

**EAST HEMPFIELD TOWNSHIP
BOARD OF SUPERVISORS MINUTES**

DATE AND TIME:	August 1, 2018	7:00 p.m.
ATTENDANCE:	Board Members:	Thomas A. Bennett Douglas W. Brubaker G. Edward LeFevre H. Scott Russell W. Scott Wiglesworth
	Manager:	Robert S. Krimmel
	Assistant Manager:	Cindy A. Schweitzer
	Director of Planning & Development:	Jon E. Beck
	Director of Public Works:	Perry T. Madonna
	Police Chief:	Stephen A. Skiles
	Emergency Services Coordinator:	Diane E. Garber
	Solicitor:	Stephen M. Kraybill

The Board of Supervisors meeting was called to order at 7:00 p.m. at the Four Seasons Banquet Facility, 949 Church Street, Landisville by Chairman Brubaker, followed by a moment of silence and the Pledge of Allegiance.

Visitors: Commission Tundra, East Hempfield’s new K-9.

Chairman Brubaker invited Officer William Watt and Tundra to come forward for the reading of the commission recognizing Tundra as the newest officer of East Hempfield Township’s K-9 Unit. Following the ‘swearing in’ ceremony, Officer Tundra placed the signature paw-print on the Township’s official documentation. Chairman Brubaker and the Board of Supervisors thanked Officer Watt, Officer Tundra and the East Hempfield Police Department for their service to the community. Officer Tundra graciously accepted a few congratulatory pats, then led Handler Watt and fellow police officers from the meeting.

Public Hearing

- Traditions of America Zoning Amendments – Consideration of Ordinance Adoption

Chairman Brubaker opened the public hearing to parties testifying, the applicant and the public. Stephen M. Kraybill, Esq., East Hempfield Township Solicitor, explained the public hearing process, rules and regulations and informed that the purpose of this hearing is to hear comment on a rezoning request coupled with a proposed map change and changes to zoning ordinance text. Board action may be taken at the close of tonight’s public hearing or at a future public meeting.

- i. 18-004-RZ – Request to rezone the property at 2686 State Street from AH Zone to RL Zone

At their July 11, 2018 meeting, the East Hempfield Planning Commission reviewed the request to rezone the property at 2686 State Road from the Agricultural Holding (AH) Zone to the Low Density Residential (RL) Zone. The Planning Commission recommended to the East Hempfield Board of Supervisors to approve the rezoning request, subject to all staff and engineering comments.

ii. 18-004-ZA – Request to add the amended “cluster development” use to the RL Zone as a Conditional Use

The East Hempfield Township Planning Commission originally reviewed the text amendment at their May 9, 2018 meeting; however, the request was tabled to provide Traditions of America an opportunity to address comments regarding dwelling unit density. On June 11, 2018, Traditions of America submitted a revised text amendment to reduce the dwelling unit density from 6 dwelling units per acre to the revised 4 dwelling units per acre. The revision also removed townhomes and multifamily dwellings as dwelling types from the text amendment. The Planning Commission recommended that the East Hempfield Board of Supervisors approve the June 11, 2018 revised text amendment that will add the Cluster Development use to the Low Density Residential (RL) Zone as a Conditional Use in the East Hempfield Township Zoning Ordinance as submitted to the Township and subject to all staff and engineer comments.

Gregg I. Adelman, Kaplin Stewart, was present on behalf of Traditions of America, L.P., and led discussion pertaining to the above two requests. He, along with David Bittison, Traditions of America; Township Solicitor Stephen Kraybill; EHT Director of Planning and Development Jon Beck; and members of the EHT Board of Supervisors heard comments and answered questions from various residents concerning the definition of cluster development and conditional use. Also clarified was how these changes would impact other RL properties in the Township. It was noted that while Lancaster Planning Commission prefers higher density, Traditional of America (TOA) is proposing density of just less than 4 units per acre. TOA has been working with staff for the past nine months to develop the zoning changes that work for TOA but also protect the Township.

Doug Rupp, Meadow Creek Drive, questioned the exact location of the project and asked if it was necessary to change the entire ordinance. Mr. Brubaker described the location and explained the ramifications regarding higher density for future development if the changes to the ordinance are not made. Janet Halley, Stonebridge Drive, expressed concerns regarding transparency in the process, read extensive notes concerning the changing of the ordinance and information she could find in past minutes. Chairman Brubaker respectfully disagreed with Ms. Halley’s comments regarding lack of information and transparency as he noted Ms. Halley herself had found a lot of information posted which she had just read back to the Board. He will confirm posting procedures and requirements with staff. Mr. Wiglesworth stated the Planning Commission met with the applicant, then staff worked together to come up with the best way to move forward. He commended Traditions of America for their diligence . . . they listened to what the Township wanted and they provided that. He felt it is a good project that will benefit the township and is worthy of consideration.

Following discussion and there being no further comments or questions (Board or Public), the public hearing was closed by unanimous consent of the Board.

Immediately following the close of the above public hearing, the following action was taken:

i. 18-004 RZ – Request to rezone the property from AH to RL:

Motion: Moved by Mr. Wiglesworth and seconded by Mr. Bennett to *approve* the request to rezone the property at 2686 State Street identified as tax account number 2904751000000 from the Agricultural Holding (AH) Zone to the Low Density Residential (RL) Zone. The motion passed (5-0).

ii. 18-004-ZA – Request to add Cluster Development to RL Zone text amendment:

Motion: was made by Mr. Wiglesworth and seconded by Mr. LeFevre to *approve* the request to add the amended Cluster Development use to the RL Zone as a conditional use which limits development to single-family detached and single-family semi-detached dwellings, with a maximum dwelling density of four (4) dwellings units per acre. The motion passed unanimously (5-0).

Chairman Brubaker thanked everyone for voicing their comments and concerns.

Public Comment (non-agenda items only) - None

Consent Agenda:

- a. 16-10-SW 2160 Junction Rd. SWM Plan – Final Release of Financial Security in the amount of \$6,705.80, leaving a \$0 balance.
- b. Approval to pay invoices from all funds covering 7/21/18 – 8/3/18 & totaling \$135,408.70
- c. Approval of minutes: July 18, 2018

There being no further comments or questions (Board or Public) Consent Agenda Items (a) and (b) were *approved* by motion of Mr. Bennett, second by Mr. Wiglesworth and passed by the Board (5-0). Consent Agenda Item (c) was *approved* by motion of Mr. Bennett, seconded by Mr. Wiglesworth and passed by the Board (4-0-1) with Mr. Russell abstaining due to not being present at the meeting.

Action items:

a) **Development Services:**

- i. 14-03-FP Stone Fence Phase 2 (East side of Church St. – between Kauffman Rd and Bowman Rd)

Chairman Brubaker briefly reviewed the project and Mr. Beck presented the Phase 2 Final Subdivision and Land Development Plan. Todd Vaughn, David Miller/Associates was present on behalf of the applicant. At their April 11, 2018 meeting, the East Hempfield Township Planning Commission recommended approval of the Final Plan for Stone Fence Phase 2, subject to staff and engineer comments.

Rettew Associates recommended the applicant establish financial security in the amount of \$604,323.50 based on their review of the project and the cost opinion dated March 27, 2018.

Diana D. Baker, Brandt Road, expressed her concerns regarding the potential for adding significant traffic on Church Street. She noted the entrance to the project is very close to the Landisville Primary School entrance. She requests the Board to deny the plan approval for Stone Fence Phase 2 due to safety concerns.

Dawn Bentzel, Brandt Road, felt the heavy traffic would be a safety issue and would also like to see Phase 2 denied.

Diane Garber, EHT Emergency Services Coordinator, noted her concern regarding use of the Emergency Access and the Board requested that she and the fire chief be involved as soon as possible.

After discussion, and there being no further comments or questions (Board or Public), the following actions were taken:

- Establish Financial Security in the amount of \$604,323.50:

Motion: Moved by Mr. Russell and seconded by Mr. Bennett to *establish* financial security for the Stone Fence Phase 2 project, #14-03-FP2, in the amount of \$604,323.50, as outlined in Rettew letter dated April 5, 2018. The motion passed (5-0).

