

**MANHEIM TOWNSHIP
PLANNING COMMISSION
MINUTES
Wednesday
December 19, 2007**

A meeting of the Manheim Township Planning Commission was held on Wednesday, December 19, 2007 at 6:30 p.m. The following members were present: Mr. Jeffrey Sturla; Mr. Michel Gibeault; Mr. Steven Geisenberger; Mr. Robert Wolf; Mr. Donald Reed and Mrs. Mary Ellen Hollinger (Mr. Cory Rathman arrived at 7:40 p.m.). The following Township staff was present: Mrs. Shannon Sinopoli (Mrs. Lisa Douglas arrived at 7:40 p.m.).

Roll Call

Mr. Sturla called the meeting to order at 6:34 p.m. and conducted roll call.

Announcement

Mr. Sturla announced that, after 8 years of serviced, this was Mr. Geisenberger's last meeting as a Planning Commission member for Manheim Township. Mr. Sturla presented Mr. Geisenberger with a plaque for the appreciation of his community service and commitment as a member of the Manheim Township Planning Commission.

Minutes

Mr. Sturla asked for a motion on the November 28, 2007 meeting minutes.

On a motion by Mr. Reed, seconded by Mr. Gibeault, it was recommended to approve the November 28, 2007 meeting minutes.

Motion Approved 6-0.

Old Business

A. Development Plans

1. **CarMax Store 7233 - Preliminary/Final Subdivision and Land Development Plan - Route 72 and Plaza Boulevard - Zoned B-4.**

Present representing this Preliminary/Final Land Development Plan was Ms. Cheryl Love, Mr. Jeff Sweater and Mr. Mark Hennis of the ELA Group and Mr.

Steve Horst, property owner. Mr. Dan Melchiorre, property owner of Lancaster Dodge was also present in the audience.

Ms. Love provided a brief update and indicated that meetings have been held with Township staff and Mr. Dan Melchiorre, Lancaster Dodge owner and his engineers in regards to the stormwater proposal and easement to the rear of Mr. Melchiorre's property.

Ms. Love indicated that, in response to the questions raised regarding the access road located between El Rodeo and National Tire and Battery, the access easement agreement has been legally extinguished.

Ms. Love indicated that the latest staff review still questioned the need for maintaining this access drive. Ms. Love indicated that the owner and applicants previously desired to keep the access drive in existence for flexibility and future use of the site, but that after further discussions with Mr. Horst and Carmax, they felt as though they have found a suitable solution to appease the Township and owners.

Ms. Love indicated that there is a water meter pit in the location of the access drive at Manheim Pike; therefore, they were looking to maintain accessibility for the pit for maintenance purposes. Ms. Love advised that their proposed solution to address the Township's concerns is to remove the existing impervious drive and plant it all in grass up to the right-of-way and then provide geo-web material in the right-of-way area to allow occasional access to the meter pit, however, the material would have the visual landscape look instead of an access drive.

Ms. Love indicated that the traffic impact study has been updated and has been delivered to the Township Traffic Engineer for review.

Mr. Sturla questioned the need for additional modification requests for specific permission to work within the floodplain and possibly for relief from extending the sewer line to the boundary of the property.

Mr. Sweater explained that in order to decrease the amount of overland stormwater runoff to the Lancaster Dodge site, they are proposing to put a pipe through the site and down to the stream in which case the piping and endwall would fall in the 100 year floodplain. Mr. Sweater indicated that he was working on the request for specific permission.

Ms. Love indicated that, in regards to the sewer extension requirement, she had contacted Scot Fertich at LASA and is awaiting his response as to whether LASA would accept an extended line or not. If LASA does not wish to accept the line, then the applicants will be requesting a modification of that requirement.

Mr. Geisenberger asked if the downstream flow, as proposed, will increase flow or be problematic to ALCOA in any way.

Mr. Sweater indicated that the flows will be better because they are reducing the amount of paving on site which will reduce the amount of water that flows down.

Ms. Love indicated that the site had previous problems for the amount of surface flow, and that with this proposal of piping the stormwater underground and decreasing the impervious area, the total flows will be reduced.

Mr. Geisenberger asked Mr. Melchiorre if he had any comments.

Mr. Melchiorre addressed the planning members and indicated that he has had historical stormwater flooding over the past 4-5 decades due to the overland stormwater flows and the lack of making provisions for stormwater control along that portion of Manheim Pike.

Mr. Melchiorre indicated that in the 1980's there were numerous vehicles lost due to the flooding on his property because of the lack of stormwater control.

Mr. Melchiorre indicated that for quite awhile he has been asking the Township for relief or at least for some stormwater planning that might provide a reduction in the amount of stormwater that his property receives.

Mr. Melchiorre indicated that many years ago he had engaged in the services of RGS Associates to review the stormwater issues and that they were able to obtain permits from the DEP to maintain the creek, remove concrete debris and open up the creek as much as possible to promote the flow of stormwater to the creek and that as a result, he has seen a bit of improvement over the years, however, he is anxious with the proposal of any new development.

Mr. Melchiorre indicated that his consultants have been meeting with the Carmax engineers and that he understands what they are trying to accomplish and agrees with the proposal, however, he still has his reservations as to whether the stormwater calculations will actually accomplish what is being proposed.

Mr. Melchiorre stated that he appreciates the Township's efforts to look out for his interests and stormwater concerns and is hopeful that this project all works out for the best.

Mr. Sturla asked if there was any concern that the water will backflow up into the pipe exacerbating the problem.

Mr. Sweater indicated that an analysis was run and that the stream will not affect the pipe and that the end wall has been pulled up as high as possible to be above the stream for the small storms.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Gibeault, seconded by Mr. Wolf it was recommended to table this plan until all outstanding comments can be adequately addressed.

Motion Approved 5-0 (with Mr. Geisenberger absent for the motion).

2. Brighton Commercial Lot 87 - Brighton PRD Final Land Development Plan - Fruitville Pike and Erbs Quarry Road - Zoned R-1.

Present representing this Preliminary/Final Land Development Plan was Ms. Linda Michels, David Miller & Associates, Frank Vargish, Blakinger, Byler and Thomas and Bob Riahi, Brighton Land Company.

Ms. Michels indicated that since their last meeting with the Planning Commission, the Manheim Township Police Department performed a speed study out along Erbs Quarry Road. The results of the speed study indicated that the speed limit should be reduced from 35 mph to 25 mph and is hopeful that the Commissioners approve the reduction.

Ms. Michels mentioned that staff concurred with the applicant for a proposal to push the on-street parking by four feet and they are hoping to work something out with the Commissioners to help in the cost of the improvements.

Ms. Michels stated that the only outstanding comments remaining are administrative comments.

Mr. Geisenberger expressed his appreciation for the owner's and applicant's patience and for working with the Township so well.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Geisenberger, seconded by Mr. Wolf it was recommended to approve this plan and modifications contingent upon a clean review letter.

Motion Approved 6-0.

B. Rezoning/Text Amendment/Conditional Use/Ordinances

1. Berkshire-Lancaster LLC – Planned Commercial Development – Conditional Use request – Granite Run Drive – Zoned I-1.

Present representing this Preliminary/Final Land Development Plan was Mr. Charlie Suhr, Attorney, Stevens and Lee; Mr. William McCollum, Berkshire Development; Mr. Steve Horst, property owner; Mr. Dave Madary, Derck & Edson and Ms. Jodie Evans, McMahan Transportation Engineers.

Mr. Suhr indicated that the latest staff review letter comments were minimal and will be addressed.

Mr. Suhr indicated that he received a memo from the staff in regards to interchange questions and traffic improvements at the Fruitville Pike/Route 30 interchange as well as Route 30/Route 283 junction which outlined their position after discussions with the Township Solicitor and Traffic Engineer.

Mr. Madary indicated that they had made a number of revisions requested by staff and that only plan data items and notes remain outstanding.

Mr. Madary indicated that this proposal will meet the current stormwater management ordinance and will modestly exceed the requirements of the Ordinance.

Mr. Geisenberger questioned the applicant's decision regarding the repeated request for a right turn lane on Granite Run Drive out onto Fruitville Pike.

Mrs. Evans indicated that, with the analysis which was conducted, they can make the intersection work without the right turn and that since it's not a requirement to meet the level of service, they are not proposing the right turn lane at this time.

Mr. Geisenberger asked the applicants to explain why they do not want to provide the right turn lane other than because it isn't required. Mr. Geisenberger felt that the request was a legitimate one made by the Township Engineer.

Mrs. Evans responded again that the right turn lane is not necessary to meet the required level of service and not required and that the intersection will still be able to function.

Mr. Reed stated that if the first car to approach the light wishes to proceed straight across Fruitville Pike, no one else can make a right which will cause stacking.

Mr. Geisenberger stated that the intersection may be able to function now, but if more development occurs across the street, it makes more sense to improve it now than later.

Mr. Geisenberger asked if there were other reasons, other than cost, for the applicant's resistance to provide the right turn lane.

Mr. Horst questioned what the right turn lane would be for and wondered if it's just for the benefit of the Lapp development across the street. Mr. Horst asked what the right turn would benefit and why some other developer wouldn't have to come in and make those upgrades and improvements in the same way that he has.

Mr. Geisenberger indicated that a right turn there makes sense and it should be done now with this development regardless of who pays for it.

Mr. Horst indicated that, instead of the Township looking at traffic uniformly and comprehensively and plan and decide where they could really use right-of-way to solve traffic problems; they are just looking at this plan at this spot.

Mr. Geisenberger indicated that he felt that it was not an unfair request to look at the addition of a right turn lane now with this proposed development.

Mr. Horst said that if the developer's engineering doesn't show that the right turn lane will have anything to do with this development and that it is strictly to benefit others, he doesn't understand the need for it at this point.

Mr. Geisenberger indicated that there would be no need for a right turn lane if there was no Granite Run or Granite Run Drive. Mr. Geisenberger indicated that under the Conditional Use scenario, conditions can be placed on the approval for the best interest of the community.

Mr. Sturla indicated that he felt that it would be more a benefit for this project and not any future project across the street, because it will be traffic from this development that will be collecting at that intersection and that adding a right turn lane would make it a better solution for the traffic coming from this development and for the community.

Mr. Horst indicated that they have cooperated with the Township on this particular intersection in the past, which was a design request, and that they have been cooperative all along.

Mr. Horst indicated that he understands that this is not a whimsical request but he would like to know what the genesis for this request really is since the recommendation is not coming from their engineer. Mr. Horst stated that he has seen several other plans recently where additional right-of-way was not requested from the developer, such as the Susquehanna Bank on Manheim Pike, and he did not understand why these recommendations and requirements are not done in a more universal way in order to make it fair for everyone.

Mr. Gibeault responded and indicated that this proposed plan is comprised of a 40-acre site, and not just a bank on a corner. Mr. Gibeault indicated that there is a lot of retail being proposed with this development and that the Township is simply looking for one additional right turn lane onto Fruitville Pike to prevent back ups in light of traffic wishing to go straight through the intersection.

Mr. Wolf indicated that there were other issues that needed to be discussed and asked Mr. Suhr to discuss his position regarding the traffic improvements for the interchange improvements and the 33% reduction in level of service.

Mr. Horst thanked the planning members and indicated that he is not completely against the improvement.

(Mrs. Douglas and Mr. Rathman joined meeting discussions)

Mr. Suhr indicated that he is planning on setting up a meeting to have discussions with the Township Solicitor and staff. Mr. Suhr indicated that he is in agreement with the basic premise of the ordinance and that the requirement is either a SPUI (single point urban interchange) or an alternative improvement with equivalent results and 33% reduction, however, he did not feel that this was a definitive answer on how it's going to work out.

Mr. Suhr indicated that he still has a question in his mind as to whether or not there is an interchange between Route 30 and Route 283 or if it is a junction or something else and also thought that it will be a question on whether or not Fruitville Pike and Route 283 is an interchange or something else as well.

Mr. Suhr indicated that there are a few issues that need to be discussed and analyses conducted in order to try and answer these questions. Mr. Suhr agreed to file a time extension in order to postpone the hearing and having discussions with the Township.

On a motion by Mr. Wolf, seconded by Mr. Gibeault, it was recommended to table this Conditional Use request.

Motion Approved 7-0.

(Mr. Gibeault departed the meeting).

New Business

A. Development Plans

- 1. Lancaster Northwest Gateway - Preliminary/Final Lot Add-On Plan - Terminus of Manheim Ave, Liberty St, Charlotte St, Stevens St and Lincoln St - Zoned B-4 & R-3.**

Mr. Geisenberger informed Mr. Sturla that he would be abstaining from the discussions of this plan due to a conflict of interest.

Mr. Jim Bowyer, David Miller and Associates; Mr. Joe Donnellson, Lancaster General Hospital; Mr. Larry Harter, Franklin and Marshall College; Mr. Dave Yager and Mike Davis, legal counsel for Franklin and Marshall College were present representing this Preliminary/Final Lot Add-On Plan.

Mr. Bowyer indicated that this project involves the redevelopment of several city blocks.

Mr. Bowyer indicated that the project site consists of 47 acres with 2.94 acres residing within the jurisdiction of Manheim Township.

Mr. Bowyer indicated that the plan would host a new boulevard which would run north to south and that all of the property on the west side of the boulevard would be utilized by Franklin and Marshall for new athletic fields and practice areas.

Mr. Bowyer indicated that the remaining portions in the area to the north, just south of the Norfolk Southern right-of-way, will eventually be conveyed to Lancaster General Hospital for their future development.

Mr. Bowyer indicated that at this time, no development, other than the infrastructure, utilities, and athletic fields are being proposed.

Mr. Bowyer stated that Lancaster General Hospital is currently in the early stages of working on their master planning for their portions of the project.

Mr. Bowyer indicated that a review has been received from Township Staff and Engineer and indicated that there were several modifications being requested with six of the ten being in relation to the proposed street design.

Mr. Bowyer indicated that one of the hurdles the applicants are up against is that, although the majority of the new streets will be located within the City of Lancaster, there are a few streets in Manheim Township that are being extended into the new grid in which case would require diverse street design standards as opposed to the City standards.

Mr. Bowyer indicated that it is the applicants desire to have a uniform streetscape throughout the entire project, therefore relief has been requested on several street design requirements.

Mr. Bowyer indicated that relief is being sought for the street and sidewalk standards in order to allow the applicants to use pulverized brick as the base materials, as well as for requirements pertaining to curbing; one-way street widths; one hundred foot clear sight triangles; sidewalk placement and street trees in the right-of-way.

Mr. Sturla asked the applicants if they have responded to staff's review comments.

Mr. Bowyer indicated no, but that they hope to be able to address all of the technical requirements and have a resubmission within the next two weeks.

Mr. Sturla asked for public comment. There was no response.

On a motion by Mr. Reed, seconded by Mr. Gibeault, it was recommended to table this plan.

Motion Approved 5-0 (with Mr. Geisenberger abstaining and Mr. Gibeault absent for the motion).

Mr. Sturla asked for public comments.

Mrs. Diane Supple (resident) expressed her concerns over the potential for the expansion of Bucher Elementary and was looking for direction from the planning members.

Mr. Sturla indicated that the Planning Commission reviews and recommends plans that are formal submissions. Mr. Sturla indicated that the Township has not received any plans for such expansion yet and recommended that Mrs. Supple take her concerns to the Manheim Township School Board, the Manheim Township Commissioners and Manheim Township Parks and Recreation.

Mr. Dan Melchiorre, property owner of Lancaster Dodge, stated his appreciation to Mrs. Douglas and Mrs. Sinopoli for their help and responsive guidance that they have provided to him. Mr. Melchiorre reiterated some of his concerns from earlier in the meeting.

On a motion by Mr. Reed, seconded by Mr. Wolf, it was recommended to adjourn the meeting.

The meeting was adjourned at 8:50 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, January 16, 2008 at 6:30 p.m.

Respectfully submitted,

Shannon L. Sinopoli