

**MINUTES**  
**DILLSBURG BOROUGH PLANNING COMMISSION MEETING**  
**JUNE 24, 2015**

The June meeting of the Dillsburg Borough Planning Commission was called to order on the above date at 7:30 PM. Planning Commission Members in attendance were Allen Reeves, Paul Eurich and Leon Zeiders. Also present were Borough Engineer Mike Begis, Borough Manager Karen Deibler and Borough Secretary Debbi Beitzel. Planning Commission Members Joe Robinson and Brian Radcliffe weren't present.

The following visitors were present: Paul Hedin from Lobar and Peggy Williams from NYCHAPS.

The first item on the agenda was the approval of the May 27, 2015 meeting minutes. Member Paul Eurich moved to approve the Planning Commission meeting minutes of May 27, 2015 as presented. Member Leon Zeiders seconded the motion. - Motion carried.

The second item on the agenda was the discussion of the Preliminary/Final Land Development Plan for Dunkin Donuts. Chairman Reeves asked if there was a representative present to discuss the plan. Paul Hedin introduced himself. Mr. Hedin stated they are looking at taking the square footage from the old car wash and shifting the square footage upward. He indicated they received a comment letter from KPI and had addressed them.

Engineer Begis went over the comments.

1. Screen plantings may be required between the C-H and R-S districts. However given the difference in elevation between the two districts this may not be practical. - Engineer Begis stated if they put screen planting down below, it isn't going to screen anything. The developer has requested a waiver but this would be a determination by the zoning officer because it's a zoning comment. Member Eurich indicated his concern was with a certain resident who will complain about any lighting that may shine in her bedroom and/or any odors that might generate from fried donuts. Mr. Hedin stated there were some lights that were taken down from the old dealership but they will do whatever it takes.
2. York County Planning comments. – Engineer Begis asked if the YCPC comments were received. Manager Deibler stated no. Chairman Reeves asked how long they had the plan. Manager Deibler indicated they had it for a while and would call them. Engineer Begis indicated they can review them at that time and if there is anything of significance, we can request they be addressed. Chairman Reeves stated he agreed.
3. The owner's acknowledgement and professional certifications should be executed by all parties. – Engineer Begis stated this note typically stays on the plan until it is signed and executed.

4. Plans must be marked “not for development” until all requirements have been addressed and plans have been approved. – Engineer Begis stated the developer has done this on the revised plans.
5. Financial security (for related improvements) and a developer’s agreement are required. An estimate of improvement costs should be provided for review. The solicitor should be consulted with regard to the agreement. – Engineer Begis stated if the developer had any questions to contact their office.
6. The plan should note that a preconstruction meeting will be required with the Borough representatives, owner and site contractor prior to starting site work. – Engineer Begis stated the developer has done this on the revised plans.
7. Traffic patterns within the site should be delineated including the drive though. - Engineer Begis stated the developer has done this on the revised plans. Member Zeiders stated his concern was there is no way to get Dunkin Donut people coming back into Dillsburg and forcing people to go North onto Route 15. Mr. Hedin indicated technically they can still cut back in front of the building.
8. Sewage planning approval or exemption approval may be required. The plan should be reviewed by the Dillsburg Area Authority. – Mr. Hedin stated he met with Sheldon Williams the other day and did incorporate his comments into the plans. Engineer Begis asked if the developer could get an approval letter from DAA. Mr. Hedin stated he would.
9. Coordination of loading/unloading should be so as to not interfere with business or introduce a conflict with customer use. – Engineer Begis stated they were curious how they would coordinate that and indicated they can do this; it is their prerogative. Member Zeiders asked how much of the 22’ width the loading zone would take. Mr. Hedin stated regular trucks are 8’ wide. Member Zeiders asked if KPI was OK with this. Engineer Begis stated yes.
10. Owner must verify any requirements with PennDOT related to striping and other proposed work in the US 15 right-of-way and to obtain any required permits. – Mr. Hedin indicated he will verify with PennDOT. Engineer Begis indicated they aren’t doing any real improvements other than line striping.
11. We recommend that landscaping would add to the appeal of the project. - Engineer Begis stated the developer has done this on the revised plans.
12. The leased area shown on sheet 3 doesn’t seem to match up with the proposed Dunkin Donuts site. - Engineer Begis stated the developer has fixed this on the revised plans.
13. We recommend that the solicitor be asked to review the plan for any requirements related to shared parking or any other issues related to lease of multi-use space.

Engineer Begis indicated they reviewed the grading and existing stormwater plan and there is actually more green space. Member Eurich indicated the plan states there is a 20’ alley and feels that plan should state “unopened alley”. Manager Deibler agreed.

Chairman Reeves asked what the “claimed area” was on page 2. Mr. Hedin stated he will remove the note and check it out.

Member Eurich asked if all the suites are leased. Mr. Hedin stated no; suite C & D are still vacant. Chairman Reeves asked if the liquor store takes up Suite A & B. Mr. Hedin indicated Suite B and the storage is occupied by the liquor store and Suite A is the York County parole office.

Member Zeiders asked if the amount of parking spaces for Dunkin Donuts was realistic. Mr. Hedin indicated that was from them. Member Zeiders stated his concern was he was basing it on the coffee shop downtown; he suggested the number of parking spaces should double. Engineer Begis indicated they are sharing the spaces across the lot. Member Zeiders disapproved of sharing the spaces and indicated the 10 spaces across should be reserved for Dunkin Donuts. Manager Deibler stated the one by Holy Spirit is not like the coffee shop and is basically a drive through. Secretary Beitzel indicated there is limited bar seating at the one by Holy Spirit Hospital.

Engineer Begis stated if the PC is inclined to recommend the plan for approval with conditions that the comments be completely addressed for satisfaction and satisfaction of the solicitor.

Member Eurich moved the plan be recommended for approval taking into consideration the engineers' comments from the June 24, 2015 meeting and any comments that are received from YCPC. Motion was seconded by Member Zeiders. – Motion carried.

The third item on the agenda was the discussion of the Preliminary/Final Land Development Plan for Colgan. Manager Deibler stated at the time of the agenda, the office wasn't sure if this was going to be before the PC or not. She stated there is an extension request letter. Member Eurich stated he was confused about the extension letter and asked if the first sentence be worded differently, "On behalf of my client, I have been authorized to grant a time extension to the review period." Engineer Begis indicated that is how the MPC is written and the PC has 90 days to review the plan and the developer is granting the PC an additional 30 days to review the plan. Engineer Begis stated the developer needs outside agency approvals and didn't want to come before the PC without them. Member Zeiders stated his concern with this property was everyone knew what the major issue was; it was a land locked property. The developer has no HOP and they may or may not get one and he has no problem giving them an extension as long as the developer understands there are no guarantees. Engineer Begis indicated the time would be extended to August 9, 2015; actually the date should be August 11, 2015. Manager Deibler indicated the PC would have to make a decision by the end of July and the developer is hoping to have some information back from PennDOT to review at the July PC meeting. Member Zeiders asked what the essence was of the Council letter for the HOP. Manager Deibler indicated a letter of awareness had to go to PennDOT to let them know that Dillsburg Borough is aware of the plan and in the letter it was stated that Dillsburg Borough was involved with surrounding municipalities from Northern York, Adams County, YCPC and PennDOT trying to close off more entrances on Route 15. Also, stated was that the developer would have to try and find another entrance. Manager Deibler stated if this wasn't available and PennDOT would grant them the access, the developer would have to include into their deed that if another way would ever become available, they must switch. Peggy Williams indicated that the letter also stated that NYCHAPS hasn't submitted a plan. Member Eurich asked if PennDOT does or doesn't

grant access, it really doesn't matter what the PC would decide. Engineer Begis indicated as long as they meet the ordinance requirements of the Borough. Manager Deibler also agreed. Member Eurich stated the PC requested this information but the HOP had never been submitted. Manager Deibler stated not until the Borough provided the letter and was going to submit it to PennDOT the next day, about two weeks ago. She stated Council was hoping to have a preliminary comment letter by July 23<sup>rd</sup>. Engineer Begis indicated they would be able to tell from the comment letter whether the access would be feasible or not. Engineer Begis indicated there will be comments and if it's something the developer can address, the PC can't deny a plan for the outside agency approvals. Member Zeiders stated it was a dumb plan for what they want to do. Manager Deibler stated she didn't understand why Wayne Homes didn't put in a driveway when they had the HOP approval.

Engineer Begis stated if the PC recommends that the plan review period be extended until August 11, 2015 that would make sense. Member Zeiders stated there would be a meeting in July and the developer would have to have extension approval to get them an August meeting. Engineer Begis stated they don't have to have it but it's a matter of what the PC recommends at that time; whether they have a reason for not having it, whether PennDOT hasn't given them a response or PennDOT could request an extension of time for their approval. Member Zeiders stated in fairness to the PC, the developer would have to have something to us by July or there would be no use going to the meeting in August. Engineer Begis indicated at the July meeting the PC could make that recommendation. Member Zeiders asked if that meant that the developer doesn't have to come in with the answers until August 11, 2015. Engineer Begis stated if the developer doesn't have any information for the PC in July, the PC can recommend approval or denial based on the information on file at that time. Manager Deibler stated if the PC doesn't approval the extension, Council will have to act on the plan on August 11, 2015. Engineer Begis indicated if the PC wants to act on it they can, you can make a recommendation to Council based on the information before you, and Council can still accept the extension and ignore your recommendation. Manager Deibler stated it would be best if the PC and Council are on the same page.

Member Zeiders moved to accept the time extension for the Colgan property until August 11, 2015. Motion was seconded by Member Eurich. – Motion carried.

#### **Old Business:**

There was none.

#### **New Business:**

Chairman Reeves indicated Life in Christ Fellowship is going before the ZHB. Engineer Begis stated the applicant is requesting their parking lot be on a lot separate from their principal use and need a special exemption. Engineer Begis indicated it is on the PC agenda for comments or input. Engineer Begis indicated the stormwater and grading plans were sent to KPI, it was reviewed and approved. Chairman Reeves asked where the Life in Christ Fellowship Church was. Member Eurich stated it was the church adjacent to his backyard. Engineer Begis stated Third and Beaver Streets. Chairman Reeves indicated they are planning to put in a parking lot behind the Dusan Bratic property. Member Zeiders indicated it is where the old greenhouses

used to be years ago. Chairman Reeves asked if the property was owned by Dusan Bratic. Someone stated no. Member Eurich asked if the church owns that property. Secretary Beitzel stated they do now; it was originally owned by Gary Lebo. Chairman Reeves asked if there would be an entrance off of Beaver Street only. Manager Deibler stated yes. Manager Deibler indicated the ordinance states in order to have a parking lot it can only be done by special exemption. Member Zeiders asked actually where the parking lot was going to be. Manager Deibler provided a plan. Engineer Begis stated there are 39 parking spaces. Chairman Reeves asked how many entrances there were. Engineer Begis stated two. Member Eurich asked if the lot would be fenced or screened in as a private parking lot. Manager Deibler stated there was no fencing proposed. Engineer Begis indicated it is going before the ZHB and if there were any comments they needed to let Manager Deibler know. Manager Deibler stated she was hoping to be able to use this parking lot whenever there is bad weather for those without off-street parking. Member Zeiders asked if there will be lightning on the parking lot. Engineer Begis stated he didn't think lightning was proposed. Chairman Reeves and Member Zeiders felt that they might want to consider some sort of lighting. Member Eurich asked if Engineer Begis reviewed this. Engineer Begis stated not personally but the office did and the stormwater and grading plans were approved and the Borough Office did received an official letter. Manager Deibler stated the church has been working on this for a while, but because of all the DEP regulations, the property owner had to do a stormwater management program and to come up with the funding.

Member Eurich moved for the Borough Secretary forward a copy of the June 24, 2015 PC minutes to the ZHB since the minutes will include the comments by the members of the Planning Commission considering the parking lot. Motion was seconded by Member Zeiders. – Motion carried.

**Adjournment:** As there was no further business, Member Paul Eurich moved to adjourn at 8:30 PM. – Motion carried.

*Debbi L. Beitzel*

Debbi L. Beitzel  
Borough Secretary

cc: A. Reeves                      T. Knoebel  
B. Radcliffe                    M. Allshouse  
J. Robinson                    Mayor Hollinger  
P. Eurich                        K. Deibler, Borough Manager  
L. Zeiders                        Council