

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of September 7, 2021

The regular meeting of the Board of Supervisors was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue. The public was permitted to attend in-person or remotely via Zoom (video and audio), with instructions provided at the Township’s internet website. The agenda posted to the Township’s website and posted on the front window of the Township Building advised of the public’s ability to attend in-person or remotely.

Chairman David Dumeyer and Board Members Kent Gardner, Edward Fisher, Robert Munro, and Naomi Martin were physically present at the meeting. Township Manager Andrew Stern; Zoning Officer Dwayne Steager; Public Works Director Dale Getz; Police Chief Lisa Layden and Township Engineer Melissa Kelly were also physically present. Recording Secretary Judy Carrier attended remotely via Zoom.

- I. CALL TO ORDER – Chairman Dumeyer called the meeting to order at 7:30 p.m. and led with the pledge of allegiance.
- II. APPROVAL OF MINUTES – August 11, 2021 Regular Meeting – Robert Munro **moved**, seconded by Kent Gardner, to **approve** the August 11, 2021 Regular Meeting minutes as presented. The motion passed (5-0).
- III. INTRODUCTION OF NEW POLICE OFFICER OFFICER RUHAMA LAMURE – Chief Layden presented Ruhama’s background and Chairman Dumeyer conducted the swearing in ceremony. Officer Lamure was then congratulated and welcomed by the Board of Supervisors.
- IV. COMMUNICATIONS
 - A. BOARD OF SUPERVISORS – None
 - B. TOWNSHIP MANAGER – Andrew Stern reviewed his written report dated September 1, 2021.

INTERNAL MATTERS

- 1. **Revenues.** Update on EIT and LST. Distributions from LCTCB are shown below.

MAY	2019 YTD	2020 YTD	2021 YTD
EIT	\$1,708,537	\$1,710,332	\$1,829,782
LST	\$260,379	\$268,283	\$242,305
OTHER	\$5,419	\$3,373	\$1,078
NON-RESIDENT	<i>Not Yet Adopted</i>	\$7,395	\$21,148
TOTAL	\$1,974,335.00	\$1,989,383.00	\$2,094,313.00

*Above numbers are the amounts distributed to us, net of LCTCB fees.

- 2. **Trash/Recycling.** Refuse contract bid went out September 1. Mandatory pre-bid meeting is September 16. Bids are due September 30. Bid Opening is September

30. At this time, I plan to have the contract on the Board's October 5 agenda for consideration.
3. **Route 462 Bridge.** As you are aware, PennDOT is finalizing plans to rebuild the 462 Columbia-Wrightsville Bridge. During the planning process, the Boroughs requested amenities above and beyond a normal PennDOT project, including bike/ped facilities which would connect the Northwest Lancaster County River Trail to York County. West Hempfield has been supportive of the Boroughs' efforts, but we have been clear that we do not intend to provide indemnification to PennDOT for these amenities, nor do we intend to accept maintenance or replacement responsibilities or any liability as a result of these amenities. PennDOT is now seeking such assurances from us, as the bridge is technically in West Hempfield. Lancaster County Planning has scheduled a meeting for us and Columbia Borough to discuss how to resolve this. I have attached a couple of DRAFT concepts and costs provided by the County, but I have obviously NOT agreed to any of this.
 4. **Sylvan View Streets.** We are working with the developer to finalize the adoption of the remaining streets in Sylvan View. I anticipate this being on the October agenda. As this is past the state liquid fuels deadline for the year, we will be asking the developer to pay the Township for the amount of additional funding we will not be receiving due to the missed deadline.
 5. **CWQE.** A new organization opened in Columbia – The Center for Water Quality Excellence. They are affiliated with/funded by PENNVEST. Dwayne, Kara, and I met with their staff on Monday, August 30. We are reviewing an overwhelming amount of information from them to determine how they may be of assistance to us, including our residents, farmers, and businesses. For more info, check out their website at www.CWQE.org
 6. **Hempfield RecCenter.** Cindy Schweitzer and I have met with Jeff Book and his staff to discuss opportunities to increase park/recreation services and perhaps reduce our costs. Hempfield Rec will be exploring some of our ideas and we will meet again in the near future.

EXTERNAL MATTERS

1. Nothing new to report at this time.

PERSONNEL

1. **Staffing.** We are fully staffed!

- 2. Arbitration.** The Interest Arbitration hearing on the proposed Police Captain position was held August 23. We are awaiting a decision.

OUTSIDE BOARDS AND COMMITTEES

- 1. CLC-COG:** Next meeting will be September 22, 2021 at 8:30 am at East Lampeter Township. Draft minutes from our July meeting are attached.
- 2. LIMC:** Next meeting will be October 11, 2021. Location to be determined. Draft minutes from our August meeting are attached.

CORRESPONDENCE

- 1. East Lampeter Township.** A letter notifying us of proposed changes to the Township’s 2003 Conestoga Valley Region Strategic Comprehensive Plan and the 2007 Growing Together Comprehensive Plan.
- 2. Intellicor.** We have received notification that Intellicor will be submitting an operating permit renewal to DEP for 3575 Hempland Road.
- 3. Hempfield RecCenter.** A letter has been received requesting a portion of our ARPA funds for capital projects.
- 4. LCATS.** The Annual Convention will be Monday, November 1, 2021, at 8:30 am at Yoders, New Holland. Please let me know by October 5 if you plan to attend.

C. TREASURER’S REPORT – JULY 2021

General Fund	\$ 5,849,331.27
Refuse Fund	\$ 916,913.91
Street Light Fund	\$ 39,667.81
TDR Fund	\$ 744,032.62
State Liquid Fund	\$ 1,373,871.73
Police Pension Fund	\$ 8,856,011.22
Non-Uniform Pension Fund	\$ 3,054,270.81
Recreation	\$ 42,073.46
Highway	\$ 991,233.87
Health Care	\$ 31,471.99
MS4 Stormwater	\$ 196,035.40
Fire Tax	\$ 114,706.07
Fire Hydrant	\$ 542.65
TOTAL ALL FUNDS	\$ 22,210,162.81

D. DEPARTMENT REPORTS: POLICE, PUBLIC WORKS, ZONING/LAND USE, FIRE, EMS.

Police – Chief Layden submitted and reviewed her report and had nothing further to add.

Public Works – Dale Getz submitted and reviewed his written report.

Zoning/Land Use – Dwayne Steager submitted and reviewed his written report.

Fire – Reports were received from Mountville and West Hempfield.

EMS – Chairman Dumeyer remarked on Susquehanna Valley EMS being taken over by Penn State Life Lion.

E. TOWNSHIP ENGINEER’S REPORT – Melissa Kelly reviewed her written report dated August 30, 2021 and had nothing further to add.

F. RESIDENTS: PUBLIC COMMENT ON NON-AGENDA ITEMS

- Ed Elslager, Pitney Road, expressed concern about areas on Pitney, Nissley and Concordia roads where he believes trees need to be trimmed or removed. Public Works will address the concern.
- Frank Burkhart, Silver Spring Road and owner of 3650 Meadow Spring Road, was present on behalf of neighbors who asked him to appear regarding the increased volume of stormwater and questioned the paving being done on Steeple Chase by East Hempfield Township. Mr. Fisher explained what West Hempfield Township is doing to divert the volume of increased water due to the intensity of storms that is going to make a significant difference and also reported that West Hempfield and East Hempfield Townships are working together on the Steeple Chase paving.
- Karen Derr, Prospect Road, asked what the actual lot size is on the property at 4569 Fairview Road. She was informed it is 2.1 acres.

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

BRIEFING ITEMS:

- **Vriend**
Major Storm Water Plan/Ag Alternate
Location: 4027 Garfield Road
Zoned: RA
Lot Size: 19.1 Acres/ 831996.0 ft²

The applicant is proposing additions and improvements to the property.

- **Ruth**
Major Storm Water Plan
Location: 4569 Fairview Road
Zoned: RA/RR
Lot Size: 2.1 Acres/ 91476.0 ft²

The applicant is proposing a single-family home with associated improvements.

AGENDA ITEMS:

A The Reichardt Tracts WHTPC 7-2021(Time Extension 11/2/2021)

Preliminary/Final Subdivision Plan

Location: 3809 and 3835 Concordia Road

Zoned: R2

Lot Size: 9.6 Acres/ 418,176.0 ft² and 12.5 Acres/ 544500.0 ft²

The applicant is proposing the development of two tracts along Concordia Road and Hempfield Hill Road into nine lots and construct seven new single-family homes. Applicant has sought and received Zoning Hearing Board variances (Case 1312) for lot width and access drive and driveway design.