- Final Plan Approval:

Motion: Moved by Mr. Russell and seconded by Mr. Bennett to *conditionally approve* the Stone Fence Phase 2 Plan, #14-03-FP2, conditioned on resolution of all remaining staff and engineering comments, within 90 days of plan approval, unless extended by the Board for cause shown, or plan approval will be null and void. The motion passed (5-0).

ii. 17-07-FP Lidl (2001, 2015 & 2017 Columbia Ave)

Charles Suhr, Stevens & Lee, was present on behalf of the applicant, Lidl, US Operations, LLC, and began with a brief summary of this evening's presentation. He introduced Lauren Vickers, Lidl US Operations, who gave a brief history of the company. Bohler Engineering gave a scaled-back version of what was previously submitted. Chris Bauer, McMahan Associates (representing the applicant), discussed the traffic impact study, improvements being made, and outlined Final Plan Modifications #1- #9.

Lidl US Operations, LLC, is proposing a grocery store to be located at 2001, 2015, and 2017 Columbia Avenue, Lancaster, PA. The project includes the construction of a 25,400 S.F. grocery store building, and parking lot with 120 spaces (reduced by two

spaces with the resubmission dated July 11, 2018). Additionally, three (3) lots are to be consolidated into one parcel totaling 4.87 acres. All existing buildings, foundations, impervious surfaces, etc. are proposed for removal. The project is located within the Community Business Center Zoning District (CBC) along the north side of Columbia Avenue and is adjacent to the Regional Business Center Zoning District (RCC) and the Low-Density Residential Zoning District (RL). The applicant provided a time extension to extend the 90-day action date that expired February 28, 2018. The Township requested an additional time extension, since the applicant has submitted a completely redesigned site. The applicant has provided another time extension to extend the action date to August 31, 2018.

At their July 11, 2018 meeting, the East Hempfield Township Planning Commission reviewed the Final Land Development Plan and modifications for the Lidl grocery store to be located at 2001-2015 Columbia Avenue, Lancaster and recommended approval of Modifications 1-9 as outlined in David Miller/Associates letter dated July 1, 2018, subject to all staff and engineer comments.

At their July 11, 2018 meeting, the East Hempfield Township Planning Commission recommended approval of the Final Land Development Plan for the Lidl Grocery Store project, conditioned on the applicant resolving all outstanding staff and engineer comments.

Developer agreements/easement documents are being reviewed by the Township Solicitor and will come back to the Board on the Consent Agenda of the Board of Supervisors Meeting scheduled for August 15, 2018.

The floor was then opened for questions and comments from visitors present.

Questions and comments were made primarily by Jen Eshleman, Brubaker Run Road, Fiona Boltz, Brubaker Run Road and supported by others pertaining to Lidl's proposed parking lot, increase and back-up of traffic at Columbia Avenue and Good Drive, delivery trucks and lighting plans for the parking lot. Robert Hower, Branch Manager, Fulton Bank, introduced himself and stated he was present on behalf of the bank to be informed about the proposed plan.

After discussion, and there being no further comments or questions (Board or Public), the following actions were taken:

- Modifications
Motion: Moved by Mr. Russell and seconded by Mr. Wiglesworth to *approve* Modifications #1-#9 for the Lidl Final Plan #17-07-FP as outlined in DM/A letter, dated July 11, 2018, subject to resolution of all staff and engineer comments. The motion passed (5-0).
- Final Plan
Motion: Moved by Mr. Bennett and seconded by Mr. Russell to *conditionally approve* the Lidl Final Plan, #17-07-FP, conditioned on resolution of all

remaining staff and engineering comments, within 90 days of plan approval, unless extended by the Board for cause shown, or plan approval will be null and void. The motion passed (5-0).

iii. Land Studies Feasibility Study – Stonegate SWM Facilities

Jon Beck presented the proposal of services as submitted and detailed by Land Studies in their letter dated July 20, 2018 to conduct a feasibility study for a potential floodplain restoration project on a tributary to Swarr Run through the Stonegate community located on Stoney Battery Road. He explained the scope of work to be performed for a fixed fee of \$5,000 to be contracted directly through Land Studies. Following discussion, motion was made by Mr. Russell and seconded by Mr. LeFevre to *accept* the Land Studies proposal for the Stonegate Condos SWM Facilities Feasibility Study in the amount of \$5,000 as detailed in the Land Studies July 20, 2018 letter. The motion passed (5-0).

b) Farmingdale Road long term improvement proposal from McMahon Assoc.

