

MINUTES
DILLSBURG BOROUGH PLANNING COMMISSION MEETING
March 28, 2007

Chairman Allen Reeves called the March meeting of the Dillsburg Borough Planning Commission to order on the above date at 7:30 PM. Planning Commission Members in attendance were Vice Chairman Brian Radcliffe, Joseph Robinson, Paul Eurich and Leon Zeiders. Also present were Borough Engineer Mike Begis, Borough Solicitor Mark Allshouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

The following visitors were present: Doug Gosik of J. Michael Brill, Ron Lucas of Stevens & Lee and Mike LaCesa representing Sheetz.

The first item on the agenda was the approval of the January 24, 2007 meeting minutes. Vice Chairman Radcliffe moved the minutes be accepted as presented. Seconded by Joe Robinson. – Motion carried.

The second item on the agenda was the Discussion/Review of the Sheetz Plans. Doug Gosik of J. Michael Brill Associates opened by introducing the visitors. He continued by mentioning that they did receive the original comments from the submitted plans and had addressed them and also the comments from the resubmitted plans. He indicated that on the March 23rd comments, there were a total of 21 comments. He indicated that a lot of the comments dealt with outside agency approval or administrative items. He indicated that he wanted to go over the comments and if the Committee would be in agreement with the results of the issues, Sheetz would be able to move forward with plans.

Comment #1 deals with the five (5) parking spaces located towards the front of the site along Route 15. Mr. Gosik explained that Sheetz has similar layouts throughout the state and spaces located in this type of figuration aren't problematic and didn't see a potential concern with respect to the five (5) parking spaces conflicting with any internal circulation patterns or any access through the right-in and right-out. He stated that they would like to maintain the spaces to be used for employees and to provide convenient overflow parking if necessary. Chairman Reeves asked where parking places are located? Mr. Gosik indicated they have parking around the building and close proximity to the building to the south and to the north, along Old Mill Road there are some additional spaces, and the five (5) spaces that are in question. He stated vehicles could enter and exit the site without impacting those spaces. Mr. Gosik indicated that the five (5) spaces wouldn't be used very often. Mike LaCesa stated the five (5) spaces are needed. He stated the stores are built to handle capacity and during busy times the spaces will be used. Mr. LaCesa indicated if those spaces aren't approved, people would be parking in areas that aren't designated for parking and cause some problems with the pedestrian flow. Engineer Begis indicated the comment came from a general concern, the plan doesn't violate any specific ordinance requirement, and they are just close to the traffic coming in. Mr. Gosik also indicated that PennDOT would be reviewing the plan and focusing on the Route 15 corridor, but

would also look at the internal access and circulation. Leon Zeiders asked where the gas trucks handle this and where would they unload? Mr. LaCesa indicated they would be parallel to the five spaces and wouldn't be blocking any entrances. He also stated Sheetz owns the trucking company that would be delivering fuel and unless it would absolutely necessary, the fuel truck wouldn't be delivering fuel at peak times. Solicitor Allshouse asked where the closest Sheetz is located similar to this set up? Mr. LaCesa stated the one located off the Plainfield exit off Interstate 81 in Carlisle, PA is similar and is one of the busier stores.

Comment #7 is in regards to the Dillsburg Area Authority (DAA). Mr. Gosik indicated they have been in contact with Mr. Sheldon Williams and has confirmed that what is needed would be a connection permit. Engineer Begis indicated the Planning Commission needs that information in writing from DAA.

Engineer Begis stated in regards to #6, the traffic impact study is still being reviewed. He indicated their traffic engineer did address some of the comments from the initial review and is now back with our traffic engineer for review. Mr. Lucas indicated that PennDOT is also reviewing the traffic impact study. Joe Robinson asked what the status was on the Highway Occupancy Permit (HOP)? Sheetz representative indicated they are still in the traffic impact study approval process. He stated they talked to PenDOT on March 22nd and told them they should have everything back within a couple of days.

Comment # 9 deals with wetlands. Mr. Gosik indicated an environmental consultant was out at the site and are waiting for a letter from the consultant.

Comment #13 deals with the slopes of both accesses. Mr. Gosik indicated initially the plan was designed with an 8% slope, which PennDOT was satisfied with. Adjustments have been made to comply with the Borough ordinance of a 7% slope.

