

August 1, 2022

The East Lampeter Township Board of Supervisors met on Monday, August 1, 2022, 7:30pm at the East Lampeter Township Office: 2250 Old Philadelphia Pike, Lancaster, PA 17602. The statement of recorded meetings was played for all in attendance. Chairman John Blowers called the meeting to order at 7:30 pm followed by the Pledge of Allegiance. In addition to Mr. Blowers, Supervisors present were Mr. Ethan Demme, Mr. Roger Rutt, and Mr. Mike Thornton. Also, present were Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, and Alecia J. Hair, Administrative Assistant. Vice Chairman, Corey Meyer, was not in attendance.

The meeting was held using Zoom, an internet web conferencing tool. A recorded statement was played regarding the use of Zoom for this public meeting including instructions for the public to use in order to participate in the meeting.

Public Present in Public Meeting Room:

Chris Scott, Millport Road  
Henry Gantz, Eastland Drive  
Tony Seitz-High Associates  
Claudia Shank-McNees, Wallace, & Nurick  
David Miller-Rettew Associates  
Kyle Stauffer-Derck & Edson  
Troy Hurst-Lancaster Mennonite School  
Allison Gibson, Lancaster Clean Water Partners

Also, In attendance via Zoom:

Ashley Allen Jones, I2 Capital  
Callan Walsh Dever, I2 Capital  
Evan Branosky, I2 Capital

Public Comment for Non-Agenda items:

Mr. Chris Scott of Millport Road expressed concerns regarding the amount of panhandling happening in the Township, specifically, at Route 340 exit/off-ramp and along Route 30. Individuals are leaving litter, intimidating drivers and creating an overall nuisance. Mr. Hutchison explained the issue of panhandling itself falls under freedom of speech. Mr. Scott stated the panhandling hurts real estate sales, businesses, and visitors. Mr. Hutchison added that the littering issue has to be seen in order for police to be able to take action. Mr. Blowers stated the challenges include our local ordinances but also state and federal laws. Mr. Scott pointed out the panhandlers are affecting real estate purchases and business as well because others do not want to be a part of or have to go through areas with the panhandlers. Mr. Blowers stated the Public Works Department removed trash from the Route 340 exit ramp and inquired with Mr. Hutchison if they could continue to remove trash. Mr. Hutchison noted that all the areas discussed are along state roadways, so PennDOT should be engaged. Mr. Blowers agreed. Mr. Scott informed the Board that the City of Lancaster has verbiage in their Ordinance for aggressive panhandling and a man was killed in Baltimore just yesterday. Mr. Thornton suggested having an informal conversation with Police Department and be reminded there are services for folks in these situations.

Mr. Henry Gantz of Eastland Drive raised his concern of panhandling increasing at the off ramp for Route 340, coming East. There is a huge amount of trash and young drivers intimidated by the panhandlers at this area because the panhandlers are almost arrogant when you do not contribute towards them.

There was no other public comment.

Consent Agenda:

- a. Approval of the August 1, 2022 Board of Supervisors meeting agenda
- b. Approval of the Minutes of the Monday, July 11, 2022 Regular Meeting
- c. Approval to pay invoices from all funds: Total \$678,176.53

Mr. Blowers presented the bills to be paid from various funds for the total amount of \$678,176.53. Items of note include, \$160,494.14 to H & K Group for paving roadways out of Highway Aid Fund; \$49,552.76 to H & K Group for the paving at Community Park on Hobson Road; \$35,478.24 to 10-8 Emergency Vehicle Services to decommission two police vehicles.

On a motion by Mr. Demme to approve the consent agenda as presented and a second by Mr. Thornton, the motion passed by unanimous voice vote.

Old Business:

- a. Request to Reduce Financial Security: #2015-38: Devon Creek Phase 1A:

On a motion made by Mr. Rutt to approve request to reduce financial security by \$131,073.65 with a remaining balance of \$404,862.24. With a second by Mr. Demme, the motion was passed by unanimous voice vote.

- b. Greenfield North Revised Land Development Plan #2021-17: Greenfield Road

Ms. Claudia Shank of McNees Wallace Nurick, Mr. Tony Seitz of High Associates, and Mr. David Miller of Rettew were present to represent the plan. Ms. Shank began by informing the Board that after careful consideration and discussion there are changes to the land development plan for the 28 acres that involve the removal of the underground parking resulting in additional surface parking, elimination of the boulevard on the site, and consolidation of the two smaller apartment buildings with the community building. Stormwater facilities have not changed to a great extent. These changes have resulted in an additional 13 units proposed on the site. Originally the land development plan was approved in September of 2021 and the park/rec/open space fee in lieu was approved in December 2021. Mr. Seitz noted that he would appreciate the Board adhering to the original park/re/open space calculation given that there is additional park/rec/open space area shown on the revised land development plan. Ms. Shank noted that the only change the park/rec/open space payment would be \$37,500 per building rather than \$30,000 per building given the number of buildings has changed. Additionally, Ms. Shank noted that the townhouses would be constructed in the last phase; Mr. Seitz indicated that High would be utilizing and has provided to the Township staff the ITE manual numbers for multi-family housing at 1.4 spaces per unit and would like to reduce up to 75 parking spaces in various potential areas of the site. One being near the townhouses and the other near the riparian buffer area. Mr. Demme noted that the math worked for him regarding park/rec/open space payments considering the additional units and

additional park/rec/open space. Mr. Rutt noted he was ok with this too. Mr. Hutchison disagreed with the Board and noted that trail areas along roadways shouldn't be counted because they are required as sidewalk within the ordinance and general grass area shouldn't be considered as park/rec/open space. Mr. Demme noted that the Board already made a decision and it makes sense to not relitigate this issue at this time. Mr. Thornton noted the Board the Board should stay with the same agreement as before. Mr. Blowers indicated he was comfortable moving in the same way as in December 2021 decision for park/rec/open space fee in lieu with the minor change that Ms. Shank noted of the fee per building. Mr. Thornton noted that removing near the riparian buffer area would provide less environmental impact. Mr. Miller noted that was a potential however there was a significant fill in that area to accommodate the underground stormwater facilities. Mr. Sietz informed the Board that the pool is biased towards building 1 to allow a pathway between the buildings which could be used for emergency vehicles if needed. Mr. Blowers questioned if this would be chained or bollarded? Mr. Miller noted this was still open for discussion. Mr. Hutchison interjected that there are now other issues that should be considered by the Board: connection of sidewalk from Greenfield to Willow with crosswalk and ADA corner; secondary driveway nearest to Willow Road/Greenfield Road intersection should be right in/right out only; dedicated left turn lane along Greenfield Road into the site. Mr. Miller noted that there is a fully functional and signalized intersection at Ben Franklin Blvd and Greenfield Road. Mr. Hutchison noted that the left turn lanes would be paint only on Greenfield Road. Mr. Blowers noted that a traffic engineer looked at this previously. Mr. Demme noted that he is not in favor of mountable curbing at the entrance to the site as requested by the fire departments. The vertical curbing is a safer situation for pedestrians who will use the area far more frequently than emergency services. Mr. Sietz noted this was significantly discussed with the fire departments and chiefs and they were in favor of mountable curbing at the main entrance along Greenfield Road. Mr. Hutchison noted that the last issue is the trucking of fill to the site, it is a significant amount of fill and impact to the Township roadways and culvert along Pitney Road. Mr. Sietz noted that Kinsley is proposing steel plates over top of the culvert and High is proposing bonding of the roadways involved. The entrance along Greenfield Road will be utilized, not Willow Road. The route is Millcross/Pitney/Greenfield Road. Mr. Sietz noted that \$750,00 is being contemplated as the bond amount. Mr. Hutchison noted that didn't include base repair or temporary winter repair which should be included. Mr. Blowers noted this is the largest residential land development for East Lampeter Township ever and thanked High for working through all the issues.

On a motion by Mr. Thornton for the conditional approval based on the July 7, 2022 David Miller Associates review letter; July 16, 2021 LCPD letter with exception to providing a sidewalk between townhouses and Willow Road due to the berm proposed and extending the pedestrian path along Willow Road to the south as that will be completed with future development; approve modification for sidewalk subject to providing a pedestrian easement for walking path; deny mountable curb at boulevard entrance to provide greater pedestrian safety; honor the previously approved park/open space/rec fee however given the change in number of buildings, there shall be a fee of \$37,500 per multi-family building permit; provide, if possible, a dedicated left turn lane within the confines of Greenfield Road to the main boulevard entrance and first entrance near the townhouses; provide a pedestrian connection and curb cut between Greenfield North and the Pennsylvania College of Health Sciences at the Greenfield Road/Willow Road intersection; provide a bond of \$1M as security for the Stauffer Run culvert, mill, overlay, base repair, and temporary winter repair, if needed, for the truck route (Millcross/Pitney/Greenfield) that will be

utilized to haul fill from the Walnut Street Extension to the Greenfield North site; allow removal of up to 75 parking spaces on the site with vertical curb around those areas and submission of a plan for staff review and approval 30 days prior to construction. Mr. Demme seconded the motion and it was passed by unanimous voice vote.

New Business:

a. Lancaster Mennonite School Land Development Plan #2022-04: 2176 Lincoln Highway East: Mr. Kyle Stauffer of Derck & Edson briefly described the plan to include a small building addition for entrance to the High School, redoing existing asphalt to improve circulation within parking lots and add a 12' wide walking trail along the Route 30 frontage per the Lincoln Highway Streetscape Plan to approach of the bridge. There is no increase of water or sewer usage, no increase of students and the applicant would like to start before school begins at the end of this month. The applicant requests a deferral for the requirement to continue trail eastward to the property line to the point of the approach of the bridge.

On a motion by Mr. Rutt to conditionally approve the land development plan #2022-04 for 2176 Lincoln Highway East based on the June 20, 2022 David Miller/Associates review letter and a deferral agreement for the eastern portion of the trail along Route 30 to be installed at a future time when the Board of Supervisors determines or PennDOT replaces the bridge. The motion was seconded by Mr. Demme and was approved by unanimous voice vote.

b. Review Comments re: Upper Leacock Township Rezoning proposal: Mr. Blowers and Mr. Hutchison reviewed the proposed zoning change for property located in Upper Leacock Township noting that the surrounding parcels have been zoned Light Industrial. Township staff noted that the proposed rezoning is consistent with the Conestoga Valley Regional Comprehensive Plan. Ms. Hitchens explained that the parcel borders Agriculture zoning and that a portion of the parcel had been rezoned to Light Industrial a number of years ago.

On a motion by Mr. Demme and a second by Mr. Thornton, the Board of Supervisors approved the forwarding of the Township staff review letter to Upper Leacock by unanimous voice vote.

c. Discussion re: Long Term Use of Hotels: Mr. Demme and Mr. Blowers had requested discussion following a mid-July incident at the Motel 6. Mr. Demme attended the debriefing with the Police Department, Emergency Services, County Emergency Management, Red Cross, and others. Mr. Demme indicated that he is willing to type a memo for the Board based on his notes from the debriefing. At the debriefing, it was noted that this event required the largest rehousing of individuals in over a decade or longer, 25 persons were in need of rehousing. It was indicated at the debriefing that there may have been more options available to assist if there was an emergency declaration per the recently adopted Emergency Operations Plan. The surrounding schools, Lancaster Mennonite and Conestoga Valley both declined to assist in temporarily rehousing persons displaced. Mr. Demme added that if the Township would have declared an emergency, funding may be available to the Township to provide assistance. Mr. Demme presented his personal options to include: 1. The Township could continue to ignore the hotels as illegal housing; 2. Township aggressively enforce the 30 days stay; or 3. The Township could provide options within the "toolbox" to make hotels safe for emergencies, legalize more housing the C-2 and/or C-3 zoning districts with extra regulations. Additional spot inspection, use nuisance

ordinance; have a discussion as currently putting undue burden on the volunteers and EMS. Mr. Thornton added this is not the first time-that there is a lack of housing for individuals as there are agencies within Lancaster County and especially Conestoga Valley area that have been attempting to deal with the issue of housing. Mr. Thornton asked what services or outreach has been provided to people in these situations. Previously there was cooperation from the hotel owners, but not all, some view hotels as offering affordable housing. Mr. Rutt suggested to the Supervisors to guard against the “it can’t happen here” mindset as pressure is increasing dramatically. Trouble feeding family, struggle to find housing, East Lampeter Township is not immune to this issue. Mr. Blowers continued that the situation is a hurdle with economic opportunity and challenges the Township has to embrace. In winter 2019-2020 those looking for housing were issued vouchers to be used for one-night stay at specific hotels along Route 30. Mr. Thornton stated a hotel is not a place to live, especially for families. Hotels are not housing and there should be safe and affordable housing developed. Mr. Blowers asked if perhaps East Lampeter is doing something to prevent workforce housing to which Mr. Hutchison stated he did not believe the Township was doing anything to prevent the construction of housing. Mr. Demme stated there is not enough by-right residential options and those that are permitted are only open to large developers. Ms. Hitchens respectfully disagreed with Mr. Demme pointing out new infill housing provided on Old Philadelphia Pike which was twenty new units on 1.8 acres and a 12-unit infill on Lincoln Highway East both of which were not developed by large developers. Additionally, Ms. Hitchens noted that East Lampeter Township is one of only a few in the state to allow ADU’s. Mr. Demme agreed with Ms. Hitchens but added when these are open to the market they are immediately filled. Mr. Blowers indicated that none of us would say a hotel is ideal housing but it’s got to be better than a family living in a vehicle which led him to question if there is a need for a hotel inspection ordinance? How do we create more housing opportunities? East Lampeter Township needs to address this in both the short and long term. It was noted the Red Cross does not have enough staffing. Mr. Hutchison noted this is even more reason to hold off calling for emergency. Mr. Demme concluded the discussion stating that declaring an emergency give East Lampeter Township access to reimbursement for Fire Departments and housing.

Action Items:

a. Agreement re Purchase of Pollution Reduction Credit-I2 Capital: Ms. Hitchens described the revolving water fund, East Lampeter Sewer authority heard the presentation at their prior meeting. East Lampeter Township would purchase MS4 credits for projects completed either within the urban area or within the 1 mile allowed outside the urban area on agricultural properties. I2 Capital would be responsible for getting the projects in place, inspections, and certifications for the first five years of the agreement at a cost of \$7.64 per pound. The Township would be required to purchase a minimum of 100,000 pounds in the 2018-2023 permit cycle and have the option to purchase another 50,000 pounds if needed. Additionally, the Township would have the right of first refusal for any additional projects within the Township in future permit cycles. One items that remains open is the O&M through lifespan of the project. East Lampeter Township does not have staff to do this type of work. I2 Capital has at least 30 farmers interested in the Stauffer Run Watershed of which 12 have signed contracts with 150,000 pounds to be purchased. Ms. Hitchens added that East Lampeter Sewer Authority Solicitor, I2 Capital Counsel, and the East Lampeter Township Solicitor have all reviewed. The Township Solicitor provided a brief memo for the Boards review. Mr. Hutchison stated the maintenance and costs associated are the only item not clear, based on Solicitor’s review. Mr. Hutchison add ten cents per pound for maintenance was

noted by I2 Capital at the ELSA meeting, but this needs to be in the document and cost schedule per the Township Solicitor's memo. Mr. Blowers reiterated the Township is looking to adopt with conditions regarding how the document is handled to staff satisfaction. Mr. Hutchison added the Township would want to get credits during this permit cycle. Ms. Dever stated that I2 Capital staff was working with service providers on costs and should have something by Wednesday. Mr. Hutchison added that if \$0.10 per pound, the cost shall be reflected in the O&M Agreement. Mr. Blowers summarized the adoption of the agreement with East Lampeter Township staff expectation of O&M and the costs are met.

On a motion by Mr. Demme to approve agreement conditioned upon I2 Capital coming back with presentation to staff on maintenance and costs. Seconded by Mr. Rutt, motion passed by unanimous voice vote.

b. Ordinance re Grease Trap Requirements: Mr. Hutchison explained to the Supervisors there is conflict between the original ordinance and ELSA standard procedures. The Sewer Authority is looking for the adoption of an ordinance to resolve the matter.

On a motion by Mr. Thornton to adopt the Grease Trap Ordinance as written. Seconded by Mr. Demme, motion carried with all voting in favor.

c. Add BIU Code Enforcement to Township list of Third-Party inspectors: Ms. Hitchens stated Township staff met with BIU and feel they will be an asset to the Township for third party review and inspection services for non-residential properties.

On a motion by Mr. Rutt to add BIU Code Enforcement to the list of third-party review and inspection agencies, seconded by Mr. Demme, all voted in favor by unanimous voice vote.

d. Resolution re Purchase of new Intoxilyzer using Forfeiture Funds (Fund 04): Mr. Hutchison explained the Police Department is having issues with equipment and are requesting the purchase of new Intoxilyzer using the Forfeiture Funds.

On a motion by Mr. Demme to authorize the purchase of new Intoxilyzer with a second by Mr. Rutt and all voting in favor by unanimous voice vote.

#### Manager's Report:

a. Walnut Street Extension/Lancaster Heritage Pathway: Mr. Hutchison briefed the Supervisors on the project which is currently under construction and had a great groundbreaking ceremony mid-July. Mr. Blowers noted the construction cannot be seen to which Mr. Hutchison added it will likely not be seen until the construction of the bridge across Millcross Road.

b. Update re Connects 2040 transportation funding application: Mr. Hutchison stated the applications were submitted, Ms. Hitchens led the interviews for the Township and results are anticipated in August or September.

c. Mr. Hutchison added that after discussion, he would like for the next agenda to discuss 2023 Budget, not by line items, but programs, personnel, and projects to get an early jump on the budget.

Adjournment:

On a motion by Mr. Demme and a second by Mr. Rutt with all voting in favor, the meeting was adjourned at 10:21 pm. The next Board of Supervisors meeting will be held on Monday, August 15, 2022 at 7:30 pm in the East Lampeter Township Office, 2250 Old Philadelphia Pike, Lancaster, PA, 17602 and via ZOOM, check the Township website at [www.eastlampetertownship.org](http://www.eastlampetertownship.org) for more information.

Respectfully submitted,

Ralph M. Hutchison  
Township Manager