

June 17, 2024

The East Lampeter Township Board of Supervisors met on Monday, June 17, 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 Chairman Corey Meyer, Supervisors present were Ethan Demme, Roger Rutt, and Ted Gallagher. Mike Thornton was present VIA ZOOM. Also present in the meeting room was Mr. Ralph M. Hutchison, Township Manager, Ms. Tara Hitchens, Assistant Township Manager, Ms. Lisa Cleveland, Recreation Director, and Ms. Stephanie Leakway, Administrative Assistant.

Public Present for meeting:

James Shank, Captain East Lampeter Township Police Department

Teresia and Mike Jacobs, for Officer Kenyiha

Claudia Shank, Esq. of McNees, Wallace, and Nurick

Ben and Brandie Greiner, for Officer Kenyiha

Martin Pfleger of LNP

Michael Itwaru of Lancaster Online

Public Comment for Non-Agenda Items:

None

Consent Agenda:

- a. Approval of the June 17th, 2024 Board of Supervisors meeting agenda
- b. Approval of the minutes of the Monday, June 3rd, 2024 regular meeting
- c. Time Extension to Record conditionally approved plan #23-05: Gish Furniture-2217 Lincoln Highway East

The applicant is requesting additional time in order to satisfy all conditions of approval and record this plan. The request is for an extension to September 17, 2024. This is the fourth time extension for this plan. If additional action is required by the Board, that will have to happen no later than the Board's September 16, 2024 regular meeting.

- d. Approval to pay invoices from all funds : Total \$ 273,274.99

Of the bills to be paid, the following significant amount is included :

\$67,652.00 second quarterly contribution to Township based Fire Companies
(\$16,913.00 each)

\$14,000.00 second quartly contribution to LEMSA

\$12,500.00 to Herbein & Co for 2023 Audit Services

Supervisor Ted Gallagher made a motion to approve consent agenda items A-D, and Supervisor Roger Rutt seconded. The motion passed unanimously by voice vote.

Police Officer Swearing in- Mr. Josiah Kenyiha

Captain Shank introduced Mr. Josiah Kenyiha, who will be a new police officer for East Lampeter Township. Officer Kenyiha was one of the applicants that went through the hiring process in the fall of 2023. He scored well and had a favorable background. He went to Lancaster Mennonite High School and is from the Willow Street Area. Prior to being offered a position with the department, Officer Kenyiha had already applied and was admitted to the HACC Police Academy which will begin on Monday July 8. Officer Kenyiha was sworn in by Chairman Corey Meyer. Officer Kenyiha introduced his family and friends who came to support him. Chairman Meyer thanked the family and friends for attending and providing a support system for Officer Kenyiha.

Old Business:

Comprehensive Plan Steering Committee-

The request for proposals for consulting services to assist the Township with the preparation of a new Comprehensive Plan has been sent out. These proposals are due on June 28th, 2024. A selection/steering committee made up of a Planning Commission member, a Board member, and Township staff to work through the consultant selection process as well as the actual comprehensive planning process, with the selected consultant is required. It is expected that the selection/steering committee will recommend one of the consultants for Board for approval late in August. The Planning Commission has selected Mr. Jason Dagen from their membership to participate as a member of this steering committee. Supervisor Roger Rutt volunteered to be the Board of Supervisors member for this committee.

Supervisor Ethan Demme made a motion to approve this motion, and Supervisor Ted Gallagher seconded. The motion passed unanimously by voice vote.

New Business:

Housing Plan Implementation-

Township staff has revised the memo discussed at the May 20th, 2024 and June 3rd, 2024 meetings, outlining recommendations for priorities to the use toward the implementation of the housing plan. Township staff has also started working on the top priority of promoting ADU's. Supervisor Corey Meyer read through it and indicated that it looks like it meets the needs and Supervisor Ethan Demme noted he appreciates Township Staff for their hard work on this.

Action Items:

Resolution PennDOT agreement for Connects 2040 project- Heritage Pathway and Walnut Street

The Board adopted a similar resolution for this agreement several months ago. Township Staff was informed in May that PennDOT wanted changes made to the agreement document (although they had also provided the original agreement document that the Board Approved). They are now requiring the Township to approve of this new agreement in order to move this project forward. The one agreement is new, and the other one is an amendment to the first agreement.

A question was raised by Michael Itwaru of Lancaster Online about any adjustments to funding. Mr. Ralph Hutchison, let him know that the one agreement is new and the other one amends the one that was adopted before. Mr. Hutchison provided that both agreements are for the same funds for the Lancaster Heritage Pathway, which was approved before. Supervisor Ethan Demme motioned to approve the resolution and Supervisor Roger Rutt seconded. The motion carried unanimously by voice vote.

Resolution PennDOT agreement for Connects2040 Heritage Pathway, Pitney Road

Supervisor Ethan Demme made a motion to approve the agreement, and Supervisor Roger Rutt seconded. The motion carried unanimously by voice vote.

Ordinance Traffic Signals

After the Codification of Ordinances was complete, Charlie Thomas, Director of Public Works, found that the section related to traffic signal locations in the Township is incomplete. The Township Solicitor was asked to prepare and advertise this Ordinance so that all of the Township's traffic signal locations will be included.

Supervisor Ethan Demme made a motion to approve the Ordinance related to the traffic signals and signs, and Supervisor Ted Gallagher seconded. The motion carried unanimously by voice vote.

Zoning Hearing Board Application Quarry View Identification sign in Ag Zone

Quarry View Construction has submitted an application to the Zoning Hearing Board requesting a variance from the zoning ordinance requirements for an identification sign for their location at 2603 Lincoln Highway East. The application proposes a monument type sign structure that would be 16' 10" wide and 14' 2" tall. After careful review of the sign design and applying the most applicant favorable interpretation of the sign requirements in the zoning ordinance, the portion of this area that will be counted as actual sign area is just under 80 sq ft (79.9 sq ft). This area includes sign area which Township staff believes is intended to serve a second use on the property which is not currently permitted. If this portion of the sign were to be removed from the application, the size of the remaining sign area would be 63.76 sq ft. The structure is designed as a monument type sign which is not permitted in the Ag Zone. Permitted freestanding signs in the Ag Zone are limited to 16sq ft in size and 6ft in height. Only freestanding signs are permitted in the Ag Zone. The largest freestanding sign or monument type sign permitted anywhere in the Township is 80 sq ft in size. The application will be heard by Zoning Hearing Board in July. If the Board wants to express a position on this application when it is presented to the Zoning Hearing Board, then direction is needed at this meeting. Since the Zoning Hearing Board has to act on what is presented rather than negotiating on a compromise, the Board of Supervisors could either oppose this application or choose to take no position on the application during the Zoning Hearing Board process. In either event, if the applicant chooses to appeal the Zoning Hearing Board's decision, the Supervisors will be a party to the case and could then choose to attempt to negotiate a resolution with the applicant.

The elements of the sign requirements under the zoning ordinance that the Zoning Hearing Board will be asked to address are the following:

- variance for monument sign in AG zone
- Only freestanding signs are permitted in the Ag zone.

- variance for sign height in Ag zone – proposal is 14 feet 2 inches high
- The maximum sign height permitted in the Ag zone is 6 ft for a freestanding sign.
- variance for monument sign height – proposal is 14 feet 2 inches high
- The maximum monument sign structure height permitted in all other zones, where monument signs are permitted, is 8 feet high.
- variance for sign area in Ag zone – proposal is 79.9 sq ft (63.76 sq ft if the area of the sign for a second use is removed – the sign area for a second use on the property would require conditional use approval)
- The maximum sign area permitted in the Ag zone for a freestanding sign is 16 sq ft. The maximum sign area permitted for freestanding identification signs in all other zones in the Township is 80 sq ft.

Mr. Ralph Hutchison spoke about this Zoning Hearing Board case, being presented July 11, 2024. He let the Board of Supervisors know that if they would like to be at the next Zoning Hearing Board, they could do so. Mr. Ralph Hutchison raised concern about the dimensions of the structure, the fact that it is a monument sign and he feels like even though there are other non conforming signs in the area; if this one moves forward it will be difficult moving forward to limit signs in the Ag zone. Supervisor Ethan Demme had said that, at the time when the applicant had applied for conditional use, they did not come forward with a sign plan because they were still figuring out what do to. However, the sign should have been part of the conditional use. This was approved as commercial use, and he feels like it should be treated as commercial use. Supervisor Ted Gallagher said he tends to agree with Supervisor Ethan Demme, however he feels like the size of the sign could be an issue, if its larger than any sign that's currently approved for commercial uses. Supervisor Ted Gallagher asked what the largest commercial sign is for commercial use. Mr. Ralph Hutchison said 80 sq ft, but the monument structure would exceed what would be allowed. Supervisor Ethan Demme brought up that the East Lampeter Industrial Commercial Development Authority will soon be going through the same process to try to get a variance to put in a monument sign within a mile of the property in question. Supervisor Mike Thornton asked for a better description of a monument sign vs a regular sign. Mr. Ralph Hutchison described that the ordinance defines a regular sign as a freestanding sign. This would be if the sign is on a post and elevated off the ground. A monument sign would be a structure that is more significantly on the ground. The ground base would make this a monument sign. Supervisor Mike Thornton asked to what extent other signs that would want to be monument signs, how extravagant they would be or how out of place it would look? Superviosr Ethan Demme said that, the last monument sign would have been the stone sign for Greenfield. Another example, would be the sign for the school that was put up years ago that had a brick base. Chairman Corey Meyer questioned if the sign is 80 sq feet, and that is the limit for the commercial zone? Mr. Ralph Hutchison said that was correct, however the lower part of the actual hanging sign seems to be intended for another use on the property. This raises concerns since they do not have approval to have another use on the property. Mr. Ralph Hutchison said that if the bottom half of the sign was taken off, it would make the sign smaller. Supervisor Ethan Demme asked as an example, if they had a farm stand, they couldn't have a sign for it? Mr. Ralph Hutchison said no, since that is not a permitted use on the property. They would need zoning approval. Chairman Corey Meyer asked if the request in front of the Board is specifically about the sign, not about other uses? Mr. Ralph Hutchison said, correct. Supervisor Mike Thornton wanted to make sure this was all communicated to the owners of the property. Mr. Ralph

Hutchison said that it is quasi judicial and that would not be appropriate given this is before the Zoning Hearing Board for action.

Supervisor Mike Thornton made a motion to take no position at this time. There was no second, so the motion died.

Action to Approve transfer of planned sanitary sewer EDU's-Rockvale Redevelopment

After the Board took action to conditionally approve the first phase of redevelopment at Rockvale (Parcel 2 – 128 new residential units), Mr. Hutchison contacted the Township Solicitor regarding the question of transferring planned sanitary sewer equivalent dwelling units (EDU's) between parcels of land. The Township Solicitor concluded that such transfers are permissible and that both ELSA and the Supervisors should take action on requests to make such transfers. The applicant, through their legal counsel, submitted a letter requesting a transfer of EDU's. The proposal is to transfer 15 EDU's from Rockvale Parcel 4 (where the Panera Bread Restaurant is replacing the former diner) to Parcel 2 and 95 EDU's from Rockvale Parcel 5 to Parcel 2. The EDU's from Parcel 5 are made up of EDU's assigned to Buildings 1,2,3 and the former food court building. Additionally, 21 EDU's would also be transferred from the former Ruby Tuesday's Restaurant location which are available due to the new restaurant in that space (Sushi Heaven) being much smaller. These transfers to Parcel 2, along with the 18 EDU's assigned to Parcel 2, will provide the needed EDU's for this portion of the phased redevelopment for the applicant to satisfy the condition of approval regarding sanitary sewer capacity. This will allow the applicant to avoid the DEP planning module process for this phase of redevelopment. As additional redevelopment phases are proposed, DEP planning will be required. ELSA took action at their regular meeting held on Wednesday, June 12, 2024 to approve of the requested transfer of EDU's from Parcels 4 and 5 to Parcel 2, subject to the condition that no certificates of occupancy will be issued on Parcel 2 unless and until buildings 1,2 and 3 on parcel 5 are demolished (as proposed by the applicant) and that the former food court building must remain vacant or be demolished as well.

Supervisor Ethan Demme made a motion to approve the transfer of EDU's from lot #4 & #5 to lot #2 subject to conditions that no Certificates of Occupancy are issued for parcel #2, until buildings #1, 2, and 3 are demolished on lots# 5 and the former food court building remain vacant and be demolished as well. Supervisor Ted Gallagher seconded this, the motion carried unanimously by voice vote.

Authorize Community Survey Continuation

Township staff would like to proceed with the next round of Community Survey questions as outlined in the document circulated at the May 20, 2024 meeting and discussed on June 3, 2024. Township staff is requesting the Board's authorization to do so. Chairman Corey Meyer said thank you for taking the feedback for this. He also asked about maybe adding these surveys to events the township has such as movie nights and goat yoga. Ms. Tara Hitchens said that the township is hoping to put up two QR codes at the movie night. One code is to take the survey and one QR code for a response to the event.

Supervisor Ethan Demme made a motion to approve, and Supervisor Roger Rutt seconded. The motion passed unanimously by voice vote.

Manager's Report

Recreation Director Introduction- Lisa Cleveland

Lisa Cleveland was in attendance. She started working for the Township in this role on Tuesday, 5/28/24. Lisa has been reviewing the Regional Park and Recreation plan adopted in 2019 as well as other recreation planning documents from the effort put in with the peer consultant during 2022. She has also been working to organize and hold a Movie night in Flory Park on 6/26 and to organize and hold a Goat Yoga event at a date to be determined. Additionally, she participated in a meeting with CVSD representatives where we began working on the development of a memorandum of understanding that would permit the Township to utilize CVSD building spaces for recreation programs at no cost to the Township. We also continue to discuss future Recreation program opportunities. Her first meeting with the Park Board will be on June 26. Chairman Corey Meyer and the Board welcomed Lisa, and let township staff know that residents are noticing the events in the township that are posted to social media, and they are excited. Mr. Ralph Hutchison let the Board know that if they have any ideas for Lisa, to let her know !

Development of No Parking Ordinance-Mill Creek Road

Now that we have a parking area available at 2557 Old Phila Pike (future entrance to Gibbons Park), staff plans to have the Township Solicitor draft an Ordinance to change the parking restriction on Millcreek Road from No Parking Dusk to Dawn to No Parking. The area on Millcreek Road involved with this restriction is the area in the vicinity of the railroad bridge that goes over Millcreek Road as well as Mill Creek itself near the Nolt's Mill Dam structure. In addition to the roadway safety concerns that result from having vehicles parked in this area, it has also facilitated having people walking on/over the mill race control structure and the dam itself which is also a safety concern.

Township Paving & Road Maintenance Work Underway-

Mr. Ralph Hutchison just wanted to mention this in order to alert Township residents to expect to encounter this work as they travel in the Township over the coming weeks. This information with specific road locations has also been posted on the Township web site and Township Facebook page.

Changes to Utility Billing arrangements-

The address for the Township's lock box bank service where utility bills are collected changed earlier this year. Township staff has explored an alternative that is believed will improve the bill payment process for utility bill customers. This will result in having a lock box payment address locally (Lancaster County) rather than Souderton, PA. Additionally, the utility bill design itself will be modified in order to improve the presentation and readability. All of these improvements are expected to be in place for the billing to be sent out at the end of September / early October.

Adjournment,

Supervisor Ethan Demme made a motion to adjourn the meeting at 7:37pm and Supervisor Ted Gallagher seconded. The motion passed unanimously by voice vote.

Next regular meeting – Monday, July 15, 2024, 7:00 pm@ East Lampeter Township

