

EPHRATA TOWNSHIP SUPERVISORS' MEETING

March 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
Admin Asst: Jennifer Carvell
Police: Chief Harvey
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

Tina Thompson of Senator Ryan Aument's Office was present at the meeting. Tina introduced herself and stated that Senator Aument requested that she inform the Township that their office is available to assist the Township with any issues that may occur in the future.

Michael Fedorshak of Ephrata Township was also present. He is a student at Lancaster Catholic High School and is enrolled in a Government Class. Each student is required to attend a meeting of their local government. He was given an agenda packet and offered a civil government guide.

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

APPROVAL OF MINUTES

A motion was made by Ty Zerbe to dispense with the reading of the February 20, 2018 Supervisors' Minutes and to approve them as written. The motion was seconded by Tony Haws and carried unanimously.

LGH CONSTRUCTION – WAIVER OF LAND DEVELOPMENT PLAN PROCESSING

Mr. James Martin, President of LGH Construction was present. LGH Construction is proposing a 1725 square foot expansion. A Land Development Plan is required because the proposed addition is more than 30% of the original building size. A plan prepared by Pioneer Management, LLC was presented to the Board of Supervisors. Rettew Associate's Review Letter dated February 19, 2018 was provided to the Board of Supervisors prior to the meeting for their review. LGH Construction is requesting a waiver of Land Development Processing for the modification requested. Rettew Associates stated that there

was no additional impervious area being proposed. In addition, the existing parking and storm water facilities are adequate for the proposed project.

A motion was made by Tony Haws to approve the Waiver Request to Section 308 – Land Development Plan Processing based on the justification that was provided. The motion was seconded by Ty Zerbe and carried unanimously.

EPHRATA CROSSINGS SUBDIVISION PLAN

Chris Venarchick from RGS Associates was present on behalf of PIM, Inc. to present the Ephrata Crossings Subdivision Plan. Mr. Venarchick explained that the proposed Subdivision is a lot consolidation project and that no improvements were proposed on the lots. The Ephrata Township Planning Commission and the Lancaster County Planning Commission have reviewed the plan and their recommendations were presented to the Board of Supervisors for their review prior to the meeting. A letter from Rettew Associates dated February 27, 2018 was also presented to the Board of Supervisors for their review prior to the meeting. A number of waivers are being requested.

A motion was made by Tony Haws to approve the Waiver Request for Section 305 – 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 Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to deny the Waiver Request for 403.D.24 – Clear Sight Triangles but to allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to deny the Waiver Request for 403.D.24 – Safe Stopping Sight Distance but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to deny the Waiver Request for Section 403.E.3 – Hydrologic, Traffic Evaluation and Wetland Reports but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval with the condition that the applicant provide an abbreviated wetlands study verifying the presence/absence of wetlands on the proposed public right-of-way. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the Waiver Request for Section 501 – Improvement Guarantee but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to deny the Waiver Request for Sections 602.A.7, 603.B.1 and 603.C.1 – Reconstruction of Perimeter Streets, Curb and Sidewalk but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to deny a Waiver Request for Section 602.E.4 – Right Angle Intersection but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to deny a Waiver Request for Section 602.E.5 – Right of Way Radii but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve a Waiver Request for Section 602.G.1.C – Right-of-Way Width and a new submittal for Street and Roadway Specifications Figure 1 – Typical Street Section 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 deny a Waiver Request for Section 609.E - Street Trees but allow the applicant to defer the requirement until an application authorizing any construction or development upon Lot 1 or Lot 2 is submitted to Ephrata Township for review and approval. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the Final Plan subject to Rettew Associates letter dated February 27, 2018. The motion was seconded by Tony Haws and carried unanimously.

Jim Caldwell of Rettew Associates presented to the Board of Supervisors a draft letter prepared by staff dated March 2, 2018 for the Board of Supervisors review and direction. The letter was drafted in response to a request for the Township to provide a concurrence letter for the PennDOT Scoping Application for the Ephrata Crossing and Lakeside Villas Developments. The proposed letter identifies two issues that Township staff believes should be addressed by the project. Township staff believes that a short EB Pleasant Valley Road left turn lane at Driveway C/Street B intersection should be required for operational purposes. Staff also believes that PennDOT should require the developer to modify the

right-in right out access into the Ephrata Marketplace to improve safety for non-motorized (horse and buggy) traffic.

A motion was made by Tony Haws to authorize staff to submit the letter dated March 2, 2018 to Eric Mountz of Traffic Planning and Design, Inc. as presented. The motion was seconded by Ty Zerbe and carried unanimously.

EPHRATA BOROUGH STORM WATER BMP RETROFITS

Katie Samus of Land Studies, Inc. and Nancy Harris of Ephrata Borough were present to present a storm water plan to the Board of Supervisors. A waiver and approval of the Storm Water BMP Retrofits, Restoration and E&S Plan is being requested.

A motion was made by Ty Zerbe to approve a Waiver Request for Section 304 – Plan Contents – Major Land Disturbance due to the nature of the modifications, funding source and obtained agency approvals. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the Storm water BMP Retrofits Restoration and E&S Plan subject to Rettew Associates letter dated March 6, 2018. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Police Report – Chief Harvey

- **Reports.** Chief Harvey provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of February. The monthly report will be provided to the Township and will be kept on file in the office.
- **Toys for Tots.** Chief Harvey stated that the Ephrata Police Department participated in 2017 for the first time and received an award. They were extremely pleased with the local businesses participation and have decided to participate again this year.
- **Active Shooter Training.** Chief Harvey stated that he has been begun Active Shooter Training with businesses, schools and churches in the local area. He offered a staff, friends, and family training session to Ephrata Township.

Jim Caldwell for Manager Steve Sawyer (not in attendance)

Planning Module Exemption – 515 North Reading Road, Lots 2& 3. Jim Caldwell notified the Board of Supervisors that 515 North Reading Road, LLC is proposing to build a 35,000-square foot warehouse on their commercial property located at 515 North Reading Road. They currently have existing public sewer and are approved for two (2) EDU's of sewer capacity.

A motion was made by Ty Zerbe to approve the request for a PA DEP Sewage Planning Module Exemption for 515 North Reading Road, LLC per the justification provided. The motion was seconded by Tony Haws and carried unanimously.

- **Draft Letters – Ephrata Commons and Organic Poultry Partners.** At the last meeting, Richard Stauffer of Ephrata Crossings and GMS Funding Solutions were present requesting that the Township prepare a support letter for a grant application for the public road transportation infrastructure improvements proposed with the Ephrata Crossing Commercial project. The Board of Supervisors made a motion directing staff to prepare a modified Support Letter for Property Investing and Management Inc. / Ephrata Crossing's grant application. Staff provided the Board of Supervisors with the draft Support Letter dated March 6, 2018 for review and approval. In addition, Organic Poultry Partners were present at the last meeting requesting a Letter of Support for their use in pursuing grant funds for their proposed project at 501 Alexander Drive. A motion was made by the Board of Supervisors to direct staff to prepare a letter to Organic Poultry Partners stating that zoning has been approved by the Township for their proposed operation. Staff provided the Board of Supervisors with the draft support letters dated March 6, 2018 for review and approval.

A motion was made by Tony Haws to approve the Letter of Support for Ephrata Crossing's and Organic Poultry Partners as presented. The motion was seconded by Ty Zerbe and carried unanimously.

Engineer Jim Caldwell reported that there are six (6) plans in the review process.

Lakeside Villa
Borough of Ephrata
Ephrata Crossings
Creek Corner Heights
515 North Reading Road
David & Rhoda Martin

Rettew continues to work on the Township's MS4 Program. Recently Rettew sent out letters to BMP owners notifying them that their storm water management facilities will be inspected in the near future.

Forest Buffer Grant. At a previous meeting, Jim Caldwell recommended that the Township consider submitting an application for a DCNR grant to assist with funding the Autumn Hills trail project and pollution reduction plan project. Jim Caldwell presented a sketch plan of a proposed floodplain improvements, stream bank stabilization, stream enhancements and the proposed extension of the Warwick to Ephrata Rail Trail. Jim Caldwell requested authorization to move forward with setting up a meeting with the DCNR Regional Advisor to discuss the project. If DCNR feels the project would be competitive for a grant, Mr. Caldwell requested approval for Rettew Associates to submit a grant application to DCNR for the project. The cost for preparing and submitting the grant would not exceed \$5,100.00. At the last Supervisors Meeting, Jim Caldwell notified the Board of Supervisors that he did not feel that the Township's project was competitive enough to receive a Grant from DCNR this year. Since that time, he was

notified by DCNR of another grant opportunity called the Forest Buffer Grant. The grant is also a matching fund grant. Jim Caldwell requested permission to meet with the Forest Buffer Advisor on site and if the project appears to be competitive move forward with the grant application for the same cost of \$5,100.00 as previously quoted.

A motion was made by Ty Zerbe to approve Rettew Associates setting up a meeting to discuss the project with the Forest Buffer Grant Advisor and if the Advisor believes the project would be competitive to move forward with the grant application for a cost not to exceed \$5,100.00. The motion was seconded by Tony Haws and carried unanimously.

Pollution Reduction Plan. Jim Caldwell notified the Board of Supervisors that DEP has begun conducting the technical reviews of the Pollutant Reduction Plans submitted in September 2017 as part of the NOI Application for the 2018 MS4 Permit. Jim Caldwell stated that Rettew prepared the PRPs based upon their understanding of the information presented by DEP at various training sessions, workshops and written instructions provided. Rettew Associates has recently received DEP reviews for some of their clients plans. The DEP letters indicate that the criteria for calculating the existing baseline pollutant loads has expanded to include all municipal roads located within the urbanized area regardless of whether they discharge to surface streams via a regulated outfall. He stated that the method used to calculate baseline pollutant loads is most likely going to increase the required pollutant reductions as calculated in the Township's PRP. Rettew has requested a meeting with DEP staff to discuss this issue and will notify the Township when DEP is ready to schedule a meeting.

Solicitor Tony Schimanek

- **Denver Wholesale Foods.** Morgan, Hallgren Crosswell and Kane prepared a cash escrow agreement and Improvement Guarantee Agreement.
- **Reiff Easement Agreement.** The executed agreement has been recorded.
- **Evangel Assembly of God.** Morgan Hallgren Crosswell and Kane has prepared the Land Development Agreements and the Storm Water Management Agreement.
- **Lakeside Villa.** Morgan Hallgren Crosswell and Kane has reviewed and provided comments for the Temporary Construction Easement Agreement.

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.

March 6, 2018 Supervisors' Meeting minutes continued

A motion was made by Tony Haws to adjourn the meeting at 8:13 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe