

**MANHEIM TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
Wednesday  
June 15, 2022**

A meeting of the Manheim Township Planning Commission was held on Wednesday, June 15, 2022, at 5:30 p.m. The following members attended: Chairman Jeffery Swinehart, Vice Chairman Stacey Betts; Members: John Shipman; Elizabeth Ross, Jennifer Rule, Denyse Kling and John Hendrix. Member Roy Baldwin was absent. The following Township Staff was present: Ms. Lisa Douglas.

**Roll Call**

Mr. Swinehart called the meeting to order at 5:30 p.m. and conducted roll call.

**Minutes**

Mr. Swinehart asked for a motion on the May 18, 2022, Planning Commission meeting minutes. On a motion by Mr. Shipman, it was recommended to approve the May 18, 2022, meeting minutes, seconded by Ms. Kling.

Motion Approved 7-0.

**Old Business**

**A. Text Amendment**

- i. Chick-Fil-A Inc. - Zoning Ordinance Text Amendment - Amending XXIV, Section 2409.(2).(c).(9).

Representing the text amendment were Mr. Tyler Prime, Prime Law; Mr. Brent Edmiston, Chick-Fil-A Inc.; and Ms. Sandy Koza, McMahon Associates, Inc.

Ms. Koza provided a slide show entitled "Proposed Zoning Text Amendment Manheim Township Airport Overlay District", dated June 15, 2022, depicting a comparison between the existing Fruitville Pike restaurant and the proposed Lititz Pike restaurant. The comparison included such things as lot size, building size, parking, order lanes, pick-up areas, canopies and vehicle stack areas as well as interior features.

There was discussion regarding percentage of drive-thru services versus in-store services. During COVID the drive-thru percentages rose to about 75% and approximately 25% carry out or mobile. The Planning Commission was reminded that in-store serves were not available during COVID at the Fruitville Pike location.

Ms. Betts inquired about traffic comments generated by the Township Engineer.

Ms. Koza explained the difference between actual counts and counts generated using the ITE Manual.

Ms. Rule inquired about the seat count and whether the lower seat count anticipated at the proposed Lititz Pike restaurant would increase drive-thru traffic.

Mr. Edmiston indicated that there are other options besides in-store dining or the drive thru. Customers can use curbside pick-up or mobile apps.

Ms. Ross inquired about the date of vehicle per day data.

Ms. Koza explained that the vehicle per days counts were taken from PennDOT information and were used only to compare the daily traffic at each location.

There was discussion about the 3 drive-thru lanes and how the 3<sup>rd</sup> lane would be used as a bypass lane. Although a 3 drive-thru lane restaurant does not exist in Pennsylvania, there is one in Delaware.

There was discussion about the location of the proposed trash enclosure and whether trash pick-up would interfere with the drive-thru lanes.

It was indicated that trash pick-up will occur during off-peak hours.

Ms. Rule asked if the applicant had looked at any other sites in Manheim Township.

It was indicated that other sites had not been considered.

Mr. Prime indicated that the request is for a text amendment to the ordinance and specifics on traffic, design, layout, etc. would be addressed at a later date, as part of the land development plan process.

Mr. Swinehart called for questions, having heard none, Mr. Swinehart called for a motion.

On a motion by Mr. Shipman, it was recommended to approve the text amendment, seconded by Mr. Hendrix. The motion did not pass, and the text amendment was recommended to be denied.

Motion denied 4-3 (Mr. Swinehart, Ms. Rule, Ms. Betts & Ms. Ross casting the no votes).

## **New Business**

### **A. Subdivision/Land Development Plans**

- i. Parkside Reserve, Phase 2 - Final Subdivision Plan - Petersburg Road - Zoned R-1 with TDRs.

Representing the Final Subdivision Plan were Mr. Josh Boulton, Pioneer Management, Inc. and Mr. Doug Parkins, Petersburg Road Associates.

Mr. Boulton indicated that the plan represented another phase of the Parkside Reserve development plan and that the review comments were minor and administrative in nature.

Mr. Swinehart called for questions, having heard none, Mr. Swinehart called for a motion.

On a motion by Mr. Hendrix, it was recommended to approve the plan upon all outstanding comments being adequately addressed, seconded by Ms. Rule.

Motion approved 7-0.

### **B. Conditional Use**

- i. Jacob & Brooke Zoltowski - Conditional Use Request - Article XXI, Section 2101.2 - 23 Old Post Lane - R-1.

Representing the conditional use request to allow chickens at 23 Old Post Lane were Mr. & Mrs. Zoltowski and their daughter.

Mr. Zoltowski indicated that they have chickens on their property, and they want to keep them. He indicated that they do meet the requirements of the ordinance but did not realize conditional use

approval was necessary. Mr. Zoltwoski indicated that they had purchased the chickens as hatchlings two years ago. He indicated that two of the hatchlings were roosters (unbeknownst to them) and they have since found homes for the roosters.

It was indicated that chicken waste is disposed of with the trash. Mr. Zoltwoski indicated that chicken waste is no different than dog trash that is disposed of in the same manner.

It was indicated that there is no homeowners association.

It was indicated that the chickens lay about 1 egg per day and that they do not sell the eggs. Mr. Zoltwoski indicated that sometimes they give the eggs away.

Mr. Hendrix inquired about vermin and other creatures such as fox and ground hogs.

Ms. Zoltwoski indicated that the chickens are contained in a sturdy, well-built coop and they've had no issues with other creatures.

Ms. Zoltwoski indicated that the chickens are a small breed, known as silkies.

Ms. Zoltwoski indicated that they have 9 chickens. They used to have 11 but two were roosters.

Ms. Douglas indicated that they received concerns from a neighbor who also forwarded a copy of the deed restrictions for the development, a copy of which was given to the property owner. Ms. Douglas indicated it is not the responsibility of the Planning Commission, Township staff or Board of Commissioners to enforce deed restrictions but rather the responsibility of the developer, homeowners association (if one exists) or individual property owners.

Mr. Zoltwoski inquired about the deed restrictions and indicated that if it became an issue, he would deal with it. He also indicated that many things within the development were in violation of the deed restrictions.

Mr. Swinehart called for questions, having heard none, Mr. Swinehart called for a motion.

On a motion by Mr. Shipman, it was recommended to table the conditional use request, seconded by Ms. Ross.

Motion approved 7-0.

- ii. Posh Property - Conditional Use Request - Article III, Section 304.2 of the Floodplain Ordinance - 789 Flory Mill Road - I-2/DR Retrofit Overlay

Representing the conditional use request to allow improvements within the floodplain were Seth Gahman of Bohler Engineering and Jason Posh.

Mr. Gahman provided a brief overview of the project and indicating that variances had been obtained from the Zoning Hearing Board. Mr. Gahman indicating that improvements including construction of a utility line, sidewalk, and roadway improvements would occur within the floodplain and the work within the floodplain is subject to conditional use approval.

Mr. Gahman indicated that he had received comments from the Township Engineer and that those comments could be addressed before the next meeting.

Ms. Ross inquired about Woodspring Suites and it was indicated that Woodspring Suites is a Choice hotel brand for extended stays.

Ms. Ross inquired about recreation for hotel guests.

Mr. Posh indicated that because of the location it would be difficult for guests to navigate the adjacent roadways. He indicated that there was discussion about extending sidewalk but the sidewalk would go nowhere. Mr. Posh did indicate that there would be a pet friendly area on site.

Mr. Posh indicated that the closest Woodspring Suites is in Lower Paxton Township.

Mr. Swinehart called for questions, having heard none, Mr. Swinehart called for a motion.

On a motion by Mr. Shipman, it was recommended to table the conditional use request, seconded by Ms. Betts.

Motion approved 7-0.

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**General Public Comment**

None

**Adjournment**

On a motion by Mr. Hendrix, it was recommended to adjourn the meeting, seconded by Ms. Rule.

Motion approved 7-0 and the meeting adjourned at 6:45 p.m.

The next Regular Planning Commission meeting is scheduled for Wednesday, July 20, 2022, at 5:30 p.m.

Respectfully submitted,

Lisa A. Douglas

Planning Commission Secretary