

March 16, 2010

The East Lampeter Township Board of Supervisors met on Tuesday, March 16, 2010, at 7:30 p.m. at the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was called to order by Mr. David Buckwalter, Chairman and was followed by the Pledge of Allegiance. Supervisors present were: Mr. Roger Rutt, Mr. Michael Landis, Mr. John Shertzer, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

The following persons signed in as being present in the audience:

Mark Johnson, RGS Associates, 15 S. State Street, Brownstown, PA 17508, representing Mill Creek Square
Doug Plank, ELA Group Inc., 743 S. Broad Street, Lititz, PA 17543, representing Mill Creek Square
Lin Good, High Associates, 1853 William Penn Way, Lancaster, PA 17608, representing Shippen Realty Partners
Mark Stanley, Hartman Underhill & Brubaker, 221 E. Chestnut Street, Lancaster, PA 17602, representing Chick-Fil-A
Paul Fisher, 2623 Old Philadelphia Pike, Bird-in-Hand, PA 17505, representing Hand in Hand Fire Co.
Matt Shaffer, 7 Fisher Terrace, Willow Street, PA 17584
Benjamin Krothe 5th, 2480 Ellendale Drive, Lancaster, PA 17602
Ed Conway, 169 Park Place, Landisville, PA 17538
Joe Webber, 2487 Willow Hill Drive, Lancaster, PA 17602
Doug Weidman, 1032 Buchanan Avenue, Lancaster, PA 17603, representing Shippen Realty Partners
Julie Hoover, 10 Willowdale Drive, Lancaster, PA 17602
Donald Mallory, 13 Willowdale Drive, Lancaster, PA 17602
Sue Mallory, 13 Willowdale Drive, Lancaster, PA 17602
Richard Whitehead, 56 Eastbrook Road, Lancaster, PA 17602
Kathleen Whitehead, 56 Eastbrook Road, Lancaster, PA 17602
Mike Martin, 2432 Cypress Drive, Lancaster, PA 17602
Jim Moore Jr., 2436 Douglas Drive, Lancaster, PA 17602

Chairman Buckwalter announced that before continuing on with the agenda, he wanted to explain that the public hearing that was scheduled for this evening at 8:30 p.m. has been continued to April 20, 2010. This hearing is in regards to the property on the northeast corner of Rt. 30 and N. Willowdale Drive. He apologized to the residents who were present and explained that this was just discovered recently.

Minutes of March 1, 2010 Regular Meeting:

Chairman Buckwalter indicated that copies of this evening agenda and the minutes of the March 1, 2010 regular meeting were available in the back of the room for review and asked if there were any comments or corrections regarding the minutes as prepared. There were no comments.

A motion was then made by Mr. Eberly and seconded by Mr. Shertzer to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by unanimous voice vote.

Bills:

Chairman Buckwalter indicated that bills represented by various funds in the amount of \$1,413,521.61 were presented for payment. Chairman Buckwalter stated that of that amount, a little more than 1.2 million was for a payment to Fulton Bank for sewer system debt service. In addition to that, there is a

payment of \$44,000.00 for quarterly contributions to the Township fire companies, a contribution of \$6,000.00 to the Lancaster Library, a \$29,000.00 payment to Susquehanna Municipal Trust for the workman's compensation coverage, and a payment of \$20,000.00 to Wiley Insurance for property casualty coverage. A motion was made by Mr. Shertzer and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$1,413,521.61. The motion was passed by unanimous voice vote.

Old Business:

- a. Request for Reduction of Financial Security – High Associates: 1901 Olde Homestead Lane

Chairman Buckwalter explained that High Associates is requesting a financial security reduction for 1901 Olde Homestead Lane. He asked if there was anyone in the audience for this item. There was no one present. The Township Engineer reviewed it and is recommending a reduction of \$3,500.00, which will leave a new outstanding financial security balance of \$15,589.11. The Township Engineer has identified items that need to be addressed in a letter dated March 9, 2010.

Mr. Shertzer made a motion to approve the request for financial security reduction for the High Associates 1901 Olde Homestead Lane project in the amount of \$3,500.00, leaving a remaining balance of \$15,589.11, as recommended by the Township Engineer. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

- b. Request for Reduction of Financial Security – Country Club Apartments: Pitney Road

Chairman Buckwalter explained that Country Club Apartments on Pitney Road is requesting a financial security reduction. He asked if there was anyone in the audience for this item. There was no one present. The Township Engineer reviewed it and is recommending a reduction of \$47,333.00, which will leave a new outstanding financial security balance of \$39,165.65. The Township Engineer has identified items that need to be addressed in a letter dated March 11, 2010.

Mr. Rutt made a motion to approve the request for financial security reduction for Country Club Apartments on Pitney Road in the amount of \$47,333.00, leaving a remaining balance of \$39,165.65, as recommended by the Township Engineer. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- c. Request for Reduction of Financial Security – 44 Lancaster Associates: Rt. 30 East

Chairman Buckwalter indicated that 44 Lancaster Associates is requesting a financial security reduction. He asked if there was anyone in the audience for this item. There was no one present. The Township Engineer reviewed it and is recommending a reduction of \$8,000.00, which will leave a new outstanding financial security balance of \$2,000.00. The Township Engineer has identified items of concern in a letter dated March 11, 2010.

Mr. Eberly made a motion to deny the request for the financial security reduction for 44 Lancaster Associates, as recommended by the Township Engineer. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

- d. Request for Time Extension on Waiver of Land Planning – Weidman: 167 Greenfield Road

Mr. Lin Good of High Associates introduced himself as representing Mr. Doug Weidman of Shippen Realty Partners. Mr. Good thanked the Board members for the last time extension and stated that they

have been able to make a lot of progress with the property. They are requesting a month to month time extension on the waiver of land development plan.

Mr. Good then updated the Board with the status of the property. He explained that the Act 2 clearance is pending. The EPA study will not be completed until June 30, 2010. He then stated that the impound yard has vacated the property, High Associates lease to store salt has been terminated and they will be out by March 31, 2010, and the Vanguard lease to store office storage trailers has ended and they are in the process of moving the trailers out and have also vacated the air conditioning units that were stored there. He added that by March 31, 2010, the small concrete plant will be gone. The only tenant is Dean Landis who is occupying 15,000-20,000 square feet to do truck repairs inside the building.

Mr. Good stated that they have had two (2) potential buyers. One of those buyers is going for financing and they won't know until the beginning of May. There is no agreement with them because they are going through special financing through the government.

Mr. Good stated that there are two (2) businesses storing trailers on the site on a month to month basis. The businesses are Chas Levy-Source Interlink and Chick Roades. They would like to continue storing trailers on the site until it is sold.

Mr. Shertzer stated that the request for time extension would be until July at which time they would return to the Board to give an update on where they are at with selling the property.

Mr. Eberly made a motion to approve the request for time extension until July 2010 for the land development planning waiver for 167 Greenfield Road and the use to be restricted to Dean Landis and trailer storage. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

New Business:

- a. Request for Waiver of Land Planning – Hand in Hand Fire Company: Enterprise Drive

Mr. Paul Fisher introduced himself as representing the Hand in Hand Fire Company. They are requesting a waiver of land development plan processing to permit the construction of a roof over the hitching rail parking area.

Mr. Hutchison stated that the Planning Commission reviewed the plan and is recommending approval of the waiver.

Chairman Buckwalter reviewed the letter dated March 11, 2010 from Mr. Lee Young.

Mr. Landis made a motion to approve the request for the waiver of land development plan processing for Hand in Hand Fire Company to construct a roof over the hitching rail area, abiding by the comments listed in the letter dated March 11, 2010 from Mr. Lee Young. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

- b. Public Hearing re: Proposed Rezoning from R-2 Residential to C-2 Commercial for Property Located on the Northeast Corner of Rt. 30 & N. Willowdale Drive (8:30 pm)

The Board agreed to defer this agenda item until the end of the meeting.

Other Business:

a. Lancaster County LED Traffic Signal Conversion Program Agreement

Mr. Hutchison explained that the County Commissioners created a program this year out of grant funds that the County received to do energy conservation projects. They dedicated some funding to assist municipalities in the County with the conversion of their traffic signals from incandescent light fixtures to LED lights. The Township submitted an application with a list of the intersections that have incandescent light fixtures. They are asking all the municipalities that are participating in the program to enter into an agreement for this grant funding. The County will be going out through bidding to contract for the services throughout the County. The Township will then reimburse the County for their share of the costs which in this case is 21% of the total cost which would be \$9,544.00.

Mr. Shertzer made a motion to approve the Lancaster County LED Traffic Signal Conversion Program Agreement. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Public Comment:

Chairman Buckwalter asked if there were any public comments. There were no comments.

Chairman Buckwalter then stated that the Board would take a short recess and then reconvene with the meeting.

New Business (continued):

b. Public Hearing re: Proposed Rezoning from R-2 Residential to C-2 Commercial for Property Located on the Northeast Corner of Rt. 30 & N. Willowdale Drive (8:30 pm)

Chairman Buckwalter opened the public hearing for the proposed rezoning from R-2 Residential to C-2 Commercial for property located at the Northeast corner of Rt. 30 and N. Willowdale Drive at 8:30 p.m.

Mr. Mark Stanley, Esq. of Hartman Underhill & Brubaker introduced himself as representing the applicant Chick-Fil-A. He explained that as they work through some of their final issues, they request that the Board continue this hearing until April 20, 2010.

The Board members and Mr. Stanley then discussed an appropriate time to continue the hearing. It was decided to continue at 7:00 p.m. on April 20, 2010.

Mr. Hutchison stated that the property will be posted with the new date and time along with the directory on the front of the Township building.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Eberly to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, April 5, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager