

June 7, 2010

The East Lampeter Township Board of Supervisors met on Monday, June 7, 2010, 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. Roger Rutt, Mr. Michael Landis, Mr. John Shertzer, and Mr. Glenn Eberly. Also present was Mr. Ralph Hutchison, Township Manager.

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

Ben Bamford, High Real Estate Group, 1853 William Penn Way, Lancaster, PA 17608
Tom Smithgall, High Real Estate Group, 1853 William Penn Way, Lancaster, PA 17608
Mark Stanley, Hartman Underhill & Brubaker, 221 E. Chestnut Street, Lancaster, PA 17602,
representing High Real Estate Group
Tom Comitta, Thomas Comitta Associates, Inc., 18 W. Chestnut Street, West Chester, PA 19380,
representing High Real Estate Group
John Pogue, David Miller Associates, 1076 Centerville Road, Lancaster, PA 17601, representing
Bird in Hand Bakery

Minutes of May 25, 2010 Regular Meeting:

Chairman Buckwalter indicated that copies of the agenda and minutes from the previous meeting were in the back of the room for review. He asked if there were any additions or corrections regarding the minutes from the May 25, 2010 regular meeting as prepared. There were no comments.

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 a vote of four in favor and one abstaining. (Mr. Eberly abstained due to being absent from the May 25, 2010 meeting.)

Bills:

Chairman Buckwalter indicated that bills represented by various funds in the amount of \$162,405.53 were presented for payment. Chairman Buckwalter stated that included in this amount is a payment of \$85,000.00 to Morgan Stanley for the Township pension plans, a payment of \$29,022.00 to Susquehanna Municipal Trust for worker's compensation, and a release of escrow funds in the amount of \$22,000.00 to Mr. John Broderick. A motion was made by Mr. Shertzer and seconded by Mr. Eberly to approve payment of bills as listed in the amount of \$162,405.53. The motion was passed by unanimous voice vote.

Old Business:

- a. Request for Time Extension to Record Conditionally Approved Plan – Bird in Hand Bakery:
Old Philadelphia Pike

Mr. John Pogue of David Miller Associates, representing Bird-in-Hand Bakery, explained that the applicant is requesting that the Board approve an extension of thirty (30) days to record the plan. The reason for the request is that they are waiting for PennDOT to issue the Highway Occupancy Permit. They believe they should have it in the next week or two. Chairman Buckwalter clarified that the thirty (30) day extension would be from the time the previous time extension expires, which is June 14, 2010.

Mr. Eberly made a motion to grant the request for the thirty (30) day time extension beginning on June 14, 2010, to record the plan for Bird in Hand Bakery. Mr. Rutt seconded the motion and it was passed by unanimous voice vote.

New Business:

a. Ordinance to Amend Zoning Ordinance re: Campus Mixed Use Zone

Chairman Buckwalter announced that he would recuse himself from participation due to his employment in the High organization and asked Vice-Chairman Rutt to chair the meeting.

Mr. Rutt stated that they would resume discussion of the ordinance to amend the zoning for the High Properties Campus Mixed Use Zone that was concluded a few moments earlier. He asked for any discussion or a motion.

Mr. Shertzer commented that he continues to have this uneasy feeling about this item. He keeps hearing the applicant state that there is no hurry since they do not have any plans. He knows the Township needs to take responsibility that they have not completed the revised zoning ordinance that they have been working on for some time, yet he's trying to figure out what difference this will make versus the information they are to be finding out about in the very near future. He understands the frustration on High's part for the Township not completing their work, but at the same time he's not sure he feels comfortable making a decision at this time.

Mr. Mark Stanley, Esq. stated that they would not object if the action taken by the Board this evening was to table this item until July.

Mr. Eberly commented that he would be in favor of tabling this item until July when they can compare the two ordinances. He added that the Mixed Use Campus concept is a great idea.

Mr. Tom Smithgall added that he agreed with Mr. Stanley and that they do not want the Board to vote no and that they would like to continue with the discussions and work with the Township.

Mr. Shertzer made a motion to table the decision on this ordinance until the Monday, July 12, 2010 Supervisors meeting. Mr. Landis seconded the motion and it was passed by a vote of four in favor and one abstaining. Chairman Buckwalter abstained.

Chairman Buckwalter rejoined the Board at this time.

Other Business:

a. Request to Use Township Roads for Bicycle Race – Greenfield Corporate Center

Chairman Buckwalter indicated that this bicycle race is an annual event and involves the use of Township roads. He added that the applicant has provided the Township with insurance coverage for the event and also traffic control. After a brief discussion, Mr. Shertzer made a motion to approve the use of the Township roads within the Greenfield Corporate Center for the bicycle race to be held on June 20, 2010 as requested by Thru-it-all. The motion was seconded by Mr. Rutt and passed by unanimous voice vote.

Public Comment:

There were no comments.

Before the Board had adjourned, Mr. Hutchison stated that he had included copies of an application for variances related to signage for the Mill Creek Square shopping center. He explained that the one sign is at the main entrance into the shopping center and is proposed larger than what is permitted by ordinance. The second sign proposed would be located at the access to Route 30 which is east of the traffic light at the main entrance. This sign, by staff's interpretation, would not be allowed at all. Mr. Hutchison continued that he wanted to ask the Board if they feel they would like to take an active role in the zoning hearing process.

After a brief discussion among the Board members, Mr. Eberly made a motion to have the Township solicitor represent the Board for this hearing opposing the variance for the Mill Creek Square signs. Mr. Shertzer seconded the motion and it was passed by a vote of four in favor and one abstaining. Chairman Buckwalter abstained.

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 Tuesday, June 22, 2010 beginning at 7:30 pm.

Respectfully submitted,

Ralph Hutchison
Township Manager