

Red Lion Borough Planning Commission Meeting Minutes
Monday, March 18th, 2024

Members present

Cindy Barley
Beth Nidam
Muriel Slenker
Evan Hiester
Wade Elfner

Others present

Michelle Poole, Codes/Zoning
Mike Craley, Solicitor
Stacy Myers, Recording Sec'y

Visitors

Lisa & Glen Dellinger
Lance Groft

Gina Baum
Resham Mahadeo

Bruce Stegman

1. The meeting was called to order @ 7:05p.m. followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mrs. Barley made a motion to approve the December 18th, 2023 Meeting Minutes; Ms. Nidam seconded. All were in favor; motion carried.
 - Mrs. Barley made a motion to approve the February 26th, 2024 Meeting Minutes; Mr. Hiester seconded. All were in favor; motion carried.
3. **Discuss proposed subdivision of 38 Henrietta Street to correct barn that is partially on neighboring property to be added to the neighboring property.** Lisa & Glen Dellinger were present to discuss the proposed subdivision of the Jacqueline Snyder Estate, located at 38 Henrietta Street. The subdivision would correct the barn/garage in the rear of 38 Henrietta Street and add it to the neighboring property being that currently it sits (partially) on the neighboring property's lot line. Lisa Dellinger (Jacqueline Snyder's daughter) wishes to cut the portion of the property where the garage currently sits & attach it to the 1st house on South Pine Street (99 S. Pine). That neighbor plans to purchase the barn/garage once the cost & feasibility to do so is known.

Atty. Craley stated the assessment records show 38 Henrietta Street has 9,147sq. ft. and 99 S. Pine Street has 2,614sq. ft. The minimum lot size would be 6,000sq.ft. so even with cutting off the portion with the existing garage/barn on it, a nonconformity would not be created. The Dellinger's need to get the property surveyed to ensure the square footage works out, and a Subdivision Plan would need to be submitted. Glen Dellinger distributed pictures of the lot, so the Committee could get a better idea of the property layout & what's being proposed. Section 401:2 of the ZO states nonattached accessory structures must be 3' from the side & 3' from the rear, which would require the Dellinger's to have 3' from the northern edge of the garage to the property line. It may be close but should still meet the requirement. The survey will confirm it.
4. **An application for a Special Exception was submitted by Rasham Mahadeo to allow a two-family dwelling or a boarding house at 35 East Avenue, located in the Commercial Zone.** Mr. Mahadeo said, currently the property could be either a 2-family dwelling or a boarding house. The 1st floor has 3 bedrooms, a kitchen, a large living room and the 2nd floor has a similar setup with 2-3 bedrooms, a kitchen & a bathroom. If converted to a 2-family dwelling, one of the 2nd-floor bedrooms would become a living room. If converted to a boarding house, both floors would have a shared dining/kitchen area.

The owner, Bruce Stegman said when he purchased the property years ago, it was 2 apartments, then the 1st floor became Stegman Engineering & the 2nd floor was his father-in-law's apartment. When Bruce closed Stegman Engineering, the 1st floor was used as an office & the 2nd floor was his wife's marshmallow business, MarshmallowMBA.

So, it's zoned Commercial & Michelle said either one of the uses Mr. Mahadeo is proposing is allowed by Special Exception. The floor plan is the same either way and the property has plenty of parking for either use. It's unknown what use was in the building prior to Mr. Stegman purchasing it, but Michelle said, with the age of the building, it probably pre-dates any Zoning rules. It may have been a residential use, as the property is surrounded on two sides by the Residential Town zone.

Atty. Craley read Section 410, Parking—for a two-family conversion, two parking spaces/property are required. If it's a boarding house, one parking space/bedroom is required. As stated before, there are approximately 8-10 available parking spaces.

Atty. Craley suggested the applicant have a layout showing the delineated parking spaces when going to the Zoning Hearing Board.

Mr. Mahadeo said a property manager, who lives in Dallastown, will be visiting the property frequently to monitor the tenants. Some Committee members aren't in favor of a boardinghouse because of its transient use, but it meets all the Zoning Ordinance requirements. Even with the property manager living so close, the Committee would much rather see a two-family dwelling unit be created.

Ms. Nidam made a motion to recommend approval of the Special Exception for either use with the condition of providing delineated parking spaces, all being 10' x 20'. Mr. Hiester seconded. All were in favor; motion carried.

5. **Discussion was held on trash problems in town**, i.e. trash cans without lids, allowing trash to blow all over town, residents who sit trash out too soon before collection or letting trash receptacles sit out after collection, and residents who do not use trash cans, which allows animals, birds, etc. to tear open the bags or attract vermin and other pests.

Atty. Craley said the Committee can make a recommendation to Borough Council prior to the next trash contract being considered.

6. **Review Zoning Map Amendment for Pauline Newcomer's property at the corner of Wise and Taylor Avenues.** The property is currently zoned Industrial and surrounded on three sides by the Residential Town zone. It's a grass lot that wouldn't meet the requirements of any Industrial use and the owner would like to sell it.

At their last meeting, Borough Council approved formally submitting the request for rezoning. On March 13th, Atty. Craley submitted it to York County Planning Commission for their review/comment, and it's before the Committee tonight for the same.

Mrs. Barley made a motion to recommend approval to Borough Council to rezone this parcel from Industrial to Residential Town. Mrs. Slenker seconded. All were in favor; motion carried.

7. **Review list of Ordinance updates & changes that Dan Shaw has been creating over the years.** Atty. Craley suggested this be reviewed and discussed once the Committee is done amending "Signs" in the Zoning Ordinance.

Of note, since CHR Corporation (Rutter's) filed a zoning appeal regarding Red Lion Borough's Zoning Ordinance which prohibits electronic, flashing signs, they submitted a proposed amendment to Red Lion's Ordinance related to window signs. When they filed the appeal, Atty. Craley had asked them to provide some examples of language that Red Lion could consider. Instead, they submitted a complete Ordinance sample, to which Atty. Craley responded that their suggested language will be considered, but it will not be a stand-alone Ordinance, and rather a part of what the Committee is currently working on.

Since the Committee would like to review this list that Dan has created, along with another thorough review of the Sign section of the ZO, Atty. Craley suggested tabling this tonight until another work session can be scheduled.

8. **Red Lion Planning Commission recessed tonight's meeting @ 8:12p.m.** until Thursday, April 4th, @ 6:30p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary