

**Mount Joy Borough
Planning Commission Meeting Minutes
7:00 pm, Thursday, March 11, 2010**

Vice Chair Steve Gault called the meeting to order at 7:00 P.M. with the following members in attendance: Sue Sterling and Deb Sagerer. Zoning Officer Stacie Gibbs represented Borough staff and Pat Kadel, Lancaster County Planning Commission was present.

Approval of the Minutes

On a motion by Sterling and a second by Sagerer the February 11, 2010, meeting minutes were unanimously approved.

Public Input

Ned Sterling advised that he attended the Main Street Mount Joy meeting and Stacy Rutherford had indicated that Mr. Brenaman has been offered an Urban Enhancement Grant to renovate his property. He has to make up his mind whether he wants to take the grant or go with a loan. Sterling questioned how long Mr. Brenaman had to make this decision. Gibbs advised that to her knowledge he has until Friday, March 12, 2010. Gibbs advised that she has spoke with an Architect regarding the project and the Architect will be evaluating existing site conditions and will be contacting her to set up a time to meet to further discuss this project.

Ned Sterling questioned if we had heard anything further from Carole Wilson, Historic Preservation Specialist with the Lancaster County Planning Commission in regards to the Historic Resource Survey. Gibbs advised that she has not heard anything since the January 14, 2010, Memorandum in which a request for RFP's from consultants was sent in hopes to choose a consultant in February. Gibbs advised that she will try to contact Carole to provide status to the Commission. Gibbs did advise that she heard from Barb Raid with Historic York and that the written documentation and photographs for the Mount Joy Historic Industrial District determination of eligibility will be submitted to the Bureau for Historic Preservation by March 31, 2010. The Borough will be sent a copy of the documentation when sent to the State. Gibbs advised that she will place this item on the Agenda upon receipt.

Ned Sterling wondered if the Commission would be in favor of passing a Resolution in favor or support of the YMCA continuing or beginning a Feasibility Study to see if it is possible to have a YMCA in Mount Joy Borough. Sterling advised that at the last Committee meeting that the YMCA held, they were under the assumption that Borough Council was going to pass a Resolution or have some kind of vote of support that was just held but, nothing was mentioned. Sue Sterling advised that she would support it. Gibbs advised that she feels that the Commission may not have enough information to vote on this request, i.e. where are funds coming from, who is heading up the study, etc. The Commission agreed, and would like to receive more information before voting. Gault advised that he is in support of the overall project but would like more details. Ned Sterling advised that this will probably be on Borough Council's upcoming agenda. Gibbs advised that she will try to retrieve information and provide it to the Commission members via email. The Commission members advised that, if needed, they will send letters of support to Council.

Updates

Gibbs advised that the Donegal Region Comprehensive Plan first Public Meeting went well. Gibbs advised that it is moving forward and at the next Steering Committee meeting they will be reviewing the public survey results, reviewing the public meeting results and will have a draft vision statement for the plan. Pat Kadel advised that as of Monday there have been almost 700 surveys returned. Kadel advised that this is excellent and shows that people might not understand the comprehensive plan but they definitely care about the issues.

Old Business

Emmanuel Hoffer, Jr. 72-76 East Main Street, Waiver of Land Development and Waiver of Stormwater Plan. Gibbs advised that she reviewed the parking modification and that it is in compliance. No action was necessary.

New Business

Charles P Ruhl Estate, 206 Pinkerton Road, requests for sketch plan waivers of improvement requirements per Sections 404.4.A, 502.1.A and 502.1.B of the Mount Joy Borough Subdivision and Land Development Ordinance. Todd Smeigh, DC Gohn was present to give presentation.

Smeigh advised that he would like to provide a little bit of history. He advised that the flower shop use to be located on this property. He showed the Commission an existing conditions plan and the subdivision plan of the Beahm School land. Smeigh advised that some time ago South Alley was two-way.

Smeigh advised that there is an existing single family home with a driveway and a macadam entrance which was left with a garage for access with the shop.

Smeigh advised that the proposed sketch plan is for waivers only to set the tone for subdivision and/or whether or not the estate will pursue the subdivision. Smeigh advised that if this moves forward a full subdivision plan will be submitted. There is an existing sewer lateral and water tap which was cut-off because it was for the old shop. Smeigh advised that there are no water or sewer problems for this lot at all.

Smeigh advised that his argument for the waivers on Pinkerton Road is that, until there is a comprehensive plan for the design of Pinkerton Road the waivers requested for improvements are justified. He advised that it is fruitless to install curb and sidewalk on one small piece of Pinkerton Road.

Smeigh advised that he has shown on the plan and calculated areas of what the lots would be to dedicate the additional right-of-way on South Alley. However, if you improve it so much, it will become a street, a two-way street. Sterling questioned if South Alley is two-way at the end near School Lane. Smeigh advised that it is. Gault advised that it is actually called South Street for that end. As part of the future subdivision the additional right-of-way will be offered for dedication so that there are no issues later on. Smeigh advised that unless there is a plan or some thought given to make South Alley a two-way street, there is no reason to widen and improve South Alley right now, at least not to the full length.

