

EPHRATA TOWNSHIP SUPERVISORS' MEETING

August 7, 2018

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

Present were Supervisors: Clark Stauffer
Tony Haws
Ty Zerbe
Manager: Steve Sawyer
Admin Assist: Jennifer Carvell
Police: Sgt. David Shupp
Engineer: Jim Caldwell
Solicitor: Tony Schimaneck

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 was made by Ty Zerbe to close the Public Comment Period. The motion was seconded by Tony Haws and carried unanimously.

APPROVAL OF MINUTES

A motion was made by Tony Haws to dispense with the reading of the July 17, 2018 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

CREEK CORNER – PRELIMINARY LAND DEVELOPMENT PLAN

James Henke of Pioneer Management presented the proposed Land Development Plan to the Board of Supervisors. Cliff Weaver and David Schreder of Landmark Homes were also present. Landmark Homes owns four properties totaling 12.5 acres on the southwest corner of Meadow Valley Road and Route 272. The properties are zoned Residential Medium Density. Landmark Homes has received approval for a Special Exemption from the Ephrata Township Zoning Hearing Board to construct an apartment complex consisting of 5 apartment buildings totaling 120 dwelling units. A Traffic Impact Study has been submitted to PennDot since Meadow Valley Road and Route 272 are State roads. James Henke requested that the Board of Supervisors consider a number of Waivers and approval of the Preliminary Land Development Plan as presented. The Ephrata Township Planning Commission and Lancaster County Planning Commission reviewed the plan and their recommendations have been provided to the Board of Supervisors along with Rettew Associates Review Letter dated July 17, 2018.

A motion was made by Ty Zerbe to approve a waiver to Section 402.A.1 – Plan Scale based upon the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to approve a waiver to Section 402.C.3 – Existing Features based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to Section 602.B.4 – Tangent Length Between Reverse Curves based upon the justification and alternative provided subject to the applicant installing a dedicated right turn lane at the east bound Meadow Valley Road (SR 1020) approach to South Reading Road (SR 0272). The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 602.B.5 Horizontal Curve Radii based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to Section 602.C.3 – Vertical Curves based upon the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to deny a waiver to Section 602.A.7, 603.B.1, and 603.C.1 – Reconstruction of Existing Streets Including Curb and Sidewalks as it relates to the requirement to reconstruct South Reading Road (SR 0272) and Meadow Valley Road (SR 1020) to its centerlines, and to provide sidewalks and curb along South Reading Road (SR 0272) and allow the applicant to defer the requirement to reconstruct South Reading Road (SR 0272) and Meadow Valley Road (SR 1020) to its centerlines, and to provide sidewalks and curb along South Reading Road (SR 0272) until such time as the Township, at its sole discretion, determines the improvements are necessary in the area with the condition the applicant extend sidewalk from the west side of Building E, across Drive B and terminate at South Reading Road (SR 0272). The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to deny a waiver to Section 602.A.7, 603.B.1, and 603.C.1 – Reconstruction of Existing Streets Including Curb and Sidewalks as it relates to Meadow Valley Road as those improvements are now proposed on the plan. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to Section 603.C.2 – Curbing based upon the justification and alternative provided subject to the applicant delineating the aerial extent of the six (6) inch reveal curb and limiting it to curb provided at designated parking spaces only. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 603.A.8 – Lighting based upon the justification and alternative provided subject to the applicant providing the required level of lighting at the intersection of Creek Corner Drive and South Reading Road (SR 0272); Creek Corner Drive and Meadow Valley Road (SR 1020) and at each pedestrian crossing within the development. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to SWMO Section 304.2.E – Existing Features within 200 Feet based upon the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver to SWMO Section 402.8.A – 50% Reduction in Peak Flows based upon the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to SWMO Section 405.2.C – NOAA Atlas 14 Rainfall Intensity based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

The waiver request to SWMO Section 406.8 – Basins without Restricted Access has been withdrawn by the applicant.

A motion was made by Ty Zerbe to approve a waiver to SWMO Section 407.21 – Gutter Flow Depth in Street based upon the justification and alternative provided with the condition the applicant meet the intersection flow depth requirement across the intersection of Creek Corner Drive and South Reading Road (SR 0272). The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver to SWMO Section 409.1.A – Volume Control based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

The waiver request to SWMO Section 409.1.B.3.a – Maximum Loading ratio has been withdrawn by the applicant.

Clark Stauffer asked if anyone had any questions or other discussion prior to moving on to the approval of the Preliminary Land Development Plan. Diane Adamczyk of 1078 Hammon Avenue was present. She stated that she had a few questions in regard to the location of the proposed retaining walls and detention basins. She requested that the common area located on the Creek Corner property be cleaned up and as many trees preserved as possible. She also stated that the traffic at Meadow Valley and 272 was an issue and was disappointed that a left turning lane was not required.

A motion was made by Ty Zerbe to approve the Preliminary Land Development Plan for Creek Corner Heights subject to Rettew Associates review letter dated July 17, 2018. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Police Report – Chief Harvey

- **Reports.** Sargent Shupp provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of July. The monthly report will be provided to the Township and will be kept on file in the office.

