

MINUTES
DILLSBURG BOROUGH PLANNING COMMISSION MEETING
MARCH 23, 2011

The March meeting of the Dillsburg Borough Planning Commission was called to order on the above date at 7:31 PM. Planning Commission Members in attendance were Chairman Allen Reeves, Vice Chairman Brian Radcliffe, Paul Eurich and Leon Zeiders. Also present were Borough Engineer Mike Begis, Borough Solicitor Mark Allhouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

Member Joe Robinson was absent.

The following visitors were present: Jack & Diane Panas, Gary & Carla Cook, Jack Connolly and Sean Malo representing Jack Panas Insurance Inc., Borough Council President Jeff Griffin, and Dillsburg Borough Resident Lyn Hollinger.

The first item on the agenda was the approval of the February 2, 2011 meeting minutes. Leon Zeiders noted the following changes: page one, seventh paragraph, fifth line, "this address" should be 99 West Church Street; page two, sixth line, the word "is" should be it; page two, third paragraph, fourth line, delete the first "a"; page two, last paragraph, seventh line, the word "they" should be there and the word cost should be plural; tenth line, the first "to" should be if and the word "storage" should be store; the sixteenth line, delete the word "and"; and on page five, first line, the work "co should be so; fifth line, the word "permit" should be permitted; the sixth line, the sentence should read doesn't have to worry about it because it is "a" permitted "use"; and third paragraph from the bottom, fourth line, the word "there" should be the. Vice Chairman Radcliffe moved to approve the February 2, 2011 minutes as amended. Paul Eurich seconded the motion. – Motion carried.

The third item on the agenda was the discussion of the Sketch Final/Conditional Use at 300 North Baltimore Street. Chairman Reeves asked if the applicants would like to address the Planning Commission. Diane Panas indicated they would like to purchase the property at 300 North Baltimore Street and are applying for a conditional use to use the property as a professional office complex. The main part of the building would house their insurance office, Jack M. Panas Insurance and a small rental space for a starting new business. Mrs. Panas indicated they went before the ZHB and it was determined the applicants did meet the 1 acre requirement. Chairman Reeves asked if their surveyor did the calculations. Mrs. Panas stated yes, Charlie Junkins did the original survey and then Lyons redid the calculations. Vice Chairman Radcliffe asked if the calculations were done by combining the three lots together. Mrs. Panas stated yes, but there are actually four lots. Mr. Zeiders asked what makes the difference whether the street is included or

not in the calculations. Manager Deibler stated according to the zoning ordinance for residential suburban it states gross area includes ½ of the boundary streets. Chairman Reeves asked if the property requires any change in zoning. Mrs. Panas stated no.

Chairman Reeves asked if the applicants were anticipating altering the outside appearance of the building. Mrs. Panas stated the intent is to keep the house pretty much the way it is today.

Vice Chairman Radcliffe referenced the sketch drawing and asked if a certain area was new construction. Mrs. Panas stated yes, which would include two 12X12 rooms and a five foot hallway; one room would be a rental space and the other would be the conference area.

Engineer Begis indicated they reviewed the sketch plan as it pertains to the ordinances and codes of the Borough:

1. The application states the existing garage/workshop will be used for rental storage, but only one principal use is permitted per lot. Mrs. Panas indicated the garage would be used as storage by a person renting the small office space/members of main office. Solicitor Allshouse stated that would be acceptable.
2. The sketch plan shows eleven parking spaces, twelve are required. Mrs. Panas indicated one person is an outside sales person and would be only visiting the office occasionally and there are two additional parking spaces in the garage. Engineer Begis suggested the applicants change the application indicating six fulltime employees or seven fulltime employees with two additional spaces in the garage. Vice Chairman Radcliffe indicated the garage wouldn't then be used for storage. Mrs. Panas stated there is a workshop behind the garage and an attic which would be good for storage.
3. Vegetative screening is required between the adjacent residential districts. Chairman Reeves stated the applicants had addressed the issue on their sketch drawing. Engineer Begis indicated the applicants had landscaping shown but not necessarily screening. Chairman Reeves asked for a definition of screening. Engineer Begis stated low growing evergreen trees.
4. The lot district allows a maximum of 30 percent coverage. Engineer Begis indicated it was hard for them to determine what that amount was. Mrs. Panas stated it is 27.16%. Mr. Zeiders/Chairman Reeves asked if it includes the parking lot, streets and the alley. Mrs. Panas stated it includes the parking lot because it will be impervious. Mr. Zeiders asked how the parking lot was being finished. Chairman Reeves indicated the solicitor stated gravel is impervious. Engineer Begis stated gravel becomes compacted over time and creates runoff. Chairman Reeves asked if

