

May 20th, 2024

The East Lampeter Township Board of Supervisors met on Monday, May 20th, 2024 at 7:00 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 Corey Meyer called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance. In addition to Mr. Corey Meyer, Supervisors present were Mr. Roger Rutt, Mr. Ethan Demme, Mr. Mike Thornton and Mr. Ted Gallagher. Also present in the meeting room was Mr. Ralph M. Hutchison, Township Manager and Ms. Stephanie Leakway, Administrative Assistant. Ms. Tara Hitchens, Assistant Township Manager was also present via Zoom.

Public Present in the Public Meeting Room:

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| Jeff Keens- Lafayette Fire | Jefferey Fernbach – Fernmoor Homes |
| Dave Keens-Lafayette Fire | Aaron Murray-Lafayette Fire |
| Gary Nissenzone- Lafayette Fire | Kristi Burkholder- MP Lancaster, LLC |
| Chris Shrom- Pine Manor Home | Dylan Leed- Lafayette Fire |
| Howard Hershey- Lafayette Fire | Suzi Sutton-Lafayette Fire |
| Lloyd N Miller-Witmer Fire | Tim Eisenhard-Lafayette Fire |
| Ryan Trees-RGS for Treehouse Foods | Laura Martin- Fernmoor |
| Steve Zerbe- ELTPD | Emily Kohl- Fernmoor |
| David S Beiler- Millcreek Fence | Steve Gribble- Ronks Fire Co |
| Jason Beiler-Lafayette Fire | |

Public Comment for Non-Agenda Items:

None

Consent Agenda:

- a. Approval of the May 22, 2024 Board of Supervisors meeting agenda
- b. Approval of the minutes of the Monday, May 6, 2024 regular meeting
- c. Time extension to commence work on the required public improvements: Tree House Foods plan # 2023-26-2060 Old Philadelphia Pike

The applicant is requesting a time extension in order to have more time to complete the permitting process for the required frontage improvements (curb & sidewalks) and begin actual

construction. They have requested a time extension to September 9,2024 to commence this work. The deadline for completion of the construction is in June 2025. They have not requested a time extension on the completion date. Township staff has no objection to this time extension to commence work.

d. Approval to pay invoices from all funds : Total -\$ 277,940.05

e. Of the bills to be paid, the following significant amounts are included:

\$62,512.50 to Herr Signal for the Green Light Go traffic signal project on Old Philadelphia Pike

\$17,166.50 to 10-8 Emergency for Police Vehicle upfitting

A motion was made by Supervisor Ted Gallagher to approve the consent agenda which was seconded, by Supervisor Mike Thornton and unanimously approved by voice vote.

Police Department Recognitions-Chief Zerbe

Chief Zerbe was in attendance for the purpose of presenting recognitions to the Detectives and Patrol platoon most directly involved in solving many burglaries through an arrest. The cooperation of the Detectives and Patrol platoon resulted in capturing the suspect who committed 18 burglaries in East Lampeter and Upper Leacock Township. The arrest of this individual cleared over 40 active burglary investigations, in the surrounding areas; New Holland, East Earl, West Earl, Strasburg and several jurisdictions covered by the Pennsylvania Police Department. Chief Zerbe also recognized Detective Jones for his selection as the Detective of the year for Lancaster County (Detective Jones was not in attendance as he was on a detail). Chief Zerbe also recognized Officer Redden for completing 25 years of service. (Officer Redden was not be in attendance)

Detectives and Officers present were thanked for their services.

Appeal Hearing re Suspension from Non-Preference Tow List- Absolute Towing

On April 2, 2024 Chief Zerbe issued a letter suspending Absolute Towing from the Non-Preference tow list in East Lampeter township. On April 19,2024 a letter was received from Mark Lapp with indications that Absolute Towing is appealing this suspension. In accordance with the adopted Non-Preference towing policy, the Board of Supervisors is to hear the appeal within 30 days. The policy also provides that at the conclusion of the hearing, the Board has 30 days to render a decision.

Since no one representing Absolute Towing was in attendance on May 6, 2024, the Board decided to continue the hearing until this meeting. Another notification letter was sent to Absolute Towing in order to inform them of the continuation of the hearing and request their attendance. A copy of this letter has also been provided.

A motion to close the hearing was made by Supervisor Ethan Demme, seconded by Supervisor Ted Gallagher and unanimously approved by voice vote.

A motion to deny the appeal was made by Supervisor Ethan Demme. Supervisor Ted Gallagher seconded this motion which was approved unanimously by voice vote.

7. Presentation re Proposed Fire Apparatus Purchase- Lafayette Fire Co Ladder Truck-

Mr. Jason Beiler, the President of Lafayette Fire Company, and Mr. Jeff Keens, Deputy Chief of Lafayette Fire, presented for the new Ladder Fire Truck. The Emergency Services Committee heard this presentation at their May 16, 2024 regular meeting. After some discussion, they passed a motion to recommend approval of the proposed purchase to the Board of Supervisors. According to the representatives from Lafayette Fire Company, the proposal from the manufacturer is valid through June 6, 2024.

The power point slides for this presentation have been provided. The estimated total cost for the ladder truck is \$1.91 million. The Township's share of this (under the current apparatus replacement program at 60%) is estimated to be \$1,146,000. It is further estimated that the Township's share of the value of the current ladder truck (50%) will be \$150,000. If these estimates prove to be accurate, the Townships net share amount will be \$996,000. Funds will not be required until early 2028 based upon the manufacturer's estimate delivery of 44 months. The approximate sale value of the existing truck is \$300,000. Lafayette Fire Company currently has \$215,000 in their apparatus fund and they anticipate raising an additional \$275,000, until that point in time when the new truck is ready. The additional monies in that fund come from fund raising. Chairman Corey Meyers asked how many payments are left on the building/fire Station, and Mr. Beiler stated that it would be 3-4 years because they have been paying ahead. Right now, the building loan is \$3000 a month, and the truck loan is \$800 a month.

Supervisor Mike Thorton made a motion to accept the purchase of the EONE ladder truck with the Township paying 60% of the total cost of \$1.91 Million. Supervisor Roger Rutt seconded the motion which passed unanimously by voice vote.

Old Business:

- a. Request to terminate ECHO Agreement for : 2149 Colleens Way

The owner of the property is requesting the termination of this agreement because the family member being cared for is no longer living in the ECHO unit and the owner is planning on selling the property.

Supervisor Ethan Demme made a motion to approve the termination agreement for the ECHO unit on the property located at 2149 Colleens Way, and Supervisor Roger Rutt seconded. This motion passed unanimously by voice vote.

New Business:

a. Rockvale Parcel 2 Land Development Plan #2023-32 : 35 S Willowdale Drive

Mr. Chris Venarchick, from RGS Associates presented the Rockvale Parcel 2 Land Development Plan. This plan proposes to begin the introduction of residential units to this site in accordance with the master plan of redevelopment approved by the Board last year. This first phase proposes to construct 128 apartment units on the portion of the site located near the northwest corner of S. Willowdale Drive and Rockvale Road.

The Township Planning Commission recommended conditional approval of this plan and all requested waivers and plan modifications for parcel 2 subject to the review comments provided by the Township Engineer, the Township's Traffic Engineer, obtaining sewer approvals, and the Lancaster County Planning Department. Mr. Hutchison noted that in addition to these conditions, Township staff recommends inclusion of the review comments provided by Chief Gribble of the Ronks Fire Company regarding this plan. Unfortunately, Chief Gribble's comments were not provided to the Township Planning Commission for discussion during their review of the plan.

The sanitary sewer capacity for the redevelopment of Rockvale has not yet been determined. This capacity question is related to the collection and transmission capacity available not the availability of treatment capacity for this project. ELSA is currently in discussions with the owner / developer to enter into an agreement that would complete a project to meter flows currently in the system and analyze the capacity available (if any) to accommodate this increase in future flows. This agreement is also expected to provide a plan for making any necessary improvements to the system needed to accommodate future flows. Specifically related to Parcel #2, there are only 18 EDU's allocated to this property and they are proposing 128 units which would require a total of 128 edus. Therefore, the DEP sewer planning module for this parcel will be needed to plan for the addition of 110 units on this parcel. The agreement with ELSA will need to be resolved before the Supervisors will see a request to move forward with the DEP planning module.

Mr. Venarchick stated that the owner is already working on the design for Parcel #5 at Rockvale and is looking forward to moving this project forward in East Lampeter Township.

Mr. Hutchison spoke about the traffic impact analysis, for this project. He wanted to clarify, that when Mr. Venarchick referenced the traffic analysis, not being required for the project, there are two pieces. The first is that the project doesn't have to go through conditional use per the zoning ordinance. The project still needs to meet the requirements of the subdivision and land development ordinance. Mr. Hutchison clarified that when Mr. Venarchick is stating that noen is needed, that may be true for the first 128 units, but as more units come in there will be traffic impacts to be addressed. Mr. Hutchison also stated that as each parcel comes in, they will need to the sanitary sewer DEP module for each parcel. Mr. Venarchick , stated that they have a capacity letter that states there are 128 EDU'S available for the project. Mr. Venarchick then said they were told, this was now 127 EDU'S. Mr. Hutchison stated that they would have to work with the Sewer Authority. It was asked who makes the calculation of the necessary EDU'S and how many have they gotten in credit from the demolition? Mr. Hutchison said that the number available is based upon the amount of planning that's been done in the past for the use that was there. He stated that this number is 127, and they arrived there by looking at the historical billing as well as the uses that were on the site. This would be for Parcel #2 and for Parcel #5. Supervisor

Ethan Demme asked what the concern would be, if parcel #2 and parcel #5 had 127, could those be applied to this initial development of parcel #2? Mr. Hutchison replied that typically they're done parcel by parcel and parcel 2 has 18 EDU'S available, based on historical use. Mr. Venarchick raised the concern that if there is not enough available EDUs, in this corridor then technically any plan that would come before the Board that would rely on this conveyance system can not be approved. Supervisor Ethan Demme asked when would have been the last new development they approve built out there? Mr. Hutchison, stated that it would have been Millcreek Square. Supervisor Ethan Demme, asked if there was a capacity calculation at that point, to that location? Mr. Hutchison noted that there would have been a planning module processed for the development of the property. Supervisor Ethan Demme asked if the East Lampeter Sewer Authority doesn't set a capacity at all and does each development have to figure it out? Mr. Hutchison stated its by development, and development so trying to determine how much of the pipe is being used at any point in time requires analysis, metering. The authority is concerned with where the system is at this point in time. Mr. Fernbach asked if the previous development did metering and or a study. Mr. Hutchison stated that he does not believe so, however it has been some time ago. He also stated that retail space differs from residential space. Supervisor Ethan Demme mentioned the TRU hotel by Hilton at the top of the hill. Mr. Hutchison said that the sewer flows from that site is in the other direction. Supervisor Ethan Demme asked if it would be possible for the Township to allow the use of the EDU's between the lots? Mr. Hutchison, stated that he would have to check with legal counsel. A woman who was seated and didn't note her name, asked how we are going to figure this sewer authority issue out? Mr. Hutchison, stated that the sewer authority will have to approve of this. She also asked if they would have to wait another month for the sewer authority to meet, or if Mr. Hutchison would be able to be in touch with them? Mr. Hutchison stated that the solicitor, for the sewer authority has provided a response to the agreement to resolve the issue and that the right to know request was fulfilled and the Township awaits response from the developer. Ms. Kristi Burkholder asked, if the entire Lincoln Highway corridor that the sewer line is impacting; past Millcreek Square? Mr. Hutchison said the authority is concerned with the part of the system that serves Rockvale Square. Mr. Fernbach, raised concerns about how they are getting different answers and it is frustrating. Supervisor Ethan Demme brought up the original question, which was basically if they are required to go through DEP planning module or whether the Board is allowed to basically apply the historical credits of 127 edus based off of looking at the historical billing records for the two parcels to one parcel. It was suggested that legal counsel should be sought to help this move along. Supervisor Mike Thornton stated that the delay is whether or not the state has to be engaged on the sewer planning module because there's contention about the EDU'S. We feel there was only 18 EDU'S, to parcel 2, but it was stated that they feel like we should apply 127 to parcel 2. Supervisor Ethan Demme stated that the demolition for parcel 2 and parcel 5 has a total of 127 that we've historically billed for those two parcels. We are at 127 so it's close. However, typically we only apply from one parcel to that parcel. The Board also discussed the letter from Chief Gribble from Ronks Fire Company, which was about the fire hydrants and drawings. Mr. Venarchick stated that he responded with the last submission to the Township. There was also discussion about the landscaping and the lighting plan. They also discussed the walking path, for the one building access to the trash compactor. Mr. Venarchick stated that they will not be adding a path from the one building to the trash compactor.

Supervisor Ethan Demme made a motion to conditionally approve the land development plan for parcel 2 of Rockvale based on the letter dated 02/24/24 from David Miller Associates granting waivers and modifications #1-5, mentioning item #4 on SALDO consisting of curbing on Rockvale road not changed as part of the plan, Chief Gribble letter 02/5/2024 conditioned on successful application of the required EDU'S for the property after staff consults with our township solicitor regarding the ability to apply historical EDU'S from both parcel 2 and parcel 5 to the project parcel 2. Also adding, subject to an agreement between the authority and the developer regarding the EDU'S. Supervisor Ted Gallagher seconded the motion which passed unanimously by voice to vote.

b. Request for Waiver of Land Development Plan #24-10: 2165 New Holland Pike

Chris Shrom, with Shrom Contracting presented the request for a waiver of land development for Pine Creek Home. This location currently operates as an assisted living / group home arrangement. The proposal is to add a stairway and small walkway to the building. The applicant is requesting a waiver from the requirements of the land development ordinance. After review of the proposal, the Township Planning Commission recommended unconditional approval of the waiver request.

Supervisor Mike Thornton made a motion to approve the requested waiver of land development for Pine Creek Home located at 2165 New Holland Pike. Supervisor Roger Rutt seconded the motion which passed unanimously by voice to vote.

c. Supervisor Discussion Items-

1. Housing Plan Implementation

Township staff has prepared a memo outlining recommendations for priorities to implement the Housing Plan. This list of priorities has been reviewed by the Township Planning Commission and they have recommended approval of the priorities as presented in the memo. Board direction to Township staff regarding the priorities will be helpful. Supervisor Ethan Demme suggested, and would like to move accessory dwelling units with primary use, to the second highest priority, on the list of priorities for the housing plan. This would apply to the VR district and other districts where allowed. This would be either/or, ADU, ECHO, or second dwelling. Supervisor Ethan Demme also suggested that the tiny home option should be researched further and provided for as a third tier priority. Supervisor Ethan Demme would like to see if the township can copy existing ordinances/zoning changes that exist in state and county. Chairman Corey Meyer stated that the township made a great list of priorities to the housing plan. He stated that it makes sense, ordered well from largest to smaller projects. He would also like the township to consider Supervisors Ethan Demme's comments.

2. Township Web Site

Township staff has completed all of the requested changes to the web site that staff is capable of completing. Redex, the web site developer, provided a proposal to complete

the remaining items discussed by the Board. Since these services were not included in the 2024 budget, direction is needed from the Board. The Board discussed adding the YouTube links to the minutes archive, with the help of Redex. Supervisor Ethan Demme offered to assist in helping with the website changes. The Board agreed to set the budget for this at \$2000 for 2024.

Supervisor Roger Rutt made a motion to approve the spending of \$2,000 to upgrade the minutes, agenda, and video links first to the website starting with 2024 and then move to the other items in the Redex quote. Supervisor Ethan Demme seconded the motion, which passed unanimously by voice vote.

Action Items:

- a. Request to Accept Zoning Ordinance Text Amendment Petition for Distribution & Review

The owner of 2498 Old Philadelphia Pike (southwest corner of 340 & 896) has submitted a petition for a text amendment to the Zoning Ordinance. The Board has had a couple of informal discussions with the owner at past meetings and Township staff has been in discussion with them regarding this amendment. Township staff has not had adequate time to fully review the petition since it was submitted.

The first step in the process to consider this proposal is for the Board to accept the receipt of the petition and authorize the distribution of it to all Township planning partners and request their review and comment. Based upon the dates of submission and calendar of planned meetings, I expect that this amendment will come before the Board at your July 15, 2024 meeting.

Supervisors Mike Thornton made a motion to accept the petition for a text amendment and distribute such to the Township's planning partners for review and comment. Supervisor Ted Gallagher seconded the motion which passed unanimously by voice vote.

- b. Authorize Fire Police Assistance to New Holland

New Holland Borough has requested nearby fire companies to assist them during the New Holland Fair planned for the first week in October. Hand in Hand Fire Company is willing and plans to provide assistance if approved by the Supervisors. This activity is not included on the annually approved list of activities for work comp coverage.

Supervisor Roger Rutt made a motion to approve Hand In Hand Fire Company assisting New Holland Fire Company during the New Holland Fair the first week of October with Fire Police Services. Supervisor Mike Thornton seconded. The motion passed unanimously by voice vote.

- c. Agreement re Reimbursement of costs for USWO Golf Tournament

A letter was provided very late in the day on Monday, which was about the reimbursement for the USWO Golf Tournament. The letter stated that the township will be reimbursed \$98.89 per hour. This would be for police services during the tournament. The letter will be put on the correct USGA letterhead and signed by the USGA.

Supervisor Mike Thornton made a motion to approve the agreement with the USGA, contingent on the letter being signed and being placed on the correct USGA letterhead. Supervisor Ted Gallagher seconded the motion which passed unanimously by voice vote.

d. Appointments to Emergency Services Committee – Witmer Fire Representatives

Witmer's appointed primary representative to the ESC has resigned. Their alternate representative with a term ending 12/31/24 is currently Mike Creamer. Witmer has requested that Mike be appointed to fill the now vacant representative position with a term ending 12/31/25. Additionally, Witmer requests the appointment of John Kreider to fill the remainder of the alternate representative position term ending 12/31/24.

Supervisor Ethan Demme made a motion to appoint Mike Creamer as Witmer's Representative and John Kreider Jr as Witmer's Alternate to the Emergency Services Committee. Supervisor Ted Gallagher seconded the motion which passed unanimously by voice vote.

Manager's Report:

a. Comprehensive Plan Requests for Proposals Distribution

Providing a draft of the Request for Proposals which staff has prepared for the Comprehensive Plan consultant selection and services arrangements. Requesting Board review and comment before staff proceeds with this process. The Township Planning Commission has reviewed the RFP and suggested the addition of references from the consultants to the selection criteria.

b. Community Survey continuation

As a continuation of our outreach efforts regarding Township services, additional community survey questions have been developed based on the discussion of the initial survey outcome with the Board late last year. Requesting Board review and comment before staff proceeds with additional survey questions.

c. Report on Hyper Reach Communication Launch

Hyper Reach has been engaged to provide mass communication service capability. Township staff is planning to use the service for some internal communications before developing the tool for other purposes. We did use it to send out a communication in advance of the Rt 30 / Rt 222 interchange closure that happened over a prior weekend. So far we are pleased with the results. We will keep you informed as we further develop this tool.

Chairman Corey Meyer congratulated Casey Kaufhold on her Olympic Placement, and wished her all the best in Paris.

Adjournment

Supervisor Mike Thompson made a motion to adjourn and Supervisor Roger Rutt seconded. The motion passed unanimously by voice vote at 9:13pm.

Next regular meeting – Monday, June 3, 2024, 7:00 pm@ East Lampeter Township