CALL TO ORDER

Chair Willey called the Planning Commission Meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Toner. Vice-Chair Cerveny was noted as absent.

APPROVAL OF JULY 2019 MEETING MINUTES

Chair Willey called for the approval of the Minutes of the July 29, 2019 Planning Commission Meeting. Secretary Walter made a MOTION to approve the Minutes of the July 29, 2019 meeting. The MOTION was SECONDED by Robert Siodlowski. The motion carried unanimously (6-0).

REVIEW OF BOARD OF COMMISSIONERS MINUTES

Chair Willey noted the copies of the Board of Commissioners Minutes from the July 3, July 17, August 7 and August 21 meetings. Chair Willey accepted these minutes.

NEW BUSINESS

A. Conditional Use Application for Ashcombe Mansion Property

Mr. Charlie Courtney from McNees Wallace & Nurick, along with Ms. Debra Welsh, owner of Ashcombe Mansion Property, LLC, and Mr. John Murphy from Alpha Engineering represented the application. The Conditional Approval application being presented is for the use of a resort, The Willows at Ashcombe Mansion, located at 1100 Grantham Road. The property is located within the Township Low Density (R-1) Residential Zoning District and the district allows operations of resorts by Conditional Approval. Mr. Courtney reminded the Planning Commission that he was before them almost two (2) years ago about the same property but
was proposing a Special Occasion Home be added to the list of uses in the Low-Density (R-1) Residential Zoning District. That project has now evolved into what is being presented to them at this meeting. He explained that the basis of the project is still the same but different elements have been added to the project. The current project has changed from being a localized event space to being more of a destination event space. Outreach has been done for both projects now with the surrounding neighborhoods in efforts to be a “good neighbor” and receive feedback or any comments the neighbors may have about the possible upcoming project(s). Mr. Courtney explained that the neighbors were welcome to tour the property and the existing mansion during an open-house event; some very positive feedback was received.

Mr. John Murphy explained the property currently consists of two lots totaling approximately 21 acres of land, which will be combined into one lot during the land development process, if the conditional approval application is accepted. A Highway Occupancy Permit (HOP) from the Pennsylvania Department of Transportation (PennDOT) will be required to upgrade the existing driveway along Grantham Road. The mansion on the property has gone through extensive upgrades over the past two (2) years and, if the application were to be approved, Ms. Welsh would add additional space onto the building in order to operate the resort being proposed. The building addition would most likely include a drop-off area for guests, a food prep area and a bar area. Additional parking would be provided along with required stormwater facilities. In addition to the existing building upgrades a separate cottage area would be constructed to accommodate overnight guests. The cottages would be constructed in a “u-shape” to restrict access to the back portions of the property to limit any neighborhood disturbances. The cottage facility would also include a courtyard, swimming pool and spa area. Additional plantings will be placed along neighboring properties that border the proposed project and will be in accordance with the Conditional Use Application and any applicable Township ordinances.

An additional feature that has been planned to be a part of the resort is the brewpub located on the southeastern corner of the property. The applicant would like the brewpub to be open to the general public in addition to it being a part of the functioning resort. Mr. Murphy explained that there would also be a small chapel constructed to hold ceremonies onsite.

Ms. Debra Welsh explained that her vision for this project came to her when she was traveling throughout California and saw what property owners have been doing to their Victorian Mansions and wanted to bring that to this area. She also explained that this area does not have “destination hotels”, and the addition of the cottages to the property could create an opportunity for a destination spot in this area.

Ms. Welsh continued to explain that the cottage area was designed, not only to reduce disturbance to the surrounding neighbors, but to reflect a small European village in which all the entrances open to the center courtyard surrounded by plantings, benches and small fire pits for the guests to enjoy. The inside of the cottages will represent a rustic feeling with hardwood floors, beam ceilings and have Persian/Victorian bedding to reflect the existing mansion.
Secretary Walter asked whether staff members of the resort would always be on the property. Ms. Welsh assured the board that there will always be a form of security present at the property to control any complaints of guest and any neighboring properties.

Mr. Natwick asked if this resort was strictly going to be for weekend use. Ms. Welsh explained that it is not limited to the weekends. She would like to open it up to functions such as corporate retreats, that could utilize it during the week as well.

Ms. Parrish asked if the resort will act as a traditional hotel use or can it be only used if you have an event. Ms. Welsh said only if you have an event at the property you will be able to use to cottages and the mansion.

Being not further questions from the Planning Commission, Chairperson Willey wanted to open to the public for any comments.

