

April 15, 2008

The East Lampeter Township Board of Supervisors met on Tuesday, April 15, 2008 at 7:30p.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. David Buckwalter, Mr. Glenn Eberly, Mr. Michael Landis, Mr. G. Roger Rutt and Mr. John Shertzer. Also present was Mr. Ralph Hutchison, Township Manager.

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

Irl and Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601  
Susan Snyder, 435 Mt. Sidney Road, Lancaster, PA  
Stephen Knight, Evans Engineering representing Weis Markets  
Joseph Peters, Evans Engineering representing Weis Markets  
Robert Weitzel, 151 Iris Drive, Lancaster, PA 17602  
Kara Kalupson, ELA Group representing High Associates  
Dennis Gehringer, Gehringer Associates representing 44 Lancaster Associates  
Derek Day, Evans Engineering representing Weis Markets  
Bob and Suealyce Kutz, 35 N. Eastland Drive, Lancaster, PA  
David Butterworth, representing Red Rose Races.com, Inc.  
Rich Ruoff, representing Red Rose Races.com, Inc.  
John Blowers, 105 Strasburg Pike, Lancaster, PA

#### Announcement of Executive Sessions

Chairman Buckwalter indicated that the Board of Supervisors held an executive session prior to the beginning of the meeting for the purpose of discussing matters of litigation and that the Board would be meeting again after the public meeting was over for the purpose of discussing matters of litigation.

#### Minutes of March 18, 2008 Regular Meeting:

Chairman Buckwalter indicated that copies of the minutes of the March 18, 2008 regular meeting were available for review. Chairman Buckwalter asked if there were any comments regarding the minutes as prepared. There were no comments. A motion was then made by Mr. Eberly and seconded by Mr. Landis to dispense with the reading of the minutes and approve the minutes as presented. The motion was passed by a voice vote of three in favor and two abstaining. Mr. Rutt and Mr. Shertzer abstained from voting due to the fact that they were not present for the March 18, 2008 meeting.

#### Bills:

Chairman Buckwalter then indicated that bills represented by various funds in the amount of \$411,188.17 were presented for payment, copies of which were available for review. He noted that this amount included the first quarter sewer charges of \$126,245.98 from

the City of Lancaster, \$50,314.34 to Hand in Hand Fire Company as the Township's share of a new vehicle and \$9,137.73 to U. Leacock Township as a transfer of fines received. After review of the bills list, a motion was made by Mr. Landis and seconded by Mr. Rutt to approve payment of bills as listed in the amount of \$411,188.17. The motion was passed by unanimous voice vote.

Chairman Buckwalter indicated that there were two agenda items which he would not participate in due to his employment with High Steel Structures. He further indicated that they would be items 5 a. and 6 b. which involve High Associates. He then turned the meeting over to Mr. Rutt, Vice Chairman.

Old Business:

a. Mill Creek Square Conditional Use Decision re: Condition #33

Vice Chairman Rutt asked Mr. Hutchison to provide some background on this agenda item. Mr. Hutchison said that the Mill Creek Square Shopping Center was before the Board in 2007 as a Conditional Use application and that it went through a series of Conditional Use hearings which culminated in a conditional approval of the application in October, 2007. Mr. Hutchison also indicated that one of the conditions of approval, condition number 33, required that the applicant complete an analysis of a proposed additional traffic improvement to create a third east bound travel lane on Rt. 30 from approximately Greenland Drive to the Tanger Outlets. In addition, he said, the condition requires that the applicant offer a fair share contribution toward the completion of this improvement. Mr. Hutchison then indicated that the applicant has presented information from their traffic engineer related to this condition and that the Township traffic engineer has reviewed this information. He also said that conditional use decision indicates that condition number 33 is to be resolved during the land development planning process for this project and that the land development plan application has been submitted by the applicant.

