

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of October 4, 2016

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, October 4, 2016. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Interim Township Manager James Williams, Chief of Police Mark Pugliese I, Public Works Director Dale Getz, Zoning Officer Jodi Heffner, and Brenda Baumbach, Finance/Personnel Director serving as Recording Secretary.

I. CALL TO ORDER:

Chairman David Dumeyer called the meeting to order at 7:30 p.m. and led with the Pledge of Allegiance. He also announced that following this meeting, the Board will convene into Executive Session to discuss a personnel issue.

II. APPROVAL OF MINUTES: September 6, 2016

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve the Board's September 6, 2016 minutes as presented. Motion carried, 5-0.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the Joint Board meeting minutes of August 17, 2016 as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. David Dumeyer announced there were Executive Meetings held on Thursday, September 22 and Thursday, September 29, 2016 to interview possible candidates for the position of Township Manager.
2. Kent Gardner informed the Board that the LIMC held its monthly meeting on Wednesday, September 14 in Lancaster City. He also said the LIMC has established a UCC Board. The UCC Board members have met and he feels the backgrounds of these members on the UCC board will be an asset. He stated that while there are no municipal representatives on the board, the UCC Board consists of engineers, architects and code enforcement officers.
2. Kent Gardner announced that Brenda Baumbach has applied for a safety grant for the Police Department. The amount awarded is \$1,000.00 which is a matching grant for year 2017.

B. TOWNSHIP MANAGER

1. Introduction of Melissa Kelly, Rettew Associates

Melissa introduced herself to the Board and staff. She said she has taken over as the client representative for West Hempfield Township. She wanted to learn new

faces and names and is excited to begin working with the Township staff. Melissa introduced Kara Kalupson, MS4 Coordinator for Rettew Associates, and said she is aware that the Township recently had a DEP stormwater audit and she and Kara have been at DEP training workshops and there are deadlines that are coming up next year that the Township will have to meet.

Ms. Kalupson stated she started with Rettew in June, and previously worked three days a week for West Lampeter Township as their stormwater coordinator, and two days a week for East Lampeter Township. She said she is aware of what the regulations are and the impact they will have on townships. There is a new permit being issued in 2018 with additional requirements, and she suggested the Township will have to allocate sufficient funds in the 2017 budget to meet the existing permit's requirements. By June 2017 all Township stormwater system mapping should be completed in order to be submitted with the permit application. Mapping needs to indicate inlet pipes, detentions basins, swales, VMPs, drainage areas, streams, private and public facilities, confirmed outfalls, and drainage areas that are flowing to all regulated outfalls with a land use analysis and a complete pollution reduction plan showing how the Township will meet the 10% sediment reduction over the next five years. She said she and Melissa are available for assistance with this MS4 project.

Frank Burkhart asked what the requirements for the BMPs are in a development. Kara said in an urbanized area such as West Hempfield, the stormwater includes vegetative swale, street sweeping, rain gardens, stream bank stabilization, and anything that will treat water quality from stormwater runoff by filtering it before it discharges into a stream. Mr. Burkhart said installing curb and sidewalks is not necessarily a good system anymore; it is better to let the water run off the property naturally.

Edward Fisher suggested that another meeting will have to be held to discuss MS4 plans and permits. He mentioned that work done from now to when the baseline is set will not count towards credit.

2. James Williams, Interim Manager, asked the Board to add three items to the agenda. Add under MANAGER item B. 1. Introduce Melissa Kelly, Rettew Associates; add under RESIDENTS item C. 1. Resident Kenneth Smith of 102 Edgemont Road; add under NEW BUSINESS item C. Stony Battery Road Detour and Temporary Signal, and under ORDINANCE & RESOLUTIONS item B. Resolution 10-16 Great Eastern Management.

C. RESIDENTS

1. Resident Kenneth Smith stated he lives at 125 Sylvan Retreat Road which adjoins the property at 102 Edgemont Road which he also owns. Mr. Smith said there is a forty-year-old mobile trailer on the property and he would like to remove it because

the trailer is vacant and someone had started a fire in it. He was told he would have to build within a year of the removal, but he wants to wait until he is financially ready to do so. Edward Fisher told Mr. Smith he would have to go to the Zoning Hearing Board to ask for a time extension on the one-year limitation.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. TREZTARK II, STONY BATTERY COMMERCE CENTER PHASE IV – FINAL LAND DEVELOPMENT PLAN – PRIMROSE LANE

No one from Treztark was present to present the plan.

