

**June 18, 2013**  
**SPECIAL MEETING**

The East Lampeter Township Board of Supervisors met on Tuesday, June 18, 2013, at 5:30 p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. This special meeting was the continuation of the meeting that was tabled on June 10, 2013, due to the notice not being posted on the land. The meeting was scheduled and advertised as a special meeting for the purpose to consider a zoning map change and revisions to the text of the East Lampeter Township Zoning Ordinance submitted by High Properties, a Pennsylvania limited partnership. The proposed zoning map change would rezone a large area, generally known as the Greenfield Corporate Center, from various different zoning districts to a proposed newly created zoning district to be known as Business Park District (BP). The area proposed to be rezoned is bounded generally by Pitney Road to the northwest, Willow Road to the northeast, Norfolk Southern Railroad Spurt to the southeast, Amtrak and Lasalle Avenue to the south and Greenfield Road and US Route 30 to the southwest. The area proposed for rezoning excludes certain areas which are generally within the foregoing described area and which are depicted more clearly in the proposed rezoning documents which can be reviewed at the township office. The meeting was called to order by Mr. David Buckwalter, Chairman and was followed by the Pledge of Allegiance. In addition to Mr. Buckwalter, supervisors present were: Mr. John Shertzer, Mr. Mike Landis, Mr. John Blowers, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager and Ms. Tara Hitchens, Director of Planning/Zoning Officer.

The following persons signed in as being present in the audience:

Tom Smithgall, 1853 William Penn Way, Lancaster, PA 17601, representing High Properties  
Mark Stanley, Hartman Underhill & Brubaker, 221 E. Chestnut Street, Lancaster, PA 17602,  
representing High Properties  
Calvin High, 1909 Old Philadelphia Pike, Lancaster, PA 17602  
Rick High, 852 Stumpf Hill Drive, Lancaster, PA 17601  
Ethan Demme, 2019 Millstream Road, Lancaster, PA 17602

Chairman Buckwalter opened the hearing and announced that he would recuse himself from participation due to his employment in the High organization and asked Vice-Chairman Landis to chair the meeting.

Vice-Chairman Landis asked for testimony.

Mr. Tom Smithgall of High Properties stated that in 2004, the CV Regional Comprehensive Plan was ratified by the three (3) municipalities. The next step is to change the ordinances and is the hardest steps of implementation. The effort is to transform Greenfield into a modern sustainable community. The High's have been in real estate for a great number of years at the same location. Greenfield is a place, not just an industrial park. Everyone should recognize that what has been created at Greenfield is great and it's been done by the Highs, the township, and the residents of the township. As a result of market changes, High wants to be able to react to the market changes quickly and effectively. Guiding principles of Greenfield are set and High wants to continue those with the ability to react over the next 25 years to the market.

Mr. Mark Stanley, counsel for High Associates, stated that the resubmittal to the Township began in 2009 and was formally before the Board of Supervisors in August of 2010 to deliver a presentation. At the end of the presentation, High was requested to partner with the Township to table that ordinance to

allow the new ordinance to move forward. At that time, a final draft was anticipated within six (6) weeks. About thirty (30) years ago, East Lampeter Township had a zoning map with zoning regulations on the opposite side. Granted the township needs some protections. An application to rezone the 593 acres to business park and to create the business park regulations was resubmitted in September 2012. They received comments from David Miller Associates and Lancaster County Planning Committee. It then went to LUAB in October 2009, December 2012, and April 2013. The basic structure before the Board of Supervisors is to rezone acreage of Greenfield which currently has three (3) zoning districts with an overlay on top (C2, I, R-2, MU). Greenfield competes with Lancaster County, Pennsylvania and other nearby states for business. They are attempting to bring some flexibility to the process when developing in Greenfield Corporate Center. We have the rezoning of the land, define uses within the business park zone, and definitions. If the definition is not defined under the old ordinance, they need to utilize a definition, create a definition, or pull from the new draft ordinance. They will be asking the Board to adopt this ordinance at the end of this hearing. Once ancillary reviews were reviewed, they came before the township planning commission and had a tremendous dialogue and worked through a number of issues. One of the overarching concerns that the planning commission had was that there were 143 comments listed in the David Miller Associates review letter. Two long mornings were spent with township staff and David Miller Associates working through the comments. They resubmitted to both East Lampeter Township staff and David Miller Associates and received a new review letter from David Miller Associates with three (3) comments. They went back to planning commission the following month. The planning commission didn't change their mind. What's before you tonight is the revised document. Greenfield has evolved because of the High family vision and we want to work with the township to move that vision forward. Mr. Stanley distributed motion to adopt ordinance.

Mr. Smithgall stated that the ordinance is 61 pages long. In 2009/2010, the Campus Mixed Use was proposed. This wording didn't fit the nomenclature of the new ordinance, so they changed the name to Business Park. The issue of residential has always been an issue. They limited residential to multi-family residential only with a specific location and no more than 300 units. High would propose more units per building and have less buildings. They addressed increased coverage and suggested different uses and size of uses that meet market demands. Manufactured homes would be conditional use and limited to 100 more units. They are proposing increased building heights for multi-family and hotels from 35 feet to 65 feet. They understand and recognize the need to have regional impact guidelines (current ones are reasonable). The language in the draft ordinance requires environmental impact statement. They eliminated adult use, home occupation and truck terminal. Only multi-family apartments would be allowed. They have discussed this with the school district business managers. In 2012 between Bentley Ridge and Greenfield Estates, there were about 131 kids (16% of all residents) between the ages of 5-18. If it's assumed they all went to Conestoga Valley School District, it would cost the district about \$600,000.00. Potentially 48 students could be in new residential if 16% remains constant. This could be considered a "wash" with taxes to school district. The proposed ordinance will help maintain and grow the tax base of Greenfield.

Mr. Stanley mentioned that when working with staff through the David Miller Associates comments, staff felt that we may not want to specifically identify a certain tract. The amount of acres would be limited to no more than 25 acres to be utilized for multi-family.

Mr. Calvin High stated that he was on the township planning commission in the 1970's and was advocate of planning. Years ago, he said if there's going to be development then we want to be a part of it. He feels good about what's been done at Greenfield because they're selective. They're proud to be a part of the township and moving good development forward. Times and circumstances have

changed and there needs to be flexibility in the future. The next generations want to continue to have a good relationship with the township.

Mr. Rick High commented that this is an exciting year for Greenfield, its 50<sup>th</sup> anniversary. They want to be the leading premier business park community and would like tonight to lead to another 50 years.

Mr. Ralph Hutchison apologized for the mistake that made this hearing be rescheduled. All reviews and letters received were provided to the Board of Supervisors in advance of the June 10, 2013 meeting. Greenfield is something to be proud of and appreciates it. The relationship between the township and High has been excellent and hopes it continues for a long time. Candidly, the draft ordinance and existing ordinance are more known than the proposed ordinance before the Board of Supervisors tonight. One thing that's difficult for Mr. Hutchison to reconcile in understanding what's proposed, especially with respect to the draft ordinance, is what they propose would apply to what High currently owns or expects to own. The current ordinance has separate districts which have been difficult in some respects for both High and the township. There are some areas where there is still some separation between High and East Lampeter Township staff. This is a policy decision that the Board has to make. If the Board of Supervisors is comfortable with residential then uncertain of location, East Lampeter Township staff will support the policy decision. East Lampeter Township staff continues to work hard on getting the new draft ordinance in shape so that it is before the Board to take action on it in the Fall of 2013. If there are portions of this or its entirety to fold into draft ordinance, then willing to work with High.

Mr. Eberly questioned if this Business Park ordinance could be applied to other parcels if part of or incorporated into new draft ordinance.

Mr. Hutchison replied that High can't propose to rezone someone else's property thus they can only ask for rezoning of their property. The decision is a policy decision of the Board of Supervisors.

Mr. Smithgall stated that Greenfield Corporate Center has about 100-120 acres for future development. What they have envisioned for the future is to continue with industrial use for the majority of the land. There is an average of about 30 acres a year of industrial land absorbed in Lancaster County. Industrial land doesn't go away. The portion of land in the northern section of Greenfield at the intersection of Greenfield Road and Willow Road for residential. Concept at interchange is more commercial retail oriented, as would be expected.

Mr. Shertzer asked what the potential reason is for wanting to designate where the 300 residential units would need to go versus just letting it be available.

Mr. Hutchison replied that it would be a bigger issue when looking at other parcels that could be within Business Park zone in new ordinance.

Mr. Shertzer asked if the school district has signed off on analysis.

Mr. Smithgall replied that he hasn't heard one way or the other, but part of the figures used were from them and others from census figures that High provides to the school district annually.

Mr. Shertzer questioned how removal of 140 comments happens.

Ms. Tara Hitchens replied that they went through all the comments word for word. The applicant agreed to insert definitions where definitions were asked for as part of the comment. There were multiple comments that were reiterated as interestingly said in different sections because David Miller Associates compared residential uses in this zone compared to that zone and commercial uses in the same manner. Therefore there were some repetitive comments. David Miller Associates staff did indicate that the letter was put together from initial reviews and with extensive thoroughness to help Ms. Hitchens, given that this was her first time at the township level reviewing this information, so that she could have a clear history of where all David Miller Associates comments came from.

Mr. Smithgall discussed the three (3) remaining comments on the David Miller Associates letter. The first comment is the recommendation to put some restrictions in place concerning the allowable combinations especially in situations concerning the safety, health and welfare for the inhabitants of residential dwellings combined with heavy industrial uses. The second comment is a recommendation to modify the section relevant to transit. High supports transit and even put up a few bus stops throughout Greenfield. The third comment is the recommendation that the Township consider modifying Section 1306-B K.Q. to include the prohibition of trailers used as advertising displays.

Mr. Landis asked if there was any public comment. There was no public at meeting.

Mr. Blowers spoke about working with High to blend its new ordinance. He stated that Greenfield is an absolute gem and that other municipalities in Lancaster County would love to have this sort of business/citizen in their community. He is in favor of adopting the current ordinance and incorporate into the draft ordinance.

Mr. Eberly stated that it seems that we're doing the process backwards.

Mr. Stanley commented that in August 2010 he was told to wait until draft ready in 6 weeks. Now it's 2013 and High needs to take a step.

Mr. Eberly commented if the new draft ordinance doesn't meet standards, then there will be a huge battle between High and the township.

Mr. Smithgall said let's use this as a draft/guide for the draft ordinance.

Mr. Stanley stated that they were instructed in the Fall of 2012 to work the proposal into the existing ordinance. Someone needs to take a first step and at this time it's High. They need to move Greenfield forward and allow for flexibility. High and the township have had a great relationship, but now we need to be flexible and address needs. There will be issues in meshing this ordinance with draft zoning ordinance. They are asking that the Board rely on staff to do so. At this time, they can only amend the existing ordinance.

Mr. Eberly asked Mr. Stanley if he is suggesting that the Board table this and blend with the new ordinance.

Mr. Stanley replied that this is not what he's recommending.

Mr. Blowers commented that what could help process the issue before us is have the applicant create an amendment over last two years on amendment to the existing ordinance. Then direct staff to role this amendment into new draft ordinance.

Mr. Eberly stated that he doesn't remember a draft of the existing ordinance. He added that this draft ordinance has taken too long.

Mr. Hutchison stated that he is confident that the new ordinance will be before the Board of Supervisors before the end of the year. Hawk Valley review/DMA matrix together lead to the types of policy decisions that need to be made.

Mr. Eberly asked if it would be easier to adopt now or work it into draft.

Mr. Hutchison replied that we can do it either way.

Mr. Landis closed the hearing at this time.

A motion was made by Mr. Blowers to adopt the ordinance amendment as presented by the applicant, entitled "An ordinance amending the revised zoning ordinance of East Lampeter Township 1990, as amended, and the zoning map of East Lampeter Township to designate +/- 593.32 acres as Business Park, and to create a new zoning district entitled Business Park, to establish regulations, criteria and procedures for development in the Business Park District and to add definitions." I also move to instruct township staff to incorporate the text of this ordinance, as adjusted accordingly over the next several months working with the applicant to ensure consistency into the new zoning ordinance as it finalizes the new zoning ordinance for consideration by this Board. Further, instruct East Lampeter Township staff and applicant to work together to address and clarify the three remaining engineering review comments. Mr. Shertzer seconded the motion and it was passed by a vote of four in favor and one abstaining. (Chairman Buckwalter abstained).