

**WEST LAMPETER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING OF APRIL 10, 2017**

CONDITIONAL USE HEARING

The Board of Supervisors met at 6:00 p.m. for a Conditional Use Hearing and those in attendance were Chairman Barry Hershey, Randy Moyer, Robert Patterson and Geoffrey Beers. Vice Chairman Terry Kauffman was absent from the hearing.

William Crosswell, Esq., Township Solicitor was present to conduct the hearing. He explained the purposes and rules of the hearing.

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to open the public hearing on the Conditional Use application. The motion was unanimously approved, 4 to 0.

Parties:

West Lampeter Township
Applicant, Doug Keener

Property Location: East of the intersection of Gypsy Hill and Long Rifle roads

Project: Applicant seeks to subdivide a 1.984 acre residential lot from the present tract located at 1266 Gypsy Hill Road. The Applicant seeks a conditional use to permit a flag lot under Section 285-40, Flag Lots, of the zoning code.

Evidence:

BOS 1 - Staff memorandum from Joellyn Warren, Director of Community Development dated April 4, 2017

BOS 2 – Extension of time request dated March 21, 2017 giving the township until May 31, 2017 to fully consider the application

BOS 3 – Notice of the Hearing and Proof of Publication on March 24 and 31, 2017

BOS 4 – Affidavit from Joellyn Warren including a photo to show the property was posted on March 24, 2017 as required

BOS 5 – A letter from Joellyn Warren to Mr. Keener providing notice of the date and time of the hearing, and a listing of adjoining property owners, also receiving the same notice.

The application filed for the land in question has since been conveyed to Shirley Keener by the Estate of Harlan N. Keener on March 13, 2017 and deed recorded on March 23, 2017. Mrs. Keener's attorney appointed Power of Attorney to her children, including the Applicant Doug Keener, to handle the tract of land and make the application.

Jim Henke, Pioneer Management, LLC was sworn in and testified as to the proposed plan. He presented new plans updated with the new owner information. The proposal concerns the eastern side of the existing farm, with a proposed driveway to Long Rifle Road. The zoning ordinance requires the pole of the lot to be 25ft, but this plan is for 50 ft. The minimum lot width of 200 ft. is met with this plan. Public sewer will eventually be provided, with on-lot water well. Agricultural lands surround the lot. In the proposed lot runs an unnamed tributary and Big Spring, and riparian rights could be reserved with an easement. The lot is intended for a single-family detached dwelling. The goal is to minimize impact to help the streams. Any further subdivision would be improbable with the approval of this proposal.

Questions from the Board concerned the riparian buffer area proposed on the lot, an easement on the farm that would possibly be provided.

Comments from Joellyn Warren were that this plan will reduce the impact of the farmland.

Mr. Crosswell asked Mr. Henke if the application meets the standards of Section 285-40, to which Mr. Henke replied that it does. Mr. Crosswell also asked about the compliance with standards in the ordinance regarding Conditional Use requests, referring to Section 285-16C (Special Exception) that the proposed plan will not harm the area. Mr. Henke answered the application meets the

requirements and traffic will not be an issue; it will not substantially harm the surrounding area; there are no significant safety hazards; and natural features will afford protection to the floodplain and nearby springs.

Mr. Crosswell explained that conditions to the approval can be attached, and that any violations would be treated the same as any other zoning violation, asking if the Applicant is in agreement with this understanding. Mr. Keener asked about what sort of conditions, and following hearing the explanation from Mr. Crosswell replied that he is in agreement.

Two members of the public entered the meeting after the opening of the hearing. Mr. Kenneth Garber, Locust Lane resident and farmer, spoke in favor of the application. The other man had no comment.

Supervisors want to be sure the riparian buffer will protect the area. Ms. Warren stated the buffer is up to 35 ft. on either side of the stream bed. Livestock is typically not in these areas. Fencing could be made a requirement. The Supervisors discussed an easement, natural plantings along the stream, and a requirement that there be no cattle crossing or motorized vehicles/ATVs permitted to cross the buffer. All could be made a condition it be to the satisfaction of the Director of Community Development and Stormwater Coordinator.

A decision is required to be made within 45 days. Mr. Crosswell will prepare a draft decision with the conditions specified and discussed for the May Board meeting.

For the record, Mr. Crosswell had Ms. Warren and Mr. Keener swear that the information they provided was true and correct.

Supervisor Moyer made a **MOTION**, seconded by Chairman Hershey, to close the public hearing on the Conditional Use application. The motion was approved unanimously, 4 to 0.

The hearing was adjourned at 6:53 p.m.

REGULAR MEETING

Chairman Barry Hershey called the Regular Meeting of the West Lampeter Township Board of Supervisors to order at 7:03 p.m. with the Pledge to the Flag. Those in attendance were Supervisors Terry Kauffman, Randy Moyer, Robert Patterson, and Geoffrey Beers. Township Manager, Dee Dee McGuire, and Recording Secretary, Susan Worby were also present.

PRESENTATIONS

1. REQUEST FOR WAIVER OF FEES TO USE VILLAGE PARK FIELDS - SWSBSA

Keith Kauffman was present to represent the Strasburg Willow Street Baseball Softball Association's (SWSBSA) request. The annual request will be in the same manner as in the years previous, with the organization taking care of maintenance and clean-up of the fields in exchange of the fees. An MOU and Certificate of insurance have been filed.

Supervisor Moyer made a **MOTION**, seconded by Supervisor Patterson, to approve the request of the SWSBSA to waive the fees to use the Village Park Fields. The motion was approved unanimously, 5 – 0.

2. VILLAGE PARK FEASIBILITY STUDY REPORT – Susan Broomell, Todd Lindsley

The purpose of the study was to begin a fund raising campaign to fulfill the Village Park plans be developed. It was based on expecting \$2.5 million to test. The study showed a Gift Potential between \$153,500 and \$385,500. They did not meet the goal test, but found many people they interviewed thought a goal of \$1 – 1.5 million would be possible. They also found many people willing to volunteer and provide “gifts-in-kind” at 30-40% donated materials and services. The outcome of the study was a positive one, and there is great enthusiasm for this project from those interviewed, seeing it as a possible “Community Barn Raising” type of project.

Their recommendation is a goal to raise \$1 million, raise \$500,000 from private donors, by April 2018 as a challenge, dollar-for-dollar. Start this spring with finding volunteers for a Fund Raising Steering Committee, Public Relations Committee, and Gifts-in-Kind Committee. Ms. McGuire stated the township will be making application for a \$250,000 matching grant this week and this would get the phased project to \$500,000. Chuck Haley, Township Engineer, provided the Supervisors with a list of items with estimated costs for the phased project.

Supervisor Patterson made a **MOTION**, seconded by Supervisor Moyer, to approve the Feasibility Study Report and move forward with the recommendations. The motion was approved unanimously, 5 – 0.

PUBLIC COMMENT

Tom Reed, 1117 Gypsy Hill Road, made a request of the Supervisors to consider reducing the speed on Gypsy Hill Road, currently at 40mph. It was pointed out to Mr. Reed that this is a state road, and he replied the state advised he come to make the request of the Supervisors. Chairman Hershey explained a traffic study would have to be performed. Supervisor Moyer recommended use of the police department's speed trailer to get preliminary data before having a traffic study done. It was discovered during discussion that Mr. Reed has placed a stone driveway at his property without a township zoning permit, or PennDOT permit, as required. Mr. Reed was advised to stop work and get the required permits.

MINUTES

Regular Meeting, March 13, 2017

Supervisor Patterson made a **MOTION**, seconded by Supervisor Moyer, to approve the Minutes of the Regular Meeting of March 13, 2017 as presented. The motion was approved 4 in favor, 0 against, with 1 abstention (Beers, absent for first half of the meeting).

SUBDIVISION AND LAND DEVELOPMENT MATTERS

1. Final Land Development Plan – Lampeter-Strasburg School District Athletic Fields

Applicant/Property Owner: Lampeter-Strasburg School District

Location: 1600 Book Road

Project: Applicant is seeking approval to make upgrades to athletic fields 1 and 2, and construct dugouts, concession stand, and walkways.

Dave Horn of Architerra, and Scott McMackin of Cowan Associates, Inc. were in attendance to present the proposed plan. Terry Sweigart and Kevin Peart of the LS School District were also present. Mr. Horn spoke about the artificial turf proposed for the fields. Mr. McMackin talked about stormwater run-off.

The township Planning Commission met January 19, 2017 and March 16, 2017, approving the waivers requested. They also granted conditional approval of the final plan at their March meeting.

Questions from the Board regarded lighting, stormwater volume control, and elevation of the storage facilities.

Keith Kauffman, 1127 Hampden Drive, Strasburg, asked about the infiltration of the artificial turf.

WAIVERS

Section 240-10A – Preliminary Plan

Section 240-15C(3)(a – d) – Existing Features

Section 240-15C(3)(g) – Traffic Impact Study

Section 230-32 – Volume Control

Section 230-32.D – Storage Facilities

MOTION

Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, to grant the waiver requests as set forth in the staff memorandum of April 3, 2017. The motion was approved unanimously, 5 to 0.

FINAL PLAN APPROVAL

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to approve the final plan of Lampeter-Strasburg School District Athletic Fields 1 and 2 Enhancement Project, per staff memorandum of April 3, 2017; the township engineer's letter of March 13, 2017, and the Lancaster County Planning Commission's memorandum of December 16, 2016. The motion was approved unanimously, 5 to 0.

2. Final Land Development Plan – Willow Valley/Morr Outdoors

Applicant/Property Owner: Willow Valley Associates, Inc.

Location: Northwest corner of Long Lane and Willow Street Pike

Proposal: Applicant seeks to construct a new 8,960 sq. ft. commercial building for a gun sales store and shooting range.

Tim Harrison and Joel Young (Rettew) were in attendance to present the proposed plan.

WAIVERS

Section 240-10A – Preliminary Plan

Section 230-32A(2)(c) – Loading Ratio (conditioned on ELA 3/31/17 letter)

Section 230-37A(1) – Embankment Geometry

It was mentioned by Mr. Harrison that the geotechnical letter regarding the loading ratio has been done. Fencing around the detention basin with acceptable seed to prevent erosion will be done. The Lancaster County Planning Commission recommended adding a crosswalk at the entrance to the driveway, which they will do.

Supervisor Kauffman had a concern for the fence around the basin, but it was pointed out Willow Valley will use a quality design, black picket fence and soften the look with landscaping.

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to approve the waiver requests as presented. The motion was approved 4 in favor, 0 against, with 1 abstention (Moyer – conflict).

FINAL PLAN APPROVAL

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Beers, to approve the Final Land Development Plan of Willow Valley/Morr Outdoors subject to the conditions outlined in the staff memorandum of April 3, 2017, the township engineer's letter of March 13, 2017 and the Lancaster County Planning Commission's memorandum of December 13, 2016. The motion was approved 4 in favor, 0 against, and 1 abstention (Moyer – conflict).

3. Resolution 8-2017 – Application for Traffic Signal – Willow Valley / Long Lane

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Patterson, to adopt Resolution 8-2017 regarding the application to PennDOT for a traffic signal for Willow Valley Associates, Inc. on Long Lane and local road. The motion was carried unanimously, 5 to 0.

4. Preliminary/Final Subdivision and Land Development Plan – Dustin Martin, 1906 Bridge Road

Applicant: Dustin Martin

Property Owners: Fred & Miriam Martin

Location: 1906 Bridge Road

Project: Applicant seeks approval for final plan for 2-lot subdivision.

Jim Henke, Pioneer Management, LLC was in attendance to discuss the plan. He explained the original farm is owned by Mr. Martin's grandparents, and the lot next to his proposed lot belongs to Mr. Martin's father. The property will eventually be used for a single-family home with an attached garage, and a pole barn for storage of landscaping equipment as part of Mr. Martin's business. This will be in the future sometime, and to achieve this it will have to go through the zoning, land development and stormwater processes.

WAIVERS

Section 230-32.A(2)(c) - Loading ratios in karst area
Section 230-37.C(1)(a)[4] - Minimum pipe diameter
Section 230-37.C(1)(c)[1] - Manhole Design
Section 230-37.C(1)(d)[1] - Minimum swale freeboard
Section 240-15.C(3) - Features within 200' of the subject tract
Section 240-16.F(10) - Defer Improvement Guarantee
Section 240-24.C(1) - Improvement to Existing Streets

The plan was discussed and questions were asked regarding the site of the on-lot sewer at both existing property and the proposed new lot. There was also much discussion about a five-foot piece of ground next to the existing property (owned by Mr. Martin's father) and why there was this space in between the lots. Mr. Henke replied the father eventually wants to buy back this piece of land and extend his property out as far as the proposed lot. It was determined to have Mr. Henke ask both owners (Mr. Martin and his father) if they would be amenable to options rather than the five-foot strip of land as presented. Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to **TABLE** the application and ask for a time extension of 45 days to reconsider the application. The motion was approved unanimously, 5 to 0.

5. Request for Release of Letter of Credit – Kingsley Construction

Supervisor Patterson made a **MOTION**, seconded by Supervisor Moyer, to approve the final release of \$22,275 from the letter of credit for Kingsley Construction. The motion was approved unanimously, 5 to 0.

MONTHLY REPORTS

1. Treasurer's Report

Supervisor Patterson explained a review of the bank accounts and investments was done recently, and discussions with Citizens Bank and a few other financial institutions took place to gather investment information. The recommendation following the review is to leave the General Fund checking account at Citizens Bank earning .45%; move \$250,000 from that same account to open a new account at Uninvest paying .6%; move \$250,000 from the Members 1st Liquid Fuels account earning .3% to the new Uninvest account paying .6%; leave the Northwest accounts intact paying .45%; and, leave the PLGIT accounts intact paying .91% (flexible rate).

Resolution 10-2017 – Assign a New Depository

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to adopt Resolution 10-2017 assigning Uninvest as a new depository for the collection and disbursement of township funds. The motion carried unanimously, 5 to 0.

Supervisor Moyer made another **MOTION**, seconded by Supervisor Beers, to accept the bank recommendations to move the funds as outlined by Supervisor Patterson. The motion was approved unanimously, 5 to 0.

Payment of Bills

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to accept the Treasurer's Report, and authorize the staff to satisfy the ordinary and routine obligations incurred by the township in order to take advantage of discount and allowances, and to avoid delinquent penalties and carrying charges. The motion was approved unanimously, 5 to 0.

2. Public Works Report

There were no comments made regarding the report.

3. Police Report

An anti-drug presentation similar to the one held at the high school will be held at Martin Meylin school sometime at the beginning of the next school year.

Chief Wiczkowski received a quote from the CODY records system (used by Lancaster City and East Lampeter Township). The PREX system, as explained at last month’s meeting, will be obsolete October 2020. An upfront cost of \$15,500 was quoted, plus an annual maintenance fee of \$7,182. This does not include cloud storage, and the Chief is working on getting a price for that (to be supplied by a separate vendor). He would like to ask the Friends of the Force for the upfront amount, and run the annual maintenance fee through his department’s budget. Board consensus is to move forward and get a price on the cloud storage.

Supervisor Kauffman brought up a situation with a school bus stop on a curve on Millport Road just past the crest of a hill. The bus is not seen until almost on top of it, since it is stopped just behind the crest of the hill. Chief will contact the school transportation director about the stop.

4. Community Development Department Report

Ms. Warren has been working on grant writing, and the department is “deep” in stormwater work. The Supervisors stated their appreciation for Ms. Warren’s ability to write the grants and help the township gain the funds for various projects.

5. Township Manager’s Report

Ms. McGuire wanted the Supervisors to know that the LS-YMCA scheduled a swim meet for approximately 700 swimmers on July 29. The LS-Y did not contact the township until after the meet was bid and awarded to them. Ms. McGuire spoke with the department heads and all agreed it is too many people for the location in its present state. The LS-Y wanted to park on the grass since the lot will not be adequate, and have food trucks as well. Joellyn Warren stated a temporary permit should be issued for such an event. Parking would have to be gained by contacting the fair group to use the fields across the street.

Ms. McGuire received a request from the Willow Street Fire Police for permission to work events in other communities on June 2 and 3, and June 24. Board consensus is the request is approved. The Willow Street Fire Company Fire Police also requested the township purchase new equipment for a cost of \$7,300. Two quotes were received by Robert Zug (in attendance). He is waiting on a third quote. Both Lampeter and Willow Street Fire Police will use the equipment. Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, to approve the request to purchase the equipment up to \$7,000 (no sales tax to be added) conditioned upon receiving a third quote. The motion was approved unanimously, 5 to 0.

TOWNSHIP ADMINISTRATION MATTERS

1. Resolution 9-2017 – DCNR Grant Application for Village Park Phase 1 Redevelopment

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to adopt Resolution 9-2017 to make application to DCNR for a \$250,000 grant for Village Park Phase 1 Redevelopment. The motion was approved unanimously, 5 to 0.

2. Award Contracts – Paving, Aggregate Stone, Bulk Asphalt

Bids were received on April 6, 2017 for Paving, Aggregate Stone and Bulk Asphalt. The bid results:

PAVING

COMPANY	TOTAL
Pennsy Supply	\$ 328,773.10
Highway Materials	\$ 329,948.90
Long’s Asphalt	\$ 431,961.00

STONE

COMPANY	TOTAL (delivered)
Allan Myers/Compass Quarries	\$ 30,975.00
Pennsy Supply	\$ 31,046.50

BULK ASPHALT

COMPANY (prices per ton)	400 TONS 9.5mm FOB	400 TONS 9.5 Delivered	350 TONS 25mm FOB	350 TONS 25mm Delivered
Allan Myers, LP	\$ 44.00	\$ 52.05	\$ 37.25	\$ 45.30
Highway Materials	\$ 48.45	\$ 54.55	\$ 42.95	\$ 49.05
Pennsy Supply	\$ 50.36	\$ 56.49	\$ 44.32	\$ 50.45

Jim Kreider, Public Works Supervisor explained his choice of Pennsy for bulk asphalt again this year, as in years past, due to the closer location of the plant for picking up asphalt.

Supervisor Moyer made a **MOTION**, seconded by Supervisor Patterson, to award the Paving contract to Pennsy Supply (Annville) for \$328,773.10; the Aggregate Stone contract to Allan Myers/Compass Quarries for a delivered total price of \$30,975.00; and the Bulk Asphalt contract to Pennsy Supply (Paradise plant) based upon the closer location of the plant, for the prices per ton listed in the bid document. The motion was approved unanimously, 5 to 0.

3. Authorize Purchase of New Drum Asphalt Roller

Mr. Kreider received three quotes from COSTARS vendors for the purchase of a new drum asphalt roller:

Stephenson Equipment	\$ 29,940.00
Highway Equipment & Supply	\$ 32,719.00
Cleveland Bros.	\$ 44,497.00

The prices reflect a trade-in of the existing IR-DD-24 drum roller and are within budgeted costs. Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to authorize the purchase of a new drum asphalt roller from Stephenson Equipment for a price of \$29,940.00, which includes a trade-in. The motion was approved unanimously, 5 to 0.

4. Authorize Public Bid for Re-Roof and Painting Interior of Township Building

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to authorize going out to bid for Re-Roof of and Painting the interior of the township building. The motion was approved unanimously, 5 to 0.

5. Discuss Intersection of Strasburg Pike and Rockvale Road

A traffic study of this intersection is anticipated in 2018. The intersection has been the scene of several accidents, this year and past years, but one fatal occurred recently. Ms. McGuire said she approached East Lampeter Township (borders the intersection) and they are willing to work with the township on possibly revamping this intersection. ELA Group provided a cost estimate to do a traffic study to decide which of these options is best for the site: a multi-way stop, a traffic signal or a roundabout. Supervisor Kauffman suggested a discussion with PennDOT should be done first to get input or suggestion other options, before the study is conducted. This should be done before the Board makes a decision to move forward. Ms. McGuire will contact the Harrisburg office of PennDOT to set up a meeting.

OTHER BUSINESS

With no other business to be conducted, the meeting was adjourned at 9:45 p.m.

Respectfully Submitted,
Robert E. Patterson, Township Secretary-Treasurer