

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



The November 8, 2017, Planning Commission meeting was called to order at 7:00 PM, by Chairperson Wendy Melhorn. Commissioners Miller, Rebman, Sweigart and Deering were present. The Mount Joy Borough Zoning Officer, Stacie Gibbs was also present. Lancaster County Community Planner Brad Stewart was also present.

Alternate Commissioner Steve Gault was also present and did not participate in any action taken by the Commission since all regular Commissioners were present.

MINUTES

On a motion by Miller and a second by Rebman, the September 13, 2017, minutes were approved, with corrections. Motion carried 5-0.

PUBLIC COMMENT

Jake Smeltz, 506 Rose Petal Lane, Mount Joy, advised that he is one of the Borough Councilors. He advised that planners are unique people, and he was one in East Donegal Township for six (6) years. He advised choices that are made today can affect what the community can look like tomorrow. He advised that the Commission has a lot of big ones coming up, and the Commission needs to get them right. The Borough Council is counting on the Commission to get them right. Smeltz advised that the main one he would like to talk about is the casino resolution. He advised that this was raised at the Borough Council meeting on Monday. He advised that there are some councilors open to the idea. He advised that the Commission should consider what this would look like to our community, as you look at the social and economic impact of what gambling does. He asked the commission to ask themselves if this is right for us. Smeltz advised that municipalities have a choice, and we can say no. We can say no for now and always change our mind later. He advised that he would not have come out tonight if this was not important. Smeltz advised that he spent his entire life in this county, and if the Commission wants to change the face of culture of people, do something like what they did in Harrisburg, and he promises it will happen. Smeltz said it does not need to happen here. Smeltz advised that it is fool's gold. Smeltz further advised that folks who believe that you can make money off constructing one of these things are looking for an easy way out. Smeltz advised that we should really know the people that we represent. Smeltz advised that he just came out with a public opinion poll, as he works for the state too, and 88% of people who voted in Lancaster County opposed slot machines being in Lancaster County. Smeltz advised that here in the 98th District which includes Columbia, Elizabethtown, and Mount Joy residents, voted 79% in opposition against slot machines being in the County. Smeltz advised that 8 out of 10 of your fellow citizens, whether the Commission talks to them or not, thinks this is a bad idea. Smeltz advised that he believes the Borough Council is going to need the Commission's help to get through this one. Smeltz advised that it really does matter, and thanked the Commission for taking it seriously. Smeltz advised that he hopes at the end of the day they make a good choice.

Ned Sterling, 13 W. Main Street, Mount Joy, advised that he would like to comment on item 7b as well, and that he would be supportive of the Resolution not to allow the mini casino licenses in Mount Joy. Sterling further advised that he would be opposed to the demolition of item 7c, of R& R Automotive for a parking lot. Sterling advised that Main Street Mount Joy is opposed to this demolition as well.

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



UPDATES

The Planning Commission was provided a copy of the Zoning and Code Officer report by email.

Gibbs advised that the Borough was notified that we have been recommended to receive funding by the Smart Growth Transportation Task Force, for the Borough's proposal to create a Complete Streets Implementation Guide, in the full amount of \$66,200. Gibbs advised the Borough is 1 of 4 being recommended for funding. Gibbs advised that final approval for the funding will be coming in a couple of weeks.

OLD BUSINESS

None.

NEW BUSINESS

Sandy Kime, ELA Group, prepared to present a sketch plan for Laurel Harvest Labs, and introduced Andrew Dodge, proposed developer. Kime also introduced Don Mann, owner of Donsco, and owner of the land where the proposed project is to be built. Kime advised that the plan sheets were submitted and a sketch plan meeting with staff and the Borough Engineer took place. Kime advised they received comments and responded. The property is a 27-acre piece of ground south of New Street and South East of South Barbara Street and South of South Jacob Street to the Borough line. Within the property there are side by side Borough Authority easements that cut through as shown on the plan East to West, and additional easements and right-of-way for the Authority. Last July, the authority recorded a new plan to improve their existing access to the new plant. The location of their improved driveway is shown in yellow on sheet 1. Kime discussed location of these improvements. Kime showed the existing cartway on the plan, and advised that they do not quite line up with the improvements. Kime advised with this plan, they are trying to line everything up. Kime advised that the Borough Solicitor pointed out in a letter that S. Jacob Street only goes down to New Street. There is a recorded plan of a Donsco Land Development Plan which depicts S. Jacob Street extended and to be offered for dedication. Kime advised, although it was shown on the plan, it was never offered or accepted for dedication. Kime advised that technically it is a paper street and does not have any legal bearing.

Kime advised that the applicant is proposing to subdivide off 10 acres of the 27 acres. Most development will be to the North of the two existing Authority easements as most of the drainage is to the South and that piece is not developable. As was indicated they are proposing a 105,000-square foot building to be done in phases. Phase 1 would be the eastern half approximately 52,500 square feet. Kime advised that they are still working trying to fine tune the floor plan, but the plan closely represents what the final plan would look like. Parking would be proposed in the front and east side of the building in phase 1. Their intent is to build all the infrastructure, as part of the phase 1 building. The phase 2 building is about a few years off.

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



As part of the improvements, New Street has a 40-foot right-of-way. They are widening new Street to meet the Borough specifications for streets which is a 50 foot right-of-way, and install curb and sidewalk on their side of New Street. Kime advised that they will be installing sidewalk along the entire frontage. South Jacob Street contains an undersized cartway. Kime advised that they talked with Borough staff on many ways to align it. One of the issues is trying to match up what the Borough Authority is trying to do. Kime advised that they met with the Engineers for the Borough and Borough Authority and provided many options and came up with improving S. Jacob Street as shown. They would be improving S. Jacob Street from New Street all the way down to the end of the 10-acre piece of ground. Curb on both sides, sidewalk only on the applicant's side. They are asking for a deferment of sidewalk on the east side only because when sidewalks get installed they are the first thing that breaks up. Installing sidewalk and street trees on the east side would be deferred until such time other Donsco properties are developed.

They are proposing to install a 300' radius curb on the centerline just South of new Street and just North of the Jeffrey Gingrich property. They are trying to do the best they can to line up with the Authority's driveway to the South. They need to still work out some issues with the Authority on how they can make the transition.

The building contains a fire line around the building. The use is for the manufacturing and processing of medicines, and they have advised that they met with the Borough's Zoning Officer and the use is a permitted by right in the Light Industrial Zoning District. Kime advised that the trucks that are going to service the business are box trucks or smaller. They really do not need a dock area. They do show a lane that goes around the property which would provide truck access. It is Kime's understanding that the dock access is in the building and is very secure. The lane also provides access for Borough fire trucks, and is designed to the largest fire truck. Truck turning movements were also provided.

Kime advised that they are showing the minor changes in the centerline of S. Jacob Street and it still does hit a small portion of Mr. Gingrich's property of 421 square feet. Kime advised that they still have not contacted him to discuss this. Kime advised that they need to discuss with Mr. Gingrich and get his ok to allow them to dedicate the 421 square feet to the Borough as part of the street improvements. Kime advised that if that does not happen, the option then is to move the street west. They are hoping Gingrich will work with them to allow these proposed alignments. Both New Street and S. Jacob Street will contain street trees and some evergreen screening, from New Street down to the Borough easements.

They will be modifying the area to the South to hold water run-off, to handle more stormwater than just their needs. Kime advised they will also have stormwater management directly on the site. In talking with Borough staff, Kime was made aware of walkways and trails that are set forth in the Borough's Official Map. Kime advised that when the other property of Donsco becomes developed, they are proposing street extensions of S. Barbara Street and sidewalk for both sides of S. Barbara Street and S. Jacob Street. Kime advised they are requesting deferment at this time because they do not want to put the street extensions, pathways and sidewalks in because they do not know how the remaining lands of Donsco will be developed. In addition, there is a requirement for a multi-use trail as shown on the Borough's Official Map that would connect the two streets, and Kime advised they are committing to install the trail as part of future development of the land. Kime advised that it is shown on the plan as a black dotted line to show that they are committing to doing that as part of the future development. Kime advised that may not be the exact location of the trail.

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



Kime advised that in his October 27, 2017 letter, he showed how they would address comments. Kime advised this is a sketch plan and they have not done a stormwater design. They have a general idea on how they are going to handle it. They are not asking for any waivers of stormwater. Kime advised that they are asking for waivers that have to do with the existing street system, and asking for deferment for what they feel is reasonable for when the other properties become developed. Kime advised there will be coordination with the Borough Authority. Kime does not want the Authority to build a 24' cartway, and 2 weeks later they come in and tear it up.

Sweigart wanted to make sure she understood that the property will remain under the ownership of Donsco and the tenant will be Laurel Harvest Labs. Kime advised the intent is to subdivide the property and make a 10-acre lot and that would be owned, maintained and operated by Laurel Harvest Labs, LLC. Sweigart also wanted to know exactly what the Lab does. Andrew Dodge advised that under the Pennsylvania Marijuana Act that was signed into legislation last April, Laurel Harvest will participate as a grower/processor of medical cannabis for use under the PA regulatory guidelines as prescribed under the law. Dodge advised that the uniqueness of their situation is they are qualified under section 20 of the act. Dodge advised they are partnering with a school in PA to conduct clinical research trials to improve and facilitate public health. Dodge advised they will be developing new strains of cannabis to advance medical science. Dodge advised there will be no sales, no point-of-purchase selling, and no cash transactions.

Sweigart advised that she did not see any fencing or anything on the exterior. Dodge advised that there are 28 legal medical states, in which there have been no breaches. Dodge advised that all loading and unloading will take place inside the building. Dodge advised that he printed out the state regulations that have been issued as of August 2017 for the 12 licensees that fell under the general licensees that have been awarded. Dodge further advised that there are 50 items listed for security. Dodge advised that he has a call into our Police Chief to bring their team in to meet with him to address any questions he might have. Dodge advised there are so many man-traps and redundant security systems within the building, this building is like a federal penitentiary. Dodge advised if you hit one button, all the walls will close. Dodge advised they are just a manufacturer and no one will really know based on the exterior of the building what they do. Dodge advised they want to be great stewards of the community and create jobs, and continue to pay real taxes for a real long time.

Josh Deering asked if any of their other facilities have fences around the building. Dodge advised that each state has different regulatory controls in place. Dodge advised that none of the states in which they operate out of have that requirements. Deering asked if they can meet the parking requirements. Kime advised they are showing one more additional parking space than what is required. Deering asked how many employees they think they will have. Dodge advised that at 18-24 months into operation they plan to have about 30-35 employees. Dodge advised that he cannot imagine more than once a day for truck traffic. Dodge said that is with what he calls a sprinter van who would be driving into an internal secure area. Dodge said all transactions are done within the building. There is really no history of vans hijacked and things of that nature.

Kime advised the traffic study is based on industrial buildings and it does not break it down, and it kind of averages out. Kime advised they did it two ways, one by the size of the building and one by the number of employees. They feel that the lower numbers are more relevant. If you have 80 people coming and in/out per day, that is 160. Sweigart asked what peak hours are. Kime advised

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



that peak hours are usually Monday through Friday, around 6:30 to 8:30 for the morning peak, and 4:30 to 6:30 is the evening peak. Kime advised that there are counters set out, and they take 4 consecutive 15 minutes times that are the highest, and all your traffic studies are based on that peak.

Dodge advised they will have security there 24 hours. Deering asked if the plant would be operational 24 hours. Dodge advised the plant would not be operations 24 hours a day for the first several months. It takes a while for the crop to germinate. So, there would be normal working hours.

Deering asked if they would be growing and harvesting. Dodge advised they are a grower/processor. Under Pennsylvania law, there is no allowance for selling flower into the state, so all the cultivation will be harvested down to the oils and pill form and the liquid that is allowed and permitted under law. Dodge advised that there will not be giant stalks of marijuana going out on the trucks.

Sweigart asked if Barbara Street will remain the way it is. Kime advised they do not have any plans for S. Barbara Street at this time. Kime does not know what kind of residential would be developed in this area. Kime advised S. Barbara Street would be extended and improved, when this area is developed.

Sweigart asked if the people on S. Barbara Street have been contacted regarding this plan. Kime advised that no one has been contacted as of yet. Sweigart asked if they knew where the entrance would be. Kime advised they are not quite sure where exactly the doors would be, but with the way the parking is set up, the doors may be in the Northwest quadrant. Kime advised that industrial buildings like this, they have "man" doors. All employees and visitors will all have to use one entrance. Kime advised this entrance will be as far away from the intersection as possible. Kime advised there will not be additional parking added in Phase 2. Phase 1 will consist of the maximum parking possible.

Deering asked if they could tell us what medical school they are partnering with. Andrew Dodge advised they cannot say at this time. But, plan to have a joint press release in the next couple of weeks. Dodge advised that competition have already released information. Dodge advised because the regulations have not been released by the state, they are being very guarded with what information they share. Dodge advised he believes the regulations will be released within the next 20 to 30 days. Dodge advised that he'd like to come back at that time to share the information and have a joint release. Deering asked if there is only 1 medical school. Dodge advised there are 8 medical schools in PA, the law prescribes each medical school can pick only one clinical research partner.

Gibbs advised that it is obvious they are at a public meeting and how do they plan on handling the questions. Gibbs advised that she understands they do not want to announce the school that they are partnering with, but Gibbs wondered what kind of public relation they plan after this meeting. Dodge advised they will field any questions and put out a simple statement. Dodge advised that their primary role is to address any questions the community may have. Dodge advised they want to stress that they will be great stewards of the community, and want to create meaningful jobs that will last for decades, and that AMTRAK is local. Gibbs asked Dodge is they were going to be sending something out to the neighbors to invite them to a local place to answer questions and describe the business.

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



Gibbs asked what made Dodge choose Mount Joy for the location of this facility. Dodge advised when they first presented to us, they had done a survey of different communities. Dodge advised that his family has been in this County for hundreds of years, along with the Mann family, whom they have known for a long time. The Mann's just happen to have land available. Dodge wanted to stay in the County and give more back and create more meaningful jobs, and his local relationships are here. Gibbs asked if it was abnormal to start the planning process prior to receiving state approvals and the license. Gibbs advised it is an awful lot of financial investing to do prior to receiving state approvals. Dodge advised this is not at all abnormal. Dodge advised they are not being score carded by the state, but by their proposed medical partner. Gibbs asked if a lot of their proactiveness is based on a particular time frame. Dodge advised that under the CR license, there is a post rules release that enables the public to comment on it. Then about 20 days later, they are approved.

Miller asked what the timeline is after State approvals for the applicant to come back to the Commission. Dodge advised they will begin construction right after the state approves and the Borough approves. Dodge advised that there is a part of the law that product is in the market 6 months after approval. Dodge advised that product must be started, which means construction must be completed. Dodge advised you can place a "box" on your property that is secured, and start germinating and cultivating seed, and comply. Kime is not quite sure exactly when they will be back. They are hoping to record plans in early Spring.

Gibbs asked Kime if the additional right-of-way of South Jacob Street will be presented to the Borough for dedication with this plan. Kime acknowledged that was correct.

Sweigart asked what would trigger Phase 2. Dodge advised that if patient count continues to grow and grower/processors cannot meet demand, that is when Phase 2 will start. Dodge does not see this second phase happening in the near future.

Deering asked if School Lane extension would be noted on this plan. Gibbs advised that would not be this developer. Gibbs advised the School Lane extension is shown on the plan. Deering asked if there would be a possibility of constructing a pedestrian bridge over AMTRAK to connect S. Jacob to Main Street. Kime advised if they had 3 million dollars to spare, because that is what it would cost. Gibbs asked if Laurel Harvest Labs would be interested in coming to the table in the near future if the Borough decided to investigate or venture into grant funding that would be available to construct a pedestrian bridge, and partner with the Borough. Dodge advised they would be willing to participate in any meaningful way that would not cost them 3 million dollars.

Gibbs asked if Brad Stewart, Community Planner with LCPC had any questions. Stewart advised that he thinks it is a great idea that Laurel Harvest wants to educate the public on the project, and on the security. Stewart also advised there is no dumpster shown on the plan, and how do they plan to account for the dumpster and garbage trucks. Dodge advised there will be some plant matter that they do not use and regulations state how it is to be disposed of. They can provide that information.

Gault advised that he was looking at the modifications request of section 240-27, and does not see why this modification is needed. Gault said the ordinance provides for applicants to go from a sketch plan to a preliminary/final plan.

Mount Joy Borough Planning Commission

November 8, 2017 Minutes



Kime advised that the ordinance states that when there is a temporary cul de sac, a temporary turnaround is required. Kime advised both Engineers advised the ordinance states a bulb is required. Gault advised state law requires a turnaround for the Borough to get liquid fuels money. Kime advised that a lot of times when you do a temporary turnaround, it is a smaller diameter. Kime advised they can do that at the transition point. Gault questioned if it would really be temporary and is this street ever going to be extended. Kime advised it will be extended, but for now it will be temporary. Gault advised that for it to qualify for liquid fuels money, it must be at least an 80-foot diameter. Gault suggested it be at least an 80-foot diameter, and not to put curb around it, but pave it.

Gault advised he does not see an issue with deferring the other improvements on S. Barbara Street and S. Jacob Street, but there would need to be an agreement that contains conditions and not actually contingent on further development since we do not know if the land would ever be developed. Gault further advised that he wouldn't like to see the southern portion of the Donsco land being used for stormwater.

Deering asked if Laurel Harvest would be willing to contribute any additional dollars to the Borough for Fire and Police protection. Dodge advised it is not budgeted right now, and would depend on the what the ask is, and what the ultimate benefit is to the community. Dodge advised that they are going to be here for a long time and what is in the best interest of the Borough is in the best interest of Laurel Harvest Labs.

Deering asked what is located across New Street. Gibbs advised there is a new business going into the Tyco location. Deering asked if Donsco owns the property. Gibbs advised Donsco does not own this building. Gibbs advised the other building to the west is vacant.

On a motion by Miller and a second by Deering, the Planning Commission recommended Council take action, and adopt a Resolution to opt-out of allowing for the use of Category 4 mini-casino licenses in the Borough. *Motion carried 5-0.*

On a motion by Rebman and a second by Deering, the Planning Commission authorized the Zoning, Code and Planning Administrator to send comments and questions to PennDOT, regarding the proposal of PennDOT to acquire and convert R & R Automotive, 20 E. Henry Street, Mount Joy, to surface parking at the Mount Joy Train Station as follows:

1. **The Mount Joy Borough Planning Commission and Mount Joy Borough Council acknowledged that they support the work of Main Street Mount Joy, and a letter was created and acknowledges Main Street Mount Joy's Commitment to Historic Preservation as adopted by**

Resolution on June 4, 2013. This letter further states that the Mount Joy Borough Planning Commission and Mount Joy Borough Council both reviewed this Resolution and took action to support the Main Street Mount Joy's Commitment to Historic Preservation which advocates for the planning and land use policies that support the revitalization of existing buildings within the Main Street Corridor. R & R Automotive and buildings on that lot are within the

Mount Joy Borough Planning Commission
November 8, 2017 Minutes



Main Street Corridor/project area. The Mount Joy Borough Planning Commission and Mount Joy Borough Council acknowledged and supported the Main Street Mount Joy's commitment to historic preservation, regardless of historic significance of a building, when it is within the corridor.

2. Is there a parking study for the Mount Joy Train Station project that indicates the need for additional off-street train station parking, in addition to the new parking created on W. Henry Street, the parking lot to be improved that is owned by PennDOT, and the off-street parking provided in the St. Mark's parking for train riders?
3. A portion of this building should be saved to create a commercial business that could serve the train riders and the community, and perhaps have parking underneath with the existing commercial business up above.

Motion carried 5-0.

On a motion by Miller and a second by Sweigart, the Planning Commission meeting of November 8, 2017, was adjourned. *Motion carried 5-0.*

Respectfully Submitted,

Stacie Gibbs, Zoning Officer