

EPHRATA TOWNSHIP SUPERVISORS' MEETING

November 6, 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: Lt. Chris McKim
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 October 16, 2018 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

PIM INC. -PROPOSED ZONING ORDINANCE TEXT AMENDMENT

Richard Stauffer of Property Investing and Management, Inc. and his Attorney, Claudia Shenk were present at the October 16, 2018 meeting to discuss their proposed zoning ordinance text amendment. The Zoning Ordinance sections that they are requesting to be amended are Separation between Restaurant and Residential Zoning districts and dwelling units, Master-Planned Development Signs, Health and Fitness Center definition and parking requirements, and Off-Street Loading Spaces for Hotels. The Board of Supervisors gave direction on each of the sections at that time and directed Attorney Shenk to modify the petition accordingly for the next meeting on November 6th. The revisions were submitted to the Board of Supervisors for their review prior to the meeting. Attorney Esch McCombie was present to discuss the revisions on behalf of Attorney, Claudia Shenk and his client Richard Stauffer. Attorney Schimaneck stated that the Board of Supervisors had the option to table action or authorize the amendments be forwarded to the Lancaster County Planning Commission and the Ephrata Township Planning Commission for their review and recommendations.

A motion was made by Ty Zerbe authorizing the Zoning Ordinance Text Amendments be submitted to the Lancaster County Planning Commission and then to the Ephrata

Township Planning Commission for their review and recommendations. The motion was seconded by Tony Haws and carried unanimously.

HAROLD ZIMMERMAN – WAIVER OF LD PLAN PROCESSING & SWM PLAN

Jim Caldwell submitted a review letter to the Board of Supervisors dated November 2, 2018 for the request to Waive the Land Development Plan Processing for Harold Zimmerman of 118 Royer Road for the construction of a 5,800 square foot building. A Storm Water Management Plan has also been submitted for approval.

A motion was made by Tony Haws to approve the Waiver Request to Section 308 – Land Development Plan Processing and to approve the Storm Water Management Plan based upon the justification provided and subject to the conditions in the Township Engineer's letter dated November 2, 2018. The motion was seconded by Ty Zerbe and carried unanimously.

ERVIN ZIMMERMAN – WAIVER OF LD PLAN PROCESSING & SWM PLAN

Jim Caldwell submitted a review letter dated November 2, 2018 for the Waiver of Land Development Plan Processing for Ervin Zimmerman of 421 Brossman Road to construct an equipment storage building which will help improve the property. A Storm Water Management Plan has also been submitted for approval.

A motion was made by Ty Zerbe to approve the Waiver Request to Section 308 – Land Development Plan Processing and to approve the Storm Water Management Plan based upon the justification provided and subject to the conditions in the Township Engineer's letter dated November 2, 2018. The motion was seconded by Tony Haws and carried unanimously.

AUTUMN HILLS PHASE 4 – FINAL SUBDIVISION PLAN

Robert Gabriel was in attendance on behalf of his client GRH Development. The Board of Supervisors were provided with a copy of the Ephrata Township Planning Commission minutes and the Lancaster County Planning Commission review letter on the plan along with Rettew Associates Letter dated October 18, 2018.

A motion was made by Ty Zerbe to approve a Waiver to Section 603.B.2 – Sidewalk Location within the Right-of-Way based on the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Autumn Hills Phase 4 Final Subdivision Plan based on the Township Engineer's letter dated October 18, 2018 and the condition that the future parking lot on lot 35 and the future trail is shown on the recorded plan. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Report – Lieutenant McKim

- Reports. Lieutenant Chris McKim provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of October. The

monthly report will be provided to the Township and will be kept on file in the office.

Manager Steve Sawyer

- **Rail Trail Bridge Update.** Manager Sawyer stated that DESCO started the bridge project last week. The goal is to have the project completed by the end of the year.
- **Ephrata Crossing East – Sewer Module Exemption.** Ephrata Crossing is requesting the Township to approve the Sewer Module Exemption as submitted.

A motion was made by Ty Zerbe to approve the Sewer Module Exemption for Ephrata Crossing East as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Request for Handicapped Parking Space – 19 Autumn Blaze Way.** An email was received by Steve Sawyer from a resident who lives in Phase 2 of Autumn Hills development who has a disability parking placard and would like a handicap parking space in front of his home. Manager Sawyer stated that the Township has never approved establishing a handicapped parking spot on a public road when off street parking is available. Wayne Merkel of 19 Autumn Blaze Way currently has a 2-car garage and a double wide driveway.

A motion was made by Ty Zerbe directing staff to contact Wayne Merkel denying the request for a handicap space in front of his home at 19 Autumn Blaze Way due to the availability of off-street parking on his property. The motion was seconded by Tony Haws and carried unanimously.

- **501 Alexander Drive – Time Extension.** Manager Sawyer notified the Board of Supervisors that a letter dated October 29, 2018 from ELA Group, Inc. on behalf of 501 Alexander Drive was received granting the Board of Supervisors an extension of time for an additional 90 days to act on the land development plan.

A motion was made by Tony Haws to accept the 90-day time extension granted by 501 Alexander Drive for the plan review period. The motion was seconded by Ty Zerbe and carried unanimously.

- **Sheetz – Inter-Municipal Transfer of Restaurant Liquor License.** Manager Sawyer presented to the Board of Supervisors a letter dated October 25, 2018 from Flaherty & O'Hara on behalf of Sheetz Inc. The purpose of the letter was to request approval of an Inter-Municipal Transfer of a Restaurant Liquor License. Sheetz is requesting that Ephrata Township schedule a public hearing as required by the Pennsylvania Liquor Code to issue a resolution pursuant to 47 P.S. 461 within 45 days of this request. Attorney Schimaneck stated that a public hearing needs to be advertised and a court reporter should also be at the public hearing.

A motion was made by Ty Zerbe authorizing staff to advertise a public hearing on December 4, 2018 at 7 PM for an Inter-Municipal Transfer of Restaurant Liquor License as required by the Pennsylvania Liquor Code. The motion was seconded by Tony Haws and carried unanimously.

- **2019 Preliminary Budget Update.** An updated version of the 2019 budget was presented to the Board of Supervisors for their review prior to the next meeting. The preliminary budget will be approved by the Board at their November 20, 2018 meeting. The final budget will be approved by the Board at their December 18, 2018 meeting.

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

Lakeside Villa – Site Inspections
Ephrata Crossings East
Ephrata Crossings – Preliminary Plan
Ephrata Crossings – Phase 1 Final Plan
Creek Corner Heights – Final Land Development Plan
501 Alexander Drive – Preliminary/Final Land Development Plan
David & Rhoda Martin – Subdivision Plan
LGH Construction / Conquest Construction – SWMP
David Patchet – Lot Add-On Plan
Lawrence Leid – Site Inspections
Akron Road Culvert – Construction Estimate
MS4 – Pollution Reduction Plan

Solicitor – Tony Schimaneck

- **Autumn Hills.** Attorney Schimaneck stated that his office is currently working on the Amendment for Park and Rec Agreement between GRH Development and Ephrata Township. At the last meeting, the Supervisors approved the revised cost based off the land being dedicated to the Township and the project costs.
- Manager Sawyer stated that an Indemnification / Reciprocal Agreement was prepared and executed at the time the PennDOT HOP Permit Application was submit for the Creek Corner Heights project. Ephrata Crossings will also need the Township to be the applicant for their PennDOT HOP Permit. Jim Caldwell recommended that the Agreement be required prior to the Township signing the HOP application. The Board of Supervisors directed staff to prepare the Indemnification / Reciprocal Agreement and executed by the developer before signing the PennDOT HOP application and to continue this procedure as standard practice.

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 8:32 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe