

August 3, 2009

The East Lampeter Township Board of Supervisors met on Monday, August 3, 2009, 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. David Buckwalter, Mr. Roger Rutt, Mr. Michael Landis, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. John Shertzer arrived at the meeting at 8:15 p.m.

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

Matthew Crème, 212 N. Queen Street, Lancaster, PA 17603, representing Lancaster General Hospital

Michael Saxinger, 1271 Lititz Pike, Lancaster, PA 17601, representing Lafayette Fire Company
Fred Daum, 2142 New Holland Pike, Lancaster, PA 17601

Irl and Lois Duling, 824 Stumpf Hill Drive, Lancaster, PA 17601, representing CVC

Roger Fry, Fry Surveying, Inc., 21 S. Hershey Avenue, Leola, PA 17540

Howard Hershey, 1934 Lincoln Hwy. East, Lancaster, PA 17602, representing Lafayette Fire Co.

Ron Nolt, 122 Waterfront Estates Drive, Lancaster, PA 17602, representing Lafayette Fire Co.

Ray C. Kendig, 226 Whittier Lane, Lancaster, PA 17602

Minutes of July 13, 2009 Regular Meeting:

Chairman Buckwalter indicated that copies of the minutes of the July 13, 2009 regular meeting were available for review and asked if there were any comments or corrections regarding the minutes as prepared.

A motion was then made by Mr. Landis and seconded by Mr. Rutt 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 then indicated that bills represented by various funds in the amount of \$407,456.36 were presented for payment. He further explained that of the total amount, \$128,770.00 was being paid to the City of Lancaster for the second quarter sewer assessment, \$32,000.00 was being paid to Horst Excavating for work done at Lafayette Tower Park, and \$122,409.00 would go to Martin Paving for the contract to oil and chip the Township roads.

After reviewing the bills listed, a motion was made by Mr. Rutt and seconded by Mr. Eberly to approve payment of bills as listed in the amount of \$407,456.36. The motion was passed by unanimous voice vote.

Old Business:

- a. Acceptance of Time Extension for Plan Review and Action – Hirani Engineering/
Patel Hotel Land Development Plan #09-05: Lincoln Hwy. East

Chairman Buckwalter explained that Hirani Engineering is granting the Township a ninety (90) day time extension to review and take action on the Patel Hotel Land Development Plan. He asked Mr. Hutchison how long this plan has been waiting for review and action.

Mr. Hutchison replied that this would be the third time extension for this project. It has not been before the Planning Commission or the Board of Supervisors and has not received revisions to the plan in months. Mr. Hutchison added that staff does not feel that it is productive to keep this file open unless there is some promise of activity.

Chairman Buckwalter asked if there was anyone in the audience for this project. There was no one present.

Mr. Eberly asked when the time expires.

Mr. Hutchison replied next week.

Mr. Eberly made a motion to grant a thirty (30) day time extension for Hirani Engineering/ Patel Hotel Land Development Plan #09-05. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- b. Acceptance of Time Extension for Plan Review and Action – Beiler Subdivision Plan #09-08: Lynwood Road

Mr. Roger Fry of Fry Surveying, Inc. spoke on behalf of the applicant. Mr. Fry explained that Mr. Beiler is requesting a ninety (90) day time extension for subdivision plan #09-08 on Lynwood Road. The extension request is because of two (2) items listed on the review that are being worked out.

Mr. Eberly made a motion to grant a ninety (90) day time extension for the Beiler Subdivision Plan #09-08 on Lynwood Road. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- c. Acceptance of Time Extension for Plan Review and Action – Beiler Storm Water Management Plan #09-09: N. Ronks Road

Mr. Roger Fry of Fry Surveying, Inc. spoke on behalf of the applicant. He explained that Mr. Beiler is requesting a ninety (90) day time extension for the storm water management plan #09-09 on N. Ronks Road.

Mr. Eberly made a motion to grant a time extension until November 9, 2009, for review and action of the Beiler Storm Water Management Plan #09-09 on N. Ronks Road. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

- d. Acceptance of Time Extension for Plan Review and Action – King/Ames Roofing Land Development Plan #09-10: Old Philadelphia Pike (Smoketown)

Mr. Roger Fry of Fry Surveying, Inc. spoke on behalf of the applicant. He explained that ninety-five percent (95%) of the issues have been addressed and the plan is going before the Zoning Board on August 13, 2009.

Mr. Landis made a motion to grant a time extension until November 9, 2009, for review and action of the King/Ames Roofing Land Development Plan #09-10 on Old Philadelphia Pike, Smoketown. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

e. Sewer Planning Module – Monger Subdivision Plan #09-11: Creek Hill Road

Mr. Eberly made a motion to approve the resolution for the sewer planning module for the Monger Subdivision Plan #09-11 on Creek Hill Road. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

New Business:

a. Lafayette Fire Company Subdivision & Land Development Plan #09-18: Lincoln Highway

Mr. Michael Saxinger of M. L. Saxinger & Associates, represented Lafayette Fire Company. He reviewed the land development plan and stated how the access to the fire station is an important issue. He mentioned a letter from Lancaster City giving the okay to the proposed plan and the lot add-on for the water tower.

Mr. Saxinger explained the lot layout and reviewed the waivers listed in the David Miller Associates letter dated July 14, 2009.

Mr. Eberly made a motion to approve the Subdivision and Land Development Plan #09-18 for Lafayette Fire Company and granting the six (6) waivers. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

b. Resolution re: Application to Install Flashing Warning Signal – Rt. 462 (LFC)

Mr. Michael Saxinger of M. L. Saxinger & Associates, represented Lafayette Fire Company. He explained the intent is to remove the existing overhead signals and replace with a mast arm that will have two (2) signs and a LED signal.

Mr. Eberly questioned that a regular traffic light would be more helpful than a flashing light. Mr. Ron Nolt, fire chief for Lafayette Fire Company, responded that when backing the fire trucks back into the station, people actually drive through the red light.

Mr. Landis made a motion to approve the resolution to submit the application for a permit to install a flashing warning signal on Route 462 at Lafayette Fire Company. Mr. Rutt seconded the motion and it was passed by unanimous voice vote.

c. Review of Proposed Zoning Amendment – West Earl Township: Professional Center Zoning

Chairman Buckwalter explained that East Lampeter Township has a joint comprehensive plan with Upper Leacock and West Earl townships. When there are proposed changes in any of these townships, its incumbent upon the townships to come to each other and present the changes. Our review is simply to see if this is in compliance with the intent of our plan.

Mr. Matthew Crème, Esq. introduced himself representing Lancaster General Hospital. He also introduced Ms. Jan Bergen and Mr. John Lines of Lancaster General Hospital and Mr. Stephen Lee of Benchmark Construction. He explained that they are proposing to change the zoning of a piece of land in the northern portion of West Earl Township at the intersection of Routes 322 and 222. They are asking the Board to review the idea of changing the zoning from C-2 to PE zone.

Mr. Crème reviewed the proposed zoning ordinance changes under the Conestoga Valley Implementation agreement.

Mr. Eberly questioned the contents of the petition.

Mr. Crème responded that the petition shows the rezoning of the site and a text amendment. Chairman Buckwalter asked if anyone in the audience had any questions or comments.

Mrs. Lois Duling expressed her concerns for the loss of farmland and the change of zoning for the height of building.

Mr. Lines responded that this is not currently agriculturally zoned land and nothing that is done tonight addresses any waivers, modifications, or variances.

Mr. Fred Daum questioned utility services to the site. He stated that Ephrata Township sent a letter to West Earl Township indicating that they handle the water and sewer at this site. DEP sent letters to Ephrata Township, Ephrata Borough, and West Earl Township expressing their concern about the sewer and storm water management of this site. Mr. Daum then distributed copies of these letters to the Supervisors.

Mr. Crème responded to the water and sewer comment from Mr. Daum. He stated that only West Earl Township may request service to this site.

Mr. Lines requested copies of the letters given by Mr. Daum.

Mr. Eberly made a motion to indicate that the Proposed Zoning Amendment is generally consistent with the CV Region Comprehensive Plan. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

d. Review of Proposed Comprehensive Plan – Manheim Township

Mr. Hutchison explained that the Board must determine if the comprehensive plan that Manheim Township has prepared on its own is consistent with the Lancaster Inter Municipal Committee Growing Together Comprehensive Plan. He added that East Lampeter Township Planning Commission has already reviewed this plan and concluded that it is consistent with the Growing Together Comprehensive Plan.

Chairman Buckwalter suggested deferring this item until the next meeting on August 18, 2009, to allow persons time to read the Manheim Township website regarding this issue.

Mr. Eberly made a motion to table this item until the August 18, 2009 meeting. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

Other Business:

a. Acknowledgement of Petition for Addition to Agricultural Security Area (ASA)

Chairman Buckwalter explained that a petition for an addition to the Agricultural Security Area was received by the Township on July 27, 2009. The property address is 729 Hartman Station Road. There are 8.8 acres in East Lampeter Township and 30.8 acres in Upper Leacock Township.

Mr. Shertzer made a motion to acknowledge receipt of the petition for addition to Agricultural Security Area for the Daniel B. Zook farm at 729 Hartman Station Road. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

b. Building Permit Process Modification

Chairman Buckwalter explained that in the past there have been situations where land development plans have been received and location of buildings had been indicated. When construction began, the buildings were not where they were supposed to be or they were a different shape. Staff has suggested having a professional survey done at the time of the completion of the foundation.

There was a brief discussion with Mr. and Mrs. Duling about at what time during construction that the survey is done.

Chairman Buckwalter commented his concern that this will be an added cost to homeowners who might want to add an addition on to their homes.

Mr. Eberly made a motion to approve the Building Permit Process Modification effective October 1, 2009. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

c. Designation of Fire Service Area – Warrington Site

Chairman Buckwalter explained that this issue is to designate a first responder fire company to the area being developed by Keystone Custom Homes called Warrington. The choice is between Witmer Fire Company and Eden Fire Company.

Mr. Hutchison added that this became a question at staff level due to it being part of the land development process. This question then went to the Emergency Services Committee who recommended that Witmer Fire Company be the first responder.

Mr. Eberly made a motion to designate Witmer Fire Company as first responder to Warrington Site. The motion was seconded by Mr. Shertzer and passed by unanimous voice vote.

d. Resolution re: Disposition of Township Records

Mr. Hutchison explained that on a periodic basis there are records that in accordance with the state guidelines and requirements, are needed to be disposed of. A resolution is needed in order to do this.

Mr. Rutt made a motion to approve the resolution to dispose of Township records. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

Chairman Buckwalter asked if there were any public comments.

Mr. Ray Kendig, 226 Whittier Lane, Lancaster, PA 17602, introduced himself to the Board. Mr. Kendig explained that he owns a house in Ronks and would like to know what he needs to do to get the Township to maintain the sewer at this location.

There was a discussion between Mr. Kendig and the Board members as to whether this property is used as rooming for tourist guests. Mr. Kendig stated that the people who stay there are friends that he has gotten to know over the years and that they do not pay him, but instead take him out to dinner for compensation.

Chairman Buckwalter stated that he believes that staff is following the ordinance.

Adjournment:

A motion was made by Mr. Shertzer and seconded by Mr. Landis to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, August 18, 2009 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager