

**SPRINGETTSBURY TOWNSHIP  
CONDITIONAL USE HEARING**

**APRIL 10, 2014  
VERBATIM APPROVED**

The Board of Supervisors of Springettsbury Township held a Conditional Use Hearing on Thursday, April 10, 2014 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** George Dvoryak, Chairman  
Julie Landis, Vice Chairman  
Kathleen Phan  
Bill Schenck  
Mark Swomley

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Dennis Crabill, Environmental Engineer  
Patricia Lang, Community Development Director  
Jean Abreght, Stenographer

**1. CALL TO ORDER**

**DVORYAK** Good evening ladies and gentlemen. I'd like to call to order this Conditional Use Hearing for this evening.

**2. NEW BUSINESS**

A. CU-13-04 – Nello Tire, 1210 Haines Road (Action 04/21/14)

**DVORYAK** Our first item for the agenda this evening is Conditional Use Hearing for 13-04, Nello Tire, 1210 Haines Road. With that I'll turn it over to you.

**SANDMEYER** Thank you. Thank you very much. My name is Bob Sandmeyer, the Junior, not the Senior one that comes here all the time. We are here tonight for the Nello Tire property out on Camp Betty Washington Road or Haines Road as you call it also.

**RAUSCH** Bob, I'm going to interrupt you only for a procedural matter.

**SANDMEYER** Yes.

**RAUSCH** Since this is a Conditional Use Hearing, we need to swear everybody in that is going to testify. So, Peter, I don't know if you have anybody else. Is it just going to be Bob, or is there anybody who might testify, have them stand now and raise their hands and we'll get that.

**SOLYMOS** I can't resist. I'll try to keep my mouth shut tonight.

**RAUSCH** Okay. Bob, you want to raise your right hand? Do you swear or affirm the testimony you will give during this hearing will be the truth?

**SANDMEYER** Yes I do.

**RAUSCH** Thank you, okay.

**SANDMEYER** Thanks Charlie. We are here for the Nello Tire Company, which I'm sure you all know and buy tires from. They've been in Springettsbury Township since 1961 and, first of all, they were on Market and Northern Way. Then they moved out to where they are right now. Reason we're here tonight is our project is located in the Town Center Overlay and Mixed Use zoning districts. Part of the reason we're here is not because of land development issues, but because PennDOT is coming through and taking a lot of land from this property to build the new intersection. And in this case it's the off ramp, the north bound off ramp coming off into the new intersection work.

I brought some pictures along just to give you a quick rundown of where we're at. Here's the site view of Nello Tire. Okay, that's the gas station that's there, which I think is coming down pretty soon. Heading south on Camp Betty, and this is right at their property, and that's looking north. This is what the intersection from PennDOT, all the new work will be. We are located right here at this location. You can see that's the new ramp that's going in, and this will be the lighted intersection right there. This slide is the project itself. We have 4.2 acres for this project, and PennDOT is taking 2.6 of it, so we are actually ending up with only 1.6 acres for this project. And the reason why we're here is because we have, they are taking this warehouse down and this whole area in through here, the warehouse, our detention basin that's at the bottom here will all be taken over by PennDOT. So what we're going to do is take the warehouse we're tearing down and add it on to a new building. Okay, here's another view of the intersection. This is the new, lighted intersection. We are located here, and this will be the new detention basin that PennDOT will be building. And then that was the print company. This is our Land

Development Plan or the Conditional Use Plan for right now. As you can see this is our new building facility here and the old warehouse was right here, and we're actually adding it back over here. And then this little building here is the, an existing building that they're keeping. It's one of the service bays. And, oop, fire the projectionist. Okay, these are just a few of the conditional use site amenities for this overlay that we wanted to show you which are in your packet. We have nice specimen trees. We have benches and garbage facilities, trash facilities located on the property. Other way, next one. These are the lights, street lights and the building lights that'll be added to, uh, to the building, and this is a perspective drawings of the new facility. As you can see this back is the existing building right, that we're keeping, and this will all be the new features right in through here. And this will be the – that's the building side that'll be facing Camp Betty Washington Road. And if you can see that at that angle, this is our colored rendering of the site at final.

So we have met with your staff. We have gone through the Planning Commission. We have tried to meet as many conditional items as we could for this zoning district and overlay. We felt that we have done our best, but we have five waivers that we are asking for in this Conditional Use tonight from you. Trisha's write-up spells it out pretty, pretty well for the, for the project, so if you have any questions on any of those waivers that we're asking for in this Conditional Use we'll be happy to answer the questions for you.

**DVORYAK** Any questions?

**LANDIS** I don't – the only question I do have, um, is with, uh, condition one, Screening. We had, uh, this come up last year with respect to another issue. Um, I'm assuming the screening, this is referring to is regarding maybe a dumpster or...

**SANDMEYER** No, this screening actually has to deal, Brad if you could back up, right here. Oop go back the other way. This is the existing garage, okay, service bays and our parking lot is located here. According to your Conditional Use and in this overlay, we have to have a screening of any service areas out, with, uh, from the public view. So what that means is, since this is our parking lot and driveway, we have to have a screen going across our parking lot because this is their service area.

**LANG** A service area in a normal situation might be the dumpster area...

**SANDMEYER** Right.

**LANDIS** Right.

**LANG** ...the loading area that can be behind the building. And that's why, we talked about it's the type of business that this is. It doesn't make sense. They need this here, um, and as a result they end up with a requirement to put screening in the middle of the parking lot, which doesn't make any sense, so for this situation the requirement is not logical.

**LANDIS** Right.

**LANG** In most cases it would work. In this case it does not.

**LANDIS** Right, okay.

**SANDMEYER** Correct.

**LANDIS** All right. That's my only question.

**DVORYAK** Okay.

**PHAN** I just had one question. I know our new standard moving forward is your five-foot sidewalks, um, and I'm seeing here that they're asking, um, relief for that for a four-foot sidewalk, um, because the sidewalk already exists...

**SANDMEYER** That's correct.

**PHAN** ...as a four-foot, so is this something that we tend to do a lot? If we say that we're going to allow the four-foot now, if another...?

**LUCIANI** The other part of the criteria is this is almost a flat property in the township. If you go a little further south on Camp Betty Washington Road, there's a municipal boundary line for York Township, and I think most of this whole standard are typically four-foot sidewalk as we hook them up with ours where there's a heavy pedestrian movement, and I, maybe someday in our lifetime we'll see more pedestrians out there, but it might be a couple lifetimes away before it gets to that volume.

**PHAN** So that's the reasoning why we're allowing it?

**LUCIANI** Yes.

**SWOMLEY** Yes.

**LANG** You did this just recently with Maple Donuts. Again, Camp Betty Washington is a PennDOT roadway and so their, their standards in terms of the planting area and the sidewalk is what's out there, um, so they probably need relief from PennDOT to put our standard in instead of what's already there. So it's, because it's existing on both sides of them, it seems logical to match up what's there rather than putting in an offset.

**PHAN** Okay. Thank you. That's all I had.

**3. PUBLIC COMMENT**

**DVORYAK** Did you have something else? Is there anybody from the public who has anything, any comments they'd like to make this evening? Okay, hearing none, we do have a recommendation from the Planning Commission in front of us.

**MS. LANDIS MOVED TO APPROVE THE CONDITIONAL USE OF PROJECT 13-04, NELLO TIRE, PRESENTED THE RELIEF FOR THE GRANTED OF THE FIVE CRITERIAS LISTED ALONG WITH RECEIPT OF, ON THE BACK PAGE, IT STATES THAT THERE NEEDS TO BE A RECEIPT OF APPROVAL FROM PENNDOT. I DON'T KNOW IF I NEED TO PUT THAT IN THERE OR NOT, BUT THAT'S GOING TO BE PART OF THE MOTION IN THE SUMMARY PROVIDED. MS. PHAN WAS SECOND.**

**DVORYAK** Motion and a second. Further discussion? All in favor please say aye.

**MOTION UNANIMOUSLY CARRIED.**

**SANDMEYER** Thank you very much.

**LANDIS** You're welcome.

**SANDMEYER** See you guys (inaudible).

**RAUSCH** Are there any exhibits that you want to be made part of the record?

**SANDMEYER** I can give you a plan set if you'd like; I don't...

**SOLYMOS** I think that would be applicable. You're going to have that as record.

**RAUSCH** Right, right.

**SOLYMOS** With the Land Development Plan.

**RAUSCH** Okay, but I didn't know if you wanted like this, this is a PowerPoint, but I didn't know if you have that in a...

**SANDMEYER** That's in the packages that were submitted.

**RAUSCH** Okay.

**PHAN** It's in all of this.

**RAUSCH** Okay. Why don't we take one, and make, and at least introduce that for the Conditional Use Hearing so we have that as part of the record. So we're going to introduce, as part of the record, the, um, submittals made by the applicant concerning the traffic planning, a site plan and then various exhibits showing, um, the location of the property in relation to the I-83 improvements and the improvements to be made under the Town Center Overlay.

#### **4. ADJOURNMENT**

**DVORYAK** Okay, and with that I'll adjourn this Conditional Use Hearing. Thank you very much. (Adjournment 6:37 p.m.).

Respectfully submitted,

John Holman  
Secretary

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This document is certified as a true and accurate verbatim transcript of a

Conditional Use Hearing

Held

April 10, 2014

At

Springettsbury Township Offices

1501 Mt. Zion Road

York, PA 17402

Transcribed by

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*Jean B. Abreght*

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