposed use won't be detrimental to any joint property due to hours of operation, noise, light, litter, dust and pollution"? **Mr. Senft said all classes & activities will be held inside, so besides people coming in & out, there won't be noise or foot traffic outside, and the classes will be scheduled by appointment only.**
- Latest anyone would be at the facility? **8:00p.m., Monday-Friday**
- Earliest anyone would be at the facility? **5:30a.m., Monday-Friday, when Mrs. Ward will open the facility.**
- Additional signage to be installed? **Mrs. Ward said the tenant will be allowed to put up a sign stating the name of their business, which will be "BE Strong".** (The "B" standing for Brittney, the "E" for Eric). That sign will most likely be put up outside one of the doors accessing the property.
- Dan Shaw assured Mr. Craley that Artemis, Terrapin Station (another venue within the building) and other tenants, are nowhere near exceeding the amount of parking allowed. Mr. Senft stated Terrapin Station is a venue for weddings, parties, etc. & there is an understanding between the property owner & tenants, so no schedule conflicts occur.

Mr. Craley stated the Special Exception requirements have been met, being there is only three of them. Regarding the Variance from the requirement to access via an arterial or collector street, he said, obviously the traffic will get out from the building to either Charles Street, First Avenue or Main Street. The building is there, the use will not be detrimental to the area in any way & he believes the use makes sense.

Ms. Nidam made a motion to recommend approval of the Special Exception to allow a commercial recreation establishment and the Variance to not require access via an arterial or collector street; Mrs. Slenker seconded. All were in favor; motion carried.

4. **Other business**—Dan Shaw reported Melanie Thompson has resigned from the Planning Commission.
5. **Adjournment**—Mrs. Barley made a motion to adjourn the meeting @ 7:15p.m. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary