

EAST DONEGAL TOWNSHIP PLANNING COMMISSION

April 7, 2016

Minutes

Time: 6:00 P.M.

Place: Township Building

Attending Members: Engle, Guinivan, Johnstin, Brubaker, Kling and Hess

Township Staff: Craig Underwood, Township Zoning Officer

Other Attendance as attached.

The meeting was called to order at 6:00 p.m. by Chairman, Engle who proceeded to announced that there were two (2) Briefing Items and one (1) Action Item on the agenda for this meeting.

PUBLIC COMMENT -

None

APPROVAL OF THE MARCH 3, 2016 MINUTES

By motion Mike Guinivan and seconded by Mike Brubaker the March 3, 2016 meeting minutes were approved. Motion carried unanimously.

BRIEFING ITEM –

- 1. Waiver of Full Land Development Plan Processing. Armstrong World Industries, 1507 River Road, Marietta for the purposes of constructing a 625 square foot metal building to house generator equipment.**

Ian Gumbert was present representing Armstrong World Industries.

Mr. Gumbert provided an introduction and background regarding the purpose of the building and requesting that due to the minimal scope of the project and in light of the fact that Armstrong World Industries would be submitting a full stormwater management plan, that the Commission considers recommending a waiver of full land development plan processing.

Due to the projects limited scope a motion was made by Mr. Brubaker and seconded by Mr. Hess to recommend approval of the requested waiver of full land development process to the Board of Supervisors.

2. **Preliminary/Final Land Development Plan. Calvary Bible Church, 629 Union School Road, Mount Joy for the purposes of constructing and addition to the church and adding additional parking and new entryway.**

Steve Gergely of Harbor Engineering was present to represent the church as well as a few church members.

Mr. Gergely provided an introduction to the plan application and described the improvements to be made. Mr. Gergely advised the Commission that variances were granted by the East Donegal Township Zoning Hearing Board for an increase in impervious coverage, minimum lot depth of ninety (90) feet along Union School Road, the location of the required landscape screening to be adjacent to the parking area rather than along the right-of-way, landscape islands to not be curbed, a time extension of three (3) months to obtain permits from time of plan approval as well as two (2) years from the permit deadline to complete construction.

ACTION ITEM

Conditional Use application. Maytown School House L.P., 150 Farmington Lane, Lancaster PA 17603 for the purposes of a residential conversion by converting the former Maytown Elementary School into 24 apartments.

This is a continuation of consideration of an application permitted by conditional use.

Mr. Keith Good was present to provide additional insight of the proposal and answer questions posed by the Commission and the public at large.

Mr. Good reviewed the purposes of the R-3 zoning district and suggested that this conversion to apartments met that intent.

Mr. Good, reminded the Commission that compliance with the (section 938 of the Township Zoning Ordinance) criteria associated with the conversion itself were met and suggested that this meeting be centered around the overall (general) conditional use criteria. Mr. Good proceeded to review each of the eleven (11) criterion prescribed in section 1208.5 of the Township Zoning Ordinance.

One specific detail of interest was the traffic analysis chart published by Institute of Transportation Engineers (ITE). This chart presented by Mr. Good indicated an average daily trip generation of nine (9) vehicles during AM peak hours for this use. There was a question on the accuracy of this number. Mr. Good indicated that although he himself is not a traffic engineer, TRG (an engineering group specializing in transportation engineering) analyzed this use and determined the numbers associated with this use were derived from this ITE traffic manual which is the accepted standard for determining levels of traffic impact on a community.

Bob Wolpert, current owner of the property indicated that along with this proposal for the use as apartments, he is exploring the potential for razing the buildings and developing the lands as attached - or semi-detached dwellings.

Mr. Good continued and completed the presentation of evidence that the section 1208.5 criteria have been met with this development.

Mr. Good proceeded to review the Housing Element component of the Donegal Region Comprehensive Plan and that this use satisfies the intent and direction of the Comprehensive Plan.

Mr. Good went on to describe the need for this type of multi-family use and asked Mr. Raymond D'Agostino, Executive Director of the Lancaster Housing Opportunity Partnership (LHOP) to make a few comments.

Mr. D'Agostino introduced himself and agreed with Mr. Good's position on the need for multi-family housing units and provided additional insight to further affirm this use.

A question was raised as to what negative issues have been raised to this type of development. Mr. D'Agostino suggested that there were no negative issues. The detrimental issues arise with other types of uses, not multi-family type uses (issues such as increased traffic congestion, an increase in school-age children and transportation issues).

Mr. Rick Jackson, co-chair of the Coalition for Sustainable Housing also concurred with Mr. D'Agostino and Mr. Good.

A question from the audience was raised regarding whether the County and their need for more low income rentals? Mr. D'Agostino indicated that yes, there is a need for low income housing but suggested that there is a great need for multi-family units at all income levels.

At this point, Mr. Good completed his presentation.

Mr. Engle turned that meeting over for public comment.

Ms. Shirl Reich of the Maytown Working Group provided background of the group.

Mr. Cassidy, while acknowledging the advantages to this application suggested that there are issues and concerns of importance to the residents of Maytown and to the Township at large. These issues and concerns need to be addressed (for this application) now and for the long term health of the community in the future.

(See attached Cassidy narrative).

The Cassidy narrative put forth eleven (11) issues to be considered as possible conditions for the Commission to consider prior to, or as conditions of any recommendation for approval/denial. These eleven (11) issues are as follows:

1. Light pollution/nuisance: fencing or other barriers are needed to protect neighbors against headlights and parking lot lighting;
2. Adequate parking and traffic concerns: The two (2) required parking spaces is insufficient. Additional parking (possibly 2.5 parking spaces). On-street parking should be prohibited. There is a concern over the former teacher's parking spaces along north Jacob Street and their disposition;
3. Recreational Areas: adequate on-site recreational areas should be provided. Provide a walkable pedestrian access to Fuhrman Park;
4. North River Street sidewalk: Will this sidewalk need to be completed across the frontage of the subject property;
5. Trash/Recycling: all trash and recycling should be identified and shielded from view;
6. Signage: restrict unnecessary signage including advertising and real estate;
7. Size of dwellings: Existing square footage requirement for each apartment is insufficient;
8. Wooded areas along Enslow Road: needs to be cleaned up and monitored;

9. Cable television: will such be provided to the tenants; if satellite TV is provided there shouldn't be an allowance for individual satellite dishes for each apartment;
10. Storm water run-off: there are existing storm water problems along the north side of the property that need to be addressed; and,
11. Future subdivision: There will be additional lands remaining after this application; what is to happen with the remaining lands.

Mr. Cassidy concluded by stressing the importance of proper maintenance strategies by the Township and management efforts by the property owner.

Justin Arnold, president of the Hemlock Drive Homeowners Association reminded Mr. Good that it was requested that his client (the applicant) be present to answer question. Mr. Good indicated that no, his client was not present, to which Mr. Arnold wanted the record to reflect that the client does not care about the community and doesn't want to get involved with and hear the concerns of the community.

Mr. Arnold asked if Mr. Good if he had discussed providing a barrier between the property and Hemlock Drive with his client. Mr. Good indicated that they would be providing screening.

Mr. Arnold inquired as to whether the Applicant has provided any long term maintenance provisions. Such has not been discussed.

Mr. Underwood posed a question to Mr. Good that, if after hearing these concerns, he might be able to come back next month addressing each of these issues. Mr. Good indicated that if given a listing of the concerns, that he would discuss the ability to answer each item enumerated.

Ms. Pam Hoover inquired as to the maximum permitted occupancy of these units.

Mr. Underwood stated that by definition, the number of occupants living as a "single household" is unlimited and can include up to five (5) unrelated individuals. The definition reflects almost verbatim, the federal Fair Housing Act standard.

Further, Ms. Hoover inquired as to an potential property maintenance programs that the Township might put into play. Mr. Underwood indicated that the Township is looking at various programs to potentially be authorized by the Township Board of Supervisors.

There being no further discussion, Mr. Guinivan made a motion to table any action until the May 5th meeting of the Commission. The motion was seconded by Mr. Johnstin. The motion was carried.

OTHER BUSINESS

Mr. Underwood advised the Commission that the newly formed Zoning Advisory Committee comprised of John Murphy, Mike Guinivan and Keith Vogt met on March 23. Minutes from both the February 29th and March 23rd meetings would be distributed to the Commission for their perusal.

Remarks of Shirl Reich & Michael Cassidy
Public Hearing East Donegal Township Planning Commission
on Application for Conditional Use by Maytown School House developers.
Thursday, April 7, 2016; 6:30 - 7:30 p.m.
E. Donegal Township Building on Rock Point Road
(corrected 4-7-2016)

(Shirl Reich introduction w/ brief bio)

The Maytown Working Group on East Donegal Township Planning and Zoning Issues is a small, informal group of neighbors concerned about Planning, Zoning and Enforcement issues. We formed after informal conversations on shared problems between East High St neighbors last summer. We have about 25 households who have asked to be on our email list and a few more who keep in touch by other means. We have had two meetings at the Maytown-East Donegal Fire Company but largely keep in touch by email.

(Michael Cassidy introduction w/ brief bio)

Thank you for this opportunity to comment on the Application for Conditional Use Permit by Maytown School House, L.P. The plans call for conversion of the old Maytown School into as many as 24 rental apartment units. The Maytown Working Group presents this testimony reflecting:

- (1.) citizen comments at the March Planning Commission Meeting;
- (2.) the discussions at the Maytown Working Group meeting held on March 13 at the Maytown/ East Donegal Fire Hall;
- (3.) feedback and responses to the Working Group minutes and discussion draft circulated to the email list.

These comments by the Working Group are not, in any way, meant to preclude residents from expressing their own opinions on this or any other matter before the Planning Commission.

I need to insert a brief description of the overall context for these remarks and the concerns raised by residents to this and other recent conversions. In general there is a great deal of dissatisfaction with R-3 zoning in Maytown, which permits high-density (or medium-density) apartments/ multi-unit rentals, and commercial uses in the village of Maytown--a historic community of single-family residences, most of which were built between the date of founding in 1760 and the turn of the century- around 1900. While encouraging a wide range of higher density development, the ordinance lacks protections for other residents of the single-family homes that predominate in the historic village and immediate environs. There is more than our property values (which have been sinking) at stake; our quality of life is at stake. We are becoming – or converting into-- a village of rental units with absent landlords. This proposed Maytown School conversion accelerates that trend. The unofficial community standards engendered by long-term family and neighborhood relationships, that in times past defined small-town living, no longer protect us. At some point soon, we need to address the township's planning vision for Maytown--hopefully it could be something other than providing a haven for unregulated, multi-unit rental properties with absentee landlords. As important as all this is, it is a topic for another day.

Today's hearing is on the proposed development of the old Maytown School property. The Maytown Working Group favors preserving the historic school structures on the site with

adaptive reuse. Maytown's historic architecture is a huge asset, that if maintained, aids our sense community, our quality of life and our property values. "If" is the key word, however. Historic Preservation is an important goal and value but is not the only value important to the community.

We understand that Maytown is already zoned for this multi-unit development. A zoning variance is not required. I think we should carefully look at Maytown's zoning ordinance, but that is unfortunately not a topic for today's hearing. So, today, we raise the following concerns to be addressed as conditions for issuance of the Permit for Conditional Use.

We are concerned about: (In no particular order)

Light Pollution /Nuisance: Fencing or other barriers are needed to protect neighbors, especially on the north, from automobile headlights as vehicles pull in and out of parking lots at night. As a related matter, efforts should be made to protect neighbors from flood light intrusion onto adjoining properties.

Adequate Parking and Traffic concerns: The planned 2-spaces per unit is insufficient given our experience with other rental properties. We understand that the township has recently required multi-unit rental properties to provide 2 ½ parking spaces per unit. The question also arises as to whether on-street parking on the project frontage on North River Street and Jacob Street would count toward the required parking for the proposed units? We note that there is no sidewalk or curb on N. River St. and Jacob St. Please also recognize that Jacob St. is really more of an alley or narrow street as is.

There are additional traffic and parking issues on Jacob Street: If the former teacher parking lot on Jacob St. is reserved for tenants, that forces Jacob Street residents to park on the south side of Jacob Street, narrowing an already very narrow street. Question: Will the north (school) side of Jacob Street be available for on-street parking for Jacob Street residents and visitors?

We must provide for sufficient onsite play area and open space: There are roughly 75 bedrooms in the planned development. Do 50-70 children have appropriate play area, or do they play in neighboring developments or on the street? We strongly suggest that sidewalk, or appropriate gravel or mulched paths, (including steps) be constructed to link the project to the Fuhrman Park entrance on Endslow Rd. Fence or landscape barriers to mark property boundaries for playing children are needed.

Will the North River St. sidewalk be completed to the boundary of Hemlock Drive development as part of the project? (This also is related to parking issues discussed earlier.)

Trash must be kept out of view of the public and neighbors—a problem at Tom Tom Properties.

Restrict unnecessary signage on public right-of-ways. This includes temporary "For Rent" signs as well as more permanent signs for the benefit of residents. (For example, I have two permanent "tow away zone" signs for the three parking spaces dedicated to the Tom Tom Properties rental units across from my house. I'm told the township approved them. I'm not comforted by the assurance that they are unenforceable. Will there be scores of such signs encircling the Old Maytown School Apartments? OR will

the corner of North River and Jacob Streets in our historic village look like Castleton on Rt 441?)

Existing square foot requirements for apartments are insufficient for a 24-unit building (size of some rooms in proposal are tiny—a loophole in our zoning ordinance); plans do not provide for interior common space for such a large complex.

Wooded area at northeast corner of property off Enslow Road has become an "attractive nuisance."

Will there be Cable in the apartments or will residents put up 24 Satellite Dishes on the building exterior?

Storm Water Run-off:

There are existing run-off problems on the north side of the property including run-off from the school property exasperating drainage issues on adjoining properties and the storm drain at the intersection of N. River and Hemlock Sts.

Subdivision Concerns: Only two of the seven acres of the property are to be used for this project leaving five acres for future development, further exasperating issues with high density development on this site. (We note that the developers have given inconsistent responses over the past two Commission meetings on availability of open space and subdivision.)

Finally, whether this project preserves a historic structure and benefits the community depends on some up-front planning to address the concerns voiced by area residents. But in the long run, it depends on long-term maintenance issues, which this township is not equipped to address. Multi-unit rental properties with absentee landlords, or inattentive management companies with no ties to the community, pose a real threat to our quality of life and property values. East Donegal Township must move quickly to protect its residents and property value from these threats—it's not the 1950s any more.

Thank you.

(Mike Cassidy also requested a one month delay before the Commission makes its recommendations to the Township Supervisors on the application. The Commission agreed and tabled the matter until the May meeting. The Commission asked the developer to respond to the points in the Working Group's remarks. The Commission will make its recommendations at its May meeting (immediately prior to the Township Supervisors Meeting.) It was announced that the Township Supervisors will receive public comments and probably vote on the matter at their May meeting.