

March 6, 2023

The East Lampeter Township Board of Supervisors met on Monday, March 6, 2023, 7:30 pm 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. John Blowers, Supervisors present were Mr. Corey Meyer, Mr. Ethan Demme, Mr. Roger Rutt and Mr. Mike Thornton. Also present in the meeting room were Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, Chief Stephen Zerbe and Ms. Stephanie Leakway, Administrative Assistant

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:

Sue Orth – CVHHDH, CV Seeds, C.V. Ministerium  
Glenn Hoover – Carpenter Community Church/C.V. Ministerium  
Mark Lopez – YAP  
Judy Leonard – YAP  
Tim Burkhart  
Dusty Burkhart  
Tammie Fitzpatrick – Coalition of Sustainable Housing  
Roger Fry – Fry Surveying for Beechdale Farm  
Brenden Curry - LNP  
Janele Phant  
John Mastromatteo  
T. Yvonne Badilla  
Dana Mastromatteo  
Donna Mastromatteo  
Nick Wagner  
Michelle Kime – CV Seeds  
Kristen Hershey – CV Seeds  
Steve Musselman – Witmer Heights Mennonite  
David S. Beiler – Millcreek Fence  
Crist S. Beiler – Millcreek Fence  
Donna Hurley - YAP  
Shelby Nauman – Tenfold/Coalition for Sustainable Housing  
Andy Nauman – Tenfold/Coalition for Sustainable Housing  
Alex Kinzey – Steckbeck Engineering for 1724 Lincoln Highway  
Sean Krumpe – Lancaster County Land Bank

Also, In attendance via Zoom:

None

Public Comment for Non-Agenda items:

None

Consent Agenda:

- a. Approval of the March 6, 2023 Board of Supervisors meeting agenda
- b. Approval of the Minutes of the Saturday, February 4 2023 Special Meeting
- c. Approval of the Minutes of the Monday, February 6, 2023 Regular Meeting
- d. Approval to pay invoices from all funds: Total: \$1,062,233.92

Items of note: \$194,982.72 to the City of Lancaster for sewage treatment, \$81,630 to Whitmoyer Auto Group for police vehicles, \$64,386.18 for safety caution equipment for traffic signal, strobe and sensors, \$66,325.52 for 1<sup>st</sup> quarter distributions to four fire companies which is \$16,581.38 each, \$49,662.50 to McMahon Associates for engineering work on the Route 30 streetscape implementation plan, and \$27,400.80 to the Lancaster Area Sewer Authority for the 4<sup>th</sup> quarter 2022 payments

Motion made by Corey Meyer to approve the Consent Agenda which was seconded by Mike Thornton and unanimously approved by voice vote.

Recognition of service to Youth Aid Panel Program

Chief Zerbe recognized Mrs. Judy Leonard, Mrs. Donna Hurley and Mr. Mark Lopez for their many years of service on the Youth Aid Panel, in some cases over 15 years, all on a volunteer basis. They have overseen summary and misdemeanor juvenile cases which are adjudicated outside of the juvenile courts. The goal of the Youth Aid Panel is to reduce youth recidivism in the juvenile justice system. He presented each of the Youth Aid Panel members with a certificate recognizing them for their committed service to the panel and thanking them on behalf of the East Lampeter Police Department and the East Lampeter Township Board of Supervisors.

Recognition of 2022 Officer of the Year

Mr. Cameron Holmes of the Leola Bareville Leacock Lions Club recognized Detective Christopher Jones as the 2022 Office of the Year. Detective Jones was hired in September 2001 and had been a police officer with Shippensburg Borough, Mont Alto and Ephrata Township police departments prior to coming to East Lampeter Township. Detective Jones has worked with the Lancaster County Drug Task Force as well. Over the years Detective Jones has been recognized over 15 times with letters of commendations. In 2022, Detective Jones handled over 30 cases resulting in 13 arrests. He was involved with the development of the Lancaster County Human Trafficking Task Force which was responsible for 30 arrests County wide in 2022. Due to his excellent work on a homicide in a drug delivery resulting in death case in 2022, both defendants were found guilty on all charges. Detective Jones was presented with a plaque for Officer of the Year for 2022.