the applicants were to use pavers with grass and ground in between each one, would this be considered impervious. Engineer Begis stated a certain percentage of the area would be.

5. The existing structure doesn't meet the setback requirements therefore, is there any action required permitting new use in the same structure. Mr. Zeiders stated according to the application, the applicants state they do meet the setbacks. Chairman Reeves stated that was for the parking lot. Solicitor Allshouse stated no, because there is no new construction. It just needs to be noted that it doesn't meet the setbacks.
6. The project involves the combination of three lots and may require a reverse subdivision plan. Mr. Zeiders asked if it should be four lots or is it going to be three and one lot. Manager Deibler stated according to York County the property is only one parcel with four distinct lots. Solicitor Allshouse indicated each lot has its own description. Parcels are for taxing purposes and lots are for deed description and title purposes. Solicitor Allshouse suggested the applicants to do a new deed description describing the parcel as a single tract of land. Vice Chairman Radcliffe indicated there would be a better understanding of the acreage calculation in the future. Mrs. Panas indicated Attorney Schrack has already done the research and the paperwork and is just waiting to see who the new buyers were and how they were going to use the property, before finalizing it.
7. The Dillsburg Area Authority needs to be contacted because of the change of use to an office complex for EDU purposes. Vice Chairman Radcliffe stated the EDU might change because of the additional occupants but wasn't sure how the engineer would do the calculations on the property.
8. If the parking lot is used after dark, the ordinance has provisions where lighting is to be provided.
9. The Borough should review and consider the need for a sidewalk along Greenbrier Lane. Chairman Reeves asked if there was a sidewalk by the property behind the garage. Engineer Begis stated yes. Mr. Zeiders asked if a sidewalk would have to be installed in the front of the property. Everyone mentioned there was a sidewalk already there.
10. The applicants would be required to do a stormwater plan. Vice Chairman Radcliffe asked it would become a land development plan at this time. Engineer Begis stated no, it would just be a stormwater plan with a site plan.

11. The applicants would be required to apply for a driveway permit for the access drive.
12. KPI indicated the owners (if granted the conditional use) would be required to submit a detail site and stormwater plan for review and approval of the engineer and/or Borough.

Mr. Zeiders questioned VII, #4 of the application; are buffer yards required. The applicants have indicated no, but the engineer mentioned screening was required. Engineer Begis stated a buffer yard is different from screening and in this case buffer yards don't apply.

Mr. Zeiders questioned VIII, #3 of the application; number of square feet of commercial building proposed, if this was referring to the 12 X 12 addition. Mrs. Panas stated yes and the figure had been recalculated for a total of 443 square feet.

Mr. Zeiders referred to #6 (fire escape) of the drawing. Mrs. Panas indicated they would be coming down from the second story of the addition. Mr. Zeiders asked if the second floor was going to be used. Mrs. Panas stated yes.

Mr. Zeiders referred to #3 (entry to restroom) of the drawing. He asked if a special restroom was being built. Mrs. Panas stated in the current structure there was a 1930 type trough sink and in 1950 a kitchen was added; their intentions are to gut the kitchen and turn it into a handicap accessible restroom.

Vice Chairman Radcliffe asked the applicants what kind of signage they were going to propose. Mrs. Panas stated they have reviewed the sign ordinances and would like to place the signs at the following locations: one in front on the left side of the house; and one on Greenbrier Lane. Manager Deibler asked what the signs would look like. Mrs. Panas indicated they visualized the signage be a wooden type sign with gold leaf writing and a spotlight with timers would be installed. She indicated the plaques on the home would be the same. Chairman Reeves ask if there would be another sign placed by the driveway. Mrs. Panas stated yes.

Vice Chairman Radcliffe stated one of the requirements of the Borough giving an approval for conditional use is they're satisfied there is a need for the use in the area which is being proposed. He asked if the applicants checked into other possible available properties within the Borough which might have suited this type of business. Mrs. Panas stated they had looked into several properties. She indicated they even put in a bid on the property located at 119 North Baltimore Street but it ended up needing more work than what they wanted to do. She stated the others were either out of their price range or needed too much work.

Vice Chairman Radcliffe asked the applicants if they would be agreeable to putting in sidewalks along Greenbrier Lane which is probably what the Borough would require. One of the applicants stated if it's required, yes.

Mr. Eurich indicated he wasn't sure if he should have a vote since his name is on the plan. Chairman Reeves asked him if he felt he would be impartial. Mr. Eurich indicated the other members covered most of the questions he wanted to ask the applicants.

Lyn Hollinger, 21 Impala Dr (house behind the proposed parking lot) indicated that area is a very low area and water tends to lie in that area and her concern is putting a parking lot in that area and what happens to the water. Chairman Reeves asked Ms. Hollinger if her property is above the proposed parking lot. Ms. Hollinger stated she doesn't know what would happen when the parking lot is installed; what will happen to the runoff. Chairman Reeves stated there are state laws against increasing the runoff of a property onto a neighboring property. He indicated the applicants would be required to have a storm drainage study done.

Ms. Hollinger indicated she had no concerns with the lighting for the signs because they would be on the ground level; however the lighting for the parking lot is a concern. Chairman Reeves stated the applicants would need lighting of some sort, for instance placing a light on the garage and pointing it towards the parking lot so any excess lighting would go on to Baltimore Street; this would be determined in the lighting design. Engineer Begis indicated the applicants may not be required to do lighting; if the lot is not being used at night, the incidental use at night probably doesn't apply to the ordinance. Manager Deibler asked if the lighting is necessary doesn't the applicant have to show luminaries. Solicitor Allshouse stated yes, there are design standards to prevent creating light onto other properties.

Ms. Hollinger asked where the traffic entrance was going to be located. Chairman Reeves stated the entrance would be off of Greenbrier Lane and in front of the garage. Manager Deibler stated the driveway would be located on the property and there would be no other accesses. Chairman Reeves indicated they understand the alley isn't an alley and the Borough doesn't recognize it as a traffic way through the property. Manager Deibler stated it's a paper alley and the applicants were hoping to use it as an entrance to the parking lot but the Borough isn't opening the alley.

Vice Chairman Radcliffe made a motion that the PC recommends to Borough Council they approve the requested conditional use application as a single use for an office complex. The applicants have indicated difficulty finding suitable property in other zones at an affordable cost as justification. The approval would be subject to meeting all the comments in the Borough engineer's memo dated March 21, 2011 and a further condition being the installation of sidewalks along Greenbrier Lane, required vegetative screening and lighting facilities for nighttime use and meeting the aesthetics and character of the neighborhood by the applicant. Motion was seconded by Leon Zeiders. Paul Eurich abstained. Motion carried with three in favor and one abstention to recommend approval to Borough Council.

Ms. Hollinger asked if the applicants are now going to light up the parking lot. Solicitor Allshouse stated no, this meeting is a recommendation to Borough Council. Borough Council makes the final decision whether there is going to be an approval and what conditions are placed upon the applicants. The hearing for the final decision will be held on April 12, 2011 at 6:30 pm at the Dillsburg Area Authority Building on 98 west Church Street.

Chairman Reeves indicated Paul Eurich was the designated representative to report to the Borough Council at the next Borough Council meeting. Solicitor Allshouse recommended Mr. Eurich report the Planning Commission's recommendation during the hearing being held prior to the regular scheduled Borough meeting.

Old Business: There was none.

New Business: There was none

Adjournment: As there was no further business, Leon Zeiders moved to adjourn at 8:25 PM. – Motion Carried.

Debbi L. Beitzel

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Secretary/Treasurer

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