Comment #16 deals with the fencing of the basin. Mr. Gosik indicated a surface detention basin was located on the corner of the site and a large part of the stormwater management is also provided by subsurface facility located between the two islands and Route 15. He stated with respect to the surface basin, there is a minimal slope of 4 to 1. For a hundred-year storm, the water surface will get no deeper than three to three and a half feet. Mr. Gosik stated on the basis of these two considerations, a fence is unnecessary. There will be generous amount of landscaping around the basin. Leon Zeiders asked how high could the water get? Mr. Gosik stated for the hundred-year storm, 3.4 feet. Chairman Reeves asked if the fence is anticipated, would it be a chain-linked fence? Engineer Begis indicated that it would be. Mr. Eurich asked if the entire water basin was in Carroll Township? Sheetz Representative indicated the majority was. Chairman Reeves asked what made up the landscaping? Sheetz Representative indicated there were a mixture of both trees and bushes. Engineer Begis stated he would like to have some feedback from the Planning Commission regarding the fence. Chairman Reeves stated it would be an eye sore, so if it could be avoided, he would like to see it voided. Joe Robinson commented about the additional requirements from Carroll Township and asked if those requirements were located on the side of the basin toward the store. Sheetz Representative indicated that it was. More discussion regarding area that is located in Carroll Township.

Engineer Begis commented on #17. He indicated the Borough requires stormwater easements for inspection purposes. The applicant has requested to do a blanket easement for the entire property and the Borough Engineer indicated they would allow them to do this. Paul Eurich asked why the plans were marked differently? Sheetz Representative indicated they would be corrected.

Comment #18 deals with the existing stormwater collection system along Route 15. Mr. Gosik indicated they tie into the PennDOT system along the frontage. On the south side, there is an inlet and a pipe that runs out of the inlet and ends in a hole. In reality, there would be less runoff when the site is developed, than there is at the present time. Leon Zeiders indicated the dilemma is that it is a very sizable hole at this point and goes nowhere after that. He indicated that what might happen is that it runs down along 84 Lumber and then goes into a trench. Engineer Begis indicated the Sheetz system is tied directly into the PennDOT system, which empties into a sump hole. Engineer Begis stated the concern the Borough has is this area may have some impact on the system at some given time. Ron Lucas stated that if there would be a problem, PennDOT would have to deal with it because it is their entire system. Joe Robinson indicated that before the permit is issued, PennDOT would see how the water would be controlled. Mr. Gosik asked that the Borough agree that this be an issue Sheetz works out with PennDOT, this is a PennDOT system they are tying into, it's PennDOT's systems that has the existing efficiency off the site to the south, and allow us to make the argument to PennDOT? Engineer Begis stated the outfall in their system is depended on each other and in the sumped area the water goes nowhere. He indicated that Sheetz is tying a stormwater system into an inadequate draining system. Engineer Begis and Leon Zeiders are concerned that PennDOT won't notice the problem unless they are aware of it. Mr. Gosik indicated that part of their submission will include a hydraulic submission and should see what is going on. Solicitor Allshouse asked what could be done about their stormwater maintenance agreement for Sheetz that would address the concern if the sump hole becomes an improper inlet and backs up the whole stormwater management that allows the Borough to have some say in getting the problem fixed right away? Mr. Lucas stated that if that would happen there would be flooding on Route 15. Mr. Lucas indicated that he really hasn't thought about that because his understanding was that this was an issue they have to deal with PennDOT, because the requirements of the ordinance are met. Solicitor Allshouse stated evidence is needed that Sheetz did make PennDOT aware of this situation so that, the board is aware that PennDOT doesn't have a problem with the draining system. Mr. Lucas indicated that he couldn't imagine that this matter wouldn't come up because its part of the review processes when reviewing for a HOP. Discussion.

Vice Chairman Radcliffe indicated that he would like to see something in the documentation going to PennDOT that is asking them or at least making them knowledgeable that when issuing the permit, they are committing to the draining in the area being adequate. Engineer Begis stated the Borough would have the opportunity to comment on the HOP, which at that time a letter could be attached to the HOP application. Mr. Lucas indicated if that would be done and the borough knows its going into PennDOT, the only thing Sheetz is going to get is the issuing of the permit. Leon Zeiders indicated that for our records, we know that it was submitted, the permit was honored, and therefore PennDOT would be giving their OK on the draining system.

Chairman Reeves asked if the comments from the York County Planning Commission were received? Manager Deibler stated that there was nothing additional.

Joe Robinson indicated he wanted more insight on comment #21A. Engineer Begis indicated there was no slope there and their concern was how they would be flushed? Sheetz Representative stated they would have included information with their resubmitted plans.

Leon Zeiders asked what the difference was between the SCS curved numbers method versus the rational method? Engineer Begis indicated the report indicated one method and Sheetz actually used another method.

Leon Zeiders asked if there would be any significant differences put on Sheetz from Carroll Township part versus the Dillsburg Borough part? Mr. Gosik indicated there were some stormwater issues that had to be worked out. He also stated from a site layout standpoint, coverage, and other things, he indicated they are OK.

Paul Eurich indicated in the general comments many times it mentions that it would be approved by the township, and asked if that also meant the Borough? Mr. Gosik indicated that the plans would reflect township and borough and thought it was corrected and therefore those not corrected would be.

Vice Chairman Radcliffe stated with all the comments that still need worked on, yet some of these issues could be waivers. Some of these are things that need to be worked on or may be issues that don't need to be concerned with the preliminary but are more considered to be addressed with the final. Vice Chairman Radcliffe asked the Engineer for some clarity. Mr. LaCesa suggested if the PC board would give Sheetz preliminary plan approval, we would accept the condition that our Engineers resolve issues prior to the April 10th Council Meeting and if the engineer isn't satisfied, we won't go the meeting. Mr. Lucas indicated the PC Board recommended approval subject to the engineer's review, then Sheetz couldn't go to Council until the issues were resolved. He also indicated that if the issues are resolved with the Borough Engineer, they would go to the April 10th Council Meeting, if not resolved, that they would attend the May 8th Council Meeting. Leon Zeiders indicated with the timing, Sheetz is forced to attend the May 8th Council meeting.

Vice Chairman Radcliffe moved to recommend approval of the preliminary plan to Borough Council subject to the developer submitting and addressing all the engineers comments in sufficient time prior to the Borough Council meeting at which approval is desired and with the exception of outside agencies approvals that are required and subject to the final plans. Seconded by Leon Zeiders. – Motion Carried.

The third agenda item was the Third Review of the Winfield Re-Zoning Request. Solicitor Allshouse indicated the difference from the previous month was all the orange is staying continuous both across Winfield Drive where the current wetland is located and is going to remain commercial, the light blue will be consumed into the aquablue to make distinctive zoning boundaries. He stated there was a specific meeting with York County indicating their comments were opposite of one another and to give their explanations. The results of the meeting was to make the zoning more consistent. Paul Eurich asked if the comments from York County Planning Commission were received? Manager Deibler indicated that we did not and their next meeting would be Tuesday, April 3rd. Solicitor Allshouse stated the hearing was opened last month and continued subject to the PC

recommendation and York County's comments. Manager Deibler indicated the Winfield representatives did what they were supposed to do right away and by 2 PM that afternoon the Borough Office and York County received the new plans. The plans did meet the York County deadline, however they stated they wouldn't look at them until the following month. Chairman Reeves indicated the dead-end street is now opened up with the possibility of connecting it to Bomar Alley, they have a culdesac and twice the number of residents. Chairman Reeves asked what had to be approved? Manager Deibler indicated only the zoning request. Joe Robinson moved to recommend approval of the third rezoning request. Seconded by Paul Eurich. – Motion Carried.

Manager Deibler indicated the Winfield and the Meadows Edge plans both have been extended to April 11th. She continued by stating Council either has to reject the plans and have the developer start over or extend the same plans.

The fourth item on the agenda was the Discussion/Review Winfield Extension. Vice Chairman Radcliffe moved that if the developer doesn't request an extension of the review period prior to the April 3rd Committee meeting, the Planning Commission recommends to Borough Council they reject the plan as it stands. In the event the developer does submit a request for extension, the Planning Commission recommends to Borough Council to reject the plans due to the fact of the rezoning and changes that have occurred to the sketch plan. This is significantly a new plan and requires a completely new subdivision approval and is at the point in time where a new plan needs submitted. Chairman Reeves asked if Borough Council had already approved the preliminary plan? Solicitor Allshouse stated there is a preliminary plan of a subdivision on record, when that plan is not built or recorded, and there is substantial changes that is considered a resubmission and the old plan would be tossed aside. Seconded by Leon Zeiders. – Motion Carried.

The fifth item on the agenda was the Discussion/Review Meadows Edge Extension. Vice Chairman Radcliffe moved that if the developer doesn't request an extension of the review period prior to the April 3rd Committee meeting, the Planning Commission recommends to Borough Council to reject the plan. In the event the developer does submit a request for extension, the Planning Commission recommends to Borough Council to approve the extension. Seconded by Paul Eurich. – Motion Carried.

Old Business: Vice Chairman Radcliffe indicated the Dillsburg Area Authority did approve to move forward with a plan to obtain funding for increasing the capacity of the sewage treatment plant. The plan calls for a payment of \$2,750 for each EDU by the developers in order to develop. Chairman Radcliffe stated there is a letter of agreement that has been created by DAA. Solicitor Allshouse asked when it would be effective? Vice Chairman Radcliffe indicated that it is in effect now. Discussion.

New Business: There was none.

As there was no further business, Joe Robinson moved to adjourn at 9:19 PM. – Motion Carried.

Debbi Beitzel, Sec/Tres

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