

**Red Lion Borough Planning Commission
Meeting Minutes
Monday, March 20th, 2023**

Members present

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

Others present

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

Visitors

Jacob Hebel, Gordon Brown & Associates
Brad Sellers
Tina Frutiger
Dennis Klinedinst

1. The meeting was called to order @ 7:00pm.
2. **Approval of Meeting Minutes**—Mrs. Barley made a motion to approve the September 19th, 2022 Meeting Minutes; Mrs. Slenker seconded. All were in favor; motion carried.
3. **An application was submitted by Habitat for Humanity for property located at 78-80 E. High Street (Application number SD23-001).** Jake Hebel, from Gordon L. Brown presented the plan submitted by Habitat for Humanity for 78-80 E. High Street. Previously there was a duplex on the property that had burned down a few years ago. Habitat is proposing to move the property line between the two parcels to the center of the property so that a new duplex can be built in the middle of the property. Comments received from C.S. Davidson's office were reviewed & listed below is anything remaining to be addressed.

From Red Lion Borough's Zoning Ordinance:

- According to the definition of "Double Frontage Lots", it appears that the setback lines are correctly shown on the plan; however, Borough officials should verify that the front setback is shown correctly & that Section 27-405.2, "Front Setback of Buildings on Built-Up Streets" supersedes Section 27-405.1, "Front Setbacks from Major Thoroughfares, as East High Street is classified as a Major Thoroughfare. *Since East High Street is a built-up street, there are lots of buildings within the front setback. Jake said the front setback is shown at the face of the building.*
- The height limit for a principal building shall be 2 ½ stories, but not over 30 feet. Site & Zoning Data Note 9 on Sheet 3 of the plan should be revised. *Jake changed the Zoning Data Note 9 which is now Note 12 and is corrected on the plan.*
- Parking spaces must have an area of not less than 200 square feet (10' x 20' per space). The proposed parking area for both lots do not appear to be capable of being defined to meet this requirement. *Jake revised to make it meet the 10' x 20' requirement. There are two spaces on each lot; one is 20' x 20' and the other is 20' x 22'.*

From the Red Lion Borough's SALDO:

- Submittal of a preliminary plan due to the scope of this subdivision. *A waiver has been requested & per Borough Engineer, should be supported.*
- Plans involving tracts of one acre or less shall be drawn at a scale of 20' to the inch. *A waiver has been requested for plan scale & per Borough Engineer, should be supported. Jake also noted he changed the Section that was incorrect on the waiver, to Section 22-402.1 & 22-404.1.*
- The names of owners immediately adjacent to this property (across E. High Street & Windsor Lane). *These have been added.*

- Other items were administrative & will be added prior to the Borough Council meeting. *These include certification & seal by the registered surveyor and statement of ownership that must be signed, dated & notarized.*
- A waiver was submitted for the DEP Planning Module for Land Development. *This is requested because there was already existing sewer service to the previous dwellings, and no additional flow is being proposed.*

General Comments:

- Utility easements should be provided for the gas & water laterals across Combined Lots 1 & 1A that serve Lot 2. An access easement is suggested for the sidewalk on Combined Lots 1 & 2A that will be used to access Lot 2. *Jake said this will be drawn up by an attorney. Borough Council may want an access easement created for the sidewalk/property owner of Lot 2. Mr. Craley believes this is a private issue between property owners, as the Borough Ordinance doesn't require an easement. When Habitat does the subdivision, he said an easement should be shown on the deed for Lot 2, that they have access, and if this property owner & Lot 1's property owner wants to create a property maintenance agreement between them, that's between them.*
The retaining wall makes it difficult to cut another set of stairs on the east side. The committee urged Habitat to consider installing another set of stairs so the proposed property owners wouldn't need to share, but that's not a Borough issue and this suggestion could be added to the deeds as notes.
- Mr. Craley said there is no "Lot 2A", only a Lot 1 & Lot 2. He would prefer it if references to Lot 2A were eliminated & just call it Lot 1 and show the combined lot area (6,499 + 5,406) for Lot 1. He believes this will eliminate confusion in the future.

York County Planning Commission comments—mostly all comments had been addressed with above responses. Jake said there was a comment regarding the cartway width of Windsor Lane which he added. Also, there was a couple Site Data notes they wanted added, which Jake has done.

Mrs. Barley made a motion to recommend approval of the Subdivision Plan as submitted, and the two waivers; Ms. Nidam seconded. All were in favor; motion carried.

Jake asked about easements regarding water & gas and whether or not they were required, but the water easement would be the decision of the Municipal Authority and the gas easement would be the decision of Columbia Gas. Mr. Craley said this is something that should be listed on the deeds as a restriction on 78 E. High, that they have an easement for the water line going across the property. Dan is waiting to hear back from John Krantz regarding the Authority's position on the water.

4. Other Commission business—

- There has been recent discussion about possible revisions & updates needed to the Borough's Zoning Ordinance. Dan created a list of several items from the ZO that, over the next few months, the Commission has agreed to review.
Recently, Rutter's (N. Main) appealed the violation they received regarding their interchangeable electronic outdoor sign which is prohibited in the ZO. The Zoning Hearing Board upheld the Zoning Officer's decision. Rutter's may appeal it to court, but that's unknown right now.
The hearing brought to light many inconsistencies in the existing sign ordinance, so that will be one that the Commission will be reviewing for revision. Discussion was held and the following are the first set of proposed changes to be reviewed at the April Planning Meeting:
 - Addition to the definition of a restaurant
 - Redco Avenue as a collector street
 - Breweries and distilleries

- Swimming pool definition from 24” to 18” to require a 4-foot fence (due to several complaints).
 - Whole sign ordinance revision
 - Commission should think about updating their Comprehensive Plan, as it’s been 10 years since the last one was done. Mrs. Price will talk to both Dallastown Borough & Yoe Borough to gauge their interest of creating another joint Comp Plan.
5. **Adjournment**—With no further business before the Commission, Mrs. Barley made a motion to adjourn the meeting @ 7:51pm. Ms. Nidam seconded. Motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary