

**Red Lion Borough Planning Commission  
Meeting Minutes  
Monday, April 18<sup>th</sup>, 2022**

**Members present**

Cindy Barley  
Joyce Seabolt  
Ian Montgomery

**Others present**

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

**Visitors**

Troy Leiphart  
Byron Trout  
James Clark  
Wanita Clark  
Nancy DeSalvo

1. The meeting was called to order @ 7:00p.m. followed by the pledge to the flag.
2. **Because the Committee did not have a quorum this evening**, action could not be taken on the February 28<sup>th</sup>, 2022 Meeting Minutes.
3. **Variance application has been submitted by James Clark** to allow an embroidery business in the Residential Town zone at 119 S. Franklin Street. The property has 2 apartment rentals & an unoccupied office space and Mr. Clark has a prospective tenant who would like to move her embroidery business into the office space. The different use requires a Variance application to go before the Zoning Hearing Board. Nancy DeSalvo was present tonight to explain that her current business, Downtown Embroidery is now located in York city, but she'd like to move it to Red Lion. She explained that the business operates with two machines running at all times. The noise from those machines is like several sewing machines going at one time; however, it's easy to hold a conversation while they're running. She has two other machines that are used only for parts. She does not have a lot of foot traffic in & out of her business, possibly seeing 3-4 customers/month in her shop. Most of her orders come via email or phone. She personally delivers almost all the customer orders with the exception of a few ground deliveries. She does not have a large staff, operating with only her daughter & herself. Nancy does have a showroom for samples should someone want to pick those up, but there is no retail business; it's more of a light manufacturing business. Mr. Clark said the only access to the office unit is in the rear of the building where there is a 12-space parking lot. Each of the residential units requires two parking spaces, so there would still be 8 available parking spaces for the embroidery business. Dan Shaw said, per the square footage of the office space, less than 4 spaces are required.

Other items to note:

- Mr. Clark is shown as the applicant on the Variance application, but the deed to the property lists York Investors, LP. Mr. Clark stated he is the general partner, which he will convey to the Zoning Hearing Board. Mr. Craley suggested Mr. Clark have something in writing showing he has the authority to speak on behalf of the partnership.
- When Mr. Clark purchased the property in 2019, the property had two residential units & one business/office space. The former owner, Dave Bennett operated some type of business out of that space. Mr. Clark's understanding is that when Mr. Bennett purchased the property (2003), there was only one residential unit & he applied for a Variance to convert part of the downstairs office space into another residential unit. Dan stated there was a Zoning Hearing to confirm this.

- Mr. Clark stated it would be too costly to convert the office space into another residential unit, as he obtained an estimate of \$30,000 to do so.
- Operating hours for Downtown Embroidery would be Monday-Friday, 9am-4pm.
- Ms. DeSalvo stated that, prior to her buying the business a few years ago, the former owner operated only two machines for 25 years. She has no plans to use more than her current two machines, but if it would become necessary, the proposed office space is large enough it would still not have a detrimental effect on neighboring properties.
- Because of the business's current city location, she has materials delivered to her home via UPS, which she could continue to do so; however, the Committee doesn't see a problem with getting the UPS deliveries at the 119 S. Franklin Street location.
- Most of Ms. DeSalvo's business is embroidering and/or screen-printing uniforms for Wellspan, the prison, Police departments, etc. Downtown Embroidery has a Facebook page where the machines can be seen in operation.

Mr. Craley reminded the Committee that Borough Council had changed the Ordinance to eliminate the ability to change from one non-conforming use to another because it left the use wide open. There was a non-conformity on this property previously, but when the 2<sup>nd</sup> residential unit was created, it brought the property into conformity. If it would be converted into a 3<sup>rd</sup> residential unit & the office space would go away, it would be considered a multi-family unit which would require a Special Exception in the RT zone.

Although no formal action could be taken because of the lack of a quorum, the Committee was agreeable to the use Variance being granted, as the business is less detrimental (or equally so) to the neighborhood as another residential unit would be. There is plenty of parking & low amount of noise so it would simply be a continuation of the non-conformity.

Mr. Craley said we don't want any vacant buildings in town & we don't want to create an adverse impact on the surrounding area. This proposed embroidery business remedies both of those situations. Committee members had no concerns with Ms. DeSalvo moving her business into the space at 119 S. Franklin St.

The Zoning Hearing to act on this Variance request will be held Tuesday, May 10<sup>th</sup> @ 6:00pm.

4. **Special Exception application was submitted by Troy Leiphart** to allow an outdoor storage facility in the Industrial zone at 601 W. Maple Street. Dan Shaw stated the Zoning Ordinance doesn't list any criteria regarding outdoor storage as part of usage for a property. The closest thing is criteria for mini-storage. Troy is not proposing any structures of any type, just simply a vacant gravel lot for storage of RV's, boats, campers, construction equipment, etc. He would maintain the property to keep it clear of weeds, grass, etc., and plans to erect a chain link fence around the lot for security purposes.

Troy's engineer, Byron Trout was present & stated to the north of the proposed gravel lot is mini-storage that Troy owns/operates. Troy also owns an existing 7-building mini-storage on the adjoining property. Byron said the proposed gravel lot will be at least 50' away from the existing stream running through the property & the wooded area to the west will remain as is.

Reviewing the mini-storage facility requirements, Byron stated:

- Must be in the Commercial or Industrial zone—*this property is in the Industrial zone.*
- Lot area is required to be a minimum of 1 acre—*with the subdivision, Troy's lot will be 7 acres.*
- Lot width must be 100'—*Troy has approx. 500-600' of lot width*
- Lighting must be shielded away from existing properties—*Troy proposes solar lighting, similar to what is at the existing mini-storage directed away from neighboring properties*
- Buffers/screenings—*Troy plans to maintain plantings & trees on the opposite side of the stream, around the perimeter & the fence. These will also act as a screen from the surrounding area, but there is very little surrounding properties to shield.*
- No storage, service or repair of equipment allowed—*none is proposed*

- 30' travel lane must be between buildings—*there are no buildings*
- No water & sewer—*although it's available at the site, Troy will not be hooking onto it*
- It will be the equipment owner's responsibility to maintain their items being stored to ensure they don't become "junky" or deteriorate, but Troy will also control that & agrees to have language in the lease that states this.
- Troy plans to install an electric gate to the gravel lot which will offer 24/7 access for tenants.
- A small common drive will be shared coming into the site. Once you reach the corner, you can go left to the existing businesses or straight to the electric fence & storage lot area. There will be multiple-size access aisles & various parking spaces to accommodate small, medium & large equipment being stored.
- Byron & Troy believe this to be a good use of this property as there are no residential properties close by. It also fills the need for storage for items/equipment of this type.
- Byron said stormwater management must be done for the property & a Subdivision Land Development Plan will be created at that time.

Although no decision can be made by the Committee due to lack of a quorum, the Board had no issues with Mr. Leiphart's proposed plan, as he's been before the Planning Commission before with other projects & has always followed through with what he says.

Mr. Craley stated the only condition he would suggest for the ZHB to consider would be the requirement that tenants maintain their equipment being stored so it does not become junky or inoperable & Mr. Leiphart has agreed to include that language in the lease.

The Zoning Hearing to act on this Special Exception request will be held Tuesday, May 10<sup>th</sup> @ 6:00p.m.

5. **Adjournment**----With no further business before the Committee, the meeting adjourned at 7:32p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary