

June 2, 2008

The East Lampeter Township Board of Supervisors met on Monday, June 2, 2008 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. 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, representing CVC
Fred Daum., 2142 New Holland Pike, Lancaster, PA 17601
Sandy Kime, David Miller Associates, representing Smucker/Petersheim
Karen Meck, 1617 Glenn Road, Lancaster, PA 17601
Harvey Burkholder, 824 Fivepointville Road, Stevens, PA 17578
Daniel Petersheim, 414 Mount Vernon Road, Gap, PA 17527
David Gehman, ELA Group, Inc., representing High Real Estate Group
Jerry Smucker, 431 Beechdale Road, Bird-In-Hand, PA 17505
Ken Burkholder, 1083 Steffy Road, Stevens, PA 17578
Anthony Gryckiewicz, 1970 William Penn Way, Lancaster, PA 17601
John Blowers, 102 Strasburg Pike, Lancaster, PA 17602
Charles Smith, 44 Highland Drive, Lancaster, PA 17602
George Broseman, 910 Harvest Drive, Blue Bell, PA 19422, representing Keystone/
Brookfield
Ken Hornbeck, representing High Associates
Danny Whittle, 50 North Duke Street, Lancaster, PA 17602, representing LCPC

Minutes of May 20, 2008 Regular Meeting:

Chairman Buckwalter indicated that copies of the minutes of the May 20, 2008 regular meeting were available for review. Chairman Buckwalter asked if there were any comments regarding the minutes as prepared. Chairman Buckwalter added that the only revision he had for the minutes was to add the note that he had received from Irl Duling concerning the Growing Together Implementation Agreement. There were no other comments. A motion was then made by Mr. Eberly and seconded by Mr. Rutt to dispense with the reading of the minutes and approve the minutes as presented with the above revision made to them. The motion was passed by unanimous voice vote.

Bills:

Chairman Buckwalter then indicated that bills represented by various funds in the amount of \$158,231.50 were presented for payment, copies of which were available for review. Chairman Buckwalter mentioned that included in that amount was \$56,000.00 for 2nd quarter contributions to the fire companies in the Township, a \$7,500.00 contribution to the Lancaster County Library, and workers compensation premium payment in the

amount of \$28,126.00. After review of the bills list, a motion was made by Mr. Shertzer and seconded by Mr. Landis to approve payment of bills as listed in the amount of \$158,231.50. The motion was passed by unanimous voice vote.

Old Business:

- a. High Steel Subdivision Plan #08-15: 140 Greenfield Road

Chairman Buckwalter recused himself from participation in this agenda item due to his employment in the High organization. Vice Chairman Rutt chaired the meeting for this agenda item.

Mr. Ken Hornbeck of High Associates representing the applicant High Steel introduced himself and Mr. Davd Gehman of ELA Group, Inc., who is the civil engineering firm for this project. They were before the board requesting final approval of a proposed subdivision plan. Mr. Hornbeck reviewed the plan and requested a waiver of the DEP Planning Module for Land Development since the current building is served by public sewer and at this time they are not proposing to change the use or increase capacity. He also requested a waiver of the installation of sidewalks, noting that there are existing sidewalks from the parking lot to the office building.

Mr. Hornbeck added that in conjunction with the recording of this subdivision, if approved, they will be recording a reciprocal access agreement and cross parking agreement between the two properties in the advent that any users of the office or steel industrial site need overflow parking, there will always be this right recorded. Mr. Shertzer then asked Mr. Hornbeck if he was suggesting that there is not enough parking. There was then a brief discussion about the parking.

The comments from David Miller Associates letter dated May 16, 2008, were then reviewed and plan corrections to be made were discussed. Mr. Hutchison then mentioned item number 7 which requires a note indicating the required number of parking spaces, as required by the Zoning Ordinance should be shown.

Mr. Rutt then asked if anyone in the audience had any questions or interests on this plan. There were no comments. Mr. Shertzer then made the motion to approve the final plan conditionally subject to the Township Engineer's comments and granting the four (4) waivers requested. The motion was seconded by Mr. Eberly and passed by unanimous voice vote.

Chairman Buckwalter rejoined the Board at this time.

New Business:

a. Smucker Properties Land Development Plan #08-06: 2715 Old Philadelphia Pike

Mr. John Pogue of David Miller Associates was representing Smucker Properties. He discussed the plan for the bakery to expand its retail and production space and also add more parking to the current location. Several waivers were requested which included the plan scale and parking area. He requested that the one hundred (100) foot clear sight triangle be waived, proposing a fifty (50) foot clear sight triangle which would meet the requirements of PennDOT. He also requested a waiver to provide curbing along the new parking lot area. The applicant will place concrete bumper blocks for each parking space. The other waivers pertained to the sidewalk locations and materials used. The final waiver request was a modification to provide a thirty (30) foot radius at the intersection of the proposed driveway with the Old Philadelphia Pike. The applicant will provide a ten (10) foot radius at the intersection.

Chairman Buckwalter then asked the Board members if they had any questions or comments about the requests for modifications. There was a lengthy discussion about installing curbing in front of the property and also the waiver request concerning the radius at the intersection.

A discussion about parking along Route 340 and whether it should be eliminated arose. Mrs. Lois Duling expressed her concern about parking along the road and also the forty (40) mph speed limit. Mr. John Blowers made comment on the plan and the outstanding job that Smucker Properties has done to preserve the small village atmosphere.

Mr. Eberly made the motion for this plan to be approved granting all modifications requested except for the site triangle west of the proposed driveway which is to be a 100 foot clear site triangle within the right of way only. Mr. Landis seconded it. The motion was passed by unanimous voice vote.

b. D & E Partnership Land Development Plan #08-07: 2969 Lincoln Highway East

Mr. John Pogue of David Miller Associates represented the plan. He also introduced Mr. Dan Petersheim who operates Pine Hill Manufacturing and Mr. Harvey Burkholder, Project Manager for the plan. Pine Hill Manufacturing sells and manufactures trailers used to haul utility sheds and gazebos. They are requesting to erect a building for sales, service and manufacturing at this location.

Mr. Sandy Kime of David Miller Associates then spoke in regards to the May 23, 2008, waiver letter. The applicant is requesting a modification of the requirement to provide curbing along Lincoln Highway, thus eliminating the need to replace the existing storm sewer pipe under the highway. If curbs are installed, the Township will become the applicant for the Highway Occupancy Permit (HOP), which would then make them

responsible for maintaining the storm sewer within the PennDOT right-of-way. There was a lengthy discussion concerning the curbing/sidewalk and the storm water runoff.

Chairman Buckwalter then read the letter from Rettew dated May 5, 2008. He asked if there were any comments from the audience. Mr. Hutchison pointed out one item that he wanted the Board and the applicant to consider and that was how the plan shows the driveway to be a joint use driveway eventually to serve the campground to the north of this proposed development. The driveway will not connect to any of the existing facilities at the campground, therefore the campground will have to do their own land development plan when they decide to connect that end of the driveway. Mr. Hutchison would like to see a note on the plan that all the parties acknowledge that fact.

Mr. Eberly questioned the relocation of an existing mobile home and why it is being kept on the premises. Mr. Pogue stated that at the moment the mobile home is being rented to a tenant who would like to continue living there. Mr. Petersheim then added that recently the mobile home has become unoccupied, but would like to use it for the property caretaker to live in.

Mr. Eberly asked about the two billboards on the property and if they were going to be eliminated. Mr. Pogue said that they will continue as they are and that they are not owned by the property owner. Mr. John Smucker, representing Mr. Petersheim, noted that it is not their intention to remove the signs that are under a long term lease with an advertising company and that they see them as an asset to the property.

Mr. Shertzer commented that the Board has been presented with two plans this evening that have requested more modifications than he has seen in a long time. He questioned if the Board is doing something wrong or why they are being requested to approve so many modification requests to the Township Ordinances. He went on to say that a lot of these requests that they have had some nervousness about, have been approved and he just wanted to make sure the Board is comfortable with the decisions that have been made.

Mr. Eberly spoke saying that he was not and said that they have been giving everything that the applicant wants and that the applicant is not willing to give anything. He gave an example as the request to keep the mobile home and the billboards on the property. He did not see why the applicant would want to keep them when you're trying to clean up the site.

Mr. Landis made the motion to approve the plan agreeing with all the requirements set forth by Rettew's letter. Modifications that are recommended for approval are approved and modifications that are recommended for denial are denied. Mr. Rutt seconded the motion. A voice vote was taken with Mr. Rutt and Mr. Landis voting in favor. Those opposing were Mr. Shertzer, Chairman Buckwalter, and Mr. Eberly.

Mr. Smucker asked the Board for the reason for the denial and what steps could be taken to cure them. Chairman Buckwalter expressed his concern regarding the storm sewer maintenance. Mr. Shertzer said that there were too many modifications, not enough time

to review the sheets, and the mobile home changes. He continued saying that he was not comfortable with the level of review, going from preliminary to final versus separate plans.

Mr. Smucker expressed his feeling of Mr. Petersheim being treated unfairly with both the Township and PennDOT. Mr. Eberly mentions that the plan does not show any outside storage facilities or buffers.

Mr. Shertzer then asked about the Board rescinding the previous motion denial and to table the plan for more information at a future meeting. He then made the motion for this action and Mr. Landis seconded it. The motion was passed by unanimous voice vote.

- c. Acceptance of Time Extension for Plan Review and Action – Rockvale/Starbucks

Mr. Shertzer made a motion to accept the proposed ninety (90) day time extension for the Township's plan review and action on the Rockvale/Starbucks. Mr. Eberly seconded it and the motion was passed by unanimous voice vote.

Other Business:

- a. Presentation Re: Envision Partnership Agreements (CV & LIMC Regions) – LCPC

Mr. Danny Whittle, LCPC staff, made a presentation on these proposed agreements. A motion was made by Mr. Eberly and seconded by Mr. Shertzer to approve the Partnership Agreements. The motion was passed by unanimous voice vote.

- b. Presentation Re: Memorandum on Small Plans Reviews – LCPC

Mr. Danny Whittle, LCPC staff, made a presentation on Small Plans Reviews. A motion was made by Mr. Eberly and seconded by Mr. Landis to approve the Small Plans Review. The motion was passed by unanimous voice vote.

- c. Resolution Authorizing the Issuance of a PLGIT Procurement Card

Mr. Hutchison explained that a different credit card that the Township had been using had restricted use. An individual had to be on it as the responsible party, but with this card it is the Townships responsibility. Also, the payment date on the card did not match up with the Supervisor's meetings and therefore had some occasional late fees added. The new card will eliminate this. A motion was made by Mr. Landis and seconded by Mr. Rutt to approve the PLGIT Procurement Card and cancel the old card. The motion was passed by unanimous voice vote.

Public Comment:

There were no other public comments.

Adjournment:

A motion was made by Mr. Shertzer 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 Tuesday, June 17, 2008 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager