

Myerstown Borough Planning Commission Meeting
Monday, July 24, 2023, 7:00 p.m.

A meeting of the Myerstown Borough Planning Commission was held on Monday, July 24, 2023, at 7:00 p.m. in Room 3 of the Myerstown Community Center at 101 South Railroad Street.

Present were Chairman Ronald L. Ream, Vice-President Vince Podolski, Secretary Carl A. Weaver, Commission Member Michael D. Behm, Solicitor Amy B. Leonard, and Manager Michael R. McKenna.

The Chairman opened the meeting at 7:00 p.m.

Mr. Podolski moved, and Mr. Weaver seconded, to approve the minutes of the previous meeting held on April 24, 2023. The motion carried.

The Chairman opened the floor for citizens' and visitors' comments. Seeing none, he proceeded to the next item on the agenda.

The Chairman turned the floor over to Michael Groff, engineer from Ludgate Engineering Corporation, to present a preliminary/final land development plan on behalf of Neighborhood Bakery & Coffee, LLC for a proposed Dunkin Donuts restaurant at 291 West Lincoln Ave. Mr. Groff shared the development plan with the planning commission, pointing out specifics about existing buildings, stormwater BMPs, and utilities.

Solicitor Leonard noted that part of the parcel was in Jackson Township, and the property owner has received clean letters from both Jackson Township and Myerstown Borough regarding stormwater management requirements.

Attorney Colin MacFarlane from Kozloff Stoudt Attorneys, representing the property owner, noted that there were two outstanding issues relating to water and sewer. Regarding water, the property owner is proposing a new well to be drilled, and is awaiting a permit from DEP. Regarding sewer, the plans show a connection to the sewer lateral, but they will not know for certain if that lateral exists until construction begins and they can see the connection point.

Mark Zlocki, owner and operator of Neighborhood Bakery & Coffee, LLC, addressed the issue of the well by explaining that a representative from DEP has been on site and approved the location of the well. He stated that the reason they were drilling a well as opposed to connecting to the public water supply is because there were no water laterals that were easily accessible to the parcel. They would have to either obtain easements from neighboring property owners to access laterals on the other side of neighboring parcels or obtain permits from PennDOT to access a water main. Both were too time-consuming and expensive to be economically feasible for their business plan.

The Chairman asked if they had all required permits for the well. Mr. Zlocki explained that the location was approved, but there is still testing that needs to occur before the permit is given.

Solicitor Leonard explained to the planning commission that the borough is requesting that the property owner enter into two agreements with the borough. The first is a developers agreement to ensure that everything proposed on the development plan gets built as approved. The second is a stormwater operations and management agreement to ensure that all stormwater improvements on the property are maintained. Ms. Leonard also noted that financial security must be established with the County in the form of an escrow account to cover legal and engineering costs incurred by the borough.

Solicitor Leonard asked the property what their plans were for the other buildings on the property. Mr. Zlocki explained that the storage units would remain, but that they had no plans for the building on the property that was used for auto repair. Ms. Leonard noted that although those buildings are in Jackson Township, any change of use would require a zoning review from Myerstown Borough to determine if multiple commercial uses are permitted on the property, and if so, what requirements must be met with regard to access, setbacks, and other zoning items. She recommended to Mr. Zlocki that any plans for the use of the former auto repair building should be thoroughly researched with regard to land use regulations.

Myerstown Borough Planning Commission Meeting
Monday, July 24, 2023, 7:00 p.m.

Mr. Zlocki stated that the primary use of the property will be the Dunkin Donuts restaurant. He stated that he and his wife own 12 other locations, with the closest being in Robesonia. He said they are not absentee owners and are very active in the business communities where they have their restaurants. He said they live in Lancaster County, and are looking forward to donating to local causes and events, and being a part of the Myerstown business community.

Michael D. Behm moved and Carl A. Weaver seconded to approve to recommend that Council approve the preliminary/final land development plan for 291 E. Lincoln Ave. with the following contingencies: (1) a Highway Occupancy Permit approved by PennDOT must be obtained ; (2) permitting for the use of the on-lot well must be obtained from DEP (3) a developers agreement and a stormwater operations and management agreement must be entered into with the borough; and (4) financial security for the site improvements must be posted with the County. The motion carried.

The Chairman asked if there was any other business to come before the Planning Commission. Seeing none, he asked for a motion to adjourn.

Mr. Weaver moved, and Mr. Podolski seconded to adjourn the meeting. The motion carried.

The meeting adjourned at 7:44 p.m.

Respectfully Submitted,

Michael R. McKenna, MPA
Manager/Secretary