McMahon Transportation Engineers & Planners has provided a proposal for the long-term improvements recommended as part of the traffic calming assessment completed for Farmingdale Road. The improvements to be considered are those associated with converting Farmingdale Road to one way northbound from the northern trail crossing to Oreville Road. It is hoped that these long-term improvements will aid in alleviating the traffic anticipated from the Crossings project in Manheim Township. A copy of scope of work was provided and preliminarily discussed at the July 18, 2018 Board of Supervisors meeting.

Mr. Russell opened discussion at tonight's meeting by reviewing background of the project to date and the floor was then opened for comments and questions from both the Board and residents present. Christopher Bauer, McMahon Transportation Engineers & Planners was present to provide additional information about the proposal.

Jen Eshelman, Brubaker Run Road, Judy Reince, Marietta Avenue and Ken Ralph expressed concern about speed and traffic and asked if the Board has considered just adding speed tables and also raised questions about eastbound traffic from Marietta and left-hand turn into Farmingdale Road and Hansom.

Mr. Madonna passed along an inquiry from a resident regarding speed bumps on Barr Blvd and suggested adding speed bumps on Barr Crest.

Mr. Bennett recommended moving forward with the McMahon proposal in order to formulate a plan for traffic improvements. He questioned how soon the one-way could be implemented. Mr. Bauer explained that is dependent on getting PennDOT permits for the improvements at Oreville & Good which could be a 4-6-month process.

Mr. Russell found the proposal to be fair and agrees with the fee for the scope of work McMahon is being asked to do.

Mr. Wiglesworth requested extending the left-hand queue on Good for the left turn movement and possibly widen Marietta to allow for ease of traffic movement when cars are turning left on to Farmingdale be added to the proposal.

Mr. LeFevre stated he is not comfortable with changing the flow of Farmingdale traffic to one-way traffic and feels that this change will serve a few at a cost to many.

At close of discussion and there being no further questions (Board or Public), motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *accept* the McMahon Assoc. proposal for the Farmingdale Road Long Term Traffic Calming Design in the amount of \$98,245 as detailed in the July 20, 2018 letter with two additions to the proposal being (1) look at extending the left turn traffic queue on Good Drive and (2) possibly widening or improving the shoulder on Marietta to allow for continued traffic flow around vehicles turning left onto Farmingdale or Hansom. The motion passed (4-1) with Mr. LeFevre voting nay.

c) **Bridge Bill/Bridge inventory – continued discussion of bridges to be requested be placed on pending bridge bill.**

Christopher Bauer, McMahon Associates, submitted an updated Bridge Inventory Spreadsheet which outlined the current condition of Township owned bridges based on PennDOT information and recent inspection reports. He recommended that all of the Township owned bridges be added to the Bridge Bill if the Township is interested in receiving federal and state funding in the future for rehabilitation or replacement. After discussion, the following action was taken:

Motion: Moved by Mr. Russell and seconded by Mr. Bennett to **authorize** the preparation of letters of support to state legislators requesting that all Township owned bridges that are inspected under the PennDOT bridge program be added to the next State Bridge bill which will allow the Township to seek future federal funding. The motion passed (5-0).

d) **East Hempfield Recreation Authority – discussion and selection of members and authorization to advertise ordinance to create the authority.**

Mr. Russell began discussion with an initial statement to bring everyone current with the status of the creation of an East Hempfield Recreation Authority. He reported that five interviews have been conducted with each interviewee bringing a specific skill set to the Township. He confirmed he is supportive of a seven member board consisting of five members and two supervisors.

Mr. Wiglesworth confirmed he prefers a five member board that includes two Supervisors as he feels this would be more direct and more efficient.

Mr. Bennett commended Mr. Russell and Mr. Brubaker for their efforts and support for creation of the Authority. Five good candidates were interviewed who met the requirements of open mindedness, no preconceived ideas, and exhibited a desire to work in the best

interest of the community. He confirmed he is supportive of a seven member board consisting of five members and two supervisors.

Mr. LeFevre stated he is in favor of a five member board, with no supervisors sitting on the Board. He would rather see the Board of Supervisors oversee the Authority.

Mr. Brubaker confirmed he is in favor of a five member board consisting of three members and two supervisors.

After discussion, motion was made by Mr. Russell, second by Mr. Bennett and passed by the Board (5-0) to *authorize* advertising the prospective ordinance to create the East Hempfield Recreation Authority based on this evening’s discussion concerning the names, terms and number of members as listed below.

Number of members: 7

	<u>Term</u>		<u>Term</u>		<u>Term</u>
Daniel J. Trump Jr.	4	David L. Lounsbury	2	Michael J. O’Brien	5
Steven F. Ulrich	3	Ryan J. Lundy	4	H. Scott Russell	2
		Douglas W. Brubaker	1		

e) Police Expansion Project – project testing services recommendation to hire

Fidevia Construction Management & Consulting, at East Hempfield Township’s request, solicited proposals from independent testing agencies to perform soils, concrete, masonry and steel testing during the construction of the Police Addition and Renovation project. Six RFP’s were distributed and 3 proposals were received. Based on geographical proximity to the project, comparative, competitive pricing, staff preference and Fidevia’s past working experience with them, Fidevia is recommending that East Hempfield Township engage American Testing Laboratories, Inc. to provide the required testing services for the project.

Following discussion, motion was made by Mr. LeFevre and seconded by Mr. Wiglesworth to *accept* the recommendation of Fidevia and hire the professional services of American Testing Laboratories, Inc. to perform soils, concrete, masonry, and steel testing during the construction of the Police Addition and Renovation project. The motion passed (5-0).

Old Business - None

New Business - None

Manager’s Report

1. Centerville Road South: No new information.

2. Police Building Expansion: Nothing new to report. Next contractor meeting August 7th. Trying to coordinate a ground-breaking ceremony on the 7th at noon. How is everyone's schedule?
3. State Road and 283 Project: No new information. Still on track for a November 2018 bid letting.
4. Holland Street Bridge Removal: No new information.
5. Centerville Road North Project: Construction started 3 weeks ago. Some of the waterline is in and some of the storm water piping is complete. Lost 3 days of work last week due to the rain. The contractor was on site each of the days checking for damage or erosion.
6. Roundabout on Running Pump Road: I received an email from Lancaster City Engineer stating they are working to have the bid for the construction of the waterline ready for bid in January of 2019.
7. Lebanon Farms Disposal: Our current hauler was sold to an out-of-state company named Waste Industries of Pa., LLC. The actual transfer of contract is scheduled for August 19, 2018. I have asked for corporate information on Waste Industries that are similar to what Lebanon Farms had to supply for the bid and contract last year. Steve Kraybill is also looking over our contract and information provided to me. All service will remain exactly the same. Many of the Lebanon Farms workers will remain the same. Some of the Barry Family will remain on payroll with the new owner. (Letter from haulers attached.)
8. Executive Meeting: An executive meeting was held on Wednesday July 25th from 5:00 PM-8:32PM at the township building to interview candidates for the Recreation Authority. Discussion and decision on the appointments will be discussed at a future meeting. An executive meeting was also held this evening, August 1, 2018 from 6:00PM – 6:57PM to discuss potential litigation concerning Farmingdale Road and the High Agreement.

Adjournment

By unanimous consent of the Board, Chairman Brubaker adjourned the meeting at 11:05 p.m.

Respectfully submitted,

Robert S. Krimmel, Manager/Secretary