

EPHRATA TOWNSHIP SUPERVISORS' MEETING

August 15, 2017

The Ephrata Township Supervisors met this date at 7:00 a.m. at the Ephrata Township Office Building, 265 Akron Rd., Ephrata, Pennsylvania.

Present were Supervisors: Clark Stauffer
John Weber
Ty Zerbe
Manager: Steve Sawyer
Admin. Asst.: Jennifer Carvell
Engineer: Jim Caldwell

The meeting was called to order by Chairman Clark Stauffer followed by the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS NON-AGENDA ITEMS

A motion to close the public comment period was made by Ty Zerbe. The motion was seconded by John Weber and carried unanimously.

APPROVAL OF MINUTES

A motion was made by John Weber to dispense with the reading of the August 1, 2017 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

DAVE AND RHODA MARTIN – FINAL LAND DEVELOPMENT PLAN

Dave Martin was present at the meeting. Steve Sawyer explained to the Board of Supervisors that the plan was reviewed by the Ephrata Township and Lancaster County Planning Commission and their recommendations were provided prior to the meeting. A copy of Rettew Associates' Review Letter dated August 3, 2017 was also provided. Storm water management on the property was discussed. There were no waivers requested.

A motion was made by Ty Zerbe to approve the Final Land Development Plan for Dave and Rhoda Martin conditional upon the Township Engineer's letter dated August 3, 2017. The motion was seconded by John Weber and carried unanimously.

PROPERTY INVESTING AND MANAGEMENT INC. – PETITION TO AMEND THE ZONING ORDINANCE

Rick Stauffer with Property Investing and Management, Inc. and Attorney Claudia Shank of McNees Wallace & Nurick, LLC were present as a follow up to the August 1, 2017 meeting. At the August 1, 2017 meeting, a Petition to Amend the Ephrata Township Zoning Ordinance was proposed to the Board of Supervisors. The proposed amendment would increase the current 40-foot maximum building height in the commercial district.

Property Investing and Management, Inc. has interest in developing a property in the Mixed-Use District of the Township. Claudia Shank stated that they are requesting that the Board consider the petition and allow it to be forwarded to the Lancaster County Planning Commission and the Ephrata Township Planning Commission for review and recommendations. The Supervisors tabled action on the Petition to Amend the Ephrata Township Zoning Ordinance as presented, until such time staff can review and prepare recommendations and possible changes. Manager Sawyer provided information concerning the maximum building height permitted in other neighboring municipalities. Manager Sawyer recommended that if the Board decides to consider an amendment to allow taller buildings, additional setbacks should be required. Manager Sawyer recommended that the Board consider language similar to West Cocalico Township that would allow taller buildings provided that an additional setback of one foot be required for every one foot of height exceeding 40-foot up to a maximum height of 50 feet. Manager Sawyer also stated that he checked with the Pioneer Fire Company and they did not have any safety or emergency response issues with increasing the allowable building height up to 50 feet. Claudia Shank stated that she will make the corrections necessary to the Petition to Amend the Zoning Ordinance if the Board of Supervisors would allow the petition to be submitted to the Planning Commissions for review.

A motion was made by Ty Zerbe to allow Property Investing and Management, Inc. to submit a Petition to Amend the Ephrata Township Zoning Ordinance to the Ephrata Township Planning Commission and the Lancaster County Planning Commission with the purpose of amending the current 40-foot maximum building height to a maximum of 50 feet with increased setbacks as recommended by staff. The motion was seconded by John Weber and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **Creek Corner Heights – Traffic Improvements.** At the last Supervisors Meeting, the Board of Supervisors directed staff to notify Creek Corner Heights that the Township was in agreement with their proposed traffic improvement to install a right turn lane along Meadow Valley Road at the intersection of Meadow Valley Road and Rte. 272. However, all of the improvements on the Creek Corner Heights corner of the intersection shall be located so that the improvements installed by the developer will not have to be redone when left turn lanes are installed in the future. Clair Weaver owner of Landmark Homes and Dave Schreder, Land Manager of Landmark Homes were present to request that the Board of Supervisors allow the installation of the right turn lane without the requirement that all improvements be located to allow future left turn lanes. Mr. Schreder explained to the Board of Supervisors that there would be utility impacts because of the location of an existing water main and utility poles. A cost estimate was prepared by their traffic engineer and relocating utilities would make the project no longer feasible. Mr. Schreder said that the costs could be higher due to anticipated rock on the site. Manager Sawyer stated that Creek Corner has requested a waiver of road improvements, curbing and sidewalk along their 770 feet of road frontage on Route 272. Road improvements along Route 272 would

cost much more than the cost of the additional road improvements that the Township is requesting on Meadow Valley Road. He also stated that if the Meadow Valley Road improvements are not located to accommodate future left turn lanes the access drive to the apartment development would have to be redone in the future. Manager Sawyer recommended contacting Ephrata Borough to find out if relocating the water lines would be necessary to complete the improvements. It is possible that the location of the proposed curb could be shifted slightly to eliminate the conflict with the waterline. Clark Stauffer explained that the Township always tries to work with developers but will not reconsider the condition that all improvements along Creek Corner Height's Meadow Valley Road frontage be located to accommodate the future build out of the intersection. Supervisors John Weber and Ty Zerbe agreed with Chairman Stauffer's position.

- **WERT Cocalico Creek Bridge Project.** Manager Sawyer reported that Wilson Consulting, the engineer hired by Ephrata Township and Warwick Township for the rail trail bridge rehabilitation project, has completed an underwater inspection of channel and footing of the former railroad bridge. The inspection revealed only minor scour and no undermining. Wilson consulting will begin preparation of the DEP Permit documents required for the project. A DEP GP-11 permit is required which has a review period of 96 business days.
- **ABI Letter.** A letter from Associated Building Inspections dated August 2, 2017 was sent to the Township and presented to the Board of Supervisors prior to the meeting. The purpose of the letter was to inform the Township that Associated Building Inspections Inc. has been sold to Edward Poorman and the business name has been changed to Associated Building Inspections, LLC. Randy Maurer will be staying on as Vice-President of Internal Operations and the ABI staff will remain in its entirety. The change requires the Board of Supervisors to appoint Associated Building Inspections, LLC as the Township Building Code Official and Inspector for all commercial and multi-family dwelling projects for the remainder of 2017.

A motion was made by John Weber to appoint Associated Building Inspectors, LLC as the Ephrata Township Building Code Official and Inspector for all commercial and multi-family dwelling projects for the remainder of 2017. The motion was seconded by Ty Zerbe and carried unanimously.

- **Storm Water Management Ordinance Amendment.** The Board of Supervisors approved Manager Sawyer's recommendations to allow the Township's Attorney to move forward with preparing an Amendment to the Storm Water Management Ordinance in regards to regulations for the Control of Illicit Discharge and Connections and major and minor land disturbances within the Agricultural Zoning District. The amendment will be presented to the Board of Supervisors at a future meeting.
- **Rufus & Anna Martin/NLR Property, LP Rezoning Petition.** The Township received a letter dated June 14, 2017 from Gibbel Kraybill & Hess on behalf of Rufus & Anna Martin and NLR Property, LP requesting the Township to consider a Petition for Zoning Map Amendment. Rufus & Anna Martin and NLR Property,

LP is proposing to rezone 47.8 acres from Agricultural to Industrial. The rezoning request also includes a .82 acre tract owned by Raymond and Eileen Martin and a .508 acre tract owned by Ephrata Borough Water Works. All parcels are zoned Agricultural but are adjacent to the existing Industrial Zoning District. NLR Property owns a 20-acre lot with an existing commercial and industrial land use (AB Martin Roofing Supply LLC) and is in need of additional land for expansion. NLR and the Martins have entered into an agreement of sale to subdivide and convey 16 acres of land from the Martins to NLR Property for the AB Martin Roofing Supply expansion conditional upon the rezoning of the land from Agricultural to Industrial. Manager Sawyer notified the Board of Supervisors that the Lancaster County Planning Commission and Ephrata Township Planning Commission comments and recommendation will be provided at the next Supervisors' Meeting. Manager Sawyer explained that this information was for review and discussion at this time. The Township upon receipt of the recommendations from the Local and County Planning Commissions can then move forward with the advertising of a hearing to consider the petition.

Township Engineer – Jim Caldwell reported the following plans are being reviewed:

Autumn Hills Phase 3 – Construction on-site inspections
Lloyd Zimmerman – Storm Water Management Plan
Signature Customer Cabinetry – Revised Final Plan
Lakeside Villas – Sketch Plan
David & Rhoda Martin – Final Plan

Rettew Associates will be submitting the Township's Pollution Reduction Plan to DEP around September 10, 2017. The Township will then have five (5) years from approval to complete the plan.

APPROVAL OF BILLS

A motion was made by John Weber to accept the list of checks written and to pay any bills pending. The motion was seconded by Ty Zerbe and carried unanimously.

CORRESPONDENCE

John Weber reported receipt of an invitation from the Ephrata Public Library to attend an Art Exhibit on Thursday, August 31, 2017.

August 15, 2017 Supervisors' Meeting minutes continued

A motion was made by John Weber to adjourn the meeting at 8:18 a.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

John L. Weber

J. Tyler Zerbe