

EPHRATA TOWNSHIP SUPERVISORS' MEETING

November 2, 2020

The Ephrata Township Supervisors met this date at 8:00 AM at the Ephrata Township Office Building, 265 Akron Rd., Ephrata, Pennsylvania.

Present were Supervisors:	Clark Stauffer
	Tony Haws
	Ty Zerbe
Twp. Manager:	Steve Sawyer
Twp. Engineer:	Jim Caldwell
Twp. Solicitor:	Tony Schimaneck
Admin. Assistant:	Jennifer Carvell

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 20, 2020 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

HENDRIX – ISA – REVISED FINAL LAND DEVELOPMENT PLAN

Todd Shoaf of Pioneer Management was present on behalf of Hendrix, ISA to present the Revised Final Land Development Plan. The tract is zoned I-2 Industrial-Institutional and is occupied by an existing chicken hatchery – embryo business that includes office space and parking and loading areas. The prior occupant of the building was Penn Embryo, which utilized the building in the same manner as Hendrix is doing today. Hendrix is proposing to construct a 3,009 SF second floor addition above the existing office portion of the building for the purpose of providing upgraded office space. An additional 30 space parking lot is being proposed with this plan and will provide a total of 54 spaces on the site.

The Board of Supervisors were provided with Rettew Associates review letters dated September 18, 2020 and October 29, 2020 for their review prior to the meeting along with the recommendations from the Lancaster County Planning Commission and the Ephrata Township Planning Commission. Two modification requests were also presented to the Board of Supervisors for consideration.

A motion was made by Ty Zerbe to approve the Modification Request to Section 609.B-Landscaping based upon the alternative and justification provided conditional upon the property owner being required to maintain the fence in a condition acceptable to the Township. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the modification request to SWMO Section 407.24.d.3 – Swale Slopes, based on the justification that was provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the Hendrix, ISA Revised Final Land Development Plan subject to Rettew Associates letter dated October 29, 2020. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Police Department – Monthly Report.

No one from the Police Department was in attendance. The October Report will be kept on file in the office.

Manager - Steve Sawyer

- **Comcast – Final Utility Plan – Area C (Sycamore Acres).** Manager Sawyer provided the Board of Supervisors with a Review Letter dated October 1, 2020 from Rettew Associates and an email from Melissa Kelly of Rettew Associates dated October 16, 2020 stating that all comments contained in the October 1st letter have been addressed by Comcast.

A motion was made by Tony Haws to approve the Comcast Final Utility Plan for Area C - Sycamore Acres. The motion was seconded by Ty Zerbe and carried unanimously.

- **Ephrata Crossing Phase 1 - Financial Security Reduction.** The Board of Supervisors were provided with a letter from Rettew Associates dated October 28, 2020 recommending a reduction in the PIM Inc. financial security for Ephrata Crossing Phase 1 of \$188,890.71 leaving a new outstanding balance of \$58,074.74.

A motion was made by Ty Zerbe approving the Financial Security Reduction for Ephrata Crossing Phase 1 in the amount of \$188,890.71 leaving a new outstanding balance of \$58,074.74 subject to Rettew Associates letter dated October 28, 2020. The motion was seconded by Tony Haws and carried unanimously.

- **Weaver Residence (Black Diamond Road) – SWM Plan.** The Board of Supervisors were provided with a review letter dated October 27, 2020 from Rettew Associates for the Weaver Residence Storm Water Management Plan for a property on Black Diamond Road. A modification to Section 406.3 – Spillway Depth has been requested.

A motion was made by Tony Haws to deny the modification request to SWMO Section 406.3 – Spillway Depth and table action for the Storm Water Management Plan until such time the plans are revised to comply with the Ephrata Township Storm Water Ordinance. The motion was seconded by Ty Zerbe and carried unanimously.

- **November Zoning Hearing – Carwash – 790-794 East Main Street.** Manager Sawyer provided the Board of Supervisors with a brief overview of a Zoning Hearing Board application for a Special Exception and Variance to allow the use of a carwash and a proposed canopy within the required front yard setback at 790-794 East Main Street. This property is currently used as a used car dealership. Staff did not recommend that the Township take a position or present testimony at the Hearing scheduled for Tuesday, November 17, 2020. The Board was in agreement with staff's recommendation.
- **Stauffer Agreement – Storm Water Easement.** Manager Sawyer presented to the Board of Supervisors a Declaration and Extinguishment of Drainage Easement prepared by E. Richard Young, Jr., Esquire on behalf of Clark R. Stauffer. Manager Sawyer explained that the purpose of the Agreement is to create a new easement and swale across a vacant lot on Stevens Road to direct current storm water runoff to a different terrace on the adjoining farm that is better suited to convey the storm water. Clark Stauffer owns both the vacant lot and the adjoining farm. The proposed agreement includes a signature line for the Township to acknowledge the agreement and confirm that the Township does not object to the proposed change. The Township has no responsibility for the construction or any future maintenance or repair of the drainage easement on the vacant lot (lot #2) and/or the discharge area across the farm (lot #1).

A motion was made by Tony Haws to approve the Township signing the agreement to acknowledge and to not object to the Declaration and Extinguishment of Drainage Easement as presented. The motion was seconded by Ty Zerbe. Clark Stauffer abstained. The motion carried 2: approved; 1: abstained.

- **DEP Blasting Investigation Report.** Ephrata Township has received a copy of the DEP Municipal Response Blasting Complaints Report for the Denver Wholesale Foods construction project. Manager Sawyer stated that the report was forwarded to the Home Owners Association President of the Autumn Hills Development and several residents who had contacted the Township about the blasting. The DEP report concluded that the blasting did not exceed the limits of DEP's blasting regulations. All blasting permits are issued and regulated by DEP and are not the responsibility of local municipalities. Manager Sawyer stated that the blasting at this site will be completed in the near future.
- **Meadow Valley Road – Speed Complaint.** An email was received from a resident of the first block of Meadow Valley Road regarding high speeds in this area. Manager Sawyer notified the Board of Supervisors that Meadow Valley Road is a PennDOT road and the speed limit is currently 45 miles per hour. Due to the increase in residential development in this area and the fact that it is located between the Ephrata Middle School and the Ephrata High School, Manager Sawyer recommended sending a letter to PennDOT requesting that they consider authorizing a lower speed limit for the first 2000 feet of Meadow Valley Road.

A motion was made by Ty Zerbe authorizing staff to send a letter to PennDOT requesting PennDOT approval of a lower speed limit along Meadow Valley Road as

recommended by staff. The motion was seconded by Tony Haws and carried unanimously.

- **Cares Act Funding.** Manager Sawyer advised the Board that the Township has received notification that additional funding of \$83,600.00 in Municipal Cares Act Funds will be distributed to Ephrata Township by Lancaster County.
- **Emergency Snow Plow Request.** Manager Sawyer notified the Board of Supervisors that Randy Groome, Road Superintendent, has requested that the Board of Supervisors approve hiring additional seasonal workers as emergency snow plow operators to be used as needed during the winter season. Currently the Township has one seasonal worker as an emergency snow plow operator. The hourly rate for seasonal emergency snow plow operators was also discussed. The Board was given the hourly rates of other municipalities in our area.

A motion was made by Tony Haws to approve of using multiple seasonal employees as emergency plow drivers with a CDL License at a rate of \$22.00 per hour as recommended by staff. The motion was seconded by Ty Zerbe and carried unanimously.

Township Engineer – Jim Caldwell

MS4 – Annual Report Complete
Ephrata Crossing – Financial Reduction Requests
Comcast
Conestoga Valley Mennonite Church
Lakeside Villas
Ephrata Mennonite Church
Glenwood Food
Hendrix

Township Solicitor – Tony Schimaneck

Tony Schimaneck stated that there was nothing further to discuss with the Board of Supervisors 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

There was no additional correspondence to report at this time.

A motion was made by Tony Haws to adjourn the meeting at 9:54 A.M. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe