

August 21, 2007

The East Lampeter Township Board of Supervisors met on Tuesday, August 21, 2007 at 7:30p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was called to order by Chairman Eberly and was followed by the Pledge of Allegiance. Supervisors present were: Mr. Glenn Eberly, Chairman, Mr. David Buckwalter, Vice Chairman, Mr. Michael Landis, Mr. Roger Rutt and Mr. Wilbur Sollenberger. Also present was Mr. Ralph Hutchison, Township Manager.

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

Mr. Irl & Mrs. Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601

Ms. Melissa Wiessmer, 65 Lamppost Lane, Lancaster, PA 17602, representing the Candle Light Inn Bed & Breakfast

Mr. Scott Lane, Plymouth Meeting, PA, representing McDonald's Restaurants

Ms. Susan Snyder, 435 Mt. Sidney Road, Lancaster, PA

Mr. Harold Shultz, 1967 Millport Road, Lancaster, PA 17602

Mr. Fred Clark, 117 Witmer Road, representing Clark Food Services

Minutes:

Chairman Eberly indicated that the copies of the minutes of the August 6, 2007 regular meeting were available for review. Chairman Eberly asked if there were any comments regarding the minutes as prepared.

A motion was then made by Mr. Sollenberger and seconded by Mr. Landis to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by unanimous voice vote.

Bills:

Chairman Eberly also indicated that bills represented by various funds in the amount of \$210,719.67 were presented for payment, copies of which were available for review. Chairman Eberly asked about the bill for "Bioxide". Mr. Hutchison indicated that this is a chemical added to the sewer system in order to neutralize damaging hydrogen sulfide gases present in the pipes. There were no other questions regarding the bills list. After review of the bills list, a motion was made by Mr. Rutt and seconded by Mr. Buckwalter to approve payment of bills as listed in the amount of \$210,719.67. The motion was passed by unanimous voice vote.

Recognition of Service to the Township – Mr. Harold Shultz, Park Board

Chairman Eberly presented a plaque to Mr. Shultz in appreciation for his service to the Township as a member of the Park Board. Mr. Peiter Hegeman, Park Board Chairman, also expressed his appreciation for Mr. Shultz's service to the Park Board.

Old Business:

- a. Request for Financial Security Release – J & J Merck: Colonial Village Ln

Chairman Eberly noted that a letter had been received from J & J Merck indicating that they have cancelled the planned parking lot expansion project at their facility on Colonial Village Lane. They have therefore requested the release of the Financial Security posted for this project.

After a brief discussion, Mr. Buckwalter made a motion to approve the release of the Financial Security for J & J Merck related to the cancelled parking lot expansion project. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Request for Financial Security Release – Covered Bridge Marketplace: Rt. 30

Chairman Eberly noted that a letter had been received from the Township Engineer recommending a full release of the financial security for this project. Mr. Sollenberger made a motion to approve the release of the financial security for this project. The motion was seconded by Mr. Buckwalter and passed by unanimous voice vote.

- c. Request for Financial Security Reduction – Sonic Restaurant: Rt. 30

Chairman Eberly noted that a letter had been received from the Township Engineer recommending a financial security reduction of \$28,087. Mr. Landis then made a motion to approve of a reduction of the financial security for the Sonic Restaurant as recommended by the Township Engineer. The motion was seconded by Mr. Buckwalter and passed by unanimous voice vote.

- d. Request for Time Extension for plan Recording: Dart Container – Pitney Rd.

Chairman Eberly indicated that the applicant has requested a ninety (90) day extension of time in order to satisfy the conditions of plan approval and record their land development plan. Mr. Rutt then made a motion to approve of the requested ninety (90) day time extension for the Dart Container land development plan recording. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- e. Request for Time Extension for plan Recording: Commerce Bank – Rt. 30

Chairman Eberly indicated that the applicant has requested a thirty (30) day extension of time in order to satisfy the conditions of plan approval and record their land development plan. Mr. Buckwalter then made a motion to approve of the requested thirty (30) day time extension for the Commerce Bank land development plan recording. The motion was seconded by Mr. Sollenberger and passed by unanimous voice vote.

New Business:

- a. McDonald's Land Development Plan #07-13: Rt. 30

Mr. Seth Krall of Bohler Engineering and Mr. Scott Lane of McDonald's were in attendance to represent this plan. Mr. Krall reviewed the plan for the demolition of the existing restaurant building and the construction of a new restaurant building on the same site. He described various proposed changes to the site and the restaurant including the arrangement of parking spaces, the location of trash dumpsters, the size and location of the restaurant building and the reduction of seating inside the restaurant from one-hundred (100) seats to seventy-four (74) seats. Mr. Krall also reviewed the comments of the Township Engineer related to the plans and the four waivers requested from the ordinance requirements. The waivers requested related to the requirement for a preliminary plan, the requirement to show existing features within 200 feet of the site, the requirement to show a typical street cross-section and the plan scale requirements. He also reviewed the comments of the County Planning Commission regarding McDonald's land development plan.

Chairman Eberly asked if there was an agreement between McDonald's and the owner of the East Towne Center property for access and parking issues since McDonald's site is a separate parcel. Mr. Krall indicated that there is an agreement. He also indicated that the owner of East Towne Center requested that McDonald's make some improvement to the south side of the entrance drive aisle from Oakview Road which they have agreed to complete. Chairman Eberly asked about the truck movements anticipated for deliveries to the restaurant. During the discussion regarding these movements it was pointed out that the plans indicate that trucks entering from Oakview Road would be required to make the right turn into the site from the left (through) lane of Oakview Road.

Mr. Sollenberger asked about how the truck deliveries are scheduled for the restaurant. There was some discussion regarding this issue and McDonald's preference to have deliveries made at "off peak" times. There was also some discussion regarding the plan to install curbing along the proposed drive through lane for the restaurant adjacent to the entrance drive.

Mr. Lane presented the Board with some photographs showing the existing restaurant building and renderings of the proposed new restaurant building. He described the new building as a new prototype for McDonald's.

Mr. Sollenberger asked about lighting for the site and the new building especially with respect to light spill onto neighboring property and roads. There was discussion regarding the lighting design and the elimination of light spill by using shields on the fixtures.

There was some additional discussion regarding the movement of trash trucks and shared parking with the adjacent uses.

Mr. Hutchison asked about the line painting for the proposed drive through stacking area and the conflict created with some parking spaces. Mr. Krall indicated that they would be willing to reduce the length of the line striping. Mr. Hutchison also noted that the driving aisle to be created by the location of angled parking spaces on the McDonald's site and the existing location of parking spaces to the west will be very large. He indicated that this was not conforming to the parking lot design standards of the ordinance and that he felt that the creation of a one-way movement for this drive aisle makes sense so long as all of the parking spaces abutting that aisle are angled for the one-way movement. Mr. Krall expressed his concern that this change would likely result in the loss of some parking spaces on the shopping center property. Mr. Hutchison also stated that the proposed drive aisle does not line up with the drive aisle to the south of the entrance drive for exiting traffic and indicated that these drive aisles should be aligned. Mr. Hutchison also asked for clarification of the proposed landscaping areas on the site. Mr. Krall indicated that the areas immediately in front of and behind the restaurant are proposed to be grass. Mr. Hutchison also recommended that the applicant design a truck turning maneuver internal to the shopping center that will allow trucks to turn off of Oakview Road from the right lane and then make their way to the loading / unloading area of the restaurant.

Mr. Hutchison then indicated that the proposed widening of the south side of the entrance driveway from Oakview Road will reduce the amount of impervious and landscape area and increase the coverage on the shopping center property. He asked if this change had been examined by the applicant in order to determine whether or not it creates zoning violations for East Towne Center. Mr. Krall indicated that they had not looked at that issues. Mr. Hutchison then suggested that there may be an opportunity to balance the loss of this landscape area by gaining some landscape area within the parking spaces west of McDonald's.

Mr. Eberly asked if the issues which were raised could be worked out with the Township staff as conditions of plan approval. Mr. Hutchison indicated that the zoning issues may require Zoning Hearing Board action in order to resolve them. There was some additional discussions regarding these issues.

Mr. Landis then made a motion to delay action on the land development application of McDonald's until the Board's September 10, 2007 meeting in order to give the applicant

time to address the issues and concerns which were raised. The motion was seconded by Mr. Buckwalter and passed by unanimous voice vote.

b. Classic Communities Lot Add-on plan #07-20: 2475 Lincoln Highway East

Mr. Keith Mohler of RGS Associates was in attendance to represent this application. He reviewed the proposed lot add-on plan and the review letters provided by the Township Engineer and the County Planning Commission. He also explained how the current plan was different from the previous plan reviewed by the Township earlier in the year. Mr. Mohler also reviewed the waivers requested for preliminary plan processing, storm water management planning and road improvements.

Chairman Eberly asked for clarification on the proposal with respect to the number of existing lots and the number of lots to be created by the plan. Mr. Mohler indicated that there are currently two properties with two dwellings on them and that the plan proposes to continue to have two properties with two dwellings on them however the property line dividing the properties will be in a different location.

Mr. Buckwalter then made a motion to approve the Classic Communities Lot Add-on plan #07-20 and the requested waivers subject to the review comments of the Township Engineer and County Planning Commission. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

c. Waiver of Land Development Planning Request: Clark Foods -2209 Old Philadelphia Pike

Mr. Fred Clark was in attendance to represent this request. He explained that they are proposing to move an entrance door for the Clark Food Service building and create a small vestibule at the south west corner of the building. He further explained that the area where the entry will be created is currently a paved area and will therefore not create any additional storm water from the site.

Mr. Rutt then made a motion to approve of the requested waiver of land development planning for the Clark Food Service door relocation project. The motion was seconded by Mr. Sollenberger and approved by unanimous voice vote.

d. Waiver of Land Development Planning Request: Candlelight Inn – Lincoln Highway East

Ms. Melissa Wiessmer was in attendance to represent this request. She indicated that she and the owners of the property, Mr. and Mrs. Soberick, were proposing to add a “day spa” to the property as a complement to the existing bed and breakfast operation. Ms. Wiessmer indicated that they are proposing no structural changes to the exterior of the building or parking lot and that the day spa would serve only the customers of the bed

and breakfast and would not be open to the public. She also described the number of parking spaces required for the residence, bed and breakfast and day spa and the number of parking spaces available in the existing stone parking area. Ms. Wiessmer also explained the uses of the existing buildings on the property and where the day spa would be located. She indicated that the building where the spa is proposed to be located has been used for storage. She did not know when that building was constructed. Ms. Wiessmer also indicated that the parking spaces for the owners and the customers of the bed and breakfast are marked with signs. Mr. Sollenberger asked why the parking lot had not been paved as required by an earlier zoning hearing board decision. Ms. Wiessmer said that she did not know.

Chairman Eberly asked if Ms. Wiessmer had any sketches that show a proposed floor plan for the spa. She indicated that she did not yet have those plans but is working with an architect on them. Chairman Eberly asked if there were water and sewer facilities available to the building. Ms. Wiessmer indicated that they were available and that there is a restroom in the building already.

Mr. Rutt asked Mr. Hutchison about the amount of time that the Board has to act on the requested waiver. Mr. Hutchison stated that the Board had until November, 2007.

Chairman Eberly indicated that it would be helpful if the applicant could provide a site plan showing all of the buildings and the parking area. He also indicated that he felt that the paving of the parking lot should be addressed and that the existing driveway should be widened to allow vehicles to pass each other safely.

Chairman Eberly also asked Ms. Wiessmer to explain how she will handle requests for services from those who are not bed and breakfast customers. She indicated that she would refer them to the bed and breakfast operators. Chairman Eberly then asked if there will be an extra charge to the bed and breakfast customers for the spa services. Ms. Wiessmer said that there would be an extra charge but that they are also working on package arrangements. Chairman Eberly expressed his concern that since there are only seven bed and breakfast rooms that there won't be enough work to keep three spa employees occupied. Ms. Wiessmer indicated that she has had previous experiences which indicate that there will be enough work for the spa.

Mr. Rutt indicated that he was interested in having information on the sewer and water demands of the proposed spa and whether or not the applicant was proposing to provide something to prevent vehicles from leaving the parking lot area such as wheel bumpers.

Mr. Buckwalter then made a motion to table the requested waiver until the Board's September 10, 2007 meeting. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Other Business:

None.

Public Comment:

Chairman Eberly announced that the Agricultural Security Area Advisory Committee was scheduled to meet on Monday, August 27, 2007 beginning at 5 pm.

Chairman Eberly also announced that the Board of Supervisors has scheduled a public hearing on a request to transfer a liquor license into the Township for Monday, August 27, 2007 beginning at 7 pm.

Adjournment:

A motion was made by Mr. Sollenberger and seconded by Mr. Buckwalter to adjourn the meeting. The motion was passed by unanimous voice vote. The next scheduled meeting is to be held on Monday, September 10, 2007 beginning at 7:30pm.

Respectfully submitted,

Ralph Hutchison
Township Manager