Recognition of Officers for 25 Years of Service

Chief Stephen Zerbe recognized Sergeant Bryan Kondras for his 25 years of service as of September 2022. He was hired in September 1997. He served for 4 years in the U.S. Army Third Infantry Division. He has served in the Patrol Division for the duration of his time with the East Lampeter Township Police

Department and was promoted to Sergeant in March of 2017. Sergeant Kondras was Officer of the Year in 2001. Sergeant Kondras has received more than 10 commendations during his career as well as many thank you letters from victims and citizens during his career. He has been acknowledged for multiple life-saving awards, the Lancaster County DUI Top Gun Award, agency assists in the arrests of robbery and home invasion suspects, the apprehension of a stolen vehicle recovering several stolen firearms, handling a suicidal individual, investigating a bad accident resulting in an overturned school bus resulting in an arrest as well as his volunteering for presidential inauguration detail. He was presented with a memory box by Chief Zerbe in recognition of his 25 years of service.

Chief Zerbe recognized Sergeant Gregory Dolk for his 25 years of service. He was hired in January 1998. He has worked in the Patrol Division for the duration of his time with the East Lampeter Police Department. He was promoted to Sergeant in August 2017. He was voted as Office of the Year in 2004. Sergeant Dolk has received many letters from citizens, crime victims and motorists during his career. He has received numerous commendations with a few examples being the apprehension of a fugitive from the Bureau of Alcohol Tobacco and Firearms, arresting two separate burglary suspects which lead to clearing several open cases, apprehending a wanted subject in a stolen vehicle, and in the apprehension of several subjects involved in numerous thefts from vehicles. He has served the Police Department as an in-house training instructor. Chief Zerbe presented Sergeant Dolk with a memory box for his outstanding commitment to law enforcement and the residents of East Lampeter Township over the past 25 years.

Mr. Blowers thanked the volunteers and the officers for serving the public.

#### Presentation from Coalition for Sustainable Housing Policy Committee

Tammie Fitzpatrick, Chief Operating Officer at HDC MidAtlantic representing the Coalition for Sustainable Housing which is a diverse group of organizations and individuals who collaborate, advocate and educate for housing solutions for everyone across Lancaster County. They work together to drive solutions and affect change in the affordable housing space. Ms. Fitzpatrick stated housing is at the center of a thriving community and currently there is a need for 1,250 new housing units per year in Lancaster County to keep up with the current population growth rate. There is a need for a diverse mix of housing types to accommodate income levels, lifestyle and family composition. A 2020 U.S. Dept of Housing and Urban Development study suggested Lancaster County needs to create more than 18,000 new units that are affordable for lower income households alone just to keep up with the current demand. Regional studies have supported this need as well. Growing Together LIMC's study indicated 17,728 new housing units would be needed to accommodate the expected population growth over the next 25 years. Places 2040 has recommended simplifying zoning to consolidate zoning districts and streamline reviews.

The current methods for adding lower income housing include subsidized programs such as Section 8 Vouchers, Low Income Housing tax credits and Sweat Equity Models, private unsubsidized development usually by large and small developers and homeowners. There are barriers to adding high density developments such as zoning challenges and rising costs with regard to construction, land and financing and there are limited government subsidized resources.

The options available are to stop growing which is detrimental economically, expand the urban growth boundary and use up valuable farmland or increase density and infill by allowing existing zones where infrastructure already exists. Ms. Fitzpatrick proceeded to review the various housing types. The goal is to continue to grow and maintain the current urban growth boundary, increase housing affordability with a mix of housing options and look at incremental options to increase density in each zoning district while maintaining the context of the neighborhood.

Mr. Blowers indicated East Lampeter Township currently has multiple projects by developers who are working on some significant multi-family housing and indicated there can be more. Mr. Blowers noted that density is key. One developer has responded to the Township to increase the density. Ms. Fitzpatrick was pleased to hear the Township's challenge to the developer because that is not something that is heard often.

Mr. Rutt questioned the Growing Together numbers and inquired of the correlation between introducing market rate units with lower cost rentals to which Ms. Fitzpatrick responded more market rate can allow for some people to move up which will open the availability of lower cost housing but there is a need for a diverse mix of housing types and income levels to meet the demand. Mr. Rutt proceeded to ask Ms. Fitzpatrick if she had any successful projects she could reference where there was actual market rate and affordable housing. Ms. Fitzpatrick indicated she would be able to provide that information to the Board. Mr. Hutchison pointed out that the Growing Together Plan was adopted in 2007. Mr. Rutt stated it seems that the zoning requirements are an impediment. Ms. Fitzpatrick stated she could provide some examples of success stories.

Mr. Thornton inquired about evidence that changing zoning to influence developers. After speaking with a developer, market conditions dictate whether or not a zoning change is required. Ms. Fitzpatrick indicated that having the zoning available will make it more attractive for developers to come into a site and develop the site. Mr. Demme noted that if you are a large developer then you can come in and advocate for zoning changes, if the zoning is already in place, then the smaller developer can come in and invest immediately. Mr. Demme noted that the developer for Rockvale indicated that the zoning was already in place was the key to the redevelopment options. Ms. Fitzpatrick stated that going through the zoning revision process takes time and money of the developer. Mr. Rutt would also be interested in any financial pieces from state or federal governments that helped put the last piece together. Mr. Blowers indicated that if a municipality frees up zoning to the point where anything goes it takes a great deal for the public to agree to such a change. Mr. Blowers indicated the Township is always trying to keep up with where the market is but it tends to stay so far out in front that it's difficult to predict what may happen in the future. He indicated it's important to keep the public thought and process involved in mind. Mr. Blowers stated East Lampeter Township has always looked for ways to push the envelope just enough keeping in mind the residents will hold those who make these decisions accountable. Ms. Fitzpatrick stressed it is important to build similar structures that are compatible with the neighboring properties. Mr. Blowers made mention of the Township previously adopting ADUs (Accessory Dwelling Units) as a means for an alternative and creative use of existing structures.

Mr. Hutchison noted that the Board will look at moving forward with a housing study later in the agenda tonight. Mr. Blowers stated that as part of the 2023 budget East Lampeter Township would like to move this forward.

#### Old Business:

##### a. ECHO Agreement Termination

Mr. Hutchison noted that the Elder Cottage Housing Option was no longer needed on the property and in order to remove the original agreement from the property, a termination agreement is required to be recorded.

Motion made by Mr. Thornton to approve the ECHO termination at 2689A South Cherry Lane which was seconded by Mr. Rutt and approved by unanimous voice vote.

- b. Request for Reduction of Financial Security: #2013-37 Amos Beiler, 2725 Lincoln Hwy East

The Township engineer, David Miller Associates inspected the site and has recommended in a letter dated 2/20/23 that \$0 be reduced for the Financial Security because there has been no work completed to date on the remaining items.

Mr. Rutt made a motion to make no reduction to the Financial Security which was seconded by Mr. Meyer and approved by unanimous voice vote.

- c. Request for Reduction of Financial Security: #2015-22 Turkey Hill Car Wash, 5 Strasburg Pike

David Miller Associates letter dated 2/10/23 recommended reducing Financial Security to \$33,578.44 for site improvements and \$0 remaining balance for the sanitary sewer as recommended by the Sewer Authority Engineer, HRG.

A motion was made by Mr. Meyer and seconded by Mr. Thornton which was approved by unanimous voice vote.

- d. Request for Reduction of Financial Security: #2016-25 David & Sadie Crills, 2009 Meadow Ridge

David Miller Associates made a recommendation in a letter dated 2/21/23 to reduce the Financial Security to \$2,000. However, the property has a significant construction escrow amount due which should be a condition of approval of the financial security reduction.

Mr. Rutt made a motion to reduce the Financial Security after the escrow account is paid in full. Mr. Demme seconded the motion which was approved by unanimous voice vote.

- e. Request for Reduction of Financial Security: #2017-22 2232 Lincoln Highway East

David Miller Associates letter dated 2/14/23 recommended a reduction to the Financial Security to \$17,154.50.

Motion to approve the reduction was made by Mr. Thornton and seconded by Mr. Meyer. Motion was approved by unanimous voice vote.

- f. Request for Time Extension to record conditionally approved Land Development Plan #2021-25; Steudler Property

A request was made to extend the date from March 20, 2023 to June 20, 2023 for the conditionally approved land development.

A motion was made by Mr. Meyer which was seconded by Mr. Rutt and approved by unanimous voice vote

- g. Request for Time Extension to record conditionally approved Land Development Plan #2022-13: Lot 5 Zook, Yoder Esh

This is a first request for a time extension to record. The request is to extend to June 30, 2023.

Motion made by Mr. Meyer which was seconded by Mr. Rutt and approved by unanimous voice vote.

#### New Business:

- a. Stormwater Management Plan #2022-19: 1724 Lincoln Highway East

Alex Kinzey from Steckbeck Engineering who prepared the plan for this project provided an overview. He discussed the property which is the former Ristenbatt Vacuum business location at 1724 Lincoln Highway East. The intent is to reutilize the existing structure but provide an expansion of impervious coverage to allow for better parking, improve the streetscape and narrowing it to one entrance and adding a sidewalk. For stormwater facilities, a rain garden to the south side of the property is proposed. Mr. Blowers mentioned the impervious connection to the Sundance Car Wash. Mr. Hutchison indicated the approved for the car wash property is to eliminate this connection between the two properties. Mr. Kinzey indicated the intent was to leave the connection of asphalt in place. Mr. Demme indicated if the asphalt remains it would allow for possibly 3 more parking spaces. Mr. Meyer wanted to know why the Township engineer didn't mention this in their review. Mr. Hutchison surmised it may be due to this specific area already being in existence. Mr. Kinzey indicated they are terminating access to the west side of the property to that adjoining neighbor. Mr. Demme indicated he does not see a benefit to require removal of the asphalt unless something should occur in the future requiring the removal of it.

Motion to approved the stormwater plan made by Mr. Demme which was seconded by Mr. Meyer and passed by unanimous voice vote.

- b. Subdivision Plan #2022-21: Beechdale Farms Subdivision, 458 Beechdale Road

Roger Fry of Fry Surveying Inc. was present to represent the subdivision plan and indicated the property is located on the west side of Beechdale Road. The property is in both Upper Leacock and East Lampeter Townships with access being in Upper Leacock Township. There is proposed a flag lot to go in the rear of the property which would put the improvements in East Lampeter Township with the exception of the access to Beechdale Road being in Upper Leacock Township. Upper Leacock Township has approved the plan based on their Township engineer's review and deferring the sewer module to East Lampeter Township. With regard to the East Lampeter Township portion of the property, there are two waivers being requested regarding preliminary plan and loading ratio.

Mr. Hutchison apologized for the resolution related to the sewer planning module not being on the agenda. Roger Fry provided a copy of the resolution for consideration.

Motion made by Mr. Demme and seconded by Mr. Meyer to approve the resolution for the PA DEP sewer planning module, approve the preliminary plan waiver, and approve the loading ratio waiver. In addition, to conditionally approve the subdivision plan based on the David Miller Associates review letter dated February 10, 2023. The motion was passed by unanimous voice vote.

#### Action Items:

- a. Letter of support re: Pine Manor Home applications for County ARPA funds

Pine Manor is requesting a letter of support be sent to the Lancaster County Commissioner's in support of their application and request for funding through County ARPA funds for improvements to the property to continue service to their residents.

A motion made by Mr. MeyerCorey which was seconded by Mike and approved by unanimous voice vote.

- b. Authorize opposition to Use Variance Zoning Appeal re: David Beiler of Millcreek Fence and Keystone Vinyl for property at 2498 Old Philadelphia Pike

The current ordinance allows for manufacturing on Township roadways but not state roadways. Mr. Hutchison indicated the Township Staff wants to uphold the provisions of the existing ordinance with the assistance of the Township Solicitor. The property is within the Village General zoning district. When the zoning ordinance was overhauled in 2016 the Board of Supervisors approved manufacturing up to 30,000 square feet on a Township roadway in the Village General, Village Commercial and Bird-In-Hand zoning districts. Mr. David Beiler indicated his attorney questioned how manufacturing is singled out because there is no property available in the Village General (VG) zoning district on a Township roadway that could allow for this use. Mr. Hutchison noted that the statement of Mr. Beiler is inaccurate. Mr. Hutchison referenced to Witmer Road and Airport Road as just two examples of Township roadways within the VG zoning district.

Motion made by Mr. Thornton to authorize the Township solicitor to assist in opposition to the Use Variance Zoning Appeal which was not seconded so motion did not move forward for a vote.

- c. Discussion re: Housing Plan Scope of Work

Mr. Hutchison stated staff had provided a scope of work which the Planning Commission reviewed and was provided to the Board several weeks ago for review. Mr. Hutchison noted that staff is looking for approval to move forward on what has been presented to the Board for review. Mr. Demme questioned if the age of housing would be looked at as well. Ms. Hitchens noted that it would be as part of the study. Mr. Meyer thanked staff for putting together the scope of work.

Motion to approve made by Mr. Thornton and seconded by Mr. Meyer. Motion approved by unanimous voice vote

d. Authorization to begin consultant selection process for Housing Plan

Motion made to approve made by Mr. Thornton and seconded by Mr. Meyer and approved by unanimous voice vote.

e. Ordinance Adoption re: updated Official Map

Ms. Hitchens discussed the new map includes improvements from the Bridgeport plan, the pollution reduction plan and the Parks and Recreation plan as well as continuing to include items from the original official map adopted in 2015.

Motion made by Mr. Meyer and seconded by Mr. Rutt which was approved by unanimous voice vote.

f. Authorization to proceed with Land Bank program

Mr. Hutchison indicated he received the draft agreement with a few minor modifications. It requires a 3-party relationship between Conestoga Valley School District, East Lampeter Township, and Lancaster Redevelopment and Housing Authority (LCRHA). Sean Krumpe from LCRHA was present and indicated that together LCRHA and East Lampeter Township will need to talk with the school district about the program as the next step.

Motion to approve made by Mr. Thornton and seconded by Mr. Demme which was approved by unanimous voice vote.

g. Resolution re: purchase of additional Crime Watch feature

Chief Zerbe spoke about an expanded feature of the Crime Watch system which is equivalent to a police blotter. He indicated it will save a lot of manpower and time as this is currently handled by one individual. This feature will extrapolate information from Crime Watch in a pre-formatted setting allowing the Lieutenant to review it and transmit it out to the public more quickly. An amendment to the budget would be needed in the amount not to exceed \$4,200.00 from Fund 04.

Motion made by Mr. Meyer which was seconded by Mr. Demme and unanimously approved by voice vote.

h. Consideration of Award of contract for In-place Paving Materials

Only one bid was submitted for oil and chip by Martin Paving. Of the bids received for paving, the lowest bid was from Pennsy Supply. Mr. Hutchison recommended both the Martin Paving and the Pennsy Supply bids be approved by the Board.



A motion was made by Mr. Demme which was seconded by Mr. Thornton and approved by unanimous voice vote.

Manager's Report:

a. Review of Report re: Pedestrians Crossing Mt Sidney Rd

Mr. Hutchison indicated the Board of Supervisors authorized staff to work on a pedestrian crossing study on Mount Sidney Road with the conditional approval of the Conestoga Valley School District Middle School plan. Potential crossings at Sue Ann, Stumptown and Southview Roads were considered based on visibility issues and utility poles. The Township received an initial report from the Township's traffic engineer and staff went back to the engineer with several comments. Staff is currently waiting to receive a response regarding the comments and will advise the Board once received.

b. Community Survey

Ms. Hitchens addressed the Board of Supervisors regarding the presentation from Zen City which the Board felt was a little overzealous for East Lampeter Township. Thus, staff would like the Board to consider a simple Survey Monkey baseline survey of services of the Township. Initial questions were provided to the Board to which they added the following: Do you use transit service in or through East Lampeter Township?  
The survey is scheduled to move forward in mid-April using Survey Monkey.

Adjournment:

On a motion by Mr. Meyers and a second by Mr. Demme with all voting in favor, the meeting was adjourned at 9:17 pm. The next Board of Supervisors meeting will be held on Monday, March 20, 2023 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