Smeigh advised that a compromise could be to widen and improve lot 2 to meet the existing conditions and leave lot 1 as it is. Lot 1 would be improved when Pinkerton Road is improved. Gibbs questioned if the property owners of lot 1 would be responsible to make the improvements when required. Gibbs advised that she has seen where the developer is responsible for the improvements. Smeigh advised that the developer's agreement would be part of the recorded plan. Smeigh advised that he feels the trigger for these improvements would be a building permit application for lot 2. Smeigh advised that a creation of one lot is not going to alter the traffic patterns since there was a retail establishment there previously. Smeigh advised that any notes regarding improvements should not only be in the developer's agreement but also noted in the deed. Smeigh would suggest that the improvements for lot 1 and the developer's agreement should have a time limit for required improvements and that it should not continue to go on for forever.

Gault advised that there are two separate issues. Gault advised that Pinkerton Road, along this property frontage, is a little piece of a big piece of road that needs work. Gault personally agreed that doing one piece of Pinkerton Road without having the whole thing engineered does not make sense. Sterling advised that the houses near Marietta Avenue seem to be right up on the cartway. Sterling advised that she hopes Gault is going to say that he thinks South Alley should be considered as a whole. Gibbs questioned Sterling to make sure that she would like to see all of South Alley improved up to the 30' that ARRO recommended the improvements

stop. Sterling confirmed that is correct. Sterling advised that the estate or whomever, can work out who would pay for the improvements on the 30' that would be left to improve on South Alley. Gault advised that traffic flow wise it would make sense to have it actually be a street and have two-way traffic. Gault advised that a future owner of the lot 2 would likely want to be able to access the lot from Pinkerton Road or School Lane without circling around. Gault advised that he thinks there would be benefits to the overall community with having two-way traffic.

Smeigh advised that if the Borough wants to take the route to widen and improve South Alley and make it more of a street, a traffic study should be done or addressed. Smeigh advised that another question would be, if one widens and improve South Alley, does it need curb. Smeigh advised that there is no curb on the North side. He advised that the way it is now there are no problems, but installing curbing without a drainage system would likely create problems. Gault advised that it is his understanding that the property owners on Columbia Avenue would be responsible to curb the rear of their property if South Alley was improved. Smeigh advised that alot can be discussed with an option of possibly putting money into escrow which would go towards these improvements. Smeigh advised that economic realities are what they are, and, he advised that no one knows if, and when, Pinkerton Road would be a project or a priority. He advised that this could go on for years. Sterling advised the she does not think that there will be CDBG money for these improvements. Gault advised that he would like to see sidewalk on Pinkerton Road in the future, even if they cannot put sidewalk in all the way to Marietta Avenue. Gault also advised that not putting in one little piece of sidewalk would not have an impact. Gault advised that he does not know if having a sidewalk along South Alley makes a whole lot of difference. Smeigh advised that one could continue the sidewalk from the existing walk on South Alley across lot 1 but, he does not know if old practices always make sense.

Sterling advised that she has been involved with Council long enough to see that if the improvements do not happen now, it will not go in. Sterling advised that she would be opposed to not requiring the sidewalks. Sterling also advised that this is how it gets done, little by little by little. Gault advised that there is an example of this on East Market Street in York, East of Mount Zion Road past Maple Donuts. He advised that the curb for new development is set back probably 14' from the edge of the lane while the old properties have curb that is out further. Now, it there is a project to put an extra lane in each direction. Gault advised that you think it could never happen but it can. Gault questioned if we would see this on South Alley, probably not. Gault opined that, in his personal opinion, the Planning Commission's job is to try and look at the long term future, and not just what makes sense today, so that they do not create issues like ending up in this situation, such as this again. Gault stated that curb and sidewalk should not be installed along South Alley until a comprehensive design is developed to include a drainage system along Pinkerton Road. However, he said that South Alley could still be widened to allow two-way traffic in conjunction with this subdivision.

Sagerer questioned if the intent is to only subdivide so that there is only one additional lot. Smeigh advised that is correct. Smeigh advised that the applicant's options are to subdivide or sell the whole thing.

The Planning Commission unanimously recommended that Council approve the sketch plan waivers of improvement requirements per Sections 404.4.A, 502.1.A and 502.1.B of the Mount Joy Borough Subdivision and Land Development Ordinance for Pinkerton Road, subject to the Borough Engineer, Borough Solicitor and staff comments, on a motion by Sterling and second by Sagerer.

The Planning Commission unanimously recommended that Council deny the sketch plan waiver of minimum street and cartway width improvement requirements per Section 404.4.A, of the Mount Joy Borough Subdivision and Land Development Ordinance for South Alley, subject to the Borough Engineer, Borough Solicitor and staff comments, on a motion by Gault and second by Sterling.

The Planning Commission unanimously recommended that Council approve the sketch plan waiver of curb improvement requirements per Section 502.1.A of the Mount Joy Borough Subdivision and Land Development

Ordinance for South Alley, subject to conditions being set forth in the developer's agreement and noted on the Deed of record regarding the responsibility of the property owner to fund said improvements, when required in the future, on a motion by Gault and a second by Sterling.

The Planning Commission unanimously recommended that Council approve the sketch plan waiver of sidewalk improvement requirements per Section 502.1.B of the Mount Joy Borough Subdivision and Land Development Ordinance for South Alley, subject to conditions being set forth in the developer's agreement and noted on the Deed of record regarding the responsibility of the property owner to fund said improvements, when required in the future, on a motion by Gault and a second by Sagerer.

Adjournment – The meeting was adjourned at 8:15pm

The next Planning Commission meeting is scheduled for 7 pm, Thursday, April 8, 2010.

Respectfully Submitted,

Stacie Gibbs, Zoning Officer