Manager Steve Sawyer

- **James Hoover – DEP Sewage Planning Module.** Manager Sawyer notified the Board of Supervisors that James and Ester Hoover have submitted to the Township a one lot Subdivision Plan for their farm on Newswanger Road. A DEP Planning Module is required to create a new building lot with an on-lot sewer system and requires approval by the Township. The Ephrata Township Planning Commission reviewed the Module at their July 24, 2018 meeting and recommended approval. The Subdivision Plan is currently being reviewed by the Township's Engineer and will be on the Agenda for the August or September Planning Commission meeting.

A motion was made by Ty Zerbe to approve the DEP Component II Planning Module for James and Ester Hoover's one lot Subdivision Plan on Newswanger Road. The motion was seconded by Tony Haws and carried unanimously.

- **Zoning Hearings – August.** Manager Sawyer notified the Board of Supervisors that there are two (2) Zoning Hearing Applications that have been received and advertised for the next Zoning Board Hearing Meeting scheduled for August 21, 2018. Manager Sawyer gave a summary of each application to the Board of Supervisors. The first applicant is James Martin who is seeking approval to move his existing site contracting company, LGH Construction to the property located at 503 Alexander Street, Ephrata, PA. The property is currently zoned Industrial. The second applicant is Rebecca and Mark Branle who is seeking approval to create a second dwelling unit on the property to be used as a rental unit (Airbnb). The property is located at 201 Royer Road, Ephrata, PA in the Agricultural Zoning District.

A motion was made by Tony Haws directing staff to be present at the Zoning Hearing Board and testify on the Township's behalf for the Branle Hearing only. The motion was seconded by Ty Zerbe and carried unanimously.

- **Westview Drive - Stormwater Pipe Replacement.** At the prior Supervisors Meeting, Manager Sawyer notified the Board of Supervisors that a 30-year old storm water sewer pipe that is an 18" CMP Pipe has rusted and no longer has a bottom. This project will qualify as a MS4 project and will be included in the Township's annual report. At that meeting, Manager Sawyer provided one estimate from Zimmerman Excavating and stated that the road crew will assist in this project. The Sewer Authority authorized Zimmerman Excavating to replace the sewer manhole structure in the area. The Board directed Manager Sawyer to attempt to get two more quotes prior to the next meeting. Manager Sawyer presented to the Board of Supervisors three (3) quotes as directed. The Township is responsible for supplying the stone, plastic pipe and paving. The quotes received are for the required equipment and labor to install the materials needed to replace the broken pipe. Manager Sawyer recommended approving the work to be completed by OMiller Group in the amount of \$6,500.00 which was the lowest bid received.

A motion was made by Tony Haws approving the OMiller Group estimate to replace a broken 18" & 24" CMP storm sewer pipe with an 18" smooth line corrugated HDPE pipe in the amount of \$6,500.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Time Extension to Act on Plan – Alive Church.** Manager Sawyer notified the Board of Supervisors that the Township received a letter from Diehm & Sons on behalf of Alive Church dated July 26, 2018 granting an extension of time for the plan review period. The new deadline would be January 8, 2019. The church has decided to proceed with the cemetery and are considering their options with respect to Storm Water Management.

A motion was made by Tony Haws to accept the time extension granted by Alive Church for the plan review period. The new deadline for the Township to act on the plan will be January 8, 2019. The motion was seconded by Ty Zerbe and carried unanimously.

- **Matthew Landis – Financial Security Release Request.** Jim Caldwell provided the Board of Supervisors with a Financial Security Reduction letter dated August 6, 2018 for Matthew Landis recommending full release of the Financial Security based on the site visit on July 26, 2018.

A motion was made by Ty Zerbe to approve the full release of Matthew Landis Financial Security in the amount of \$48,845.10. The motion was seconded by Tony Haws and carried unanimously.

- **Daniel Burkholder – Financial Security Reduction Request.** Jim Caldwell provided the Board of Supervisors with a Financial Security Reduction Letter dated July 17, 2018 recommending reducing the Financial Security from \$41,091.48 to \$4,109.15. Jim stated that since the date of that letter all of the remaining work has now been completed and he has revised his recommendation to be a full release of the financial security.

A motion was made by Tony Haws to approve the full release of Daniel Burkholder's Financial Security in the amount of \$41,091.48. The motion was seconded by Ty Zerbe and carried unanimously.

- **Springville Road Bridge Replacement Project.** Manager Sawyer notified the Board of Supervisors that notification has been received from Plenary Walsh Keystone Partners that construction of the Springville Road Bridge will begin August 13, 2018. Traffic will be directed to follow a detour along Route 322 to Route 272 and Schoeneck Road until the project is completed which is anticipated to be in late October.
- **Eastbrooke Lot.** Staff was directed to research selling the common area owned and maintained by Ephrata Township in the Eastbrooke Development at a prior meeting. Residents neighboring the property opposed the Township turning the area into a tot park so it is currently an open grass lawn area. Attorney

Schimaneck prepared a letter dated July 23, 2018 with his legal opinion for the Board of Supervisors to review and discuss at a future meeting.

Engineer Jim Caldwell reported that there are several plans in the review process.

Lakeside Villa – site inspections
Ephrata Crossings
Creek Corner Heights
Autumn Hills
James Martin – Lot Add-on
Hoover – Subdivision Plan

Solicitor – Tony Schimaneck

Attorney Schimaneck stated that he did not have any additional information to report at this time.

APPROVAL OF BILLS

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

CORRESPONDENCE

Tony Haws reported that there was no additional correspondence to report at this time.

A motion was made by Tony Haws to adjourn the meeting at 9:08 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe