

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – SPRING LANE, LLC**

**OCTOBER 22, 2015
APPROVED**

The Springettsbury Township Board of Supervisors held a Public Hearing on Thursday, October 22, 2015 at 5:30 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak
Kathleen Phan

MEMBERS NOT

IN ATTENDANCE: Julie Landis
Bill Schenck

ALSO IN

ATTENDANCE: Kristen Denne, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

SWOMLEY Chairman Swomley called the Public Hearing to order.

2. NEW BUSINESS

- A. Proposed Ordinance to Amend the Springettsbury Township Zoning Map to Rezone Twelve Parcels along Mt. Zion Road and East Market Street from N-C, Neighborhood Commercial to C-H Commercial Highway and to include said Parcels within the Town Center Overlay.

SWOMLEY Chairman Swomley called the Public Hearing to order. He asked Solicitor Rausch to set the order of the meeting.

RAUSCH Solicitor Rausch stated the board follows direction of the Municipality's Planning Code and is required to hold a public hearing to gain input on and take public comment on the proposed rezoning request by Spring Lane LLC for the 12 parcels along Mt. Zion and East Market Street. The applicant will present their plan; the board can ask questions; and the audience may ask questions by using the microphone, stating their name and address for the record. Following the applicant's response to questions, there will be an opportunity to give testimony for or against the proposal, and the Public Hearing will be adjourned.

SWOMLEY Chairman Swomley added that there will be no vote taken during the Public Hearing.

LOBACH Mr. Jeff Lobach of Barley Snyder, 100 East Market Street, York, represented the applicant, Spring Lane LLC. He introduced the development team, George Bullard, a Principle of the team, Traffic Planner, Jason Wheeler and Landscape Architect, Todd Krull.

Mr. Lobach described the location at the northeastern corner of Mt. Zion Road and East Market Street, 12 tax parcels, some of which are in compliance with the current zoning; some which are not in compliance. He described the parcels to be included in the rezoning classification request, which encompassed 17 buildings, businesses, residences and the Modenaire Motel. The purpose would be to change the zoning map from Neighborhood Commercial to Commercial Highway with a Town Center Overlay. All of the development for the parcel would have a Master Plan and would be subject to the township's Land Development requirements. He described the proposed uses, which could be a shopping center, retail stores, cafés, restaurants, financial services, small shops, a Lidle grocery store anchor. All current owners will have to come together in an agreement on the Master Plan under the township requirements.

Mr. Lobach commented about traffic, for which they provided an exhibit showing a chart created by their traffic planning firm. The chart indicated that in the a.m. peak hours additional traffic of about 3.9% would occur. In the p.m. peak hour about 8.4% traffic would occur. He noted that every single car would be going through that intersection, which would not necessarily be the case. In addition, PennDOT would be involved with the need for a Highway Occupancy Permit. Mr. Lobach added the planning is very early in the process, and will be a very long process including reverse sub-divisions, Master Plan approval, conditional uses, Land Development, Conservation District approval, etc. He noted that the site is located in what the township indicates is a primary commercial and industrial corridor, a primary growth area.

Mr. Lobach commented on several Planning Commission decisions. The York County Planning Commission minutes indicate the area is designated for future land use for medium density residential. He described the color coding showing the area as high density residential. It is also indicated in those minutes that the area is a potential for mixed use, which allows for the same type of shopping center, retail sales, theaters that Spring Lane would like to develop. He commented on the note that stated it would create a third township overlay zone contemplated on East Market Street, consistent with the Town Center plan suggested by the consultants.

SWOMLEY Chairman Swomley opened the floor for questions.

DVORYAK Mr. Dvoryak questioned the comment on the third Town Center's location.

LOBACH Mr. Lobach responded that it is to the east, closer to the Danskin area.

DVORYAK Mr. Dvoryak asked whether there is a map showing the zoning of the surrounding parcels.

DENNE Ms. Denne located the zoning map. She noted the second page showed the overlay.

SWOMLEY Chairman Swomley opened the floor for questions for Mr. Lobach.

GLATFELTER Marsha Glatfelter, 19B Mt. Zion Road asked about the traffic counters and how many days they actually counted the traffic.

WHEELER Jason Wheeler responded that the counters were not part of their project.

LUCIANI Mr. Luciani stated that a PennDOT project is taking place on Mt. Zion Road to replace the technology from Pleasant Valley to Eastern Boulevard. They are counting the cars for that project.

RAUSCH Solicitor Rausch asked if they had done any traffic counts.

WHEELER Jason Wheeler responded that their firm had not done any traffic counts.

RAUSCH Solicitor Rausch commented on the testimony given about percentages (4/8). He asked from where that was derived.

WHEELER Mr. Wheeler responded that the existing traffic volumes were taken from the previous traffic counts completed by the other firm. The new site-generated traffic was taken from the national statistics, ITE Trip Generation Manual, for development such as this.

LUCIANI Mr. Luciani commented on the traffic counts. He stated that traffic consultants review the average daily traffic, which is typically traffic from Tuesday through Thursday leaving Mondays and Fridays out. For a commercial shopping center or a retail establishment, Saturday trips are required as well. As reported by TPE, there was a previous consultant involved who had two counters out a year ago counting their base line information.

SPANOS Dr. Jonathon Spanos, Owner of The Paddock Restaurant stated that The Paddock, formerly a house in the early 1900's, had been in operation since 1947. His question related to how current their traffic data might be because he had heard several different numbers.

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- LOBACH** Mr. Lobach responded that during the Land Development Process there will be a very detailed traffic study done.
- SPANOS** Mr. Spanos questioned one of the homes which is on the National Historic Registry. During a recent upgrade of Route 462, a PennDOT foreman told him they were not permitted to go through, cut trees, or touch the property.
- LUCIANI** Mr. Luciani responded that he understood the difference relative to PennDOT's ability to do improvements in the right-of-way and a private developer. When PennDOT does roadwork they receive funding from the state, but they also have federal funding. When there are federal funds involved, with any kind of historic resource, the department has a lot of hurdles to jump through. With private dollars, all the work that is proposed for this project would not involve any township, state or federal funds, and as a result they do not have the same obstacles that PennDOT has with federal highway money.
- HELLER** Jane Heller, 1819 Idlewild Road questioned the concept of a Town Center. She was familiar with the concept of a town center developed by Andres Duanne and did not think what is proposed was appropriately termed Town Center.
- LOBACH** Mr. Lobach responded that it is a zoning ordinance with the requirements that are needed.
- SWOMLEY** Chairman Swomley stated that the Town Center Overlay is an ordinance adopted by the township based on information derived from the planners who had been hired to do planning work for the future of the community.
- HELLER** Ms. Heller questioned how long ago it was enacted.
- LOBACH** Mr. Lobach responded that the Town Center Overlay was enacted in 2010.
- SWOMLEY** Mr. Swomley continued that the Town Center Overlay in Springettsbury Township is a very specific legal definition that has been adopted by ordinance by the township. These developers are required to follow the letter of the law of the Town Center Overlay ordinance.
- SMITH** Steve Smith, 3638 Pleasant Valley Road questioned the traffic study. He asked about increased foot traffic across the intersections.
- LOBACH** Mr. Lobach responded that they had not done a traffic study. They only relayed existing data from the previous counts.
- CONRAD** Robin Conrad, 480 Ivory Road stated she and her husband both travel through the Mt. Zion/Market Street intersection daily and are familiar with the traffic. She asked whether there is enough sewer capacity in the Springettsbury Township Sewer Plant to handle all the additional use that would be needed.

- RAUSCH** Solicitor Rausch responded that there is no issue since Springettsbury has its own treatment plant and has plenty of capacity; however, there is an agreement in place with the City of York to divert any overflow to the city treatment plant.
- CONRAD** Mrs. Conrad questioned whether there would be an increase of taxes.
- RAUSCH** Solicitor Rausch responded that any issue would be with the sewer rates.
- CONRAD** Ms. Conrad commented on the amount of traffic accidents in that specific area and with increased traffic she questioned impact toward the cost for police service and firefighters.
- SWOMLEY** Chairman Swomley responded that one of the detailed discussions in the Planning Commission was that by controlling the entry and exit points in that development there will be more controlled interfaces to the highway.
- CONRAD** Ms. Conrad asked whether there would be a need for additional traffic signals.
- SWOMLEY** Chairman Swomley responded that a study would be done toward any signalization.
- RAUSCH** Solicitor Rausch added that PennDOT would have the final say on that.
- SWOMLEY** Chairman Swomley asked Ms. Denne to read any communications that had come in regarding the project.
- DENNE** Ms. Denne read a letter from Charlie Hall, a visitor to York, who hoped the landmark historical buildings would remain in place. She read a second letter from Gene Boyer of 3385 Cranmere Lane requesting preservation of the Modenaire and Bloomingdale. The third letter was from Alan Deamer, who added the importance, value and significance of historical property.
- DVORYAK** Mr. Dvoryak commented on the Planning Commission’s five comments. He noted that the York County Planning Commission meetings are open to the public. He asked if they had appeared and discussed any of the concerns with them.
- LOBACH** Mr. Lobach responded that they were not in attendance and did not receive the comments until after the meeting.
- SWOMLEY** Chairman Swomley opened the floor to comments.
- GLATFELTER** Marsha Glatfelter stated that she is an 18-year resident of Mt. Zion Road. Her landlord is Michael Caltigirone. She noted several facts concerning:
- Mounting number of cars on Mt. Zion Road during Saturday in the Park, and Rocky Ridge Christmas Magic.
 - Springettsbury Township Police assisted in 32 accidents, 14 retail thefts in six weeks.
 - Crime rate will increase in the neighborhood.

- In a four, five mile radius there is the Yorktown Center with Best Buy.
- Vacant spaces are available in at least 34 empty locations.

Marsha also commented on the fact of a Columbia Gas pipeline underneath the property.

WALTEMYER Brad Waltemyer and Alexandria Thomas, 59 Mt. Zion Road, Parcel 21 spoke against the rezoning. They provided the board with documentation concerning their property and how it would affect them. Alexandria indicated she is an engineer and understands computer models. She stated this absolutely is spot-zoning and would seriously devalue their property.

MCGRATH Patricia McGrath, 7 Morningside Drive, Springetts Manor Apartments. She had been a resident there for 15 years. She agreed with the facts of vacant stores in the township. She was concerned about the safety of the area and difficult traffic navigating to and from stores and restaurants.

DELEON Barbara Ann De'Leon of Seven Valleys, PA and a former resident of Springettsbury Township, daughter of one of the past owners of the Moderaire Motel, Mr. Harold Leech. Her comments related to traffic, no need for any more shopping centers until the empty ones are filled, and related to the Lidle Grocery Chain, she stated in Europe they had been cited for very bad business practices; are criticized all over Europe, spy on their workforce with cameras, fire pregnant women, and are in competition with Aldi's. Their plan is to build 100 stores in the USA by 2018.

VANDINE Regan VanDine, 3323 East Market Street, her residence for 20 years; a National Registered Historic home. Her concern was the potential for the demolition not only the houses, but also the magnificent trees, pockets of woods that are habitats for an array of animals and birds. The trees purify the air and absorb sound. She was concerned about traffic and traffic lights as well. She added the developer is not from York County but rather from Malvern, PA.

SHANIN Lisa Shanin, Parcel 19, 73 Mt. Zion Road had moved there in 1930. She had put a lot of money into her home and does not want a grocery store next to her. Her concern was traffic and the fact that there are seven grocery stores within one mile; no more are needed.

CARAMONTE Carrie Carmonte, Fayfield spoke against the rezoning and voiced concern about the horrific traffic.

CHRISTIANSODiane Christiansen, 4281 Old Orchard Road spoke against the rezoning with a concern of additional traffic.

BURKE Tim Burke and his wife, Lisa, 3102 Eastern Boulevard, commented on how much available commercial space that is currently available. He questioned whether rezoning will do anything for the tax base or for the community.

CARAMONTE Carrie Caramonte asked how a new shopping center will benefit the township when the traffic is so horrendous.

WALKER William Walker, Jr., 18 Mt. Zion Road, a resident for 21 years. He was not in favor of the rezoning and was very concerned about increased traffic.

RAUSCH Solicitor Rausch stated for clarification that the board is not proposing anything. They received a request from a property owner to rezone their property. This is the procedure.

WALKER Mr. Walker commented that he hoped the board would make the correct decision and be considerate of the residents.

LINROCK Mr. Linrock, 149 North Hills Road spoke against the rezoning citing increased traffic and accidents. He recommended they move the development down where York Valley Inn use to be, which is all vacant.

RAUSCH Solicitor Rausch responded that the owners would love to find a buyer for that property.

DOWNS Terry Downs, 47 West 9th Avenue, North York Borough spoke from his position on the Springettsbury Township Historic Preservation Board. He serves as an advisor on historic architecture and he cautioned the board to not lose the historic nature of the township. He asked the board to reverse the things that have helped build the community and begin to repurpose things that truly matter.

GLATFELTER Marsha Glatfelter spoke again with regard to the ownership of the properties affected by the rezoning. The current owners will receive monetary rewards if the rezoning is approved. She urged the board to consider the current residents of all the properties in question as they had renovated and upgraded and kept their homes in beautiful condition.

4. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the Public Hearing at 7:05 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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