

The regularly scheduled meeting of the East Cocalico Township Planning Commission was called to order at 7:30 p.m. in the Municipal Building located at 100 Hill Road, Denver, PA.

**ATTENDANCE:**

Planning Commission: Piero Dinnocenzo; Chris Fitterling; David Noll; G. Sidni Schlegel;  
Kenneth Sweitzer; Paul Wenger; Robert Zimmerman  
Engineer: Mark Campbell, HRG; Brent Lied, BEL  
Solicitor: Thomas Goodman, Esq.  
Supervisors: Noelle Fortna  
Manager: Karen Koncle  
Visitors: Sidney R. Kime, Jr., David Miller Assoc.; Bob Roggenburg; Robert Beidler;  
Michael Hartman, McCarthy Eng.; Julie Service

**APPROVAL OF MINUTES:**

Kenneth Sweitzer made a motion, seconded by Piero Dinnocenzo, to approve the minutes of the April 12, 2006 Planning Commission Workshop Meeting. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

Chris Fitterling made a motion, seconded by Paul Wenger, to approve the minutes of the April 24, 2006 Planning Commission Meeting. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**ZONING AMENDMENT:**

Mark Campbell, HRG briefly summarized and led discussions regarding proposed amendments to the Planned Commercial Zone. This would be the Benderson property that fronts along the south side of Colonel Howard Blvd. A text amendment has been submitted to the Township for consideration for revising some elements of shopping center design to bring it current with where shopping center development is heading. The Board of Supervisors referred the amendment to the Planning Commission and the Lancaster County Planning Commission for review and comment. Two rezoning applications have also been received for properties immediately adjacent to the Benderson property. One is an approx. 7-acre property proposed for rezoning from C-1 to C-2. The other property is about 8 acres being proposed for rezoning from R-2 to C-2. This would allow single contiguous zoning for the properties and would allow the development of the shopping center. One of the Township maps would be amended for the riparian corridor that exists in that area.

The Planning Commission will be formally reviewing the applications on June 26, 2006, the next regular meeting.

If the changes are approved, the next step would be a formal public hearing by the Board of Supervisors. Assuming that is successful, then the developer would file a petition for a Conditional Use Hearing and submit application, plans, etc. so that there would be an actual site plan that the Planning Commission and the Supervisors can formally review and act upon. As a follow-up to the Conditional Use Hearing or possibly in conjunction with, there would be the usual Land Development Application, Subdivision Lot-Add On Application; traffic studies and all the various stormwater reports, sewer and water applications and things that go along with a full land development application. This is the first step in a lengthy process.

**ZONING AMENDMENT (CONTINUED):**

Mark Campbell asked if there were any questions. Bob Roggenburg asked for a further explanation of where the properties are located. Mr. Campbell gave further information on the location of the properties. Bob Beidler asked if the developer was looking to purchase all three properties or do they currently own the three properties? Chairman Schlegel stated that he doesn't know if they own all three, but he is assuming that they have some kind of agreement on all three. Mark Campbell explained that he doesn't know all the particulars either at this time and that this is usually the way they do it, they usually own the property outright or have an option to purchase.

This discussion on the Zoning Amendment, led by Mark Campbell of HRG Alternate Land Planning Engineer, ended at 7:45 p.m. Brent Lied, Land Planning Engineer, then took over for the balance of the meeting, for discussions on the Subdivision and Land Development Plans.

**WOODCREST RETREAT, PHASE 2 – PRELIMINARY LAND DEVELOPMENT:**

No one was in attendance for this plan. No new submittals.

It was noted that a written time extension was received to extend the deadline for action on the plan until September 7, 2006.

Robert Zimmerman made a motion, seconded by Paul Wenger, to recommend to the Board of Supervisors the acceptance of the time extension request extending the deadline for action on the Woodcrest Retreat Phase 2, Preliminary Land Development Plan until September 7, 2006. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

Kenneth Sweitzer made a motion, seconded by Robert Zimmerman, to table the Woodcrest Retreat Phase 2, Preliminary Plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

Karen reported that the Township had received a Sewage Facilities Planning Module approval letter from DEP in the past few weeks. The letter conditioned the approval on technical issues such as the applicant obtaining the other necessary DEP permits and the sanitary conveyance system design meeting all applicable DEP regulations. A copy of DEP's response letter for the module will be given to the Planning Commission members. The original letter was sent by DEP to the ECTA.

**LOCKER ROOM MINI STORAGE – FINAL LAND DEVELOPMENT:**

Michael Hartman of McCarthy Engineering was in attendance for this plan. Michael explained that LCCD approval has been obtained. Michael also noted that he had discussions with Frank Behlau of the LCPC to further understand if Frank needed to review and comment on the revised plan. Michael indicated that Frank stated that an additional review is not mandatory but rather that it was up to the Township to determine if an additional review would be appropriate based on the nature of the proposed changes and prior comments. Michael mentioned that he faxed an updated improvement construction cost opinion to Brent's office earlier today. BEL will review the cost opinion and respond to Michael.

After brief discussion and recommendation from the Land Planning Engineer, Paul Wenger made a motion, seconded by David Noll, to recommend to the Board of Supervisors the conditional approval of the Locker Room Mini-Storage Final Land Development Plan subject to applicant satisfactorily addressing all items identified in the Becker Engineering, LLC. review letter dated May 10, 2006 and the

**LOCKER ROOM MINI STORAGE – FINAL LAND DEVELOPMENT PLAN (CONTINUED):**

HRG review letter dated April 20, 2006. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**E & J DEVELOPMENT – PRELIMINARY SUBDIVISION PLAN:**

No one was in attendance for this plan. No new submittal. There had been a technical review meeting held at the Township to discuss various items contained in BEL's review letter. It was noted that some of the key issues pertain to Zoning items and may warrant further discussions with the Zoning Officer. A revised plan will be submitted in the near future.

It was noted that a written time extension was received, extending the deadline for action on the plan until September 26, 2006.

Chris Fitterling made a motion, seconded by Kenneth Sweitzer, to recommend to the Board of Supervisors the acceptance of the time extension request extending the deadline for action on the E&J Development Preliminary Subdivision Plan until September 26, 2006. Chairman Schlegel asked if there were any questions. Bob Roggenburg asked if this was the one off of Ridge Road. The answer was no, this development is off of Church Street between East Cocalico Heights and Woodland Hollow. There being no further questions, motion carried.

Paul Wenger made a motion, seconded by Robert Zimmerman, to table the E&J Development Preliminary Subdivision Plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**FOX BROOKE – PRELIMINARY SUBDIVISION PLAN:**

No one was in attendance for this plan. No new plan submissions. A revised plan is expected in the near future.

Robert Zimmerman made a motion, seconded by Chris Fitterling, to table the Fox Brooke Preliminary Subdivision Plan for the evening. Chairman Schlegel asked if there were any question. There were none. Motion carried.

**MITCHELL TRACT – FINAL SUBDIVISION/ADD-ON PLAN:**

No one was in attendance for this plan. Brent reported that he had recently spoken with the applicant's consultant, who indicated that he would not be able to attend this evening. Brent indicated that the consultant noted that they are in the process of responding to the comments contained in the BEL review letter and did not have any substantial issues that he felt needed to be discussed with the Planning Commission at this time. A revised plan will be submitted at a future date.

For the residents in attendance, it was explained that this project is a 3-lot subdivision along Brunner's Grove Road and Dogwood Drive to be served by on-lot water and sanitary sewer. These would be 3 single-family residential lots ranging in size from 3 to 5 acres. All lots would front Brunner's Grove Road. There is also the annexation of two larger parcels onto adjacent farm tracts and a third smaller annexed parcel onto an adjacent existing residential property. The project did require Zoning Hearing Board approval because of the size of the proposed lots being larger than the minimum allowed in the agricultural zone. The Zoning Hearing Board did approve the request since information was presented

**MITCHELL TRACT – FINAL SUBDIVISION/ADD-ON PLAN (CONTINUED):**

indicating that as a result of the underlying nitrate level in the ground water, DEP regulations would require a minimum lot size of 3 acres.

Kenneth Sweitzer made a motion, seconded by Piero Dinnocenzo, to table the Mitchell Tract Final Subdivision/Add-On Plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**MORGANSHIRE, PHASE II AND III – FINAL SUBDIVISION PLAN:**

No one was in attendance for this plan. No new submission. A revised plan is anticipated.

Chris Fitterling made a motion, seconded by Robert Zimmerman, to table the Morganshire, Phase II & III Final Subdivision Plan for the evening. Chairman Schlegel asked if there were any questions. Bob Roggenburg suggested, in reference to the discussion at the last meeting concerning removal of trees, that the developer replace any trees that they take out of the development as a result of building the houses. Brent Lied explained that the main portion of the Township's concern as discussed at last month's meeting is attempting to prevent the clear-cutting of the main portions of the property, not the area in immediate proximity to the proposed dwellings. The note to be put on the plan does not address replacing the trees in the immediate proximity of the houses. Brent also reiterated that this issue only impacts a handful of lots in this subdivision, since the majority of the lots are in the open portions of the site. There being no further questions, motion carried.

**RIDGE ROAD TRACT – PRELIMINARY SUBDIVISION PLAN:**

No one was in attendance for this plan. No new submission for discussion at this meeting. Submission received for discussion at the upcoming June meeting.

The Township did receive a copy of the response letter from DEP relative to the Sewage Facilities Planning Module submittal. One of the items on the DEP response letter, was a request that the Township complete a new updated Component 4A. Brent explained that when the module packet was originally submitted the Component 4A was completed based upon the information available at that time. As a result, since a formal plan was not yet submitted at that time, the Township was unable to definitively answer questions such as "does the project comply with the Township Zoning regulations". Brent handed out a copy of the updated Component 4A to the Planning Commission and reviewed the wording of various key questions. It was noted that the proposed project is not located within the public sewer service area as outlined in the current Act 537 Plan or the ongoing update to the Act 537 Plan. Brent also noted that the DEP module review letter requested further information on the failed on-lot systems in the general area of the tract, as referenced in the Township's and LCPC reviews. Further information related to these failed on-lot systems is required from the Sewage Enforcement Officer, Dale High. Upon receiving further written clarification from Dale High, that information can be attached to the revised Component 4A and submitted to the applicant's consultant.

Piero Dinnocenzo made a motion, seconded by Ken Sweitzer, to authorize the Planning Commission Secretary to sign the updated DEP Sewage Facilities Planning Module Component 4A, as completed by Becker Engineering, LLC and reviewed by the Planning Commission, with the understanding that the documents will be held until the Township Sewage Enforcement Officer has an opportunity to complete a related document summarizing the status of the failed adjacent systems. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**RIDGE ROAD TRACT – PRELIMINARY SUBDIVISION PLAN (CONTINUED):**

David Noll made a motion, seconded by Robert Zimmerman, to table the Ridge Road Tract Preliminary Subdivision Plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**ROSE HILL – PRELIMINARY SUBDIVISION PLAN:**

No one was in attendance for this plan. No new information has been submitted. Brent reported that a technical review meeting was held on May 1, 2006.

Paul Wenger made a motion, seconded by Robert Zimmerman, to table the Rose Hill Preliminary Subdivision Plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**VILLAGE AT EAST COCALICO – PRELIMINARY SUBDIVISION PLAN:**

Robert Field, Developer, and Sidney Kime of David Miller Assoc. were in attendance for this plan.

Sidney Kime gave a status report on the plan. To date, the developer has not received any official correspondence from PennDOT; they hope to receive something in the near future. The developer's attorney is in contact with a PennDOT attorney to discuss legal issues associated with the easement and possible future street. The developer would still prefer to have a site meeting with PennDOT and Township staff. PennDOT has indicated that since the developer does not own the easement or the underlying ground that the process may be simplified if the Township would be the party applying for the HOP. This matter will be referred to the Township Solicitor, Thomas Goodman. It was suggested that the developer first prepare a written summarization of the past key correspondence and discussions and submit it to Thomas Goodman, and then ask for a follow-up meeting to further discuss the Township's possible involvement with the PennDOT permitting and legal issues.

Water is another item to be resolved. Karen Koncle advised the developer that availability of water is between 18 months to 24 months. It was noted by Karen Koncle that the East Cocalico Township Authority has been aggressively pursuing water sources for a very long time; the permitting is not in place at this time.

Sandy noted that they are not in immediate need of a time extension, although based on the ECTA timeline Karen mentioned and the ongoing delays with PennDOT additional time extensions will be required. Sandy asked if he should submit that request for additional time now. It was generally agreed that it would be appropriate to wait until closer to the current deadline and then submit a request at that time.

Ken Sweitzer made a motion, seconded by David Noll, to table the Village at East Cocalico Preliminary Subdivision Plan for the evening. Chairman Schlegel asked if there were any questions. Julie Service of 26 Grouse Drive asked for an explanation of what it means when PennDOT won't grant an easement for the road and the Township needs to get involved, briefly what does that mean? Sidney Kime explained and also reiterated that this is not the Township's fault, but PennDOT's. Someone asked about Tom Goodman's involvement. Sidney Kime explained that Tom Goodman works for the Township as the Solicitor and protects the Township to make sure that whatever is done is in the Township's best interest. Someone: If ultimately the second entrance, the full entrance, doesn't get approved by PennDOT, will it revert back to an emergency entrance or will it revert to a single entrance? Sidni Schlegel: It will not revert to a single entrance, it could revert back to an emergency entrance, but we will cross that bridge

**VILLAGE AT EAST COCALICO – PRELIMINARY SUBDIVISION PLAN (CONTINUED):**

when we get to it. It will definitely be used in some fashion. Someone: My concern on the emergency access only, is that recently, and that is my street, when the sewer lines were pre-constructed up and down that road it was completely shut down for at least a week, so at times the 9 homes that were on that road had to park further up on Sanderling and Kestrel. If the other road was only an emergency access road, where do you put 102 families worth of cars if a fire truck blocked that road or if you had to dig up the sewer lines again and regardless you have absolutely no permanent access to get out; how does that fit with the emergency only access? Sidni Schlegel: Fire trucks are no problem getting in and out of emergency access. Someone: But if you block Kestrel Drive, which is the only main access. Sidni Schlegel: Fire trucks would use the emergency access. Someone: Kestrel Drive was closed then. If Kestrel Drive itself was closed down due to a fire or due to work on the road itself then how would you use the emergency access road which would only be used for emergency access to get 102 homes worth of people in and out of that development? Ken Sweitzer: I think in times of emergencies like that, they could by-pass that and use it to service the rest of the development. Someone: For a week or two weeks or forever how long it takes? Ken Sweitzer: A fire isn't going to be that long. Someone: But the sewage line closed it for a week, if not longer. Ken Sweitzer: I'm sure if there were 102 homes down that road they wouldn't have shut it that long. They would have made other arrangements. Karen Koncle: That was a force main upgrade that is projected to allow for adequate capacity for full build out of the whole area. The likelihood of that happening again is very little. Brent Lied: Taking Ken's point, the honest answer is when you are proposing an infrastructure improvement project there is an evaluation of the inconvenience and how many people it would affect. If there are 100+ homes that are impacted by the proposed project you would have to go about it in a more costly way and work to allow traffic to continue. Some of the items you are talking about are why the Planning Commission is approaching this road in the way they are, in trying to have a solution worked out that is the best scenario. Julie Service: I think I remember that when this had been brought up before that if PennDOT would not allow this emergency access to be turned into a second entrance and exit, that the Village might be postponed until Fox Brooke was built and then Fox Brooke would actually be the second entrance with Kestrel being the first and use the emergency for fire trucks. Sidni Schlegel: That is right. That is the other possibility. It would probably limit the number of homes that could be put in the Village of East Cocalico until they had the second access. There being no further questions, motion carried.

**PEN-REN SKETCH PLAN:**

No one was in attendance for this plan. The BEL review letter was issued. The developers were in attendance at a Zoning Hearing Meeting on May 10, 2006; this Zoning Hearing Board Meeting was continued until the June meeting. Brent noted that the applicant and their consultant may have elected to defer discussing the project with the Planning Commission until they confirm that they have obtained the necessary ZHB approvals. Brent Lied will follow-up with the developers to determine how they plan on proceeding with the Sketch Plan.

This site is the Renninger property at Rt. 272 and North Muddy Creek Rd. They are proposing storage units on the lower part and proposing an open-air pavilion associated with the existing flea market on the upper part.

As this is a Sketch Plan, no motion is required.

**OTHER ACTION ITEMS:**

ECTA WELL SITE "M": This well site is located in West Cocalico Township. In June of 2005, the Planning Commission issued a letter of support for the well. This is the same letter, with a change in date. The circumstances have not changed. The Authority is now going before the Zoning Hearing Board of West Cocalico Township to ask that the same definition of municipal use be applied to the East Cocalico Township Authority as applies to their Authority. East Cocalico Township Authority is asking for updated letters of support from the Board of Supervisors and the Planning Commission as it is all part of the Comprehensive Plan and is a strategic part of that water and sewer regionalization. The Board of Supervisors issued a letter of support on May 17, 2006. Piero Dinnocenzo made a motion, seconded by Chris Fitterling, to authorize the Planning Commission Secretary to sign the updated letter of support for the East Cocalico Township Well Site "M". Chairman Schlegel asked if there were any questions. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

**SALDO AMENDMENT – SECTION 502.11, RELATED TO STREET IMPROVEMENT SPECIFICATIONS:**

Brent indicated that this SALDO amendment was prepared by HRG and discussed at the past workshop meeting. Brent noted that the amendment is somewhat technical in nature and intended to update the Township's street improvement specifications to be consistent with current PennDOT terminology and standards. Brent noted he is still reviewing the amendment and intends to direct any comments or questions he has to HRG and the Board of Supervisors.

Piero Dinnocenzo made a motion, seconded by Ken Sweitzer, to recommend to the Board of Supervisors to proceed with the adoption of the SALDO Amendment on Section 502.11. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

STEVENS COURT: Brent Lied had nothing further to report.

**PRE-PLANNING MEETING UPDATES:**

Property located at Hill Rd. and Rt. 272 (Zinn's farmhouse and barn): Key issues discussed were access – they are not proposing access off of Rt. 272; stormwater issues; maneuvering on site; recreation; ZHB approval required for drive-thru restaurant; curb and sidewalk along Rt. 272, curb and sidewalk along Hill Road; signal contribution for Hill Road, etc.

There being no further business to come before the Planning Commission, Ken Sweitzer made a motion, seconded by Robert Zimmerman, to adjourn the meeting at 8:48 p.m. Motion carried.

Respectfully submitted,

Paul W. Wenger

