

LANCASTER TOWNSHIP PLANNING COMMISSION

1240 Maple Avenue
Lancaster PA 17603

MEETING MINUTES – AUGUST 16, 2011

CALL TO ORDER

Melissa Kelly, Chair, called to order the regular meeting of the Lancaster Township Planning Commission at 7:00 p.m. on August 16, 2011 in the Lancaster Township Municipal Building. The following members were present: Glenn Ebersole, Richard Hendricks, Melanie LeFevre, and Gordon Reed. Bob Desmarais and Angela Sowers were excused. Also present: Tom Daniels, Zoning Officer, Rebecca French, Zoning Assistant, Gwen Newell, Lancaster Country Planning Commission, Jim Caldwell, Rettew Engineer and Kathy Wasong, Township Board of Supervisors. Mark Stanley of Hartman Underhill & Brubaker, Mark Hackenburg of RGS Associates and Bill Swiernik of David Miller Associates were also present.

APPROVAL OF MINUTES: July 19, 2011

The July 19, 2011 meeting minutes were approved as submitted.

PUBLIC PARTICIPATION/COMMENTS: None

SUBDIVISION/LAND DEVELOPMENT PLAN:

Zoning Ordinance Text Amendment Revision for Wheatland Presbyterian Church

Mark Stanley stated that based on the response to comments and feedback offered at the July 19, 2011 LTPC meeting, revisions have been made to the proposed text amendment to the Township's Zoning Ordinance, Article V, Section 504 Conditional Uses amended by adding the following to the list of Conditional Uses:

The Intent of Exhibit A of the proposed amendment:

An Ordinance to amend the Lancaster Township Zoning Ordinance, as amended, by increasing the lot coverage for certain uses in the R-1 District, permitting increased lot coverage for certain uses by Conditional Use in the R-1 District and adding specific criteria for increasing lot coverage by Conditional Use.

Mr. Stanley introduced Mark Hackenburg who handed out a summarized version of the Zoning Ordinance Text Amendment Revisions for Wheatland Presbyterian Church. Mr. Hackenburg stated the main reason for the Church's request to amend Section 1823 Maximum Impervious Lot Coverage is to be able to add more parking lot surface for their congregation; the intent section of the amendment requests reads:

- Where permitted by Conditional Use, maximum lot coverage may be increased up to 45% provided that a combination of innovative stormwater and landscape measures are implemented subject to the following conditions of the *revised* amendment request:
 - Applicability to All Other Uses has been updated to only allow an increase in coverage where public utilities exist.
 - The criteria for increases in Lot Coverage have been modified to require the implementation of innovative stormwater controls and allow the selection of at least two of the three additional performance criteria (wider planting strips, increased interior landscaped areas or increases in tree cover within parking lots.)
 - Descriptors for increases in coverage have been modified to represent the magnitude of the increase rather than just representing the percentage of increase. (IE: “*from 35% - 40%*” rather than “*an additional 5%*” as originally stated.)
 - Language has been added to respect the “appropriateness of site conditions” for the implementation of innovative stormwater controls.
 - Section 1823.3 has been modified to amend the heading to acknowledge that the implementation of innovative stormwater shall be in accordance with the design criteria of accepted guidelines and standards.
 - Street ponding has been deleted from the text as an accepted method of innovative stormwater control.

On behalf of Wheatland Presbyterian Church, Mr. Hackenburg offered insight on several topics which were discussed at the July 25th Lancaster County Planning Commission meeting regarding: **Applicability of the Text Amendment to “All Other Uses” within the R-1 District:**

- The revised amendment has not been amended to limit the provision of the proposed amendment to “Churches, Synagogues, or Other Places of Worship.”
- In evaluating the other Permitted (and Special Exception) Uses within the R-1 District, many are coverage and parking intensive uses such as:
 - Municipal buildings and firehouses
 - Public swimming pools
 - Elementary and secondary schools
 - Non-profit museums and public libraries
- If it is the LTPC’s desire for these provisions to apply only to Churches, Synagogues, or Other Places of Worship, they are not opposed to modifying and adjusting the text.
- Rely upon the PA Stormwater Best Management Practices Manual and Township Stormwater Management Ordinance to provide the performance and design criteria necessary to assure functionality and implementation of each applicable system.
 - The continually-evolving design standards for stormwater control methods proposed will continue to be adequately addressed by the PA Stormwater Best Management Practices Manual to assure the Township’s functional, technically sound outcomes.

Mr. Caldwell of Rettew stated that the standards for stormwater management (SWM) need to be objective to each specific project site, depending on the set of circumstances, to consider each individual lot site;

- Keep LTPC control for future problematic sites;
 - If criteria is met for Conditional Use the LTPC may review and make recommendations
- Another site may cause concern for a more rigid SWM management
- A specific site may not permit additional impervious coverage
- Need a measurable standard for SWM criteria

Public Comment:

- Jim Gerhart, a resident of Wheatland Avenue stated that he is concerned about permitting a larger percentage of impervious land coverage and he feels that it is a step in the wrong direction.
- Mark O’Neil, also a resident of Wheatland Ave expressed his concerns about decreasing property values in the Township. Mr. O’Neil also stated that the Wheatland Presbyterian Church fits nicely into the neighborhood, but he does not think it needs to be developed into a mega church. There were no further public comments.

Ms. Kelly asked the LTPC if there was a motion to recommend the revised petition to amend the text to the Zoning Ordinance to the Board of Supervisors for their upcoming meeting on Monday, September 12, 2011. Mr. Hendricks stated that since their concerns have been addressed in the revised petition proposal, and the LTPC still has the opportunity through the Conditional Use request and the Land Development Plan, that if there are any future concerns on impacts in the other areas – that those concerns can be addressed on a case by case basis. **Mr. Hendricks made a motion to forward the revised petition to the BOS with the recommendation for approval. Ms. LeFevre seconded the motion. Motion carried.**

NEW BUSINESS:

SOUTHERN VILLAGE: REDUCTION OF SIDE YARD SETBACKS

The LTPC continued a previous discussion about Phase IIIA Final Subdivision Plan for Southern Village; Bill Swiernik of DMA representing EG Stoltzfus Homes, the builders of Southern Village stated that this would be an informal discussion based on the side yard setbacks relative to the single family dwellings.

This project is an Open Space development permitted by right within R-3 district. Specific criteria were followed for the building placement within the open space development option; twenty (20’) feet is required between buildings; the buildings do not need to be centered within the lot space; there is no minimum lot area, and no minimum lot width, which gives flexibility to the design layout.

Mr. Swiernik stated that the semi-detached units and single family units are essentially the same. Therefore the builders cannot add to the living space within the single family units, which is what the potential buyers are interested in.

- The living space is limited and the builders are not able to put in a first floor master bedroom or add more amenity space to first floor living

Mr. Swiernik handed out Exhibit A of Phase 3A to the LTPC, which show the 10' setbacks between each of the buildings. He stated that what the builders would like the LTPC to consider is to allow a six ft (6') side yard setback be applied to this phase of the project (vs. 10'.) This would result in an increase of the unit size of around 200 sq ft.

- With a 6' side yard setback there would be 12' between each single family unit.
- Builders do not want to increase the density of the lots, only to increase the living space within the single family units.

Mr. Swiernik referred to Ordinance Section 1910 – Reductions to Required Yards

1910.1 Side Yard – In order to provide for additions to existing single family detached dwellings...in those cases where a lot, on which there was an existing dwelling unit, existed at the time of enactment of this Ordinance, which has less than the required minimum lot width in the District in which it is located, the side yard requirement may be reduced by six (6) inches for each one (1) foot of lot width deficiency to a minimum side yard...

D. Residential District R-3 – Six (6) feet

The intent of this provision is to permit additional living space in existing dwelling units and is not to be applicable when the expansion is for the purposes of adding or creating additional dwelling units or change in use classification.

Mr. Swiernik requested that the LTPC take this opportunity to reevaluate this section of the ordinance and to provide insight and feedback in order to establish a 6' side yard setback on the remaining single-family homes to increase the living space. He stated that even with the addition of expanded living space in the SF home, they would still be below 50% lot coverage.

Discussion ensued:

- Options: Builders apply for a variance with the ZHB
- LTPC consider and revise this section of the ordinance
- Question of 12' between houses has not been asked of potential buyers
- Explore other neighborhood communities with SF homes

- How would this consideration affect building codes?
- Challenge the builders to increase the size of living space within the land space
- Builders come up with an alternative plan without restricting side yard setbacks
 - Change the design to accommodate buyers.

The consideration of minimizing side yard setbacks in the Southern Village development to maximize additional living space within the newly constructed single family homes will be considered at future LTPC meeting.

OLD BUSINESS

Zoning Ordinance Update:

Rettew is editing and formatting the revised Zoning Ordinances. When the revisions are completed Rettew will print the zoning ordinances and compile into notebooks so that each LTPC member has a hard copy to read, review, and edit as he or she deems necessary. Tom Daniels will deliver the revised version to each LTPC members home.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m. The next scheduled LTPC meeting will be on September 20, 2011 at 7 p.m.

Sincerely,

Bob Desmarais
LTPC Secretary