

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of November 9, 2023

The regular meeting of the Board of Supervisors was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue.

Chairman David Dumeyer and Board Members Edward Fisher, Kent Gardner, Naomi Martin and Robert Munro were present at the meeting. Also in attendance were Township Manager Andrew Stern; Director of Land Use Dwayne Steager; Public Works Director Dale Getz; Finance/HR Director Amy Slutter, Police Chief Lisa Layden, and Township Engineer Melissa Kelly. Recording Secretary Judy Carrier was in attendance remotely via Zoom.

CALL TO ORDER - Chairman Dumeyer called the meeting to order at 7:00 p.m. and led with the Pledge of Allegiance. Following the Pledge, Chairman Dumeyer noted there will be a brief Municipal Authority meeting immediately following this meeting. There is no Executive Session to be scheduled and the Board will adjourn directly after the Municipal meeting.

A. APPROVAL OF MINUTES

1. October 3, 2023
2. October 30, 2023 Budget Work Session

Motion was made by Edward Fisher and seconded by Robert Munro to *approve* the October 3, 2023 Regular meeting minutes and the October 30, 2023 Budget Work Session minutes as presented. The motion carried unanimously (5-0).

B. COMMUNICATIONS

1. Board of Supervisors – Edward Fisher noted he had an opportunity to see the new leaf collection truck in action and that is pretty nice.
2. Township Manager – Andrew Stern reviewed his written report dated November 1, 2023 and had the following addition: SBCC property owners has proposed a settlement. The Township Solicitor has forwarded it to him and staff recommends setting up a public meeting for them to present what they are offering and then the Board can adjourn to Executive Session to discuss the litigation part of it. The Board unanimously agreed to setting up a special meeting. Mr. Stern will provide times as to when all parties will be available.

INTERNAL MATTERS

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

	2021 YTD	2022 YTD	2023 YTD
EIT	2,039,214	2,194,496	2,288,523
LST	258,683	222,962	247,039
OTHER	1,740	4,171	16,288
NON-RESIDENT	21,506	32,013	42,131
TOTAL	\$2,321,143	\$2,453,642	\$2,593,981

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

2. **Worker's Comp Insurance.** We have received a dividend distribution of \$18,162.56 from the Susquehanna Municipal Trust for the years 2009, 2010, 2011, 2016, 2017, 2018, 2019, and 2020 policy years.

EXTERNAL MATTERS

1. **Sycamore:** Sycamore Drive should be paved this week or next week. The road is a mess from the addition of new stormwater pipes. The road should already have been paved, but was delayed due to failed inspections.
2. **Dayspring Christian Academy.** The plans are making their way through the Mountville Borough approval process. I anticipate the stormwater management plan coming before our Board in December for a modification request, which has been recommended for approval by Rettew:

Section 122-46. D.a.5 – Conveyance Facility Design Criteria – Street Crossing Pipe Angle

The applicant has requested a modification of the requirement for the pipes crossing Edgemont Road from IA-3 to IA-2 and I-A9 to I-A2 to have an angle between 75 and 90 degrees. In the alternative, the applicant proposes that the pipe from I-A3 to I-A2 will cross Edgemont Road at 19 degrees and the pipe from I-A9 to I-A2 will cross Edgemont Road at 55 degrees in an effort to reduce the junction loss at the structures. The pipes will be privately owned and maintained, and the entire portion of Edgemont Road that will be affected by the pipe crossings will be reconstructed.

PERSONNEL

1. **Staffing.** We remain fully staffed for all positions.

OUTSIDE BOARDS AND COMMITTEES

1. **LCATS.** The annual convention will be the morning of November 13, 2023. Please RSVP to me if you have not already done so.

CORRESPONDENCE

1. None at this time.
3. Treasurer's Report - Current Month-to-Date and Prior Month Detail Reports were submitted and reviewed. There were no questions or comments.
4. Department Reports: Police, Public Works, Zoning/Land Use, Fire, EMS. Written reports were submitted and discussed.

5. Township Engineer's Report – Melissa Kelly reviewed her monthly report and provided several updates.
6. Residents – None.

C. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

1. **WHT 06-2023 Pure Water Technology (90 day + Ext: December 22, 2023)
Preliminary/Final Subdivision & Land Development Plan**

Applicant: Pure Water Technology
Location: Corporate Blvd
Zone: I-1 – 8.34 acres

The applicant proposes to subdivide an 8.3 acre parcel into 2 parcels (2.4 ac & 5.9 ac). The applicant proposes to develop the 2.4 acre site located on the north side of Corporate Blvd, southwest of the intersection with Stony Batter Rd with a 23,800 sq ft. building. William Swiernik, RLA/ DM/A; John Burkholder, Applicant; and William Murry, Land Owner, were present.

Requested Modifications:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

A. 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 recommends approval of this modification based upon the justification 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 305 Preliminary Plan Processing based on the justification provided. The motion carried unanimously (5-0).

B. Section 404 – Traffic Impact Study

The applicant has requested a waiver of the requirement to provide a Traffic Impact Study, and in the alternative provide a trip generation report and a fee-in-lieu of a traffic impact study.