Mrs. Caroline Hoffer, Esq. was in attendance to represent the applicant and addressed the Board on this topic. She reviewed the information provided to the Board regarding the analysis completed by the applicant's traffic engineer. She also reminded the Board that the improvement proposed by condition number 33 would not extend all the way to Tanger Outlets because one of the other conditions of approval requires the applicant to create a right turn lane into Tanger and so the proposed additional improvement would connect with this right turn lane. Mrs. Hoffer then said that the conclusions reached through the analysis and review process indicate that there will be no material level of service improvement realized on the Rt. 30 corridor by the proposed improvement. She also said that the Township's traffic engineer pointed out that the cue length at the intersection of Rt. 30 and Harvest Drive would be reduced by the proposed improvement. She further noted that the applicant's traffic engineer noted that the other improvements planned by the applicant will reduce the cue length at this location without this additional improvement. Mrs. Hoffer then indicated that the estimated cost of the improvement contemplated by condition number 33 is \$1.9 million excluding the cost of right of way

acquisition. She also stated that the high cost is partially due to the cost associated with widening of a bridge. She further indicated that she would expect that the cost of right of way acquisition would be very expensive due to the impact which this project would have on the Starbucks location. Mrs. Hoffer also said that the traffic engineers agree that due to the costs of the proposed improvement that it cannot be justified. She then indicated that the traffic engineers also looked at the possibility of adding the proposed third east bound travel lane from Wawa to Harvest Drive but that the analysis indicates that no level of service improvement would be realized. She further indicated however, that this improvement would provide some practical benefits to the corridor and that for an estimated cost of \$205,000 it can be justified. She then indicated that based upon the Township Engineer's estimate that Mill Creek Square traffic represents 17% of the total, that the applicant is offering a \$35,000 contribution towards this improvement. Mrs. Hoffer then noted that the use of these funds would be at the Township's discretion.

There was then an extended discussion among the Board members and Mrs. Hoffer regarding Condition #33, the analysis provided by the applicant and the proposed contribution from the applicant. During this discussion, Mr. Eberly suggested that the installation of a traffic signal at the intersection of Rt. 30 and Greenland Drive might be a more desirable improvement to pursue rather than the extension of the third east bound travel lane. He indicated that residents in the area are looking for the availability of another way to access to Rt. 30 in addition to Oakview Road. He also suggested that this improvement could be completed more economically by the applicant as a part of its improvement plans rather than as a stand alone project by the Township. He then suggested that there could be a cost sharing arrangement settled upon in order to achieve this result. Mr. Hutchison indicated that he felt that this idea would help to address concerns expressed by the residents in this area. Mr. Eberly asked if anyone could estimate how much a traffic signal installation in this location might cost. Mr. Castillo, also representing the applicant indicated that he thought that it would cost about \$150,000 to construct. Mr. Hutchison pointed out that there would be engineering and other costs involved in such a project. Mr. Castillo estimated these costs to be approximately \$25,000 to \$35,000. Mr. Castillo also indicated that the applicant would not object to reallocating their contribution in the corridor to address this intersection and that they would work with the Township to pursue this additional traffic signal if that is the Board's desire. He also said that he would like to resolve condition number 33 so that the applicant can withdraw their appeal of the Board's conditional use decision.

Mr. Eberly asked Mr. Hutchison about what the next steps should be to pursue this traffic signal project. Mr. Hutchison indicated that the cost sharing arrangements would have to be discussed with the involved property owners and that a determination of the scope of improvements to be made should be resolved. He also said that he would be happy to organize meetings for this purpose. Mrs. Hoffer pointed out that the obligation of the applicant is to satisfy condition number 33 as it was written and that she would prefer that this be addressed first and then as a part of the land development process the traffic signal can be addressed as a reallocation of the contribution provided by the applicant. She suggested that consultation with the Township Solicitor on how to satisfy the condition and pursue this new improvement proposal would be needed. Mrs. Hoffer also noted that

there are other parties to the litigation of the Board's conditional use decision and that a resolution of this condition is needed as a result. Mr. Eberly indicated that he felt that so long as the applicant was working with the Township in good faith to achieve the best possible improvement result that the mechanics of how it gets done will be found. He then suggested that Mr. Hutchison begin working with the applicant and the traffic engineer's to determine the feasibility of installing a traffic signal at the intersection of Greenland Drive and Rt. 30. No further action was taken on this agenda item.

Chairman Buckwalter rejoined the Board at this time.

- b. Request for Time Extension to record approved plan: 44 Lancaster Associates – Lincoln Highway East

Mr. Dennis Gehringer was in attendance to represent this request. He indicated that the applicant had nearly completed their work to satisfy all of the conditions of approval and expected to be able to record the plan prior to June 2, 2008.

Mr. Eberly then made a motion to approve of the time extension request to record the 44 Lancaster Associates Land development plan no later than June 2, 2008. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

- c. Request for Financial Security Reduction – Falls at Old Mill Subdivision

Chairman Buckwalter indicated that this request had been reviewed by the Township Engineer who made a recommendation to reduce the financial security for the Falls at Old Mill subdivision by \$329,745.07. There was no one in attendance to represent this request.

Mr. Eberly then made a motion to approve a reduction in the Financial Security for the Falls at Old Mill subdivision as recommended by the Township Engineer. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

#### New Business:

- a. Weis Market Lot Add on Plan #08-02: 1631 Lincoln Highway East

Mr. Stephen Knight of Evans Engineering was in attendance to represent this application. He indicated that Weis Market is proposing to join together two properties currently owned by Weis Markets near the intersection of Lincoln Highway and Old Philadelphia Pike. He further indicated that Weis Markets has another application in to the Township for a land development of this site which will be before the Supervisors at a future meeting. Mr. Knight also said that the plan had been through reviews by the Township Engineer and Planning Commission and that there were outstanding issues related to the dedication of right of way and the completion of frontage improvements. He then stated that he had added notes to the lot add on plan indicating that these issues would be addressed on the land development plan. He requested that the Board accept these notes

to satisfy these outstanding comments. He further indicated that the remaining comments from the Township Engineer will be taken care of prior to recording the plan.

There was then a brief discussion regarding the other review comments provided by the Township Engineer. Mr. Hutchison then suggested that the notes added to the plan regarding the frontage improvements and right of way include a time limit so that if the land development plan would not proceed that these improvements and changes would be completed as a part of the lot add on plan. Mr. Hutchison also suggested that the time limit be set to require the posting of financial security within one year and actual construction within two years. Mr. Knight indicated that Weis was hoping to begin construction shortly and so he had no problem with adding the suggested time limits to the plan note.

There was then a brief discussion regarding the remaining two lots which the Weis Market sits on and the historical development of the property. Mr. Eberly then made a motion to conditionally approve the Weis Markets lot add on plan #08-02 and requested waiver subject to the Township Engineer's review comments and subject to the plan note regarding the frontage improvements reflecting that the applicant has one year to post financial security for them and two years to complete the construction of them. The motion was seconded by Mr. Landis. Chairman Buckwalter asked if there were any questions or comments from the audience. There were none. The motion then passed by a unanimous voice vote.

b. High Associates Land Development Plan #08-04: 170 Independence Court

Chairman Buckwalter recused himself from this item due to his previously stated conflict. Vice Chairman Rutt then assumed the Chair for this item.

Mr. Ken Hornbeck of High Associates was in attendance to represent this application. Kara Kalupson, ELA Group was also present for this application. Mr. Hornbeck indicated that the proposed project is for the construction of a self storage facility that will include a three story climate controlled building and single story conventional self storage buildings as well. He also indicated that the facility would be available to the users 24 hours a day via a key card control system. Mr. Hornbeck also indicated that the property frontage is along Rt. 30 even though it does not have access to Rt. 30. Therefore access to the site is being provided via a driveway across another property owned by High Associates. He also showed the Board an architects rendering of what the facility is planned to look like. Mr. Hornbeck then indicated that the plan had been reviewed by the Township Planning Commission who recommended conditional approval and that he was requesting that the Board also act to conditionally approve the plan. Mr. Rutt asked who the customers would be for this facility. Mr. Hornbeck indicated that they expect to serve business who store records, apartment renters who have personal property that doesn't fit into their apartment and those with extra vehicle who wish to have garage storage. Mr. Landis asked if there would be any storage allowed outside of the planned buildings. Mr. Hornbeck said that all storage would be inside of the buildings. He also confirmed that the driving areas would be paved surfaces. Mr. Eberly asked if Independence Court was a

private street. Mr. Hornbeck indicated that it is a public street. Ms. Kalupson said that the site is approximately 330 feet from the end of Independence Court and that an access easement of that length would be provided to the site. Mr. Hornbeck indicated that the plan provides for the extension of the existing curbing along the south side of Independence Court to and into the development site. He also noted that they would be providing striping, directional arrows and signage to further delineate the access provided to the site. Mr. Eberly asked about the handling of storm water in Independence Court. Mr. Hornbeck said that they are aware of occasional flooding conditions in Independence Court but that this proposed development will provide storm water management so that it does not make this condition any worse. He also indicated that they have been communicating with Norfolk Southern about increasing the size of the existing storm water pipe that carries storm water under the railroad or adding a second such pipe. Mr. Hutchison asked where the existing pipe goes after crossing under the railroad. Mr. Hornbeck said that the existing 18 inch pipe discharges onto the ground approximately 10 yards from an existing 36 inch pipe which picks up this water and other water in the area. It was noted that there may or may not be an easement existing for this storm water pipe across the property on the south side of the railroad tracks.

The review comments provided by the Township Engineer were then reviewed. There was some discussion regarding the requirement for this plan to comply with the Park and open space provisions of the ordinance. At the conclusion of this discussion the Board members agreed that the Park and Open space provisions would not apply to this plan.

Mr. Hutchison then expressed his concern regarding the fact that Independence Court was not constructed in accordance with previously recorded plans to create a cul de sac at its end. He also strongly recommended that this be a requirement for the approval of this plan so that those using and maintaining the public street will be able to see where the public road ends and the private driveway begins. Mr. Hornbeck indicated that they have chosen to address the flooding problem in Independence Court rather than the construction of the cul de sac because they see the flooding issue as more of a public safety concern. Mr. Hornbeck questioned the benefit to be gained by the completion of the cul de sac and indicated that they could not construct the cul de sac and address the flooding issue. There was further discussion regarding the cul de sac with the Board members. At the conclusion of this discussion it was resolved that additional research needed to be done related to the history of the cul de sac, the issues related to completion of the cul de sac and the issues related to addressing the flooding conditions on Independence Court.

Mr. Shertzer made a motion to table action on Land Development Plan #08-02 for 170 Independence Court until the Board's meeting scheduled for May 5, 2008. The motion was seconded by Mr. Landis and passed by unanimous voice vote. (Mr. Buckwalter did not participate in the discussion and did not vote on the motion)

Chairman Buckwalter rejoined the Board at this time.

c. Request for Land Development Planning Waiver – King: 2576 Bachmantown Road

Mr. Daniel King was in attendance and explained to the Board that he planned to demolish an existing dwelling which is attached to the existing farm house and to build a new separate detached dwelling at a new location on the farm. Mr. Hutchison indicated that the only issue which the Township staff would recommend be addressed would be an inspection of the on lot sanitary sewer system in order to be certain that it is functioning properly.

After a brief discussion, Mr. Landis made a motion to conditionally approve the requested waiver of land development planning for 2576 Bachmantown Road subject to the applicant obtaining an inspection and approval of the existing on lot sewer system by the Township's Sewage Enforcement Officer. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

d. Request for ECHO Agreement: Kutz – 35 North Eastland Drive

Mr. Robert and Mrs. Suealycy Kutz were in attendance to represent their request. Mr. Kutz indicated that they wish to add a kitchen to the basement of their existing home in order to create a dwelling unit for his in laws. He also said that they had been before the Zoning Hearing Board and received variance approval for this request as well. Mr. Kutz expressed uncertainty about the ECHO agreement's reference to this dwelling being a "temporary" dwelling. Mr. Hutchison explained that in order to create the dwelling under an ECHO arrangement rather than through the land development planning process requires that the dwelling be removed at the point in time when the family members are no longer residing in the newly created dwelling. Mr. Kutz indicated that he understood that the kitchen would be removed at that time.

Mr. Shertzer then made a motion to approve the request for an ECHO agreement for the Kutz property located at 35 North Eastland Drive. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Other Business:

a. Request to suspend Township Curfew Ordinance for Post Prom Activity

Chairman Buckwalter indicated that the Post Prom Committee has requested that the Township suspend the normal curfew limitations between 4 am and 6 am on Sunday, May 4, 2008. Mr. Landis asked Mr. Hutchison if the Township Police Department has had any problems with this issue in prior years. Mr. Hutchison said that they have not but that in prior years the suspension was for only one hour and that for those students who do not have senior driver's licenses, state law restricts their ability to drive prior to 5 am. He said that parents and students in that situation will have to resolve this issue on their own.

Mr. Shertzer then made a motion to approve of the suspension of the Township curfew for the Post Prom activities at the Conestoga Valley High School for the time period of 4 am to 6 am on Sunday, May 4, 2008. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Request to use Township Roads for GS Lancaster Bicycling Race – June 15, 2008

Chairman Buckwalter indicated that this race has been conducted on an annual basis in the Greenfield Corporate Center. Mr. Hutchison noted that this race has been conducted for a number of years and that they do not close the Township Roads during the event. He also noted that the organizers provide the Township with a certificate of insurance naming the Township as an additional insured for the event.

Mr. Landis then made a motion to approve of the use of Township roads for the GS Lancaster bicycle race to be held on June 15, 2008 in the Greenfield Corporate Center. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

- c. Request to use Township Roads for Bird in Hand Road Race – June 14, 2008

Chairman Buckwalter then indicated that this request was also for a bicycle race to be held in the Bird in Hand area on June 14, 2008. Mr. Rich Ruoff of Red Rose Races was in attendance to represent this request. Mr. Ruoff said that this race was held on one earlier occasion a number of years ago. He also stated that the race would close Church Road, a small portion of which is in East Lampeter and would affect but not close a portion of Beechdale Road in East Lampeter. He also noted that the remainder of the race course would be in Upper Leacock and Leacock Townships. Mr. Ruoff indicated that they would provide the Township with a certificate of insurance for the event. There was a brief discussion regarding how the race would be conducted, the hours of the event and parking arrangements for participants and spectators.

Mr. Shertzer then made a motion to approve of the use of Township Roads for the Bird in Hand Road Race on June 14, 2008 as requested by Red Rose Races. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- d. Request to Authorize Replacement of Sewer Maintenance Vehicle

Chairman Buckwalter asked Mr. Hutchison to explain this request. Mr. Hutchison said that the Township lost our large Sewer Maintenance Vehicle in a fire at a garage where the vehicle was being serviced late in December of 2007. He noted that this vehicle was used for Sewer system maintenance and emergency repairs and that the vehicle had been purchase by the Township in 1997. He also indicated that Township staff has been looking into the replacement of the vehicle and dealing with the insurance issues related to this loss since the time of the fire. He said that the insurance settlement with the Township's carrier would pay the Township approximately \$81,000 as the depreciated

value of the lost vehicle and that these funds would be used towards the replacement cost of a new vehicle. He then indicated that the Public Works staff has investigated the various types of similar vehicles available in the market and has recommended the purchase of a vehicle manufactured by Gap Vax, Inc. at a cost of approximately \$340,000. Mr. Hutchison also indicated that Township staff is recommending that the Township borrow funds to pay for this purchase at the time when payment is required. He suggested that the borrowing would be for all or nearly all of the cost for a period of seven years so that there would be no impact on the Township's 2008 or 2009 budgets. He also noted that the Township would have cash on hand to pay for the purchase but that this was not provided for in the 2008 budget because the fire occurred after the budget had been approved. Mr. Hutchison then said that because of the time involved for the manufacture of the vehicle and the impact which the loss has had on the Township's ability to perform preventative maintenance on the sewer system as well as response to sewer emergencies, he requested the Board's authorization to order the new vehicle so that the Public Works Department can plan to receive the vehicle in about eight months. Chairman Buckwalter asked Mr. Hutchison how long the Township would expect this new vehicle to last. Mr. Hutchison said that his expectation is that it would last twenty to twenty five years. Mr. Shertzer asked if the purchase would have to be advertised for bids. Mr. Hutchison said that the proposal is to make the purchase from a cooperative purchasing contract which would therefore allow the Township to make the purchase without a separate bidding process. Mr. Landis asked if there were any additional funds which could be pursued through insurance resources. Mr. Hutchison said that he is confident that the settlement amount offered by the Township's carrier is the most that the Township could have received. Mr. Eberly asked if the Board was being asked to approve of the financing as well as the purchase. Mr. Hutchison said that he would ask the Board to consider the financing available approximately sixty days prior to the anticipated delivery of the vehicle.

Chairman Buckwalter asked if any audience members had questions or comments about this subject. There were none. Mr. Shertzer then made a motion to authorize Township staff to order a Sewer Maintenance vehicle from Gap Vax, Inc. as proposed by Township staff for a cost not to exceed \$340,000. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

Public Comment:

Irl Duling, 824 Stumpf Hill Drive read a note from Mr. Ken Stoudt who was unable to attend the meeting. The note asked the Board to take action on the petition submitted for the repeal of the optional density incentive provisions of the Township Zoning Ordinance. The note also indicated that the residents are not opposed to the concept of increasing density in some areas in order to preserve farmland in other areas. The note also asked that the Board schedule a public hearing where the repeal of these zoning ordinance provisions would be considered. Chairman Buckwalter said that he understood that one of the reasons for requesting repeal of these zoning ordinance provisions was to prevent the submission of a new application using the current provisions. He then indicated that there are two location in the Township where these provisions could be

applied and noted that one of them is located off of Strasburg Pike and the other is situated between Lincoln Highway and Millport Road. He also said that he believed that there is very little likelihood that either of these locations will be developed in the near future. Mr. Duling asked about the Heller property located on Willow Road. Chairman Buckwalter said that the Heller property is not eligible to use these provisions because it is not in the R-2 zoning district. He then said that he wanted to point out these facts in order to take away the perceived urgency to act on the request to repeal. He also said that he would like to hear from the Board members in order to map out a plan of action to address the concerns about the ordinance. He further stated that he believes that the Board members want these ordinance provisions to be as tight as they can be and to benefit the community. Chairman Buckwalter also indicated that he felt that it would be best to consider the issues carefully before taking any action on the ordinance. Mr. Eberly said that one of his goals in the adoption of the current ordinance provisions was to create developments that were unique and architecturally pleasing. He also said that he found it difficult to put some of the concepts into words for the ordinance. He then indicated that he would like to see if the portions of the ordinance which addresses these issues could be improved and that he would suggest that a meeting be scheduled among Township representatives and Mr. Tupitza in order to explore possible amendments to the ordinance. He also said that he continues to support the basic concept of the provisions but that improvements should be considered. Mr. Rutt indicated that he remains supportive of the concept of these ordinance provisions and also supports the idea of organizing a group to begin talking about improvements to the ordinance. He also indicated that he would prefer to hear more specifics about the concerns related to the ordinance rather than broad statements which suggest that the entire ordinance is flawed. Chairman Buckwalter then expressed his concern that some of the comments made at previous meetings which suggested greater setbacks and more open space could begin to work against the Board's goal of higher density in these areas. He also indicated that he believed that there would be benefits to having a dialogue on these issues. He then asked Mr. Duling if it would be alright to have Mr. Hutchison contact Mr. Tupitza for the purpose of arranging a meeting to begin a dialogue on this matter. Chairman Buckwalter also indicated that the Board wanted to be responsive to those who signed the petition and that he would like to see a cooperative effort on this subject. Mr. John Blowers, 105 Strasburg Pike said that he wished that those who attended the Board's March 18, 2008 meeting could have heard the discussion that just took place. He also said that he was pleased to hear that the Board members still support the concepts of the ordinance. In addition, he said that he was pleased to hear that the Board was open to having a dialogue with the residents on this subject. Mr. Blowers then said that he supports the concept of traditional neighborhood development (TND) and the growth planning that has been done in East Lampeter. Chairman Buckwalter then asked Mr. Hutchison to proceed with contacting Mr. Tupitza in order to arrange a meeting as discussed.

Ms. Susan Snyder, 435 Mt. Sidney Road then asked the Board about the earlier discussion on condition number 33 for the Mill Creek Square project. She questioned the idea of adding another traffic signal to the Rt. 30 corridor. Chairman Buckwalter noted that he is not a participant in the Mill Creek Square decision but that he wanted everyone to understand that there are limits to what the Board of Supervisors can demand of a

developer because unreasonable demands can be appealed and that in the event of a successful appeal the Township could lose the ability to require certain improvements. He also said that he believes that the Board is attempting to do the best that it can for the citizens without losing leverage with the developer. Mr. Hutchison acknowledged that the traffic signals on Rt. 30 work well but that there are still traffic problems in the corridor. He also said that he was convinced by the traffic experts involved in the hearings for the Mill Creek Square project that the improvements that they have agreed to make will, even with the addition of their project, improve traffic conditions on Rt. 30. Ms. Snyder then asked if police could be placed at the intersection of Rt. 30 and Oakview Road in order to ticket those drivers who block the intersection with their vehicles and prevent residents using Oakview Road from getting onto Rt. 30. Mr. Hutchison said that the Township has done that on occasion but that they cannot do it all the time and in addition that these efforts don't achieve anything because those that are cited are not the same people who do the same thing ten minutes after the police officer leaves. Ms. Snyder said that she did not believe that the proposed improvements would solve the problem of this intersection being blocked.

Ms. Snyder then asked about the motel development being done at the former Eagle Falls property and whether or not they are required to put a buffer between the motel development and the adjacent Amish farm. Mr. Hutchison said that the proposed motel building will be farther away from the farm than the existing go cart track is.

Ms. Snyder then asked if Mr. Hutchison was still preparing the minutes of the Board meetings. Mr. Hutchison said that he is in the process of hiring someone to fill the position of Administrative Assistant and that he expected them to be working soon.

Ms. Snyder then indicated that she felt excluded from the discussion held during the meeting because the various plans were not visible. Chairman Buckwalter said that he appreciated the comment and that he would make every effort to use the projector for the display of plans at future meetings. He said that the Board wants those in attendance to be informed about what is happening during the meetings.

Ms. Snyder then thanked Mr. Shertzer for his comments on the requirement for the completion of the cul de sac during the discussion regarding High's project on Independence Court. She also said that she was disappointed in the handling of the Glick Fire plan at a previous meeting where the presented indicated that they had paid a fee for road improvements previously and so they would not have to do so again. Chairman Buckwalter reminded Ms. Snyder that in the case of the Glick Fire plan, the Board's decision required that Township staff research that question to determine the facts of that case. Ms. Snyder said that she felt that the Township needed to hold people accountable for the ordinance requirements.

Mr. Robert Weitzel, 151 Iris Drive said that he had been to the Township office to talk with the Chief of Police and the Zoning Officer Mr. Young regarding problems that he has been having with barking dogs. He also said that he has been trying to get a copy of the Township's ordinance (number 186) which addresses this issue, but that he has not

yet received it. He would like to have a copy of the ordinance so that he can understand what the rules are in East Lampeter. Chairman Buckwalter indicated that the Township has a process in place for requesting copies of Township documents. Mr. Weitzel said that he has been to the office twice about this and that he was not provided with information on the process or a copy of the ordinance. Mr. Hutchison apologized to Mr. Weitzel for the inconvenience that he has experienced. He also said that the Township follows a public record request process which will provide him with the document and that he would see that Mr. Weitzel receives it. Mr. Weitzel indicated that the barking dog problem has been resolved but that he would still like to get a copy of the ordinance. Mr. Rutt indicated that Mr. Hutchison would follow up with the staff at the front desk to make sure that they follow this process and respond to these requests in a timely fashion. Ms. Snyder suggested that the request form be available on the Township web site. Mr. Weitzel said that he accepts the apology and appreciates the Township's assistance.

Mrs. Lois Duling, 824 Stumpf Hill Drive gave the Board members a small gift of fresh baked bread, flowers and jam. She said that all of these items were made from materials which came from local Amish farms. She also said that the Amish community is the number one tourist attraction in Lancaster County. She also thanked the Board for their work on behalf of the Township. Mrs. Duling also indicated that new safety improvements to Amish carriages are expected to be made in the near future. Chairman Buckwalter thanked Mrs. Duling.

Adjournment:

A motion was made by Mr. Eberly and seconded by Mr. Rutt to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Monday, May 5, 2008 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison  
Township Manager