

June 15, 2020

The East Lampeter Township Board of Supervisors met on Monday, June 15, 2020 at the East Lampeter Township Office: 2250 Old Philadelphia Pike, Lancaster, PA 17602. The meeting was called to order by Chairman Corey Meyer. In addition to Mr. Meyer, supervisors present were: Mr. Blowers, Mr. Dave Buckwalter and Mr. Ethan Demme. Mr. Glenn Eberly was absent. Also, present was Ms. Tara Hitchens, Director of Zoning/Planning, and Mr. Ralph Hutchison Township Manager.

The meeting was held using Zoom, an internet web conferencing tool. Chairman Meyer read a statement regarding the use of Zoom for this public meeting including instructions for the public to use in order to participate in the meeting.

The following persons joined the meeting via Zoom and were present for the meeting:

Dave Bitner  
Kevin Witmier  
Steve Gergley  
M, Rush  
Lynn Commero, representing LNP  
Ken Hornbeck

Public Comment (non agenda items)

None

Consent Agenda

- a. Approval of the Minutes of the Monday, May 18, 2020 Regular Meeting
- b. Approval to pay invoices from all funds: Total - \$664,467.09
- c. Financial Security Release – The Villas: 2217 Old Philadelphia Pike

Chairman Meyer presented the bills to be paid from various funds for the total amount of \$664,467.09. He mentioned the large payment amount of \$9,895 to ALTA Planning & Design for completion of CV Region Park Plan, \$57,800.00 to Signal Control Products for Adaptive Traffic signal system on LHE, \$194,562.87 to City of Lancaster for quarterly sewer flow charges, \$62,500.00 to Township Fire Companies for quarterly contribution (\$15,625 each) and \$9250.00 to libraries for quarterly contribution (\$4,255 – Lancaster, \$3,145 – Manheim and \$1,859 Pequea Valley).

Chairman Meyer also mention the Financial Security Release of The Villas: 2117 Old Philadelphia Pike.

Mr. Buckwalter made a motion to approve the consent agenda as presented. Mr. Blowers second the motion and it was passed by unanimous voice vote.

## Presentation re Use of Force & Citizen Complaints – Chief Zerbe

Chief Zerbe of the East Lampeter Township Police Department was in attendance to provide an update on the Use of Force policy & Citizens Complaints:

Packets were given to the Board.

- ELT PD have been and is accredited agency for 18 years
- Changes maybe warranted going forward
- Use of Force isn't a step process, but a wheel of options an officer can choose from
- Report required with in 24 hours on all use of force events, from verbal on up
- Tasers require second report
- LEEP Law Enforcement Enterprise Portal (FBI)
- Training – officers must read annually & sign off. Also covered at Spring and Fall range qualifications and taser review.
- Specific type of OC Spray, guidelines for usage, guidelines for emergency response, reporting requirement.
- Internal affairs -all complaints investigated typically by Captain or Chief
- Have a committee looking at body worn cameras

There was discussion between the Board and Chief Zerbe.

### Old Business

- a. Time Extension for Township Review & Action: Devon Creek Phase 2 Plan #15-38 – New Holland Pike (12/22/20)

Mr. Hutchison stated that this is related to the land development plan for the next phase of the Devon Creek development. It is being delayed due to the ongoing conditional use process. Additional time is needed to get through the process.

Mr. Buckwalter made a motion to approve the Time Extension for Township Review & Action: Devon Creek Phase 2 Plan #15-38 New Holland Pike to December 22, 2020. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

- b. Request for Time Extension to record conditionally approved plan #16-25: Crills – Meadowview Drive (6/15/21)

Mr. Hutchison stated that this has been before the board a number of times before and the remaining issue here is the posting of financial security for the required improvements. The Township has explored a number of different possible solutions and haven't been able to find one that the Crills can satisfy. The Crills are asking for a significant amount of time to satisfy this. Mr. Hutchison also mention that there are liens on the property so there are things that will need to be satisfied in order to resolve those before they could get financial security in place. Mr. Hutchison stated that if the board is inclined on giving another extension he would recommend that it be the last one.

After a brief discussion:

Mr. Demme made a motion to approve the last and final Time Extension to record conditional approved plan #16-25: Crills-Meadowview Drive to June 15, 2021. Mr. Buckwalter seconded the motion and it was passed by unanimous voice vote.

- c. Request for Time Extension to record conditionally approved plan #19-22: High Assoc. – Ben Franklin Blvd. (8/29/20)

Mr. Hutchison stated that the applicant has been working on satisfying all the conditions of approval and that they just need a little more time to get everything done.

Mr. Blowers made a motion to approve the Time Extension to reaffirm conditionally approved plan #19-22: High Assoc. – Ben Franklin Blvd. to August 29, 2020. Mr. Buckwalter seconded the motion and it was passed by unanimous voice vote.

- d. Ordinance amendments re: Transient Retail Business / Food Trucks

Mr. Hutchison stated that based on the board's discussion at the last meeting the Township has worked with its solicitor to draft some changes based upon the input and direction from the Board. He stated that it has been advertised and that the Board can act on it tonight if they choose to do so. If there are any substantial changes from what has been advertised then it would need to be advertised again.

After a brief discussion:

Mr. Blowers made a motion to approve the Ordinance amendments re: Transient Retail Business / Food Trucks as presented. Mr. Buckwalter seconded the motion and it was passed by unanimous voice vote.

### **Ordinance No. 346**

#### New Business

- a. Esh Stormwater Management Plan #20-06: 2090 Creek Hill Road

Mr. Kevin Witmier of Impact Engineering Group was in attendance via Zoom representing applicant Issac S. Esh. He stated that this is a 11.5-acre property at 2090 Creek Hill Rd. and that there were improvements constructed via a stormwater management plan in 2015 including an infiltration basin along the driveway. Applicant wants to construct a barn that was originally proposed on the previous plan but the applicant has constructed a greenhouse instead. He stated that they received a letter from David Miller and Associated on May 20, 2020 all comments can be addressed with no waivers being required.

Mr. Buckwalter made a motion to approve the Esh Stormwater Management Plan #20-06: 2090 Creek Hill Road conditioned on David Millers letter dated May 20, 2020 and working out any

zoning issues with Township staff. . Mr. Demme seconded the motion and it was passed by unanimous voice vote.

b. Greenfield Stormwater Management Plan #20-08: Business Park Walking Trail

Mr. Dave Bitner was in attendance to discuss the Greenfield Walking Trail. He said that the purpose of the plan is to expand the existing pedestrian trail network in order to provide continuous access throughout the Greenfield community. Mr. Bitner then reviewed the Township Engineer's comment letter dated 6/12/20 and withdrew the request for waiver of land development plan requirements.

Mr. Hutchison wanted to make clear that this is an effort to link the existing portion of park to new part of park and that there will be necessary foot bridges to make those links over flood plains/water areas. Mr. Bitner agreed and indicated that the foot bridges will be provided.

Mr. Buckwalter made a motion to approve the Greenfield Stormwater Management Plan #20-08: Business Park Walking Trail conditioned on David Miller letter with exception that the township will receive a letter withdrawing the waiver request for the final land development plan and also conditioned on the trail system being continuous connecting and providing any kind of bridges etc. over floodplain areas. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

c. Wenger Stormwater Management Plan #20-09: Hobson Road

Mr. Steve Gergley of Harbor Engineering was in attendance via Zoom. He mentioned that this is a stormwater management plan for a gentleman named Larry Wenger, he recently purchased a .6-acre property on the south side of Hobson Road just east of the Community Part. It is a vacant lot and Mr. Wenger wants to build a home and a driveway on the property. He also indicated that the property is zoned appropriately. It has public sewer and will have an on lot well. For stormwater management they are proposing an underground seepage pit with a small retentive grading area on top of that. Activity will be limited to one acre of earth disturbance which will not require a NPDES permit. Mr. Gergely indicated that they did receive a letter from David Miller Associates, Township Engineer and have no issues with any of the comments. He also said that he spoke with Ms. Hitchens about zoning and have no issues there either. They are not asking for any modifications.

Mr. Blowers made a motion to approve the Wenger Stormwater Management Plan #20-09: Hobson Road per David Miller's letter dated June 12, 2020. Mr. Buckwalter second the motion and it was passed by unanimous voice vote.

Action Items:

a. Renewal of Disaster Declaration re Covid – 19

Mr. Hutchison stated that he put this on the agenda because the declaration that the Board made back in March is expiring. It is up to the Board if they want to continue it or not. He stated that

there is no risk in his view that the Township would become ineligible for any of the funding that is going to be available if it does expire.

The Board decided to let the Disaster Declaration expire.

- b. Ordinance re: Stop sign on Della Rd at Pleasant Dr.

Mr. Hutchison stated that Township staff became aware of this within the last six weeks or so; it's a location that is at a t-intersection. There are two ends of Della Road that touch on Pleasant Drive. The one where Della is going eastbound has a stop sign however at the other end which is Della going southbound currently there is no stop sign. It is an intersection and it should have a stop sign there to control traffic.

Mr. Buckwalter made a motion to approve the Ordinance to put a stop sign on Della Rd at Pleasant Drive. Mr. Demme seconded the motion and it was passed by unanimous voice vote.

#### **Ordinance No. 347**

- c. Resolution re: CV Region Park, Recreation and Open Space Plan Acceptance

Mr. Hutchison mentioned that the Township is nearing the end of the process and that one of the grant requirements is that there be a resolution adopted closing out the grant project. The document has been prepared and has been circulated. It has been sent to the school district as well as Upper Leacock Township who also participated directly in helping the fund planning effort. This will help close it out and make the Township eligible to receive the final payment of the grant which helped fund it from DCNR.

Mr. Buckwalter made a motion to approve Resolution re: CV Region Park, Recreation and Open Space Plan Acceptance. Mr. Blowers seconded the motion and it was passed by unanimous voice vote.

#### **Resolution 2020-16**

- d. Review of Recommended Zoning Ordinance Amendments & Hearing date schedule

Ms. Hitchens was in attendance to review several possible Zoning Ordinance amendments. She gave the Board a memo summarizing the possible amendment and the reasons for it. The Planning Commission has reviewed the possible amendments and recommends that the Board proceed with amending the Zoning Ordinance as proposed by Ms. Hitchens in her memo.

The Board discussed the amendments they agreed with the items presented by Ms. Hitchens. Mr. Demme stated that he would like to discuss some amendments with Township staff that he would like to propose at an appropriate time.

- e. Authorize Legal services proposal re: Cable TV Franchise Renewal process

Mr. Hutchison indicated that the Township's cable franchise agreement expires in December of 2022 and as a result through FCC regulations, Comcast notified the Township of their desire to begin the renewal process which they have to do 30 months in advance of the expiration. Mr. Hutchison stated that he took the liberty of contacting Cohen Law Group. He also reached out to other municipalities in the county to see if they are similarly situated and ask if they want to do this as a group effort. As a result of the outreach he found out that there were several municipalities that went through this last year and they are willing to share their updated franchise agreements with him.

After some discussion:

Mr. Demme made a motion to authorize the Legal services proposal with the Cohen Law Group re: Cable TV Franchise Renewal process. Mr. Buckwalter second the motion and it was passed by unanimous voice vote.

f. Engineering Proposal re LHE Streetscape Implementation – Phase 3

Mr. Hutchison stated that the Township just received last week the signed agreement from PennDOT for the multimodal funding for this project so now the Township has PennDOT multimodal and Commonwealth Financing multimodal funds and Township matching requirements. Township would like to go forward to get this started. He mentioned that a number of years ago McMahon was authorized through PennDOT to be the consultant firm to prepare the plans related to these improvements and they have provided this proposal. Mr. Hutchison asked the Board for their approval to begin that process. Letters were sent out earlier in the month notifying property owners that there would be surveyors working in the corridor taking measurements.

Mr. Demme made a motion to approve the Engineering Proposal re LHE Streetscape Implementation – Phase 3. Mr. Blowers second the motion and it was passed by unanimous voice vote.

Manager's Report:

- a. MS4 Report
- b. Lincoln Highway East Streetscape Plan Implementation Report
- c. Walnut Street Extension / Great Lancaster Heritage Pathway Report
- d. Pandemic Response

Mr. Hutchison Stated that he would let the Board read the Managers reports rather than go over it in much detail unless the Board has any questions related to MS4, Streetscape plan, Walnut Street Extension / Greater Lancaster Heritage Pathway and Pandemic Response.

Adjournment

A motion was made by Mr. Demme 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 Monday, July 20, 2020 beginning at 7:30 pm.

Respectfully submitted,  
Ralph Hutchison  
Township Manager

DRAFT