1. **Lionel Kapp, 919 Herman Road**

Mr. Kapp wanted to express his concerns for this use at the property. He stated that this was a dramatic change from what was being presented two years ago to have a special event home be at the property. He is concerned with the amount of noise issues that would arise from this change as he, and other neighbors, had problems when the original bed and breakfast was operating there. From his house, noise carries very easily across the wetlands and with the expansion of this project from its original concept he is concerned that the matters will only get worse.

He also wanted some clarification as to who owns the property at this time. According to Cumberland County tax records, the Stankovic’s still own the property, he wants to be sure that if a Conditional Use is granted, it is going to the correct owner. Furthermore, he feels that a Resort use does not belong in the Low Density (R-1) District. Mr. Kapp also added that he doesn’t see the lack of “destination hotels” as a legitimate reason to put one at this location. His main concern with this conditional use is that as the vision for this property grows so does his concern for more zoning relief, which may cause problems for the surrounding neighbors. He did want to point out that he did appreciate that the new flood maps have been reflected in the plans shown tonight as he will be impacted by those as well.

Mr. Courtney clarified the request two years ago was a Zoning Text Amendment, not a Conditional Use request. The zoning amendment allowed a new use – special occasion facility – to be permitted in the R-1 District. The resort use is allowed in the R-1 District as a Conditional Use and has been allowed in the R-1 District for many years. Conditional uses are permitted uses, if an applicant can demonstrate they meet all the conditions that are laid out in the ordinance. If so, there should be no reason to deny the application. Mr. Courtney explained the situation with the ownership of the property. The Ashcombe Mansion LLC has purchased the property through an installment’s agreement. Although not portrayed on the Cumberland County website as the owner; Ashcombe Mansion LLC, through a legal standpoint, is the owner and the Stankovic’s are a mortgage interest holder.
2. Victor Montefour, 2626 N Rosegarden Blvd, President of the Civic Association

Mr. Montefour agrees with Mr. Kapp’s comments; that this proposed project is very different than what was proposed two years ago and raises valid concerns. He disagrees with the brewpub being considered as part of a resort. Since the brewpub will be open to the general public, he considers that a commercial use by itself which should not be allowed in a residential district. Since the location of the proposed brewpub would be directly across the street from the Rosegarden development, he is concerned with the amount of noise, unwanted light and traffic that will be produced.

3. Eugene Hopper, 2628 N Rosegarden Blvd

Mr. Hopper wanted clarification on the bar area that is proposed for the existing mansion on whether a liquor license will be obtained by the establishment or will it be up to the guests to provide their own. He is also concerned that, even though the use of the property will be for special events, it will become used daily as a normal hotel or motel use would be.

4. Cynthia Thurston, 1031 Gettysburg Pike

Ms. Thurston’s main concerns with this proposed project, mainly the brewpub, are the amount of traffic and noise it will produce. She is concerned the access into the brewpub would create a dangerous intersection, especially during the weekend times when TJ Rockwell closes. Traffic is already an issue here and the brewpub would only exacerbate the problem, especially with no police presence at that intersection.

5. Tracy Montefour, 2626 N Rosegarden Blvd

Although she commends Ms. Welsh for all the beautiful improvements done to the mansion, she too is concerned about the noise this project would create. She explained that for the most part her neighborhood is quiet, minus the racetrack noise and TJ Rockwell’s traffic, and has been that way for nearly thirty years. However, in the past decade, traffic on Grantham Road has greatly increased and with the main entrance to the resort being at the corner it will create problems at an already dangerous intersection. Ms. Montefour wanted to point out that although she appreciated the outreach that was done for the neighbors to be invited to the open house at the mansion, there was nothing mentioned about the resort being established or the brewpub. She urged the Planning Commission to imagine living across the street from a brewpub and having to deal with the problems that could arise from that.

6. Emily Montefour, 2626 N Rosegarden Blvd

Aside from the concerns brought up by previous residents, she urged that the board consider the environmental impacts. She questioned whether environmental studies have been done with this project to see what the impact of new construction would be to Trout Run as well as
the abundance of wildlife that currently reside on the property. She cited current issues about displacement of wildlife in her neighborhood, including predatory animals and she feels that this should be taken into consideration before making a recommendation.

Mr. Courtney addressed some of the comments about the use. The resort is a commercial use. However, that use has been allowed in the ordinance for several years within the R-1 District. Traffic and lighting will be addressed in the land development plan. PennDOT will have to be involved with that access drive onto Grantham Road, which is a state road. The applicant will be required to meet PennDOT and the Township to identify concerns and what they can do to improve safety at the intersection for them to have access along Grantham Road.

Being a part of the original discussion about noise two years ago, Mr. Courtney reiterated that the Township does have a noise ordinance which restricts music, outdoor activities, etc. between certain hours. The resort would not only abide by the ordinance but have similar restrictions on the property.

With being no further comments from the public, Chairperson Willey opened for comments from the Planning Commission. Mr. Robert Siodlowski wanted to have Ms. Thurston’s questions answered as he too noticed an access point right at the corner of Gettysburg Pike. He wanted clarification as to whether that would be a full access point to that portion of the property. Mr. Murphy explained that the access drive is not finalized yet it was placed there to show a potential “employees only” access or access for delivery vehicles. He added that the access to the brewpub would be through the main access drive on Grantham Road.

Mr. Steffan asked staff if the restaurant was permitted with the resort. Staff stated that the primary use of the property would be the resort, but this principal use can have accessory uses; a restaurant can be an accessory use.

With there being no further comments, Chair Willey called for a motion. Secretary Walter made a MOTION to recommend approval for the Conditional Use application. Mr. Siodlowski SECONDED the MOTION. The MOTION was carried. (5-1)

B. Discussion/Consideration of Text Amendment to Chapter 245, Article VI, Section 6.3

Ms. Boyer explained that the amendment before the Planning Commission was to amend text in Chapter 245, Article VI, Section 6.3 to require more commercial development in the Township’s Commercial Districts, specifically the Neighborhood Commercial (C-1) District. The Neighborhood Commercial (C-1) District is meant to be a mix of both residential and low impact commercial to provide a transition into a heavy commercialized area.

The amendment before them would ensure that larger tracts of land in the Neighborhood Commercial (C-1) District, in this case 5 acres or more, would not be solely residential developments and could potentially provide commercial uses that could serve the public's
interests. If amended, the Neighborhood Commercial (C-1) District would allow either all commercial development or a mix of residential and commercial but limiting the residential use to 50% of the development.

Ms. Parrish asked if there are many more 5-acre properties within this district. Ms. Boyer said there are a few that have not been developed. Some of those lots have a single-family home on them but that doesn’t necessarily mean that those lots couldn’t be sold to a developer in the future. The Board of Commissioners were trying to be proactive about having commercial in the future where it makes sense and wanted the Planning Commissions input before proceeding with any decisions.

Mr. Barry Natwick asked if this was like the original Winding Hills development where the developer initially had commercial uses within the development (i.e. shops, restaurants, etc.) but was later withdrawn. Ms. Boyer explained it is similar however, Winding Hills was submitted as a Planned Residential Community (PRD) where commercial uses are an option.

Mr. Natwick also asked if tax revenue has been considered in review of this amendment as it could be a positive change for the Township. Ms. Boyer explained that tax revenue is always a factor when discussing commercial development and she does agree that it could be a positive change for the Township. Typically, with commercial developments you do see positive tax revenue, assistance with stormwater fees and there is less pressure on the school district. Upper Allen Township has a high amount of residential communities and more are planned which does put pressure on the school district to be able to provide services for those potential students. So with encouraging more commercial development it will alleviate some of those pressures.

With there being no further comments, Chair Willey entertained a motion. Mr. Natwick made a **MOTION** to recommend approval of the Text Amendment to Chapter 245, Article VI, Section 6.3. Secretary Walter **SECONDED** the **MOTION**. The **MOTION** carried. (5-1)

**OLD BUSINESS**

**A. Discussion of County Comments for text amendment to Ch. 220 (SLDO) for inclusion of a fee in lieu of sidewalk construction**

Ms. Boyer stated that this fee in lieu of sidewalk construction was first introduced before the Planning Commission in June of this year. Since then, Township staff has received comments from Cumberland County Planning Commission. Comments that were raised by the County were would trails and other pedestrian easements be included. In the past the Township has allowed developers the option to provide walking trails throughout property in lieu of a traditional sidewalk installation to provide the required pedestrian access.

Mr. Steffan asked if this change would bring any hardships onto any smaller sized land development plans. Ms. Boyer said that no it will not.
Chair Willey entertained a motion with there being no more comments from the Planning Commission. Mr. Steffan made a MOTION to recommend approval for the text amendment updates to Chapter 220 (SLDO) for the inclusion of a fee in lieu of sidewalk construction. Secretary Walter SECONDED the MOTION. The MOTION passed unanimously. (6-0)

BUILDING INSPECTOR’S REPORTS

Chair Willey noted the Building Inspector’s Report for July & August 2019.

ADJOURNMENT

There being no further business Secretary Walter made a MOTION to adjourn. The MOTION was SECONDED by Mr. Siodlowski. Chair Willey adjourned the meeting at 8:32 PM.