

# EPHRATA TOWNSHIP SUPERVISORS' MEETING

September 21, 2021

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

Present were Supervisors: Tony Haws  
Ty Zerbe  
Manager: Steve Sawyer  
Admin. Assist.: Jennifer Carvell  
Police: Chief John Petrick  
Engineer: Jim Caldwell

The meeting was called to order by Vice-Chairman Ty Zerbe followed by the Pledge of Allegiance to the Flag.

## PUBLIC COMMENTS NON-AGENDA ITEMS

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

## APPROVAL OF MINUTES

A motion was made by Tony Haws to dispense with the reading of the September 7, 2021 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

## CB BURKHOLDER – FINAL LAND DEVELOPMENT PLAN

Kevin Varner from Diehm and Sons, Inc. and Chet Burkholder from CB Burkholder were in attendance to present the plan to the Board. Mr. Varner stated that the property is a 2.75-acre tract located at 880 North State Street. There is an existing single-family home and garage on the property that they are proposing to remove. CB Burkholder is proposing to construct a 9,280 SF building to house their contractor's office and shop. The property is zoned Industrial and has received ZHB approval for the contractor's office/shop and also a variance to provide a landscape buffer for the adjoining property to the northeast which is owned by CB Burkholder. The building will be served by public water and public sewer.

A motion was made by Tony Haws to approve a waiver to Section 305 - Preliminary Plan Processing Procedure based upon the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 602.A.7 – Reconstruction of Existing Street on the condition that the applicant mill and overlay the street to the centerline along the site's frontage. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 602.E.5 – Access Drive Minimum Radii based on the condition that the applicant provide turning movements that demonstrate the largest vehicle anticipated to access the site can enter and exit the site without encroaching on the opposing lanes of traffic. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve a waiver to Section 603.E.7 – 100 Foot Clear Sight Triangle based on the justification provided and subject to the condition that a stop sign be installed at the access drive intersection. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve the Final Land Development Plan for CB Burkholder, Inc. based on the conditions contained in the Township Engineer's letter dated August 20, 2021. The motion was seconded by Ty Zerbe and carried unanimously.

PENNY TALBERT, EPHRATA PUBLIC LIBRARY – 2022 FUNDING REQUEST AND REQUEST TO USE THE TOWNSHIP PARK FOR THE LIBRARY'S STORY WALK PROGRAM

Penny Talbert was present to update the Board of Supervisors with information about the Ephrata Public Library's 2021 year to date and to share with the board what is planned for 2022. The Board of Supervisors were provided with a 2021 Annual Report. Penny gave a brief narrative of the report and offered to answer any questions. The Library is currently receiving 16% of their funding from local municipalities within the Ephrata Community. The Library works very hard to raise funds through grants, fundraising and services. The Summer Reading Program continues to grow and the Library is offering Wonderbooks which are hard bound books with an audio player built into the cover of the book and has created a challenge called "1000 Books Before Kindergarten". The Government Services Office is once again open and also providing an income to the Library. In addition, a new service added this year is designated Free WiFi Zone areas. This is a hotspot area in parking lots located at churches so that residents without internet access can connect when necessary. They have also added a garden center which allows them to donate to Ephrata Community Services. The Ephrata Public Library is requesting a contribution of \$36,500 from Ephrata Township for 2022. Ty Zerbe thanked Penny for her presentation and continued work at the Ephrata Public Library.

In addition, Abby Balmer was also in attendance to request the use of the Township Park for the Ephrata Library's Story Walk Program. An email dated August 24, 2021 was provided to the Board of Supervisors for their review prior to the meeting.

The Library is requesting that the Township approve of the Library having a permanent Story Walk at the Ephrata Township Park year-round. The story would be changed 8-10 times per year by Library staff. If approved the Library would be ordering 20 posts which would need to be installed by the Township. There is a 3-week shipping time frame and the Library's goal is to begin the program the week of November 15<sup>th</sup>.

A motion was made by Tony Haws to approve the use of the Ephrata Township Community Park by the Ephrata Public Library for a permanent Story Walk year-round for a duration at the Township's discretion in case any unforeseen issues or problems would arise as a result of the program. The motion was seconded by Ty Zerbe and carried unanimously.

**LAKESIDE VILLAS – AS-BUILT PLAN ISSUE – STORM WATER SWALE LOCATION**

Manager Sawyer stated that Richard Stauffer was unable to attend the meeting and asked that the Board table this issue until a future meeting.

A motion was made by Tony Haws to table discussion regarding Lakeside Villas Storm Water Swale issue as requested. The motion was seconded by Ty Zerbe and carried unanimously.

**STAFF REPORTS**

**Police Department – Monthly Report.**

Police Chief John Petrick was in attendance. Chief Petrick provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of August totaling 411 incidents. There were 11 arrests and 17 traffic citations. The monthly report was provided to the Township and will be kept on file in the office.

Chief Petrick updated the Board of Supervisors on the Body Cameras Program. The purchase of the body cams will be paid for with a 50% grant that was recently awarded and the remaining 50 % by a generous donation by Wellspan Community Hospital. The expense that the partner municipalities will be need to be budget each year will be for the data storage. The Township's portion per year is estimated to be \$3175.12.

Chief Petrick also stated that they will be prepared to have coverage at the Ephrata Fair that is scheduled for this week and that the electric bicycles that were donated by Wellspan will be a tremendous asset for the EPD.

**Manager Steve Sawyer**

- **LAMS – Trash-A-Thon 2021.** Lancaster Area Mennonite School is requesting permission to use the Ephrata Township Community Parks Pavilion and restrooms during their annual Trash-A-Thon event scheduled for Thursday, October 7, 2021. The rain date is scheduled October 14, 2021. There have been

no problems during this event in the past and Chief Petrick did not have any objections or concerns.

A motion was made by Tony Haws to approve the use of the Ephrata Township Community Park and Pavilion for the annual LAMS-Trash-A-Thon for 2021. The motion was seconded by Ty Zerbe and carried unanimously.

- **East Main Street/Pleasant Valley Road Traffic Signal – Study to revise the signal permit plan to allow protected/permissive left turns.** The Township has received multiple complaints regarding the Route 322 left turn movements at the Route 322 / Pleasant Valley Road traffic signal. The Ephrata Marketplace Shopping Center includes a Giant grocery store, McDonalds, Starbucks as well as ten or more other businesses. All eastbound traffic must turn left at the traffic signal to enter the shopping center. The current signal timing permit does not allow left turns on a flashing yellow arrow during the daytime hours. Manager Sawyer contacted John Schick of Rettew Associates, CM High and PennDOT concerning this issue. PennDOT recently approved the traffic signal plan for this intersection as part of the Ephrata Crossings Development. Manager Sawyer stated that PennDOT was in favor of considering a revision to allow protected/permissive left turns at the intersection if the Township completes a study that supports the modification. Manager Sawyer stated that this study is estimated to cost \$1,600.00. If PennDOT approves the revisions CM High estimates the timing/phasing and other signal changes to cost an additional \$1,500.00. Chief Petrick did not have any objections with moving forward with the study.

A motion was made by Tony Haws to approve the traffic signal study as recommended by staff in the amount of \$1,600.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Tommy's Carwash Land Development Plan – Time Extension.** Manager Sawyer notified the Board of Supervisors that Ephrata Township received a letter from RGS Associates on behalf of Tommy's Express Carwash Final Subdivision and Land Development Plan granting the Township an additional 90-days to act on the plan. The new deadline for the Township to act on the plan will be December 21, 2021. The time extension is necessary to address the necessary remaining comments.

A motion was made by Tony Haws to accept the 90-day time extension granted by Tommy's Express Carwash Subdivision and Land Development Plan for the Township to act on the plan. The new deadline for the Township to act on the plan will be December 21, 2021. The motion was seconded by Ty Zerbe and carried unanimously.

- **Henry King, 1233 Pleasant View Road – Echo Housing Agreement.** Manager Sawyer notified the Board of Supervisors that Henry King of 1233 Pleasant View Road has submitted a building permit for an addition onto his residence at 1233 Pleasant View Road to be used as in-law quarters. The Township SEO has

confirmed that the existing on-lot sewer can accommodate the temporary dwelling unit. As part of ECHO housing, the Township requires a recorded agreement concerning the conditions of the temporary dwelling unit. The applicant is responsible for the cost of preparation and recording of the agreement.

A motion was made by Tony Haws to approve the request for ECHO housing and the preparation of the Accessory Dwelling Agreement as recommended. The motion was seconded by Ty Zerbe and carried unanimously.

- **LCWF Grant Agreement – Restoration of the Cocalico Creek Project.**  
Manager Sawyer notified the Board of Supervisors that a grant in the amount of \$145,300.00 from Lancaster Clean Water Fund for the Restoration of the Cocalico Creek Project at Autumn Hills. This is the second grant awarded for this project. At this time, the estimated cost to the Township for the project has been reduced to \$54,700.00. A Grant Agreement is required to receive the funds. The Agreement was provided to the Board of Supervisors for their review prior to the meeting. There was no questions or concerns.

A motion was made Tony Haws to approve the agreement and authorize the manager to sign it on behalf of the Township. The motion was seconded by Ty Zerbe and carried unanimously.

- **Proposed Ordinance regarding the permitting, maintenance and removal of antennas that meet the definition of “small wireless facilities” under Act 50.**  
At the last meeting, Attorney Schimaneck provided the Board of Supervisors with a draft copy of an Ordinance regarding the permitting, maintenance and removal of antennas that meet the definition of “small wireless facilities” to comply with PA Act 50 for the Supervisors to review prior to this meeting. The Supervisors did not have any questions or concerns with the proposed Ordinance recommended by staff.

A motion was made by Tony Haws to direct staff to advertise a public hearing with the intent to adopt the Ordinance for small wireless facilities under Act 50 at one of the October meetings. The motion was seconded by Ty Zerbe and carried unanimously.

**Engineer Jim Caldwell** reported that there are several plans in the review process and construction observation phase:

- MPDS Plan Agency Approval
- Tommy's Car Wash Land Development Plan
- Ephrata Crossings Phase 4
- Garden Spot auto Auction Land Development Plan
- Frys Road Subdivision
- Lakeside Villas – SWM
- Glenwood Foods – Site Inspections

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 stated that he did not have any information to report that was not already discussed.

A motion was made by Tony Haws to adjourn the meeting at 8:30 AM. The motion was seconded by Ty Zerbe and carried unanimously.

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Clark R. Stauffer

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Anthony K. Haws

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J. Tyler Zerbe