

LANCASTER TOWNSHIP PLANNING COMMISSION

1240 Maple Avenue

Lancaster PA 17603

MEETING MINUTES – April 16, 2013

CALL TO ORDER

Melissa Kelly, Chair, called to order the regular meeting of the Lancaster Township Planning Commission at 7:00 pm on April 16, 2013 in the Lancaster Township Municipal Building. The following members were present: Glenn Ebersole, Richard Hendricks, Gary Jones, Gordon Reed, Angela Sowers and Tom Waters. Present from Lancaster Township: Tom Daniels, Zoning Officer, Rebecca French, Planning & Zoning Assistant, and Ben Webber of Rettew. Sandy Kime of ELA Group was also present.

Approval of Minutes – March 19, 2013

The March 19, 2013 LTPC meeting minutes were not approved as submitted. Corrections will be made and the March 19th minutes resubmitted for approval.

Public Participation/Comments

There was no public participation or comments.

Subdivision/Land Development Plans:

LTPC 0248: Final Subdivision Plan for Manor TREECO / McDonalds

Zoning GC; 0.571 Acres (Lot 2) Owner is proposing to subdivide the existing McDonald's restaurant from the Manor Shopping Center. The proposed subdivision line is identical to the lease line; No site improvements are proposed as part of this subdivision, and no change to vehicular circulation, pedestrian circulation, parking configurations or parking lot striping is proposed.

Briefing Item:

Mr. Kime of ELA reviewed the drawings for the LTPC 248 stating that no improvements will be made to the site. He then went through the applicant's (TREECO/McDonalds) requested modifications.

Section 402.02.A – Plan Scale: Modification request for the requirement to provide a plan scale not to exceed one inch equals fifty (50) feet; Mr. Kime stated that as an alternative, they would provide a plan scale of one inch equals sixty (60) feet so that the entire shopping center would fit be onto one plan sheet.

The response letter from Rettew, dated March 9, 2013 recommended approval of this modification with the condition that the plan must legibly present all survey and zoning data and all Preliminary and Final Plan requirements of the Township ordinances.

Section 402.04.A – Existing Contours: Applicant requested a modification to the requirement to provide a topographic survey with benchmark and datum, and as an alternative, allow the use of Lancaster County’s GIS information and topography. Mr. Kime stated that the proposed subdivision line is identical to the lease line that was shown in the 2007 Preliminary/Final Land Development Plan for McDonalds, which the Lancaster Township Planning Commission approved and has been recorded in the Lancaster County Recorder of Deeds’ office. He stated that due to the size of the entire shopping center and since no improvements are proposed as part of this subdivision plan, the applicant believes the requirement to provide a full topographic survey is not warranted.

Rettew’s response letter, dated March 29, 2013, recommended approval of this modification based upon the justification and alternative provided.

Section 402.04.F, Sub-Sections 1, 2, and 4 – The applicant has requested a modification of the requirement to provide the dimensions of existing access drives, location, size and condition information on streets, alley, driveways, and existing utilities located within the site. Mr. Kime stated that all of the improvements have existed for quite some time, and were previously approved by the Township as part of the 2007 subdivision and land development plan; therefore this modification request should be approved.

Rettew’s March 29th response letter recommend approval of this modification based upon the justification provided.

Mr. Kime stated that the Plan was submitted for review in February and that they missed the March LTPC meeting deadline. Since that time the Plan was presented to the Lancaster County Planning Commission for their recommendations, and he stated that Rettew’s response letter clearly states that they recommend approval of the applicant’s modification request, he asked the LTPC to consider it an action item for tonight’s’ meeting.

Comments:

Gwen Newell stated that there is a lot of pavement striped for no parking on the McDonald’s site. She stated that the Lancaster County Planning Commission commented in their Advisory Plan Review Memorandum dated April 9, 2013 that consideration should have been given previously to disapprove the lot coverage variance and require the impervious surface striped for no parking to be returned to green space.

Mr. Kime stated that the impervious coverage of the McDonald’s lot went down to 84% and has a little more green space as a result of this subdivision plan.

Ms. Kelly stated that perhaps this is a sad commentary on the LTPC, and that in the future, the LTPC needs to be mindful and make a concerted effort to look more closely into the pervious coverage when subdivision and land development plans are presented for their review.

Ms. Kelly stated that the Plan and associated modifications were scheduled as a briefing item. The information presented and discussed this evening is considerable, and she is comfortable asking the LTPC to consider taking action on both.

Ms. Kelly asked if there was a motion to recommend approval of the Final Subdivision Plan and the requested modifications for Manor TREECO / McDonalds. Glenn Ebersole made the motion recommending approval to the BOS. Richard Hendricks seconded the motion. Both the Final Plan and modifications were recommended for approval based on Township Engineer / Rettew's response letter dated March 29, 2013.

Old Business: None

New Business:

Update the Township's SALDO and Stormwater Management Ordinance

Mr. Daniels stated that he and Ben have been working on the SALDO, and that some of the items in the SALDO need to be revised in order to be consistent with the changes made in the Zoning Ordinance. He and Ben created a timeline document that was mailed to the LTPC along with a document titled Division of Lancaster Township (LT) SALDO/SWMO that has reference points (dots) along the left side of the document for the SALDO Articles and Sections and along the right side of the document for the SWMO.

Discussion:

Ben Webber stated that he and Tom prepared a draft document titled Description of Process for Lancaster Township SALDO that includes a time line down the right side of the documents to use in order to track the progress of the SALDO revisions. He stated that the first thing to do when considering the revisions would be to look at the numbered Description of Activity for LT SALDO and then note the dates. He stated that this is a good time line, which will help the process move forward smoothly.

He asked the LTPC members to review the SALDO Table of Contents (TOC) and decide which Articles/Sections appeal to them and that they would be most interested in working on.

Mr. Daniels stated that after conversations with Ben, Bill and the BOS, there are certain things that Ben needs to do regardless of the input that comes from the LTPC. It would be best to let Ben deal with the Act 167 and those necessary revisions in the SALDO / SWM.

Mr. Webber stated that there are changes in the Zoning Ordinance that need to be consistent with the SALDO/SWMO. He stated that some of the SALDO is dictated by the Municipal Planning Code (MPC) such as plan content requirements, process procedures, construction inspection, financial securities, and administration.

Mr. Daniels stated the Design Standards (DS) is where the LTPC has the most impact and the chance of creating something that would work best for everybody.

Ms. Kelly stated that she feels the LTPC should be involved with more than just the design standards. She referenced *Article IV – Information to Be Shown on or Submitted with a Subdivision, Land Development and Stormwater Management Plan*, and stated that the LTPC should be involved in that also. She stated that this is part of her background and what she is interested in working on.

Mr. Daniels stated that he was not suggesting limiting the LTPC's involvement to just design standards.

Mr. Hendricks asked if there are any combined sewer systems and stormwater management systems in the Township.

Mr. Reed stated there are not. He stated that all systems were separated back in the late 80's or early 90's. He went on to ask if in order to help manage the process, should there be more meetings other than the monthly LTPC meetings. He agreed that having the LTPC look at the TOC, decide who wants to do what and work on that section(s) and then to provide that information to Ben Webber and Tom Daniels is a good idea.

Mr. Daniels stated that having more meetings could be a possibility. He asked if there should there be a workshop prior to the monthly meeting where they only focus on the SALDO and SWM.

Mr. Hendricks asked if there any streams or areas in the Township that are in contradiction with the EPA standards.

Mr. Webber stated that the entire County has contributed to the problem, in that all of the watersheds drain into the Susquehanna River, and that is why all of this is happening. All of the Townships in Lancaster County need to have a Chesapeake Bay Pollutant Reduction Plan and that they must adopt SWMO amendments based on the Act 167 plan. This requires that all countywide watersheds change their storm water regulations and ordinances. In answering Mr. Hendricks's question, no, the Twp has not been cited to the best of his knowledge for anything.

Mr. Reed stated that all of the stormwater and sewer systems in the city discharge into the LT waste water management site on New Danville Pk; the sewage plants, the Conestoga pumping station, all of the water treatment plants and all large ducts from the city discharge into LT. He stated that the Township is not the direct offender in our district. He stated that there are several farms in LT that use fertilizers that drain into the Conestoga River and there is a lot of work to be done in order to educate the farmers as to what and how they need to do their part in the clean water initiative.

Mr. Daniels stated that as part of the best management practices requirements, the Twp will need to visit the farms and instruct the farmers on how to handle the fertilizer issue and what to do in the future.

Ms. Kelly stated that part of the process is for all of the municipalities to educate the farmers so that they understand what is happening and what they can do in order to stop contributing to the problem; not only the farmers but also the general public.

Mr. Daniels stated that the Township is currently updating a new GIS program with all new data, and make it easier to track everything in the Township with this technology. He stated that once all of the information is documented electronically into a format that everyone can use, the process will be easier.

Mr. Reed stated that Lancaster Township needs to regulate the pumping stations that have been reworked over the past few years to make sure that they are functioning efficiently. He stated that Lancaster Township has always been proactive in stormwater management practices and designating green space; for example the Maple Grove site and the trail on the East side along the Conestoga River.

Mr. Ebersole stated that he was very interested in traffic and transportation issues. He also asked that when the LTPC members identify which Section(s) each of them are most interested in pursuing, how are we going to plan outside of meeting gatherings?

The LTPC will decide on possibly having more meetings in between regular scheduled LTPC meetings, or prior to the scheduled meetings.

Ms. Newell stated that by looking at the Township's first draft, that has a deadline of August 1, 2013, the process has been fairly aggressive; the SWM is separated from the SALDO and for the most part matches with the Zoning Ordinance revisions. She stated that looking forward, the 2nd draft will take 3 or 4 months for the Township to review and make the changes needed to the SALDO and in the same time period, submit the revised SALDO to Rettew to evaluate and then for Rettew to review and present their decisions back to the Township. She stated that this will not be enough time to go through the whole process and then by December 1, 2013, present the 2nd draft of the revised SALDO to the County and request an informal review with a one month deadline of January 1, 2014. She stated that one month is not enough time for the County to review the revisions to their SALDO, especially with the holidays.

Ms. Newell stated that it also looks like the timeline is only for the SALDO and not for the SWMO, and she advised the Township to take as much time as possible with the SALDO revisions and present the best SALDO document that they possibly can. She stated that the SALDO does not have a deadline, but that the SWM does have a deadline. She advised the Township to either present the County with piecemeal sections as they complete each

section or to give the County at least two months for their assessment in order to get a cleaner formal review.

Mr. Ebersole asked if there is any information from past experiences that they could use for feedback.

Mr. Webber stated he asked both Jim Caldwell, his boss, and Chris Knarr, Rettew's ordinance expert, for feedback about this process and they said it could work but that it depends on the level that the Township and LTPC want to be involved. He stated that if they want to do further investigation, for example, the types of reinforcing that is used underneath sidewalks, and the bearing pressure that is allowed underneath roadways, and super paved asphalt materials...if they want to get into those types of the technical details, then education is involved. He stated that there is a time commitment, and there would be lot of research and cost from Rettew to provide the planning commission with that type of information.

Ms. Newell stated that the LTPC is a very knowledgeable group and what if they were to bring certain questions about specific sections to Rettew, would Rettew be okay with that?

Mr. Webber stated that would be fine.

Ms. Kelly stated that the LTPC needs to make sure to utilize Rettew and Ben Webber's expertise as best we can and to be aware of how to limit the cost by getting the LTPC more involved.

Mr. Jones asked if a decision will be made at tonight's meeting as to how often the LTPC should meet? Will there be other evening meetings?

Ms. Newell stated that it depends on how often the LTPC decides to meet, how many changes they want to make and the turnaround time to provide revisions to Rettew for review and then for Rettew to get back to the LTPC. She stated that the SWMO needs to be revised also, so she advised to work on the sections of SALDO and give it the time needed to be comfortable with the changes, and then move on to the next phase.

Ms. Newell stated that the deadline for the SWM depends on when the municipality gets the letter from the DEP, but based on the County's timeframe and the approval that the County needs to do, time is of the essence.

Ms. Kelly stated that the revisions to the SWM are where they need to spend the money for Rettew's expertise.

Mr. Webber stated that Angie had asked at the last meeting to be given a chance to review some of the adjustable parameters, but in order to do more than that, additional education and time might be required.

Ms. Sowers stated that she wants as much information as possible during this process, but does not need technical details, although it would be most valuable to understand concepts and big picture changes.

Mr. Ebersole suggested that they work on the process with the timeline as it is, and to periodically check-in with each other as to how it is going.

Ms. Newell suggested that the LTPC could have a pre-meeting and focus on the SALDO/SWM before the scheduled LTPC meeting

Ms. Kelly agreed that they do need to get together more often and that it does seem to help to refresh during the process and then come prepared to the meeting to talk about the changes.

Mr. Daniels stated that whatever the LTPC wants to do is fine, but to let Ben look at the changes that will be made so that he can present a clean copy at the next meeting

Mr. Hendricks stated that they could send out the changes made to the SALDO as they are updated. He asked if there is anything else in the future that the LTPC will need to review.

Mr. Daniels stated that he is still waiting to hear back from owners of the New Danville Pike Apartments plan.

Mr. Hendricks asked if they were to work on the SALDO the same way that they worked on the Zoning Ordinance, with the Township sending the changes out to the LTPC, and then the LTPC getting their revisions and suggestions back to the Township.

Mr. Daniels stated that it took a long time to get through the Zoning Ordinance that way, and he suggested that the best way would be to give Ben the time he needs to go through the whole SALDO / SWMO and make the changes that he needs make, and then present a clean copy to the LTPC. He stated that as the process moves on to August 1st, there will be a lot of changes already made. Mr. Daniels stated that this will also give the LTPC time to decide how often they want to meet to get through their changes.

Mr. Hendricks asked whether Ben would be working on the SALDO sequentially, or bits and pieces of it.

Mr. Webber stated that what he will first be working on making sure the SWM is accurately extracted from SALDO, then he will work on the updating the definitions and after that start working sequentially on the SALDO.

Mr. Hendricks asked that when Rettew is finished working sequentially with Article I and II, he could send those changes out to the LTPC for them to review so they do not have to wait until Rettew is finished with Article VIII.

Mr. Webber asked if they wanted to see Article I and II.

Mr. Hendricks stated that if you want to get the LTPC's input and not delay the process, then the easiest thing to do is, when Rettew is finished with each Article and Section in terms of their clean up, and all the definitions are consistent throughout and the regulations are current, for Rettew to submit their changes and updates to the LTPC. He stated that the sooner the LTPC can add their review comments and changes, the faster the process will move ahead.

Ms. Kelly stated that when the LTPC receives Rettew's changes, the LTPC needs to do their part and consider Rettew's changes/updates, and in return, focus on their review comments, and as soon as possible, refer their feedback back to Rettew.

Mr. Daniels stated that it is his understanding of Rettew's process that Ben is not the only person working on this project. He stated that Ben is not only managing the LTPC in terms of the information they are looking for, but he is also managing who is doing what on Rettew's side. He stated that it may be a balancing act to make sure that the LTPC has the information they need, and that Rettew is assured to complete their work on time.

Mr. Hendricks stated that it is his understanding that Ben will be working on the entire document; and then go back and start working through section by section with input from his organization; and then when they complete Article I and everyone signs off on it, they can forward Article I to the LTPC for their feedback and review comments and the process moves forward.

Mr. Webber stated that he doesn't think the LTPC would be interested in the Enactment, Authority and Jurisdiction in Article I, but he will send it to them. He stated that he thinks it is far more important for the LTPC members to look at the Table of Contents (TOC) in the SALDO, and decide what subject each one of them is the most interested in working on; read what is in the current ordinance, understand it and do their research. He stated that there are a lot of resources out there for them to use in order to understand the reasons behind the specific ordinance. He asked that they learn all they can about the Article and Sections they are interested in so that they are educated, prepared, and ready for the meeting discussion for that section. He stated that is a far better way to spend their time, instead of waiting for Article I. He stated that there are a lot of essential details for him to

look at and he doesn't want to bore the LTPC or bog down their time by stepping them through each item.

Ms. Kelly agreed that the LTPC should look at the TOC and decide what they are interested in and focus on that, do their homework and give that section the attention it requires.

Mr. Daniels stated that the SALDO is available at Ecodes360 online; there is a direct link on Lancaster Township's home page; click on the black box on the right side of the screen that reads, *Township Ordinances*, and it will take you right into the Ecodes360 website.

Mr. Webber asked the LTPC to look at the document titled 'Division of Lancaster Township SALDO/SWMO.' He explained that the dots on the left side under SALDO and the dots along the right side under SWMO indicate the sections of the SALDO that do not involve a SWM plan. The LTPC can use these dots to reference back and forth when they are working on the SALDO to make sure there are no gaps. For example, he called their attention to Section 406 Traffic Impact Studies and to notice that there is no dot on the right under SWMO, because there is no reason to have a traffic impact study for a storm water plan. Any development requiring a TIS would most likely involve some type of subdivision or land development plan, as well.

Mr. Jones asked about Article VII – Mobile Home Parks (MHP) not being included in the SWMO. Mr. Webber stated that any MHP development would still have to comply with all applicable SALDO and SWMO regulations. Even if an MHP project doesn't require a Land Development plan, the new impervious surface would trigger the requirements for compliance with the SWMO.

Mr. Webber stated that at the last meeting they were discussing access drives and driveway regulations. Mr. Webber handed the LTPC members a document to use as an example of how to go about making policy decisions. The form titled *Lancaster Township SALDO Issues / Considerations regarding Access Drives and Driveways* was divided into four columns on the topic:

1. Current Zoning Ordinance
2. Current SALDO/SWMO
3. Lancaster County Planning Commission (LCPC) Model Ordinance
4. Suggested changes

He stated that this format is a summary model of the SALDO issues that the LTPC needs to consider. They can use this model as a reference guide as they work through each section and come up with their *suggested changes*. He asked the LTPC to focus on what they are interested in and to be prepared to discuss their suggested changes at the May 22nd meeting

Ms. Newell stated that the County Model Subdivision and Land Development Ordinance has three design sections; one is for rural, another for urban, which is Article VIII, and the third design section is for infill and redevelopment.

Ms. Sowers asked what the difference is in the Township's current SALDO model from the County's model ordinance.

Mr. Daniels stated that the County needs to consider every type of environment and site in their model. Each individual municipality may not have or need all of the things that the County's model ordinance has available; not everything will apply to every situation in the Township.

Ms. Newell stated that the County's model was not created based on any specific model; it was created with input from developers, land use lawyers and recommendations from other sources.

Mr. Webber stated that the SALDO/SWMO is the current task that he will be focusing on. He stated that the Township asked Rettew for a cost contract to do this project, and they decided on a lump sum fee for doing one part/scope of the project. Another fee will involve research, meetings and revisions and will be based on time and expense.

Ms. Kelly stated that it would be costly for Rettew to add every article and section into what they already have to do. She asked the LTPC to please be aware of the budget, and that it is in everyone's best interest to use the time wisely.

Ms. Newell stated that she will support this process by attending as many meetings as she can. She stated that if the LTPC can let her know ahead of time what sections they will be working on, she will bring enough copies of the model with the timelines that the County will be using – on a 'needs to know' basis.

Ms. Sowers asked if there is a comparison of the language used in the Zoning Ordinance that will also be used in the SALDO.

Mr. Webber stated that when they went through the Zoning Ordinance they lifted language that was recommended to be in the SALDO rather than the Zoning Ordinance, and it dealt primarily with the access drives and driveways. Also some definitions were recommended to be written in one place only, either in the ZO or SALDO, for consistency.

Ms. Newel stated that the language in the Zoning Ordinance is for the land use and the language for SALDO is specific for sub-division land development, although some of the regulations may relate with each other.

Mr. Webber stated to keep in mind that some of the waiver requests may need to go before the ZHB for approval if that requirement is meant for Zoning Ordinance.

Announcements

Mr. Daniels stated that there might be a Sketch Plan to review at the May 22nd LTPC meeting for proposed commercial project located on the corner of Charles Road and Freemont Street. There are two adjacent lots, one lot is located in the Township, and the other lot is located in the City and someone is interested in building townhouses there.

He has also been working on the resident concerns database as the concerns change from the winter to spring concerns. He stated that in the last few days he has written 40 different maintenance issues. He stated that the top five violations are in the area of Wedgewood Estates. He is considering a mass mailing to those residents, with a letter to provide options for property improvements. Mr. Daniels stated that he and the Township Manager have been brainstorming ideas of how to help the residents out, and they came up with an idea for discount coupons. He spoke with Rohrer's Hardware on Columbia Ave, and they have offered to provide discounts to the residents to purchase tools and supplies that they may need in order to take care of their property maintenance issues.

Angie stated that she is working with the Lancaster County Clean Water Consortium. They are a diverse volunteer group that is working to address stream impairments in Lancaster County. One of the current projects is focused on evaluating BMPs (Best Management Practices) to reduce nitrogen, phosphorus, and suspended sediment in Lancaster County streams towards meeting the Chesapeake Bay TMDL. The results will not be a plan that identifies what should be done, but rather the identification of which BMPs will be most cost-effective to implement in Lancaster County. This project was funded by EPA through PADEP.

Mr. Daniels stated that he and the Township Manager are meeting with some representatives from the Clean Water Consortium on Friday morning.

Adjournment:

The meeting was adjourned at 8:30 PM. The next scheduled LTPC meeting is Wednesday, May 22, 2013 at 7 PM.

Respecting submitted,

Angela Sowers
Secretary