REQUESTED MODIFICATIONS

Todd Vaughn, David Miller/Associates presented the following requested modifications on behalf of the applicant.

A. SALDO Section 305 Preliminary Plan Processing.

The applicant has requested a modification of the requirement to process a preliminary plan and in the alternative, proceed directly to final plan.

The Township Engineer has recommended approval of this modification request based on the justification and alternative provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munto to **approve** the Requested Modification of Section 305 Preliminary Plan Processing based on the justification and alternative provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township. The motion passed (5-0).

B. SALDO Section 404.A.1 – Plan Scale

The applicant has requested a modification of the requirement to provide a plan at a scale of one inch equals twenty feet (1"=20') or one inch equals fifty feet (1"=50'). In the alternative, the applicant has provided the existing conditions at one inch equals eighty feet (1"=80'), the overall proposed plan at one inch equals sixty feet (1"=60'), and the rest of the plan sheets at one inch equals forty feet (1"=40').

The Township Engineer has recommended approval of this modification request based on the justification and alternative provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the Requested Modification of Section 404.A.1 – Plan Scale based on the justification and alternative provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township. The motion passed (5-0).

C. SALDO Section 602.K.6.b – Improvement of Existing Streets

The applicant is requesting a waiver from the requirement to reconstruct Concordia Road and Hempfield Hill Road to their centerlines with the justification that the project is limited to seven proposed building Lots, even though the ordinance allows for this property to support a greater density. This was agreed upon to prevent further traffic and stormwater complications.

The Township Engineer has recommended the Township deny the request to waive the reconstruction of Concordia Road and Hempfield Hill Road to their centerlines, but allow the applicant to defer the roadway improvements based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion** was made by Robert Munro and seconded by Kent Gardner to **deny** the request to waive the reconstruction of Concordia Road and Hempfield Hill Road to their centerlines, but allow the applicant to **defer** the roadway improvements based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.” The motion passed (5-0).

D. SALDO Section 602.M – Curbing

The applicant is requesting a waiver from the requirement to install curbing along Concordia Road and Hempfield Hill Road with the justification that additional stormwater provisions would need to be addressed since the stormwater runoff currently sheet flows off the roadway into swales.

The Township Engineer has recommended the Township deny the request to waive curbing along Concordia Road and Hempfield Hill Road, but allow the applicant to defer the installation of curbing based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion** was made by Kent Gardner and seconded by Robert Munro to **deny** the request to waive curbing along Concordia Road and Hempfield Hill Road, but allow the applicant to **defer** the installation of curbing based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.” The motion passed (5-0).

E. SALDO Section 602.N – Sidewalks

The applicant is requesting a waiver from the requirement to install sidewalk along Concordia Road and Hempfield Hill Road with the justification that the proposed subdivision is minor in nature, and there are no sidewalks located adjacent to the site to connect to.

The Township Engineer has recommended the Township **deny** the request to waive sidewalk along Concordia Road and Hempfield Hill Road, but allow the applicant to **defer** the installation of sidewalk based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for

modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so."

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **deny** the request to waive sidewalk along Concordia Road and Hempfield Hill Road, but allow the applicant to **defer** the installation of sidewalk based on the justification provided with the condition that the following note is added to the plan: "The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so." The motion passed (5-0).

F. SWMO Section 122-46.D.(a).[3] – Minimum Pipe Cover

The applicant is requesting a modification from the requirement to provide a minimum of one foot of cover to the bottom of paving for the pipe crossing under the proposed shared driveway. In the alternative, the applicant is proposing to provide Class IV reinforced concrete pipe (RCP) in this location. The justification provided is that the existing pipe running under Hempfield Hill Road limits the amount of cover the applicant can provide, and Class IV RCP provides increased pipe strength.

The Township Engineer has recommended approval of this modification request with the condition that the applicant relocate Inlet No. 1, the Class IV RCP pipe, and End Section No. 2 out of the right-of-way of Hempfield Hill Road.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve**, the Requested Modification of Section 122-46.D.(a).[3] – Minimum Pipe Cover with the condition that the applicant relocate Inlet No. 1, the Class IV RCP pipe, and End Section No. 2 out of the right-of-way of Hempfield Hill Road. The motion passed (5-0).
- **Motion** was made by Edward Fisher and seconded by Kent Gardner to **approve** the Preliminary/Final Land Subdivision Plan with the condition that all outstanding comments

be addressed to the satisfaction of Township Staff and the Township Engineer. The motion passed (5-0).

B. Peregrine WHTPC 6-2021(Time extension 9-17-21)
Preliminary/Final Land Development Plan
Location: 4301 Marietta Avenue
Zoned: R3
Lot Size: 24 Acres/ 1,045,440.0 ft²

The applicant is proposing to develop an approximately 21-acre project site located on the north side of Marietta Avenue immediately west of the intersection with Bridge Valley Road in West Hempfield Township, Lancaster County. The site is bordered to the north by the Chiques Creek, Bridge Valley Road to the east, Marietta Avenue to the south and residential properties to the west. The proposed improvements to the site include the construction of 70 single family townhouse units, public streets, the extension of public utilities, and stormwater management facilities.

REQUESTED MODIFICATIONS

A. SALDO Section 305 – 306.A.1 – Preliminary Plan

The applicant has requested a modification of the requirement to apply for final plan approval only after the receipt of an unconditional preliminary plan approval. In the alternative, the applicant proposes that the Preliminary Plan and the Phase I Final Plan be concurrently submitted and processed by the Township.

The Township Engineer has recommended approval of this modification based upon the justification and alternative provided, with the condition that the Preliminary Plan is not recorded and the section reference is revised in the Modifications on the cover sheets.

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve* the Requested Modification of Section 305-306.A.1 – Preliminary Plan based upon the justification and alternative provided, with the condition that the Preliminary Plan is not recorded and the section reference is revised in the Modifications on the cover sheets. The motion passed (5-0).

B SALDO Sections 602.K.6.a and 602.N.2 – Improvement of Existing Streets and Sidewalks.

The applicant is requesting a waiver of the requirements to reconstruct Bridge Valley Road and Marietta Avenue to their centerlines, provide curbing and sidewalk along their frontage. In the alternative, the applicant proposes to provide curb at the Bridge Valley Road and Heather Lane intersection and the Marietta Avenue and Perch Path intersection. The applicant is providing some sidewalk within the development.

The Township Engineer has recommended the Township deny the requests to waive the reconstruction of Bridge Valley Road and Marietta Avenue to their centerlines, including curb and sidewalk, but allow the applicant to defer the improvements based on the justification provided

with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six (6) months of the date of notice to do so.”

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to **deny** the Requested Modification of Section 602.K.6.a and 602.N.2 – Improvement of Existing Streets and Sidewalks to waive the reconstruction of Bridge Valley Road and Marietta Avenue to their centerlines, including curb and sidewalk, but allow the applicant to *defer* the improvements based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six (6) months of the date of notice to do so.” The motion passed (5-0).

C SALDO Section 602.L.1 – Street Construction Standards

The applicant has requested a modification of the requirement to provide Type C inlet tops and in the alternative, provide “Slant Top” inlets. The justification provided is that slant top inlets allow for flexibility in driveway locations, Type C inlet tops are proposed in locations where additional inlet capacity is required, and the proposed structures will be privately owned and maintained.

The Township Engineer has recommended approval of this modification based upon the justification and alternative provided, with the condition that the streets remain private and will not be offered for dedication to the Township.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve*, the Requested Modification of Section 602.L.1 – Street Construction Standards based upon the justification and alternative provided, with the condition that the streets remain private and will not be offered for dedication to the Township. The motion passed (5-0).

D. SALDO Section 602.N.3 – Sidewalks Within the Project

The applicant is requesting a waiver from the requirement to provide sidewalks along both sides of all proposed streets within the development and in the alternative, provide sidewalks as shown on the plans to allow for the movement of pedestrians within the site. The justification provided is that the proposed sidewalks are adequate to allow pedestrian access, and the roadways within the development are to be privately owned and maintained.

The Township Engineer has recommended approval of this waiver request with the condition the applicant extend the sidewalk on the north side of Heather Lane, at Heather Lane and Bridge Valley Road, to at least the existing utility pole, and provide an ADA accessible ramp.

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve* the Requested Modification of Section 602.N.3 – Sidewalks Within the Project with the condition the applicant extend the sidewalk on the north side of Heather Lane, at Heather Lane and Bridge Valley Road, to at least the existing utility pole, and provide an ADA accessible ramp. The motion passed (5-0).

E. SALDO Section 602.R – Clear Sight Triangles

The applicant has requested a modification of the requirement to provide 100' clear sight triangles at the intersections within the site and in the alternative, provide 70' clear sight triangles. The applicant needs to revise the section number on the cover sheet.

The Township Engineer has recommended approval of this modification with the condition that no driveways be partially or fully located within the clear sight triangles.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* the Requested Modification of Section 602.R – Clear Sight Triangles with the condition that no driveways be partially or fully located within the clear sight triangles. The motion passed (5-0).

F. SALDO Section 602.S.1 – Cul-de-sac Length (New request this submission)

The applicant has requested a modification of the requirement to provide a minimum 250' length for the Perch Path cul-de-sac and in the alternative, provide a 160' long cul-de-sac private street.

The Township Engineer has recommended approval of this modification based upon the justification and alternative provided.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* the Requested Modification of Section 602.S.1 – Cul-de-sac Length based upon the justification and alternative provided. The motion passed (5-0).

G. SALDO Section 609.E.4 and 609.E.8 – Street Trees

The applicant has requested a modification of the requirements to provide street trees within the street right-of-way line and building setback line at a spacing of 40'-60' and in the alternative, provide the required number of street trees on the site as shown on the landscape plan.

The Township Engineer has recommended approval of this modification with the condition that the applicant provide the required number of street trees as depicted on the landscape plan.

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve* the Requested Modification of Section 609.E.4 and 609.E.8 – Street Trees with the condition that the applicant provide the required number of street trees as depicted on the landscape plan. The motion passed (5-0).

H. SALDO Section 611.C – Park and Recreation Land

The applicant has requested a modification of the requirement to provide park and recreation land and in the alternative, provide a fee in lieu of the dedication of recreation land in an amount to be agreed upon with the Board of Supervisors. The applicant intends to pay the fee on a per unit basis with the submission of building permit applications for the individual units.

The Township Engineer has recommended denial of this request as it contradicts the Conditional Use Decision condition #9.

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *deny* the Requested Modification of Section 611.C – Park and Recreation Land as it contradicts the Conditional Use Decision condition #9. The motion passed (5-0).

I. SALDO Appendix No. 18 – Slant Curb Detail

The applicant has requested a modification of the standard Slant Curb Detail to allow a slant curb design with a “flat” section of the curb. The justification provided is that the slant curb design proposed is less likely to be damaged and easier to traverse for motor vehicles.

The Township Engineer has recommended approval of this modification based upon the justification and alternative provided.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* the Requested Modification of Appendix No. 18 – Slant Curb Detail based upon the justification and alternative provided. The motion passed (5-0).

J. SWMO Section 122-47.J – Basin Dewatering within 24 Hours (New request this submission)

The applicant has requested a modification of the requirement for all stormwater management basins to have a maximum dewatering time of 24 hours, and in the alternative proposes that Basin A be permitted to dewater within a maximum of 30 hours.

The Township Engineer has recommended approval of this modification based upon the justification and alternative provided.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* the Requested Modification of SWMO Section 122-47.J – Basin Dewatering within 24 Hours and in the alternative proposes that Basin A be permitted to dewater within a maximum of 30 hours. The motion passed (5-0).

K. SWMO Section 122-48.A.2.c – Loading Ratios (New request this submission)

The applicant has requested a modification of the requirement to provide a maximum 5:1 impervious drainage area loading ratio and a maximum 8:1 total drainage area loading ratio. In the alternative, Basin A will have a 16:1 total drainage area loading ratio and 9:1 impervious drainage area loading ratio, and Basin B will have a 31:1 total drainage area loading ratio and 24:1 impervious drainage area loading ratio.

The Township Engineer has recommended approval of this modification based upon the justification and alternative provided with the condition that the applicant provide a letter from a licensed geologist supporting the proposed loading ratios.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* the Requested Modification of SWMO Section 122-48.A.2.c – Loading Ratios based on the justification and alternative provided with the condition that the applicant provide a letter from a licensed geologist supporting the proposed loading ratios. The motion passed (5-0).
- **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* the Preliminary/Final Land Development Plan with the condition that all outstanding comments have been addressed to the satisfaction of the Township Staff and the Township Engineer. The motion passed (5-0).

**C Peregrine WHTPC 6-2021(Time extension 9-17-21)
Recreation Fee In-Lieu Of**

West Hempfield Board of Supervisors
September 7, 2021

Location: 4301 Marietta Avenue
Zoned: R3
Lot Size: 24 Acres/ 1,045,440.0 ft²

The applicant is requesting approval for offsetting the cost of the proposed walking path and related amenities. Claudia Shank, Esq., McNees Wallace Nurick and William Swiernik, David Miller/Associates were present on behalf of Peregrine. Bob Riahi, Millfield Construction, distributed and explained information in support of the request. Township Manager Andrew Stern stated that precedence has been established for similar credits. Following a lengthy discussion, the Board of Supervisors requested that Mr. Riahi work with Township Staff and bring a more detailed report back to the Board for final approval.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **agree** to a 50% reduction based on the proposed improvements and recreational facility that will be provided on the project with staff approval. The motion passed (5-0).

D. SBCC Land Co Ivy Drive Properties WHTPC 10-2021

Zoning Map Amendment Petition

Location: Ivy Drive and Stony Battery Road

Zoned: RA/TV

Lot Size: 24.4 Acres/ 1,064,606.4 ft² and 30.7 Acres/ 1,337,292.0 ft² and 5.9 Acres/ 260924.4 ft²

Action Required

- **Motion** was made by Robert Munro and seconded by Kent Gardner to **set** a date for the public hearing for SBCC Land Co Ivy Drive Properties Zoning Map Amendment Petition for the October 5, 2021 Board of Supervisors meeting at 7:30 p.m. Motion passed (5-0).

E. Sylvan View

Street Adoption

Location: Lancer Drive and Greystone Drive

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **authorize** the Township Solicitor to prepare and advertise required ordinance and documents for Sylvan View Street Adoption for the October 5, 2021 Board of Supervisors meeting. Motion passed (5-0).

F 620 Sycamore WHTPC 13-2020 (Time Extension 11/04/2021)

Preliminary/Final Subdivision Plan

Location: 620 Sycamore Drive

Zoned: R2

Lot Size: 54.6 Acres/ 2,378,376.0ft²

620 Sycamore Drive Associates, LLC (the “Applicant”) is the equitable owner of a ±56.32 acre tract of land commonly known as 620 Sycamore Drive, and identified as Lancaster County Tax Parcel Number 300-96226-0-0000, which is located in West Hempfield Township, Lancaster County, Pennsylvania. The Applicant proposes to develop the Property with 100 single-family detached dwellings utilizing the open space design option along with associated improvements. Claudia Shank, Esq., McKnees Wallace Nurick presented the modifications. Also present were Todd Kurl and Kathy Conley, RGS Associates, Andy Miller and Dave Clark, Catalyst, and Melissa Kelly, Rettew Associates.

Questions/Comments

- Ed Elslager, Pitney Road - questions about the widening of Pitney Road. Attorney Shank responded and Todd Kurl confirmed. Mr. Elslager also expressed concern regarding ground contamination and was informed the findings about the soil are public information and the Board was not aware of any soil contamination.
- John Slaymaker, Prospect Road - concerns about additional traffic from the proposed 100 single-family development. Attorney Shank stated that the required traffic studies were conducted and Andy Miller added the traffic studies were done this past summer. Township Manager Andrew Stern spoke to the number of formal and informal reviews and meetings and extreme scrutiny to ensure every condition is met and informed Mr. Slaymaker that all documents are public and there has been no fast tracking or cover-up. Mr. Slaymaker then asked if PennDOT and the Township could work together to resolve traffic issues. Mr. Stern described the efforts the Township has been making with PennDOT to address these concerns and stated that all conditions that have to be met are in the process of being met. Mr. Stern also explained the processes of preliminary plan and final plan.
- Craig Feister, Concordia Road - commented about traffic and the astronomical number of parents driving their children to school, unintended consequences in taxes, and questioned the capacity of the schools. Andrew Stern informed that traffic studies cannot be used to deny a project . . . they are only to be used for improvement to roads and the township’s efforts to reduce truck traffic via signage. He further stated the Board of Supervisors is not reviewing traffic issues at tonight’s meeting.
- Karen Derr, Prospect Road - read a list of issues she has with this development. Melissa Kelly, Engineer for the Project, responded that all permits and clearances were obtained and explained the conditional use process and the standards that have to be met. Mrs. Derr also had concerns about animals, chemicals being dumped and plant species.

There being no further comments or questions (Board or Public), the following actions were taken:

REQUESTED MODIFICATIONS

A. SALDO Section 602.M – Curbing

The applicant is requesting a modification from the requirement to install curbing along Pitney Road and Sycamore Drive and is requesting a deferral, due to the fact that there is no curbing along the entire length of either road. A deferral note has been added to the Cover Sheet.

The Township Engineer has recommended the Township approve the request to defer curbing along Pitney Road and Sycamore Drive with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs and Sidewalks at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs and Sidewalks at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** Requested Modification of Section 602.M – Curbing. The motion passed (5-0).

B. SALDO Section 602.N.3 – Sidewalks

The applicant is requesting a modification from the requirement to install sidewalk along Pitney Road and Sycamore Drive and is requesting a deferral, due to the fact that there is no sidewalk along the entire length of either road. A deferral note has been added to the Cover Sheet.

The Township Engineer has recommended the Township approve the request to defer sidewalk along Pitney Road and Sycamore Drive with the condition that the following note is added to the plan: “The West Hempfield Township SALDO requires construction of Curbs and Sidewalks at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs and Sidewalks at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve* the Requested Modification of Section 602.N.3 – Sidewalks. The motion passed (5-0).

C. SWMO Section 122-46.D.a.5 – Pipe Crossing Angles

The applicant is requesting a modification of the requirement to provide pipe crossing angles between 75 to 90 degrees and, in the alternative, proposes pipe angles at less than 75 degrees from: I-A2 to I-A30, I-A6 to I-A28, I-A36 to I-A46, I-B2 to I-B10, I-B4 to I-B6, I-B16 to I-B26, I-B18 to I-B20, I-C8 to I-C10, and I-D12 to I-D14. The stormwater inlets are generally located at, or as close to property lines as possible to minimize the impact to driveways and to allow storm piping to follow lot lines when leaving the street right-of-way.

The Township Engineer has recommended approval based upon the justification and alternative provided.

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve*, the Requested Modification of Section 122-46.D.a.5 – Pipe Crossing Angles. The motion passed (5-0).

D. SWMO Section 122-48.A.2.c – Loading Ratio

The applicant is requesting a modification of the requirement to provide a maximum loading ratio for volume control facilities in non-karst areas be 5:1 impervious drainage area to infiltration area and 8:1 total drainage area to infiltration area and, in the alternative proposes higher loading ratios.

The Township Engineer has recommended approval based on the justification provided with the condition that the applicant conduct infiltration testing overseen by a qualified professional at each infiltration facility during construction (after excavation of the bottom and prior to installation of amended soils) and provide the results to the Township and Township Engineer at that time to verify the as-constructed infiltration rates meet or exceed the design infiltration rates. In addition, the Township Engineer needs to observe the subgrade prior to testing to agree on the location and number of tests. Lastly, provide notes on the plan to this effect.

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve* the Requested Modification of Section 122-48.A.2.c – Loading Ratio with the condition that the Township Engineer will oversee the infiltration tests. The motion passed (5-0).
- **Motion** was made by Edward Fisher and seconded by Kent Gardner to *approve* the Preliminary/Final Subdivision Plan with the condition that the applicant submit a map

of the site that shows the location of testing and that all outstanding comments have been addressed to the satisfaction of the Township Staff and the Township Engineer. The motion passed (5-0).

VI UNFINISHED BUSINESS

- Act 50/5G Wireless Facilities – **Motion** was made by Kent Gardner and seconded by Robert Munro to **authorize** advertisement of Ordinance for the Board of Supervisors October 5, 2021 meeting. The motion passed (5-0).
- Stormwater Project Funding – Concord Public Finance – Andrew Stern reviewed his August 31, 2021 memorandum and attachments. **Motion** was made by Robert Munro and seconded by Edward Fisher to **authorize** advertisement of Ordinance and Associated Documents for the Board of Supervisors October 5, 2021 meeting. The motion passed (5-0).

VII NEW BUSINESS

- Lancaster Ski Club & Ski Tunes Ski & Board Shop – Request for Special Event & Signs, October 16-17, 2021. **Moved** by Edward Fisher, seconded by Robert Munro and carried (5-0) to **approve** the Lancaster Ski Club & Ski Tunes Ski & Board Shop Request for Special Event & Signs, October 16, 17, 2021 and waiver of the sign permit fee.
- East Petersburg Community Day, Saturday, September 18, 2021 – Request for WHFR Fire Police Assistance. **Moved** by Edward Fisher, seconded by Robert Munro and carried (5-0) to **approve** the Request for WHFR Fire Police Assistance at East Petersburg Community Day, Saturday, September 18, 2021.
- Farmdale/Ferndale Stormwater Project
 - *Engineer's Update* – Melissa Kelly provided various documents and a brief update on this \$1.7 million project. She reviewed the two respective grants and reported everything is on schedule.
 - *Authorization to Bid* – **Moved** by Edward Fisher and seconded by Robert Munro to **authorize** the Township Engineer and the Township Solicitor to review and finalize bid documents and to solicit bids for consideration. The motion carried (5-0).
- Purchase Fencing for Impound Area behind Police Station - Andrew Stern reviewed his September 1, 2021 memorandum and Chief Layden provided additional information. Following discussion, **motion** was made by Edward Fisher and seconded by Kent Gardner to **approve** purchase of fencing for the proposed impound area as discussed at a cost not to exceed \$6,325.00. The motion passed (5-0).

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- Purchase of Replacement police car (ratify Order) - Andrew Stern reviewed his September 1, 2021 memorandum and Chief Layden provided additional information. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to **ratify** order of 2021 Police Interceptor AWD SUV, \$34,650, through the Witmoyer/COSTARS program as discussed. The motion passed (5-0).
- Adoption of 2021 Non-Uniformed Employee Handbook – Andrew Stern provided a final draft from the Solicitor. Action will be taken after the revised document has been reviewed by the Supervisors.
- Schedule Budget Work Session, November 2021 – The Budget Work Session was scheduled for 2:30 p.m., Monday, November 1, 2021 immediately following the LCATS Convention.
- October Road Tour – scheduled for Friday, October 29th.

VIII. ORDINANCES AND RESOLUTIONS

- Agreement: Municipal Authority Agreement for Services –The Municipal Authority Agreement for Services will be on the agenda for consideration at the Board of Supervisors October 5, 2021 Regular meeting.
- Agreement: Stormwater Fees from Municipal Authority - The Agreement for Stormwater Fees from the Municipal Authority will be on the agenda for consideration at the Board of Supervisors October 5, 2021 Regular meeting.

IX. APPROVAL OF PAYABLES - AUGUST

PAYROLL & TAXES	\$ 218,725.52	EFT
FULTON - GENERAL FUND	\$ 481,953.44	3779 - 3879
FULTON - MS4	\$ 11,162.50	1047
FULTON - REFUSE	\$ 101,703.53	1120 - 1122
FULTON - STREET LIGHT	\$ 4,537.62	1046
FULTON - ESCROW	\$ 121,434.40	2046 - 2048
FULTON - STATE FUND	\$ 351,184.51	1210 - 1219
TOTAL	\$ 1,290,701.52	

Moved by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between August 1, 2021 and August 31, 2021, and any residuals that may be forthcoming. Motion carried (5-0)

X. GOOD OF THE ORDER

- **Upcoming Board of Supervisors Meeting:** October 5, 2021 - Regular Meeting.
- **HALLOWEEN** is Friday, October 29th this year.

XI. **ADJOURNMENT INTO AUTHORITY MEETING (With Executive Session to follow).**

Chairman Dumeyer adjourned the Board of Supervisors Regular meeting into the Authority meeting at 10:58 p.m. with executive session to follow.

Respectfully submitted,



Andrew Stern,
Township Manager