The Township engineer recommends approval of this waiver based upon the justification provided with the conditions that the amount needs to be approved by the Board (the amount proposed is \$35,700.00) and a turn lane analysis is

completed at the proposed site access during the land development review to ensure the proposed access is safe.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the requested Modification of Section 404- Traffic Impact Study with the condition that \$16,200 fee-in-lieu-of is to be paid. The motion carried unanimously (5-0).

C. 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 20 feet (1"=20') or one inch equals 50 feet (1"=50'). In the alternative, the applicant has provided a plan scale at one inch equals 30 feet (1"=30').

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

Action Required

- **Motion** was made Edward Fisher and seconded by Kent Gardner to **approve** the requested Modification of Section 404.A.1-Plan Scale based on justification and alternative provided and discussed. The motion carried unanimously (5-0).

D. Section 602.K.6.b – Improvement of Existing Streets

The applicant has requested a waiver of the requirement that Corporate Boulevard be reconstructed to the centerline along the property frontage on the basis that Corporate Boulevard is in good condition. No alternative is provided.

The Township engineer recommends the Township deny the request to waive the reconstruction of Corporate Boulevard to the centerline and allow the applicant to defer the reconstruction to the centerline based on the justification provided with the conditions that a fee-in-lieu-of is provided for the reconstruction costs and that the following note is added to the plan: "The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires the reconstruction of the existing street to the centerline at all locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the reconstruction 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 *deny the request to waive* this section and *approve a deferral* the for the requested Modification of Section 602.K.6.b – Improvements of Existing Streets. The motion carried unanimously (5-0).

E. Section 602.N- Sidewalk Along Frontage

The applicant has requested a waiver of the requirement to provide sidewalks along the street frontage. The justification provided is that sidewalk is required on the south side of Corporate Boulevard and not the northern side, and that the limited pedestrian traffic in the area is adequately serviced by the existing sidewalk on the south side of the street.

The Township engineer recommends the Township deny the request to waive the sidewalk on Corporate Boulevard and allow the applicant to defer the 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 sidewalk at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the sidewalk 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 Edward Fisher to *deny* the requested waiver or deferral of sidewalks along frontage. The motion carried unanimously (5-0).

F. Section 609.E.8 – Street Tree Spacing

The applicant has requested a modification of the requirement that street trees shall be provided and spaced not less than 40 feet nor more than 60 feet apart along the entire length of each existing street. In the alternative, the applicant proposes to place the total number of street trees required at a spacing that allows for the driveway and utilities to be constructed on Lot 22A.

The Township engineer recommends approval of the modification for proposed Lot 22A based on the alternative and justification provided. The Township engineer recommends deferral of the installation of street trees for remaining lands Lot 2 until such time as that lot is developed with the condition that a note is provided on the plan for future reference.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the requested Modification of Section 609.E.8 Street Tree Spacing. The motion carried unanimously (5-0).

STORMWATER MANAGEMENT

G. Section 122-47.J – Basin Dewater Times

The applicant has requested a modification of the requirement for stormwater management basins to have a maximum dewatering time of 24 hours. Alternatively, the applicant is proposing that Rain Gardens 1 and 2 be permitted to dewater the stormwater management rate control storage in a time less than 40 hours.

The Township engineer recommends approval of this modification based upon the justification provided.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the requested Modification of Section 122-47.J – Basin Dewater Times. The motion carried unanimously (5-0).

H. Section 122-48.A.2.c – Loading Ratios

The applicant has requested a modification to allow for an increase in the allowable loading ratios for Rain Gardens 1 and 2. Alternatively, the applicant is proposing an overall loading ratio of 13:1 and an impervious loading ratio of 9:1 for Rain Garden 1; and an overall loading ratio of 16:1 and impervious loading ratio of 9:1 for Rain Garden 2. The township ordinance and NPDES criteria recommend maximum loading ratios of 8:1 overall and 5:1 for impervious areas.

The Township Engineer recommends approval of this modification request 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 122-48.A.2.c – Loading Ratios. The motion carried unanimously (5-0).

Action Required:

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to **approve** the Pure Water Land Development Plan provided that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and the Township Engineer. The motion carried unanimously (5-0).

2. WHT 05-2023 Kautz (90 days: November 15, 2023)

Final Subdivision Plan

Applicant: Gordon & Wendy Kautz
Location: 2413 Sangrey Lane
Zone: R- 24.19 acres

Brian Masterson, Register Associates, was present on behalf of the applicant who proposes to subdivide an existing residential lot and construct a dwelling unit on new lot.

Requested Modifications:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

A. 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 recommends approval of this modification based upon the justification 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 Kent Gardner to **approve** the requested Modification of Section 305 Preliminary Plan Processing based on justification provided. The motion carried unanimously (5-0).

B. 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 20 feet (1"=20') or one inch equals 50 feet (1"=50'). In the alternative, the applicant has provided a plan scale at one inch equals 30 feet (1"=30').

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

Action Required

- **Motion** was made by Edward Fisher and seconded by Kent Garner to **approve** the requested Modification of Section 404.A.1- Plan Scale based on justification provided. The motion carried unanimously (5-0).

C. Section 122.48.A.2.C- Loading Ratio

The applicant has requested a modification of the requirement to provide a maximum total drainage area loading ratio of 5:1 and, in the alternative, proposes a total drainage area loading ratio of 8.8:1. The proposed impervious drainage area

loading ratio is 2.4:1, which is less than the maximum impervious drainage area loading ratio of 3:1. The Stormwater management Report indicates the basin can route the 100 year storm and that the post-development peak flow rates are less than pre-development peak flow rates.

The Township Engineer recommends approval of this modification based on the justification and the alternative provided.

Action Required

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the requested Modification of Section 404.A.2.C- Loading Ratio. The motion carried unanimously (5-0).

Action Required:

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the Final Subdivision Plan with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and the Township Engineer. The motion carried unanimously (5-0).

3. WHT 09-2023 4363 Marietta Ave-Wood

Major SWM Plan

Applicant: Charles R Wood
Location: 4363 Marietta Ave.
Zone: Rural Agriculture

Charles Wood is the owner of 4363 Marietta Ave, a .63 acre lot located in the RA Zoning District. He is proposing to construct a single-family dwelling, driveway, and associate stormwater facilities on the property. Zoning relief was granted for the property for reductions in front and rear yard setbacks. The proposed dwelling will be served by public water and sewer. Steve Gergley, Harbor Engineering, was present on behalf of the applicant.

Action Required:

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the Major Stormwater Management Plan for 4363 Marietta Avenue on the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and the Township Engineer. The motion carried unanimously (5-0).

4. **WHT 08-2023 Lot 5 Indian Springs Drive (sketch)**

Sketch Plan

Applicant: Rajesh Surapaneni

Location: Lot 5, south side of Indian Springs Drive

Zone: I-1 (Light Industrial) 3.59 acres

The parcel is located in the Business Campus Overlay District of the I-1 Zone. Specific lots in the overlay district were designated to be used for “accessory commercial uses”. The applicant is seeking input on whether their accessory commercial use (a daycare) would be allowed to be built on a non-accessory commercial use designated parcel.

Township Manager Andrew Stern presented background explaining the zoning issue related to the proposed use and provided a Resolution drafted by the Township Solicitor to address the issue. Stacy MacNeal, Barley Snyder, utilized a campus overlay to depict a Goddard School on Lot 5 of the Stony Battery Corporate Center and stated the three conditions set forth in the Resolution are acceptable to the client and they are seeking authorization to allow Lot 5 to be used for this purpose.

Action Required

- Sketch Plan only, no action required at this time.
- Resolution 1223. **Motion** was made by Kent Gardner and seconded by Robert Munro to **adopt** Resolution 1223 authorizing use of Stony Battery Commerce Center for the Goddard School. The motion carried unanimously (5-0).

E. UNFINISHED BUSINESS – None

F. NEW BUSINESS

1. 2023 Audit – Bertz and Hess Engagement Letter – **Moved** by Robert Munro, seconded by Kent Gardner and unanimously carried (5-0) to **authorize** the Township Manager to sign the Bertz, Hess & Co., LLP Engagement letter dated October 23, 2023 for the 2023 Audit.
2. Police Ride Along Policy. Andrew Stern reviewed the Policy to maintain the Police Department’s procedures concerning a civilian Ride Along Program. **Moved** by Robert Munro, seconded by Kent Gardner and unanimously carried (5-0) to **adopt** the Police Ride Along Policy as presented.
3. Stony Battery Road Spur, Kauffman to Stony Battery – Andrew Stern reviewed the proposed agreement prepared by the Township Solicitor.
 - i. Authorization to permanently close road to vehicles. **Moved** by Robert Munro, seconded by Kent Gardner and unanimously carried (5-0) to **authorize** permanent close of the Stony Battery Road Spur, Kauffman to Stony Battery.

- ii. Agreement to vacate Right of Way to neighboring property owner. **Moved** by Robert Munro, seconded by Kent Gardner and unanimously carried (5-0) to **approve** the Agreement to vacate Right-of-Way to neighboring property owner.

G. ORDINANCES AND RESOLUTIONS - None

- H. APPROVAL OF PAYABLES - **Moved** by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between October 1, 2023 and October 31, 2023 and any residuals that may be forthcoming. Motion carried unanimously (5-0).

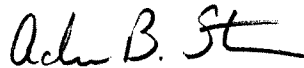
I. GOOD OF THE ORDER

- There will be a brief Municipal Authority meeting this month.
- **UPCOMING MEETING:** Tuesday, December 5, 2023 Regular Meeting

- J. ADJOURNMENT - Chairman Dumeyer requested a motion to adjourn the Board of Supervisors meeting and reconvene into the Municipal Authority Meeting at 8:28 p.m.

- Robert Munro **moved**, seconded by Edward Fisher to **adjourn** the Board of Supervisors meeting and reconvene into the Municipal Authority meeting at 8:28 p.m. Motion carried unanimously (5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

