

March 22, 2011

The East Lampeter Township Board of Supervisors met on Tuesday, March 22, 2011, 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. In addition to Mr. Buckwalter, supervisors present were: Mr. John Shertzer, Mr. Roger Rutt, Mr. Michael Landis, 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 Warrington
Angela and Wade McFarland, PO Box 270, Bird-in-Hand, PA 17505
Kay and Jim Nolt, 941 Louise Avenue, Lancaster, PA 17601
John Blowers, 102 Strasburg Pike, Lancaster, PA 17602
Kurt Engel, 200 Southridge Drive, Lancaster, PA 17602
Michelle Thudium, 207 Southridge Drive, Lancaster, PA 17602
Marcus and Meilan Liew, 1846 Windrow Drive, Lancaster, PA 17602
Lynn Commero, representing Lancaster Newspapers
Gregory Grasa, 1843 Windrow Drive, Lancaster, PA 17602
Carolynn Roseberry, 1844 Windrow Drive, Lancaster, PA 17602
Scott Bradbury, US Commercial Realty, 1650 Crooked Oak Drive, Lancaster, PA 17601, representing
Jim Nolt
Lee Young, East Lampeter Township Zoning Officer
Pam Sensenig, 213 Southridge Drive, Lancaster, PA 17602
Nelson Weaver, 211 Southridge Drive, Lancaster, PA 17602
Mike Snyder, 1851 Windrow Drive, Lancaster, PA 17602
Trent Brabant, 203 Southridge Drive, Lancaster, PA 17602
David Sinopoli, East Lampeter Township Assistant Zoning Officer
Jeff Bowlby, Diehm & Sons, Inc., 15 Toll Gate Road, Lititz, PA 17543, representing Evelyn Groff Estate
Kendra Hartman, 206 Southridge Drive, Lancaster, PA 17602
Chris Erb, 205 Southridge Drive, Lancaster, PA 17602
Tom Hartman, 206 Southridge Drive, Lancaster, PA 17602
Connie Kiser, 311 Mill Creek Road, Bird-in-Hand, PA 17505
Brad Kiser, 311 Mill Creek Road, Bird-in-Hand, PA 17505
Diane Frame, Keystone Custom Homes, 227 Granite Run Drive, Lancaster, PA 17601

Chairman Buckwalter indicated that copies of the agenda and minutes from the previous meeting were available for review.

Minutes of March 7, 2011 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the March 7, 2011 regular meeting as prepared. There were no comments.

A motion was then made by Mr. Shertzer and seconded by Mr. Rutt to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by a vote of three in favor and one abstaining. (Mr. Eberly abstained due to being absent from the March 7, 2011 meeting.)

Bills:

Chairman Buckwalter indicated that bills to be paid from various funds in the amount of \$228,783.53 were presented for payment. Chairman Buckwalter stated that included in that amount is a payment of \$140,532.50 to Fulton Bank for debt service and a payment of \$16,142.20 to Telco, Inc. for maintenance and repairs to traffic signals.

A motion was made by Mr. Rutt and seconded by Mr. Eberly to approve payment of bills as listed in the amount of \$228,783.53. The motion was passed by unanimous voice vote.

Old Business:

a. Resolution re: HOP Condition Statement for Tanger Intersection Improvement

Mr. Hutchison explained that the developers of Mill Creek Square are required to make an improvement to the intersection of the Tanger driveway and Rt. 30, which is essentially the installation of an eastbound right hand turn lane on Rt. 30 into Tanger. In order to get the Highway Occupancy Permit from PennDOT, the Township has to be the applicant because that intersection is controlled by a traffic signal that's permitted to the Township and the Township also had to be involved with acquiring the right of way necessary to complete this improvement. Mr. Hutchison added that the permit process includes a condition statement where PennDOT reviews the permit application and decides if the permit is fine subject to certain conditions and then lists these conditions. Since the Township is the applicant, PennDOT wants to see a resolution adopted by the Board which authorizes representatives of the Township to sign the condition statement for their records.

Mr. Shertzer asked if it was sufficient for just Chairman Buckwalter to be authorized to sign the condition statement.

Mr. Hutchison replied that is was.

A motion was made by Mr. Shertzer to adopt the resolution authorizing Chairman Buckwalter to sign the condition statement for the Highway Occupancy Permit for the Tanger intersection improvement. Mr. Eberly seconded the motion and it was passed by unanimous voice vote.

b. Southridge Farm Subdivision Streets – Speed Limit Signs

Chairman Buckwalter provided some background on this item. He explained that about 1½-2 years ago, a group of residents from Southridge Farm Subdivision approached the Board about putting up speed limit signs. The Board took action to do this which required adopting a resolution to have the signs installed. About two (2) months ago, the Board received a series of petitions from the neighborhood representing a fair amount of the residents requesting that the signs be removed.

Mr. Greg Grasa, 1843 Windrow Drive, Lancaster, PA 17602, spoke about how the placement of 27 speed limit signs is inconsistent with other developments in the Township.

Mr. Trent Brabant, 203 Southridge Drive, Lancaster, PA 17602, stated that he also feels that there are too many speed limit signs in the development and how they are placed at every intersection.

Chairman Buckwalter responded to this comment by explaining how staff had placed the speed limit signs in positions so that the speed limit can be enforced. The speed limit signs must be located within a certain distance of intersections in order to enforce the speed limit or it can be challenged.

Mr. Chris Erb, 205 Southridge Drive, Lancaster, PA 17602, stated that he felt that too much money was spent for signage in the development and that no speed traps have ever been run by the Township police in the development. He added that drivers run stop signs and how this is used as a short cut between Lincoln Highway East and Millport Road.

Mr. Kurt Engel, 200 Southridge Drive, Lancaster, PA 17602, stated that safety is first and foremost. He added that the number of signs are an eyesore and a nuisance having to mow around them. If the police are not going to enforce the speed limit, then the signs might as well be removed.

Mr. Mike Snyder, 1851 Windrow Drive, Lancaster, PA 17602, commented that there are more signs in this development than there are on Rt. 30. He added that there should have been a survey from the public for their input before placing the signs.

Mr. Engel questioned whose law it is that requires so many signs be placed.

Mr. Hutchison responded that it is required by PennDOT regulations which the Township must follow when they are posting speed limit signs.

Mr. Grasa said that he believes that the PennDOT regulations are only guidelines.

Ms. Michelle Thudium, 207 Southridge Drive, Lancaster, PA 17602, stated that the speed limit is not enforced and that the traffic signs have not changed the behavior of the drivers in the neighborhood.

After a brief discussion among the Board members, Mr. Shertzer made a motion to have the Township staff prepare an ordinance to repeal the current 25 mph speed limit ordinance for Southridge Farm Development. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

- c. Decision re: Historic Overlay Conditional Use Proposal for a Restaurant – Nolt's Mill, Old Philadelphia Pike

Chairman Buckwalter explained that there was a public conditional use hearing that went into two (2) meetings. He asked that the Board members express their feelings about this proposal and then a decision would be announced. Chairman Buckwalter added that Mr. Eberly would abstain from this agenda item since he was not present at the last meeting.

Mr. Shertzer spoke in favor of the application subject to certain conditions. He expressed his concern with the safety of the mill race and keeping it going and also the historic preservation of the mill. Mr. Shertzer mentioned the hours of operation and his concern of patrons leaving the establishment and their headlights shining across the road onto the Petersheim property.

Mr. Rutt stated that he mirrors the concerns of Mr. Shertzer and is satisfied with the conditional use proposal that the Township solicitor has drawn up.

Mr. Landis asked about the weekend hours not being agreed upon.

Mrs. Angela McFarland, the applicant, replied that they do not want to set the hours at this time and want to see how busy they would be.

Mr. Wade McFarland commented on the headlights shining onto the Petersheim property.

Mr. Landis stated that he is in favor subject to the conditions.

Chairman Buckwalter reviewed the draft decision prepared by the Township solicitor Mr. Stephen Kraybill, Esq. and read the proposed conditions. He then entertained a motion to approve this conditional use decision.

A motion was made by Mr. Landis and seconded by Mr. Shertzer to approve the conditional use application for Nolt's Mill as presented by the Township solicitor. The motion was passed by a vote of four in favor and one abstaining. Mr. Eberly abstained.

d. Warrington Final Subdivision & Land Development Plan #10-19 – First Phase: New Holland Pike & Hornig Road

Mr. Mark Johnson of RGS Associates introduced himself, Ms. Diane Frame of Keystone Custom Homes, and Mr. Rob Lewis of Kaplin and Stewart. Mr. Johnson reviewed the plan with the Board members including the landscaping site amenities in the open space.

Ms. Frame discussed the architectural information with the Board and handed out binders with the information. She stated that there would be a minimum of four (4) wrap around porches at locations shown under Tab 1 of the binder. Ms. Frame then reviewed the architectural requirements under Tab 2.

Mr. Hutchison stated that one remaining point that staff would like to make sure is covered is related to the open space. Staffs concern is not that there will be less open space provided than what the applicant said they were going to provide through the conditional use process, but the type of open space that is to be provided. Mr. Hutchison explained the requirements of the open space ordinance.

After a brief discussion, a motion was made by Mr. Eberly to approve the Final Land Development Plan #10-19 for Warrington Phase I subject to the conditions identified on the letter dated March 22, 2011 from David Miller Associates and working out the open space issues to the satisfaction of staff. Mr. Shertzer seconded the motion and it was passed by unanimous voice vote.

New Business:

a. Groff Estate Lot Add-on Plan #11-05: 2324 Leaman Road

Mr. Jeff Bowlby of Diehm & Sons, Inc. introduced himself as representing the Evelyn Groff Estate. Mr. Bowlby then reviewed the plan and the comment letter dated March 4, 2011 from David Miller Associates listing waiver requests. He explained that Mr. Herbert Groff is proposing to subdivide an 8.973 acre parcel from an 81.01 acre lot to be added to an existing 2.027 acre lot to create a new 11.00 acre lot.

A motion was made by Mr. Eberly to approve the Add-on Plan #11-05 for the Groff Estate at 2324 Leaman Road and granting the preliminary plan waiver and deferral of the street widening and curbs and sidewalks. Mr. Landis seconded the motion and it was passed by unanimous voice vote.

Other Business:

a. Consideration of Tourism Development Area Signing District Letter of Support

Mr. Hutchison explained that this is a letter of support for the Lancaster County Planning Commission staff to work with state agencies to develop the new state Regional Wayfinding Signing Program that show tourist highlight attractions that best represent what our community offers to visitors.

A motion was made by Mr. Eberly to authorize Mr. Hutchison to send the letter of support to the Lancaster County Planning Commission for the signage program. Mr. Rutt seconded the motion and it was passed by unanimous voice vote.

Public Comment:

There were no comments.

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 4, 2011 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager