

February 6, 2012

The East Lampeter Township Board of Supervisors met on Monday, February 6, 2012, 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. Mike Landis, Mr. John Blowers, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager. Mr. John Shertzer was absent.

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

Larry and Christine Weir, 2422 Stumptown Road, Bird-in-Hand, PA 17505  
 Beverly Kreider, 132 E. Jackson Street, New Holland, PA 17557  
 Jason Mertz, 202 Greenfield Road, Lancaster, PA 17601, representing Worley and Obetz Inc.  
 Brian Shaub, 201 Seymour Street, Lancaster, PA 17603, representing LHE Properties  
 Lynn Commero, representing Lancaster Newspapers  
 Ron Nolt, 122 Waterfront Estate Drive, Lancaster, PA 17602, representing Lafayette Fire Company  
 Bill Swiernik, David Miller Associates, Inc., 1076 Centerville Road, Lancaster, PA 17601, representing Ellendale  
 Pat Nauman, 2656 Old Philadelphia Pike, Bird-in-Hand, PA 17505  
 Sharon Rannels, 2652 Old Philadelphia Pike, Bird-in-Hand, PA 17505

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

Minutes of January 17, 2012 Regular Meeting:

Chairman Buckwalter asked if there were any additions or corrections regarding the minutes from the January 17, 2012 regular meeting as prepared. There were no comments.

A motion was 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 unanimous voice vote.

Bills:

Chairman Buckwalter indicated that bills to be paid from various funds in the amount of \$454,794.90 were presented for payment. Chairman Buckwalter stated that some of the larger items included in that amount is a payment of \$12,465.60 to LASA for fourth quarter sewer flow charges, a payment of \$11,284.55 to Telco, Inc. for maintenance and repairs to traffic signals, and \$272,028.33 in payments for Township bonds which include both principal and interest.

A motion was made by Mr. Landis and seconded by Mr. Blowers to approve payment of the bills as listed in the amount of \$454,794.90. The motion was passed by unanimous voice vote.

Old Business:

None

New Business:

## a. Integrity Bank Subdivision Plan #11-24: Ellendale Drive

Mr. Bill Swiernik of David Miller Associates introduced himself and Jordan Space of Integrity Bank. Mr. Swiernik gave a presentation of the applicants plan to subdivide a 2.79 acre tract of land into three lots. Each lot would have a residential dwelling on it. He also reviewed the waivers in the letter dated January 10, 2012 from Rettew.

Chairman Buckwalter asked Mr. Hutchison to offer some comments from staff related to the curbing and the width of the cartway.

Mr. Hutchison explained that the staff's reading of the subdivision land development ordinance indicates the width of the road is determined based upon the width of the lots in the subdivision. In the area of this subdivision plan, the lots are 80 feet wide or more. The ordinance calls for a roadway width of 27 feet. According to the plan, the roadway width is about 31 feet. The installation of a curb would reduce the width of the roadway that exists now by roughly 2 feet. In staff's view, if the applicant wants the curb installed, they would suggest that the applicant extend the curb to the intersection of Willowdale Drive to make it workable and safe.

There was a brief discussion about stormwater management. The Board discussed and decided that they would make it part of their conditional approval to have the catch basin installed now instead of at a later time.

A motion was made by Mr. Eberly to approve the Integrity Bank Subdivision Plan #11-24 for Ellendale Drive, granting the waivers for preliminary plan and plan scale and giving deferrals for road widening, curbing and sidewalks, with the exception of installing the catch basin for stormwater. In addition, they must add to the deeds that future owners will be responsible for the installation of curbing and sidewalks when required. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

## b. Request for Waiver of Land Development Planning – LHE Properties: 2357 Lincoln Hwy. East

Mr. Brian Shaub introduced himself as the owner of 2357 Lincoln Highway East. He is requesting a waiver of land development plan in order to install a 13' x 13' concrete pad for the construction of a 12' diameter x 15' high water storage tank that would supply water to a proposed fire suppression system being planned as an upgrade to the building. Mr. Shaub explained that the water supply tank became necessary when the City of Lancaster denied their request for fire flow capacity. The City indicated that there is no fire flow available to the site under existing conditions and that a possible system improvement that would provide the additional flow may occur in the future, but they gave no timetable for the potential upgrade. The installation of the water tank will cost \$80,000.00.

Mr. Eberly made a motion to grant the waiver of land development planning for LHE Properties at 2357 Lincoln Hwy. East and suggested adding traffic arrows to improve the traffic flow at this site. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

## c. Request for Waiver of Land Development Planning – Worley &amp; Obetz: 202 Greenfield Road

Mr. Jason Mertz of Worley & Obetz, Inc. introduced himself. They are requesting a waiver of land development plan for a minor addition to their current Card Lock facility located at 202 Greenfield Road.

They are proposing to excavate the existing blacktop and pour a new 14' x 14' concrete pad to serve as the base for the installation of two (2) above ground 1,000 gallon Diesel Exhaust Fluid tanks. The tanks will be manifolded together and supply a retail dispenser that will also be set on the new pad and mounted directly to one of the new above ground tanks. Both tanks and dispenser will be affixed to the concrete and will have all necessary protection bollards placed around them. Mr. Mertz explained that Diesel Exhaust Fluid (DEF) is a non hazardous mixture of synthetic urea and de-ionized water that is used in SCR systems on late model diesel engine. SCR systems were installed on diesel engines to reduce engine emissions. DEF is injected into the exhaust stream of the engine where the water vaporizes leaving ammonia molecules free to travel into the catalytic converter where it reacts and neutralizes the NOx molecules converting it to nitrogen and water.

After a brief discussion, Mr. Landis made a motion to approve the request for waiver of land development planning for Worley & Obetz at 202 Greenfield Road. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

d. Request for ECHO Agreement – Weir: 2422 Stumptown Road

Mr. Larry Weir and his wife, Christine Weir, were present for this item. Mr. Weir explained that they are requesting an ECHO agreement with the Township to install a manufactured home on their property at 2422 Stumptown Road. The unit would be occupied by Mrs. Weir's father, Lloyd B. Kreider, who is 85 years old. When Mr. Kreider is no longer occupying the unit, Mr. Weir's parents and possibly his handicapped sister would be able to move into the unit.

Chairman Buckwalter asked Mr. Weir if he fully understands the ECHO agreement and if everything that is expected of him was explained.

Mr. Weir stated that the ECHO agreement was explained to him by Mr. Lee Young and that he knows he cannot make this into a rental unit in the future.

A motion was made by Mr. Eberly to approve the ECHO agreement for the Weir property at 2422 Stumptown Road. The motion was seconded by Mr. Blowers and passed by unanimous voice vote.

Other Business:

a. Authorization to Oppose HACC Request for Real Estate Tax Exemption

Chairman Buckwalter explained that the Harrisburg Area Community College (HACC) property was purchased by the college. It had been a rental property. They are now appealing the tax status of that property.

Mr. Hutchison added that HACC acquired the property where their facility is located in mid-December 2011. Before the end of December, they filed a request to be exempt from real estate taxation. There will be a hearing before the County Board of Assessment Appeals on Wednesday, February 8, 2012. Mr. Hutchison is requesting authorization from the Board of Supervisors to have an attorney from the solicitor's office present at this hearing to raise a few questions about their exemption request.

Mr. Landis made a motion to authorize staff to have an attorney from the Townships solicitor's office present at the hearing before the County Board of Assessment Appeals on Wednesday, February 8, 2012, to oppose HACC's request for real estate tax exemption. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

b. Appointment to LIMC Greenway Parks Advisory Board – Mr. James Everhart

Chairman Buckwalter explained that a member of the Township Park and Recreation Board was on this board and has asked to be relieved. Mr. James Everhart has agreed to become a member of the LIMC Greenway Parks Advisory Board.

Mr. Eberly made a motion to appoint Mr. James Everhart to serve on the LIMC Greenway Parks Advisory Board. The motion was seconded by Mr. Landis and passed by unanimous voice vote.

Public Comment:

Ms. Pat Nauman, 2656 Old Philadelphia Pike, Bird-in-Hand, PA 17505, introduced herself and Ms. Sharon Rannels, 2652 Old Philadelphia Pike, Bird-in-Hand, PA 17505. She addressed the Board about problems they are having with a property on Lynwood Road. The property runs behind both of their properties and was fenced in years ago for the owners to keep their horses. The owner now rents the property out and the tenants have chickens, turkeys, sheep, and roosters. The chickens get out and trespass onto their property, digging up the yard and leaving droppings everywhere. They have gone to the tenants and talked to them about this problem, but it continues. They called the Township office and an enforcement letter was sent to the property owner. There is really nothing else the Township can do because the zoning does not state that the chickens must be under roof. Mr. Hutchison stated that the only thing the Township could do to help with this situation, is an amendment to the zoning ordinance that would address the issue of making sure the animals are contained. Mr. Eberly stated the best way to get the owners attention it to have a letter from an attorney sent to them, since this is a civil matter. This will get more action than what the Board can do. Mr. Eberly questioned the zoning of the property and stated that if the property is zoned residential, they are not allowed to have chickens on the property. Mr. Hutchison stated he would look into the zoning of the property.

Adjournment:

A motion was made by Mr. Landis and seconded by Mr. Blowers to adjourn the meeting. The motion was passed by unanimous voice vote. The next regularly scheduled meeting is to be held on Tuesday, February 21, 2012 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison  
Township Manager