

MINUTES OF
SPRING GARDEN TOWNSHIP PLANNING COMMISSION
April 1, 2025

CALL TO ORDER: The monthly meeting of the Spring Garden Township Planning Commission was held on April 1, 2025, at 6:02 p.m.

Present:	John DeHaas	Dawn Hansen, Zoning Officer
	Joel Sears	Dave Davidson, C.S. Davidson, Inc.
	Amy Mitten	Scott Stevens

PUBLIC COMMENT PERIOD: Roberta Boffo, 1080 Grandview Rd apologized for providing misinformation regarding 1799 Mt. Rose Ave property at the last meeting.

APPROVAL OF MINUTES: Joel Sears made a motion to approve the minutes of the March 4, 2025, meeting. Seconded by John DeHaas. All in favor, motion carried.

ZONING HEARING APPLICATIONS: **Zoning Application 2025-03 – 711 Olive St, Inch’s 700 Sherman, LLC** – has filed a Special Exception request for Section 310-10.C(7) to permit an Industrial Park on the property. Applicant also requests an extension of the timeframe set forth in Section 310-42.H to obtain a building permit. *The property is located at 711 Olive Street and is zoned IP (Industrial Park Zone).*

- Ms. Mitten recused herself from this agenda item due to personal reasons.
- Peter Wertz, McNees Wallace & Nurick LLC, attorney for the applicant, presented the application overview.
- Mr. Wertz testified that the Industrial Park would consist of the existing Quarry reclamation operation and a proposed contractors’ facility that would serve as an office, shop, and storage facility for Inch & Co Outdoor, Inch’s residential and commercial landscaping contractor business.
- This is permitted by Special Exception in the Industrial Park Zone.
- If this Special Exception is approved by the Zoning Hearing Board, they would still be required to go through the Land Development process with the Township and gain any outside agency approvals.
- They are also seeking an extension from 310-42.H to allow 18 months to obtain the required building permits where the Ordinance requires 6 months. This would allow time to go through the Land Development process.
- Mr. Wertz described the location of the property and surroundings, and the history of the uses on the property.
- The proposed development consists of a 7800 square foot contractor’s facility to be constructed in the Northwest quadrant of the property as shown in the submitted site plan.
- The contractor access would be located at the intersection of Olive Street and Hudson Street.
- The parking lot would consist of 14 parking spaces and a dumpster enclosure, as well as a loading space.
- The property would be enclosed by the existing fence and the swinging gate would be replaced by a sliding gate.
- Most of the business will be handled off-site at customers’ homes and businesses. This is a landscaping company.
- There will be no more than 10 employees on site, and they will park their personal vehicles in the parking spaces provided on site.

- As far as the specific requirements for Industrial Parks the ordinance states that access shall be gained through an arterial or collector street. Olive Street and Hudson Street are both designated as arterial streets. Secondary Access would continue to exist at its current location at North Sherman Street via a 40-foot-wide access easement that extends across the property to the North to North Sherman Street, which is an arterial street.
- The second requirement is that the minimum lot area of each use is sustained by the property, in this case for public water and sewer it is 20,000 square feet. With the combination of the two uses the minimum lot area would be 40,000 square feet, the property contains 720,000 square feet, which is more than sufficient.
- The third requirement for buffers and screening is to protect neighboring properties. The property already contains natural buffering and a significant berm to the south of the proposed building. The natural screening will remain in addition to the 8' fence and sliding gate to be installed along Olive Street. It will also have buffering and setbacks to separate it from the surrounding parcels.
- The fourth requirement is public sewer and water which the developer is intending to submit for connection to those in the land development process.
- Mr. DeHaas asked for clarification regarding the difference between the current Zoning of Industrial Park and the requested use of Industrial Park by Special Exception.
- Mr. Wertz explained that the property will remain in the IP (Industrial Park) Zone, the Special Exception is a listed use permitted in that zone. They are requesting a special exception for an industrial park which is a use in the zone.
- The Zoning Officer explained that the Special Exception for an Industrial Park allows them to use the property, which is in an Industrial Park Zone for more than one principal use. One use versus multiple uses.
- Mr. Sears asked what the multiple uses are that make this an industrial park versus just a business.
- Mr. Wertz explained that the multiple uses include the existing quarry reclamation operation and the proposed contractor's office.
- Mr. Davidson stated that eventually the quarry would be filled in.
- Mr. Wertz supposed that eventually it would be filled in but is unsure of the timeline and how long that will take.
- Mr. Stevens asked what quarry reclamation involves.
- Mr. Wertz explained that an existing quarry operation is being remediated in such a way to make it developable for some other use, dealing with environmental implications associated with the previous quarry operation, and maintaining the required PA DEP permits, which are current for this property.
- Mr. Stevens inquired about the eventual use of the property once the reclamation is completed.
- Mr. Wertz was not sure of future plans or timelines.
- Mr. Stevens clarified that the proposed use would be for a landscaping business and asked what type of materials would be stored on site.
- Mr. Wertz explained that interior storage would be used to store typical landscaping materials such as mulch.
- Mr. Stevens asked if manure or chemicals would be stored on the premises.
- Mr. Wertz said that he did not believe manure or chemicals would be stored on the premises.
- Mr. Stevens asked about the hours of the facility, would they start in the early morning and go late into the evening, or are they only daytime hours.
- The hours of operation would comply with Township ordinances. The typical hours would be daylight hours Monday through Saturday with rare exceptions. He asked the Zoning Officer for clarification of the hours permitted in the ordinance.
- The Zoning Officer stated that the ordinance allows construction work between the hours of 6 am and 11 pm. She explained that when the building was proposed it was to be for daylight hours where they

would be keeping landscaping mulch, rocks, and hardscaping materials. The contractors would be coming to pick up what they need for the job that day and leave the premises.

- Mr. Stevens asked the Zoning Officer to clarify that this special exception would make this property a multiple-use property, which means once the quarry reclamation operation is completed, more industry could go there.
- The Zoning Officer affirmed yes.
- Mr. Stevens asked if housing was to be built there, it would have to go through rezoning.
- The Zoning Officer affirmed yes.
- Mr. Davidson stated that the building sketch shows first floor display and sales offices. What are you displaying and what are you selling?
- Mr. Wertz said he could not speak to the specifics of that question. He was told by the applicant that the traffic would be very limited at the location. The sales portion of the business is for sales employee offices, most of their sales efforts take place off site. Not selling stuff.
- Mr. Davidson stated that if they were selling materials that would put the use into a different category than material storage.
- Mr. Wertz said there is no retail sales that he is aware of.
- Mr. Sears stated that when he hears traffic would be limited it concerns him because of the proximity to the residential neighborhood. He asked for a description of "limited". Does that mean 10 cars a day, clustering in the morning or afternoon, how does it normally play out in a facility of this kind?
- Mr. Wertz stated that he can give projections as to what we believe this would ultimately look like, but the applicant is restrained to whatever the zoning ordinance says. The use is permitted in this zone with a special exception if it meets the special exception standards. It can't be disapproved unless there is some sort of objection to the use that is above and beyond the use of a contractor's office. We do comply with the requirements of the ordinance; they do have access via an arterial road as designated by the Township's Comprehensive Plan. We are not asking for anything that is not a permissible use by special exception in this zone. Land development will touch on this further, but as far as zoning goes, the applicant has met the objective criteria.
- Mr. Sears stated asked where they are staging this material now.
- Mr. Wertz was not sure where they were currently storing the materials.
- Mr. Sears stated that it would be helpful to understand how their business is currently being handled so they could better understand the business model to determine what the impact would be at this location. He feels the hours of operation and traffic would be roughly the same.
- Mr. Wertz said that at the Zoning Hearing Board meeting there would be testimony given that would attest to that and that they could show that there would not be anything that would go above and beyond the expectations of the use.
- Ms. Mitten asked if the gate would beep when it opens?
- Mr. Wertz did not know the answer to that question. It is a sliding gate; the existing gate is swinging. The swinging gate will be replaced with the same existing fencing and the sliding gate will be moved to the new entrance at the intersection opposite Hudson Street where the arterial road exists.
- Mr. DeHaas asked if the applicant could open this business without any special exception.
- Mr. Wertz said based on conversations with the Zoning Officer that would not be the case.
- The Zoning Officer stated that the current primary use of the quarry reclamation. They cannot have two primary uses on a single lot, and they do not want to do a reverse subdivision on the property as they are intending to keep the property whole once the quarry reclamation is completed.
- Mr. DeHaas stated that he does not see quarry reclamation as business, but if they are making money. If the reclamation use was not in process, would this be a use permitted in the zone.
- Mr. Wertz stated it would be a use by right.
- Ms. Mitten asked if there are any other businesses being considered for that property in the future.

- Mr. Wertz was not aware of any other businesses being considered. It is just because of the zoning requirements that they asked for the special exception.
- Ms. Mitten asked what kind of businesses could move into an industrial park.
- Mr. Wertz stated that any industrial uses within the ordinance would be allowed on the property. Any additional uses would have to be approved.
- The Zoning Officer stated that any new use must be approved by the Zoning Officer prior to a Certificate of Use and Occupancy being issued. Without a legal reason, a use by right cannot be denied.
- Mr. Stevens asked what are some of the other businesses the owner does?
- Mr. Wertz explained that the business does landscaping and hardscaping for residential and commercial properties.
- Mr. Davidson pointed out that the site plan submitted with the application shows lighting in the parking lot which would mean there would be parking after dark. You might want to investigate that prior to the zoning hearing board meeting.
- Mr. Wertz stated that they intend to comply with the requirements of the zoning ordinance. He is just trying to paint of picture of what this use functionally could look like. The parking lot will be lit because there may be people there after daylight hours, it does not mean that the operation hours will be after daylight hours.
- Mr. Davidson stated that once an industrial park special exception has been granted, you would still have to go into the Zoning Officer to get a Certificate of Use and Occupancy, but if it has already been granted a special exception, then anything that is a use by right can be permitted there.
- Mr. Wertz stated that you would still have to demonstrate compliance with the criteria in the same way you do now, whether it is by right or by modification to the special exception approval, the fact is the Township is not opening any doors by approving this because there is compliance with the ordinances. When you comply with the ordinances you are entitled to the approval. This does not impact any potential future uses of this property; you would still have to demonstrate compliance.
- Mr. DeHaas made a motion to deny approval to the Zoning Hearing Board due to the lack of enough information to make a decision. It has been the Planning Commission's experience with this company that the information is too limited to make an informed decision.
- Mr. Sears seconded the motion.
- There was public comment from the following:
 - Melissa Stuart, 1161 Hollywood Terrace, commented regarding the display room being a place for customers to see the different types of landscaping materials. Beeping gates and beeping from trucks, and any dust that might be created could be issues. Lighting could be used in the morning at 7:00 and in the evening at 4:30 during the winter.
 - Lynn Huddleston, 808 Clearmount Rd., had concerns about environmental hazards to Mill Creek.
 - Tom Mitten, 653 Mulberry St., has concerns about industrial use property and how it will affect the residents.
 - Anne Gray, 1471 Sleepyhollow Rd., wanted to confirm that all setbacks for the existing quarry reclamation are being adhered to.
- No further comments, the motion was voted upon. All in favor, 3 to 0 with Ms. Mitten abstaining.
- Mr. Stevens explained that his biggest concern is what would be built there after the quarry reclamation project is completed.

Subdivision/Land Development Plans: None

• **OTHER BUSINESS:**

○ **Intermunicipal Comprehensive Plan**

- This was tabled from last month to give more time to review the 126-page document for comments.
- Some comments have been submitted to the Zoning Officer.
- Carolyn Yagle for Environmental Planning & Design discussed the process of gathering comments from York Township's Planning Commission and the Spring Garden Township Planning Commission to create a draft Intermunicipal Comprehensive Plan for York Township and Spring Garden Township.
- There was discussion over sidewalk plans, data, and wording clarification.
- Date or number references from the Census were discussed.
- The nature of the comments received thus far we are moving forward.
- The York County Planning Commission's work regarding connectivity and safety of areas being called out in the plan is being offered to help with implementation in our Comprehensive Plan.
- The York County Planning Commission would like to be here to discuss details of this plan, and the Planning Commission can reach out to work with them.
- Mr. DeHaas sought clarification regarding York County Planning Commission willingness to work with Spring Garden Township boards, advisory committees, and staff.
- Ms. Yagle confirmed that the opportunity is there for all the entities to work together.
- Additional comments from the Spring Garden Township can be shared this week with the Zoning Officer so that they can be incorporated with the York Township Planning Commission comments so that an integrated document can be provided to the Planning Commissions by the end of the month.
- Questions from the last meeting regarding discrepancies in the median household income were taken from both the Census and American Community Survey and the numbers were different. The American Community Survey information will not be used because of the way the information was collected. The Census information is more consistent with surrounding municipalities.
- There was discussion regarding future land use designations versus current land use designations and compared residential and non-residential. There are not any dramatic changes between the zoning districts in the draft plan.
- Mr. Davidson had concerns over the wording of some of the zoning making it seem that current residential zones would be zoned conservancy.
- Ms. Yagle clarified that future land use does not equate to a zoning change. Conservation can occur in a residential district. The future land use map looks at it from a future land use pattern. It is not a proposed zoning map. If there is an opportunity for conservation land use in a residential district, that type of activity could occur. This is not assigning new zoning to any area.
- Mr. Davidson has concerns about assigning higher density in other areas of the Township. There are differences in the draft land use map that are dramatically different.
- Ms. Yagle explained that this must be looked at as an intermunicipal plan and all land uses need to be accounted for in both Townships. The current land uses vary dramatically in both municipalities currently.
- Mr. Davidson explained that the Comprehensive Plan future land use map sets the basis for the zoning map. Suburban residential in Spring Garden Township will be different than in York Township because there is a major difference in density and there will be differences regarding lot sizes and coverage in both townships.
- Ms. Yagle will work with the Zoning Officer to determine where there need to be changes in future land use map. This is not about zoning requirements.

- Mr. Davidson also requested that a road planning map be included in the plan that provides for collector and arterial streets because this is used when reviewing land development plans to determine setbacks from rights-of-way. It is an important component.
- The Zoning Officer commented that this is also used for zoning when looking at the requirements for special exceptions. The ordinances state “as defined in the Township comprehensive plan”.
- Ms. Yagle requested the current street map from the existing Comprehensive Plan so that we can add it to the draft plan. This will be compared with the new York County Planning Commission road maps that have been updated so that we do not have too many differences, and they are still able to be referenced by the Ordinances.
- Mr. DeHaas commented on aligning zoning districts within the two municipalities.
- Ms. Yagle explained that both municipalities’ current ordinances provide land uses and then looked at potential opportunities for more uses. Each community has similar uses, unique uses, and some uses that neither municipality provides. This would be something that could be shared in the future.
- Ms. Yagle went through all the uses provided for in both Townships that have been called out in the draft plan. There was discussion regarding the terminology of certain uses and how they are different in the Townships. This will not change within the Comprehensive Plan, but this provides groundwork for possible changes to the ordinance in the future. There could be shared uses between the municipalities and modernizing definitions to meet today’s standards.
- Mr. DeHaas commented that there were 24 comments submitted thus far and wants to discuss all the comments and wanted to know how this will be reviewed by the Board without violating the Sunshine laws.
- Ms. Yagle explained that all these comments will be compiled into a summary by topic that will be forwarded to the Boards to discuss at the next meetings to provide informed information to revise the draft plan prior to being submitted to the Board of Commissioners.
- Ms. Yagle is asking for all comments from the Planning Commission regarding the plan so that a way to address those comments can be determined. Whether it is in the comprehensive plan or in another document. Like comments will be gathered so that all information from both Townships can be captured.
- Ms. Yagle stated that in the comments summary we will also demarcate points that pertain to the County’s Complete Streets policy. If one of the items is called out in their policy, then we can see the bridge between the documents, or you can include it in the Comprehensive Plan.
- We would like to have all the comments by April 11, 2025, so there is time to compile the information and make changes to the draft for dispersal at the end of April for the May Planning Commission meeting.
- Mr. DeHaas asked if there could be an index or something to show where the changes have been made so it will be easier to review the changes in the document without reviewing the entire document once again.
- Public Comment:
 - i. RaeAnn Waltersdorf, 1558 Hollywood Parkway, commented that she feels the plan is being rushed. She would like to see the Mt. Rose property called out more specifically in the plan as far as future land use.
 - ii. Anne Gray, 1471 Sleepyhollow Rd., commented on the maps and terms in the plan. She would like to see more specific recommendations regarding sidewalks to parks and resources within the Township and expanding streets to allow for bikes and pedestrians. Ms. Yagle commented that this is part of the Complete Streets plan from the County and can be added as part of the sidewalks plan in the draft.

- iii. Roberta Boffo, 1080 Grandview Rd., commented about the Mt. Rose property being referred to as open space by the County. She would like the property to remain a conservation district. She has questions about the definition of open space.

With no further business to address, motion to adjourn by Mr. Sears, seconded by Scott Stevens. All in favor. The meeting adjourned at 8:16 pm.

Respectfully submitted,
Dawn Hansen, Zoning Officer

Approved