

## SHREWSBURY BOROUGH PLANNING COMMISSION

Regular Meeting: July 25, 2005

Planners        Jessica Buck, Robert Fisher, Michael Smelgus,  
Present:        George Smith, Bill Stumbo

Others         Mike Lee, Barb Krebs, Michael Farber,  
Present:        Paula Silverstein, Bernard Ilkhanoff,  
                    Karoline Cherry, Mike Cherry, Kathy Atkinson,  
                    Richard Winemiller, Ginny Edwards

Chairman Smelgus convened the regular meeting of the Shrewsbury Borough Planning Commission at 7:30 p.m. in the Municipal Building, 35 W. Railroad Ave.

### APPROVAL OF MINUTES

B. Stumbo moved to approve the minutes of the June 27, 2005 regular meeting. R. Fisher seconded the motion. The motion carried with all in favor.

### CITIZEN COMMENTS

None

### NEW BUSINESS

**Michael P. & Carol Ann Smelgus** - Special Exception #2005-5 - to allow a personal service and retail products sales at 60 North Main Street.

M. Smelgus excused himself from the Planning Commission while he presented the application. His Wife and Daughter would like to open a day spa which would consist of massages, facials and yoga classes. They would also like to sell products that pertain to the business. The hours of operation will fall within those allowed in the Village District. Past uses of the property have been a real estate office from 1984-1995, since that time, several consignment shops, massage parlor and beauty salon.

G. Smith made the motion to recommend approval of Special Exception #2005-5 to allow a personal service business at 60 North Main Street. R. Fisher seconded the motion. The motion carried with all in favor.

**Michael Farber on behalf of Bella Rose Properties, LLC.** -  
Special Exception and Variance #2005-6 - to allow a  
commercial school/day care at 2 and 6 Park Avenue.

Robert Fisher excused himself from the Planning Commission because he had comments since he lives next to the parking lot.

Attorney Ilkhanoff presented the application for a special exception and/or variance to allow a day care at 2 and 6 Park Street, which was the former location of the Shrewsbury Gospel Temple. The Zoning Hearing Board turned down the previous request because a day care is allowed in a commercial zone. They are resubmitting for a special exception under section 407.2 and 407.3, and/or a variance. There needs to be a correction to question 3 on the application. The answer needs to be changed to yes. Some of the past uses of the property included a Mason hall in the 1800's, a high school, 1910-1920, and a church from 1977 until now. There is also a graveyard located under the parking lot which may limit the use of the property. The church held Sunday school classes, and youth activities throughout the week which are similar to what a daycare provides. The daycare provides education in the form of learning the alphabet, singing, dancing, and crafts, while the church provided education in a religious aspect and also had singing and dancing. They will add buffers on the South, East and West sides for the neighboring residents. They are also willing to have a traffic study done to appease some of the neighbors whom have traffic concerns. They feel a daycare will have a positive effect on the neighborhood, while some of the allowed uses may have a negative effect. If the buildings are turned into apartments it is hard to predict what type of tenants may move in. The daycare currently cares for 68 children, but the number may increase to 120, more or less. The Department of Welfare will inspect the buildings to determine the number of children allowed. A variance is also being requested because the cemetery puts limitations as to what can be done to the property. Mike Lee stated that the building at 6 Park Street does not have a private access and a driveway cannot be put onto 851 because there is not a clear sight distance. Because of this, the properties would be difficult to subdivide.

The Planners reviewed the application. M. Smelgus stated that he feels Section 407.3 best applies to this

application. A church is not a nonconforming use, but there

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are many churches that have their own daycare. If a church bought the property they could run a daycare without applying to the Zoning Hearing Board. He also stated that he feels a variance cannot be granted because the property can be used for a residence or apartments. G. Smith stated that if the property is left vacant, it will fall into a state of disrepair that maybe worse for the neighborhood. B. Stumbo stated that if a daycare is allowed, the Zoning Hearing Board may attach a list of restrictions that will help address any of the neighbor's concerns. The Planners asked for comments from the neighbors.

Karoline Cherry, 38 West Forrest Avenue, is highly concerned about the increase in traffic that the daycare will bring, especially at the peak rush hours in the morning and evening. She stated that it is extremely difficult to see to make a left onto West Forrest Avenue because of the curve on 851. She also feels the daycare will decrease their property value. Mike Cherry stated that they would not have bought the house a year ago had the daycare already been there. There is already a heavy amount of traffic on both 851 and West Forrest Avenue and the daycare will greatly add to the traffic. Richard Winemiller, 121 West Forrest Avenue, is also concerned about the increase in traffic. He stated that there is excessive speeding now on West Forrest Avenue and the daycare will cause more traffic and safety issues. Robert Fisher, 120 West Forrest Avenue is concerned about privacy. He would like a buffer added to screen his house from the headlights of cars pulling into the parking lot and would like the hours limited to weekdays only, nothing on the weekend.

B. Stumbo made the motion to recommend approval of Special Exception #2005-6 to allow a daycare at 2 and 6 Park Street with the conditions that a detailed traffic analysis is done, buffers are provided for the neighboring properties, and the hours are limited to weekdays only. G. Smith seconded the motion. The motion carried with all in favor.

M. Smelgus made the motion to not recommend approval of the Variance because the property can be used for a residence or apartments as allowed in a residential zone. B. Stumbo seconded the motion. The motion carried with all in favor.

OTHER BUSINESS

None

BILLS AND COMMUNICATIONS

None

REPORTS

None

ADJOURNMENT

The meeting was adjourned at 9:08 p.m.

Prepared By

Doreen Smith

NEXT MEETING: August 22, 2005