

## **EPHRATA TOWNSHIP SUPERVISORS' MEETING**

**June 5, 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: Sargent Eric Schmitt  
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 May 15, 2018 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

### LON AND SHEILA MARTIN – STORM WATER MANAGEMENT PLAN

Kim Graybill of Pioneer Management was in attendance to present to the Board of Supervisors the Lon & Sheila Martin Storm Water Management Plan. The lot is 1.7 acres located along Steinmetz Road and borders the EAJA well #4 property. They are proposing to construct a 1990 square foot dwelling and a 1200 square foot barn next year. A 44'x 40' underground detention facility has been designed to collect the storm water from both structures. Two (2) Modifications are being requested. A review letter dated May 10, 2018 from Rettew Associates was submitted to the Board of Supervisors prior to the meeting for their review.

A motion was made by Ty Zerbe to approve the modification requested for Section 403 – Carbonate Geology based upon the justification provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the modification requested for Section 409.1.B.3.a – Loading Ratios (Carbonate Geology) based upon the justification provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the Lon and Sheila Martin Storm Water Management Plan subject to Rettew Associates review letter dated May 10, 2018. The motion was seconded by Tony Haws and carried unanimously.

515 NORTH READING ROAD, LOTS 2 & 3 – FINAL LAND DEVELOPMENT PLAN

Ed Ostrowski from ELA and Scott Cover, Owner of 515 North Reading Road presented the plan to the Board of Supervisors. The proposed project is to construct a 35,000 square foot warehouse on a vacant lot behind the property occupied by Farmstead Gourmet. Mr. Cover owns both properties. Zoning Hearing Board approval has been obtained for rear yard setbacks for the warehouse and parking and side yard setbacks for a pump house required for fire suppression service. DEP has approved the Sewage Planning Module and the fire suppression details are being worked out with EAJA. 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 May 22, 2018. Several waivers/modifications are being requested.

A motion was made by Ty Zerbe to approve a waiver request to Section 305.A – Preliminary Plan Processing Procedures 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 Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request to Section 402.C.3 – Existing Features based upon the justification provided with the condition that the applicant show the existing features within one hundred (100) feet of the subject tract on the Diane L. Fichthorn property. This can be provided using Lancaster County GIS mapping. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver request for Section 406 – Traffic Evaluation based on the applicant providing a contribution in-lieu of the study in the amount of \$3,200.00 and the applicant providing a traffic count that demonstrates that the traffic maintains the same level as it exists today and not a lower level condition. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request for Section 603.E.5 – Street Intersections based upon the justification and alternative provided and the condition that the warehouse is given a North Reading Road address so that GPS directions do not take trucks to East Trout Run Road. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver request for Section 602.A.7 – Reconstruction of Perimeter Streets based on the condition that the applicant widen the street and provide a 1.5” mill and overlay to the centerline along the frontage of the lot. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request for Section 602.E.7 – Clear Sight Triangle based on the condition that the applicant provide a 75' clear sight triangle and obtain an easement for the portion of the proposed clear sight triangle located on the Pennsylvania Power & Light Company property. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver request for Section 603.A.4 – Vehicular Parking Facilities Setback based upon the justification and alternative provided of a minimum ten (10) foot setback between the rear property line and parking facilities. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to deny a waiver request for Section 603.B.1, 603.B.3 – Interior and Perimeter Sidewalks but to allow the applicant to defer the installation of the sidewalks until such time as the Township, at its sole discretion, determines the improvement is necessary in the area. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver request for Section 609.B.3 – Landscaping based on the justification provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request for SWMO Section 407.24 – Minimum Pipe Slope based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

The waiver request for SWMO Section 406.8 – Fencing for Above Ground Storage Facilities has been withdrawn by the applicant.

A motion was made by Ty Zerbe to approve a waiver request for SWMO Section 409.1.B.3.a – Volume Control Loading Ratio 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 conditionally approve the 515 North Reading Road Final Land Development Plan based upon Rettew Associates letter dated May 22, 2018 and the additional conditions concerning the Waivers to Section 406 – Traffic Evaluation Study and Section 602.E.5 – Street Intersections. The motion was seconded by Tony Haws and carried unanimously.

#### LAKESIDE VILLAS – FINAL SUBDIVISION PLAN

Chris Venarchick from RGS Associates and the developer Rick Stauffer were in attendance to present the Lakeside Villas Plan. Mr. Venarchick reviewed the proposed layout for 39 single family lots, street access, utilities, storm water management and other features of the plan. 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 May 11, 2018.

A motion was made by Tony Haws to approve a modification request to the Street and Roadway Specifications – Figure 1 – Typical Street Section based on 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 request to Section 602.E.7 – Clear Sight Triangle based on the applicant providing a 50' x 100' clear sight triangle on the northwest side of the intersection of Lake View Road and East Fulton Street. The motion was made seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Final Subdivision Plan conditional upon Rettew Associates review letter dated May 11, 2018 and amended by the Waiver to Section 602.E.7 - Clear Sight Triangle subject to providing a 50' x 100' clear sight triangle on the northwest side of the intersection of Lake View Road and East Fulton Street. The motion was seconded by Ty Zerbe and carried unanimously.

#### STAFF REPORTS

##### Police Report – Sargent Schmitt

- **Reports.** Sgt. Schmidt provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of May totaling 141 actions. The monthly report will be provided to the Township and will be kept on file in the office.

##### Manager Steve Sawyer

- **David & Rhoda Martin.** David and Rhoda Martin have submitted a Land Development Plan and have since requested the Board of Supervisors review a sketch of a subdivision plan prior to finalizing the Land Development Plan. The Martins are looking to construct a second dwelling unit on their farm and are working with Attorney Kenelm Shirk to possibly subdivide instead of having two (2) dwelling units on one (1) parcel. Mr. and Mrs. Martin's son is planning to move into the existing residence and farm the property. Mr. and Mrs. Martin plan to reside in the newly constructed home. The subdivision would create a flag lot. The Board of Supervisors had some concerns with the shared driveway shown on the sketch plan due to the location of the chicken houses. The Board of Supervisors suggested moving forward with perk tests for a second septic system and then to schedule a meeting with staff to discuss the project.
- **Rail Trail Update – Bridge and Restroom.** Manager Sawyer notified the Board of Supervisors that the bids were finalized for the Rail Trail Bridge. The bid opening will be July 6, 2018 and awarded in the middle of July.

The Supervisors approved a portable restroom with ADA access at the last meeting and that will be delivered to the Rail Trail parking lot at Millway Road tomorrow.

- **Tshudy Planning Module.** Manager Sawyer informed the Board of Supervisors that Jim Tshudy is in the process of a Final Subdivision Plan for his property where he has resided for 45 years. The farmhouse was built in 1764 and has been restored.

The subdivision is for estate planning purposes only and no development is proposed at this time. The existing farmhouse will be connected to public sewer and approval of a DEP Sewer Planning Module is being requested.

A motion was made by Ty Zerbe to approve the execution of the DEP Sewage Planning Module as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Martin's Country Market – Community Yard Sale.** Manager Sawyer notified the Board of Supervisors that he received a letter dated May 26, 2018 from Randy Eshleman of Martin's Country Market notifying the Township that they are planning to host their 3rd annual community yard sale on Saturday, September 1, 2018 in the parking lot of their property at 1717 West Main Street, Ephrata. The Police Department does not have any concerns or objections to this event.

A motion was made by Tony Haws directing staff to notify Randy Eshleman of Martin's Country Market that the Township does not object to the proposed event. The motion was seconded by Ty Zerbe and carried unanimously.

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

515 N. Reading Road, LLC  
Ephrata Crossing  
Lakeside Villa  
Dave & Rhoda Martin  
Creek Corner Heights  
James Tshudy  
Ephrata Borough Solar Facility  
Denver Wholesale Foods  
MH Eby  
Assembly of God – Construction Meeting

**Solicitor – Tony Schimaneck**

- **High Tunnel / Act 15 of 2018** Solicitor Schimaneck presented to the Board of Supervisors a letter dated May 25, 2018 concerning High Tunnels/Act 15 of 2018 that has been signed into law by Governor Wolf. Beginning June 18, 2018 Act 15 amends the Storm Water Management Act 15 to exempt high tunnels from storm water management requirements. The Board of Supervisors will review the information and it will be discussed at a future meeting.

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 9:21 p.m. 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