

MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION
DATE AND TIME: Monday, May 24, 2010, 3:00p.m.

I. Call to Order: Chair Groff opened the Public Meeting @ 3:00 p.m., beginning with roll call of the LCPC Members.

Members: Commissioners Dennis Groff, Ray D’Agostino, Leo Lutz, Thomas McDermott, Kathy Wasong, and David Zimmerman were present.

Commissioners David Kratzer, Jr., Tim Roschel, and Matthew Young were not present.

STAFF: James Cowhey, Dave Royer, Scott Standish, Justin Evans, Mary Gattis-Schell, Pat Kadel, Gwen Newell, Dean Severson, Brad Stewart, Andy Weaver, Danny Whittle, and Carol Youtz were present.

Others: Frank Christoffel, IV LCAR (*Lancaster Association of Realtors*)
Jim Huber Manor Township
Rick Jackson ELA Group, Inc.
Phyllis Stellfox Marietta Borough Planning Commission

II. Call to Audience

No one addressed the Commission

III. Approval of the Minutes of Prior Meetings – May 10, 2010: Ms. Wasong made a motion to approve said minutes inclusive of ratification for the April 26, 2010 Minutes adding an item to VI.B.2.a) on page 3, 2nd paragraph “The Commission had concerns including . . .

(4) the policy implications of allowing such land uses in an agricultural zone or in an area characterized by prime agricultural soils; and (5) the technical concerns with allowing any and all nonexpressed uses in agricultural zones.”

The motion was seconded by Vice-Chair D’Agostino. The motion carried unanimously.

IV. Appointments, Presentations and Reports:

A. Scheduled Public Presentations: **None.**

B. Committees and Task Forces: **None.**

C. Reports and Presentations From LCPC Staff:

1. Mr. Cowhey, Executive Director, reported that the deadline is still pushed back further for the Communities Sustainability Initiative Grant's guidelines. He stated that there are three Federal Agencies, Housing and Urban Development; Transportation; and Environmental Protection that are working toward a balance for the grant.

Mr. Cowhey distributed copies of an article from this past Sunday's newspaper which offered more dialog regarding the proposed Solar Energy plan in East Drumore Township. He acknowledged that Mr. Severson, Agricultural and Rural Lands Planning Specialist, will be next in updating the Commission on guidelines that will help encourage more dialogue with Lancaster County Municipalities' regarding possible proposed alternative energy production facilities.

Mr. Cowhey stated that from other perspectives, the point that is being missed relating to this type of proposal in East Drumore Township is that for the last several years, the Lancaster County Planning Commission, specifically Mr. Severson, has been seeking for ways to address and review possible proposed alternative energy production facilities in agricultural areas.

2. Mr. Severson, Community Planning Division, distributed draft guidelines and reiterated that same mentioned guidelines were created to help encourage more dialog with Lancaster County Municipalities in viewing possible proposed alternation energy production facilities.

The Commission had concerns regarding the due diligence process regarding the proposed solar energy facility in East Drumore Township.

3. Mr. Standish, Director for the Long-Range and Heritage Planning Division, provided brief updates as follows: **(1)** Invited the Planning Commission to attend an Envision speaker event that will be held in conjunction with the Pennsylvania Downtown Center Conference to be held at the Convention Center on **June 16, 2010**, **(2)** announced that Long-Range and Heritage Staff will be briefing the Commission in June regarding the progress of the Stormwater component of the Water Resources Strategy, **(3)** reported that Mark Platts, President of the Susquehanna Gateway Heritage Area, provided testimony before the

Senate Committee on National Parks, regarding the proposal to designate the state heritage area as a National Heritage Area, (4) reported that Staff met with PennDOT to discuss alternative funding opportunities for implementation of the Lincoln Highway Gateway Corridor, and (5) updated on the Commission on the positive level of municipal support to study the PA 741 corridor as a Lancaster County Heritage Byway.

V. Previously Postponed Planning Matters for Discussion and Action:

- A. Lancaster County Comprehensive Planning Items: **None.**
- B. Community Planning Reviews: **None.**
- C. Subdivision and Land Development Plan Items – Approvals: **None.**
- D. Subdivision and Land Development Plan Items – Advisory Reviews: **None.**
- E. Other Planning Matters: **None.**
- F. Additions to the Agenda (with 24-hour Public Notice):

VI. New Planning Matters for Discussion and Action:

- A. Lancaster County Comprehensive Planning Items: **None.**
- B. Community Planning Reviews:
 - 1. **#7-81**, Clay Township, Proposed Amendment to the Zoning Ordinance to amend the definition of “swimming pools”; and to Revise setback and other requirements for swimming pools with the R-2 District.

Mr. Zimmerman made a motion to approve and forward the above Staff Review for the item listed under Roman Numeral VI.B.1. The motion was seconded by Ms. Wasong. The motion carried unanimously.

- 2. **#13-32**, Conoy Township, Proposed Amendment to the Zoning Map deleting certain lands from the Rural and Suburban Residential Zones and placing the same in the Agricultural Zone.

Ms. Wasong made a motion to approve and forward the above Staff Review for the item listed under Roman Numeral VI.B.2. The motion was seconded by Vice-Chair D’Agostino. The motion carried unanimously.

3. **#20-81**, East Earl Township, Proposed Zoning Ordinance and Map.

Mr. McDermott made a motion to approve and forward the above Staff Review for the item listed under Roman Numeral **VI.B.3**. The motion was seconded by Mr. Lutz. The motion carried unanimously.

4. **#26-47A**, Ephrata Borough, Proposed Amendment to the Zoning Ordinance, Chapter 319, Article XX, Nonconformities, §319-112, Restoration and conformity, by permitting the reconstruction of a nonconforming residential building or any building containing a nonconforming residential use regardless of the extent to which that building is destroyed by fire, explosion, flood or other phenomenon or legally condemned.

Vice-Chair D'Agostino made a motion to approve and forward the above Staff Review for the item listed under Roman Numeral **VI.B.4**. The motion was seconded by Mr. Zimmerman. The motion carried unanimously.

5. **#29-204**, East Hempfield Township, Proposed Amendment to the Zoning Ordinance by amending the R-1 Suburban Residential Zone to allow public use as a use by right and to set standards for such use.

Mr. Zimmerman made a motion to approve and forward the above Staff Review for the item listed under Roman Numeral **VI.B.5**. The motion was seconded by Ms. Wasong. The motion carried unanimously.

6. **#33-127**, Lancaster City, Proposed Act 537 Plan Amendment – Phase 1.

Vice-Chair D'Agostino made a motion to approve and forward the above Staff Review for the item listed under Roman Numeral **VI.B.6**. The motion was seconded by Mr. Zimmerman. The motion carried unanimously.

C. Subdivision and Land Development Plan Items – Approvals:

1. **#89-218-2A**, Jacob S. Glick, Bart and Paradise Townships, (*Conditionally Approved*)

Vice-Chair D'Agostino made a motion to approve and forward the above Staff Review for the plan listed under Roman Numeral VI., **C.1.**, conditioned upon adequately satisfying the comments of the respective review memorandum, and further motioned to approve the requested waivers and / or modifications as recommended in said memorandum. The motion was seconded by Mr. McDermott. The motion carried unanimously.

2. **#10-18**, Marietta Senior Housing, Marietta Borough, (*Conditionally Approved*)

Vice-Chair D'Agostino made a motion to approve and forward the above Staff Review for the plan listed under Roman Numeral VI., **C.1.**, conditioned upon adequately satisfying the comments of the respective review memorandum. The motion was seconded by Mr. Zimmerman. The motion carried unanimously.

D. Subdivision and Land Development Plan Items – Advisory Review:

1. **#74-418A**, David K. & Ruth S. Beiler, Upper Leacock Township
2. **#76-78-2**, Amos S. Stoltzfus, East Lampeter and Upper Leacock Townships
3. **#77-188-1**, Eby Cemetery Association, Upper Leacock Township
4. **#84-135-1**, SKH – 2466 New Holland Pike (*Insurance Building*), Upper Leacock Township
5. **#88-219-3A**, Shady Oak, Phase II, Mount Joy Township
6. **#89-218-2A**, Jacob S. Glick, Bart and Paradise Townships
7. **#89-252A**, Robert W. & Amy E. Bobst, Lititz Borough
8. **#01-89-2B**, Gideon Zook, Salisbury Township
9. **#03-41F**, Veranda – Phase 4, East Hempfield Township
10. **#03-70-6**, New IMAX Theater & Restaurants at Penn Cinema, Manheim Township

Ms. Wasong made a motion to approve and forward the above Staff Reviews for the plans listed under Roman Numeral VI.**D.1 thru D.10**. The motion was seconded by Mr. Lutz. The motion carried unanimously.

E. Other Planning Matters:

- 1) Requests for Waivers:
 - a. **#92-286-1A**, Benuel Fisher, Sadsbury Township, Section 302 Preliminary Plan, (*Approved*)

Mr. Lutz made a motion to approve and forward the above Staff Review for the plan listed under Roman Numeral VI.**E.1a**. The motion was seconded by Ms. Wasong. The motion carried unanimously.

- b. **#10-20**, Aaron L. Fisher, Bart Township, Section 310.01.D Minor Subdivision Plan Criteria, Section 403.03.C, and Section 607.06.A Floodplain Delineation, (*Conditionally Approved*)

Vice-Chair D’Agostino made a motion to approve and forward the above Staff Review for the plan listed under Roman Numeral VI.E.1)b. The motion was seconded by Mr. Zimmerman. The motion carried unanimously.

- 2) Requests for Time Extensions: **None.**
- 3) Unconditional Preliminary Plan Approvals: **None.**

F. Additions to the Agenda (with 24-hour Public Notice):

VII. Old Business: **None.**

VIII. New Business and Discussion Items:

- A. Chair Groff announced and congratulated Ms. Harriet Parcells, Senior Transportation Planner, and Ms. Patricia Kadel, Senior Planning Analyst, in receipt of their AICP Certification.

IX. Adjournment: Chair Groff made declaration to adjourn the meeting at 4:37 p.m.

PLEASE NOTE: The next scheduled meeting of the Lancaster County Planning Commission will be held on Monday, June 14, 2010.