B. SUMMIT LIVING SKETCH PLAN – 755 SUMMIT DRIVE

Steve Artz of Summit Living LLC presented a sketch plan for a 5.5 acre site along Summit Drive near the intersection with Marietta Avenue. He previously met with the Township's Planning Commission with the sketch plan. The area is zoned Traditional Village and is served by public sewer and water. Mr. Artz is proposing four three-story garden apartments on the site, which would be a Conditional Use allowed for under the TV ordinance. He is not proposing any business or commercial uses with the project. The site is bisected by a tributary and is in a 100-year floodplain. There are some wetlands which were found after this sketch plan was prepared. There will be a tot lot at the southern end of the triangular portion, and the pedestrian paths will probably be 4 foot mulch for ease of access, to deter skateboarders and to maintain a pervious surface.

He is seeking a variance to have two parking spaces per unit (48) for a total of 96 spaces, instead of three spaces per unit as specified by the Zoning Ordinance. Density is another issue for which he would need a variance. He is proposing 8.7 DU (dwelling units) per acre and the Township ordinance allows for 3 DU per acre. He would also like to retain Summit Drive as it is so as to not disturb the wetlands and the 100-year floodplain; therefore he will be seeking a variance from having to do any widening or improvements to Summit Drive. Sandy Kime with ELA Group is working on the stormwater management plan, and there are three different areas allocated for stormwater management. Frank Burkhart asked if the property would have its own sewage pump station. Mr. Artz said they would install a lift station which would then pump sewage up to the Marietta Avenue sewer tie-in.

There are restrictions as to where the entrance to the property is located, due to the 100-year floodplain designation. From the Turkey Hill store property line there is limited space to jockey the position of the entrance. Kent Gardner asked what type of residents they are targeting. Mr. Artz said it will be a mixed market for renters but not low-income or assisted living/subsidized types of housing. The first floor units would be one-floor living with wider hallways and doorways to accommodate older residents. The second and third floor units will have two – possibly three – bedrooms for

professionals or young families. They are looking for a mixed residency comprised of one-third empty nesters, one-third young professionals and one-third young families. Monthly rents will run about \$1.00 to \$1.10 per square foot or roughly between \$1,100 and \$1,400 per month. The façade of the building will have split-face stone, siding and wider trim akin to the Craftsmen style. He believes this development will be beneficial to the community in general and especially toward possibly filling the vacant spaces in Silver Spring Plaza.

Edward Fisher asked about keeping one of the buildings closer to the front rather than having it be all parking lot. In keeping with the TV zoning, he said the idea is to keep the buildings to the front and the parking in the back. Mr. Artz said the 100-year floodplain designation is a factor in deciding where to place the buildings. Mr. Fisher is concerned about the isolated location of the tot lot, and the use of mulch on the pedestrian paths, as mulch will wash away. Kent Gardner suggested they look at other more durable materials for use on the path. His biggest issue is to be able to maintain a density of 8.7 units per acre. Mr. Fisher said Mr. Artz has the right to buy transferable development rights. Mr. Artz said he is not proposing any TDR purchases for this project. Mr. Fisher said the Township will have to look long and hard at the density issue, because how will that affect the TDR program. Other developers have come in and have wanted more density, but they have had to purchase TDRs to obtain that density. The Township is in the process of updating its Comprehensive Plan and maybe the issue of TDRs needs to be addressed or the baseline needs to be something different. The Township is committed to the TDR program because it helps to protect our farms and other areas we wish to preserve.

Mr. Burkhart remarked about the location of the tot lot in reference to the buildings. He said this lot is not intended for use by children on their own and that their parents would have to accompany them. Edward Fisher said the triangular shape of the 5.5 acre lot is one factor why it has often been looked by developers but no project has come to fruition. Dave Dumeyer asked if Mr. Artz had given any thought to having another access into the development, for example for emergency vehicles. Mr. Artz is open to ideas on a secondary entrance but it would be dependent on how the land is graded out. Mr. Burkhart asked what is the elevation from the parking lot to the rail bed. Mr. Artz said the elevation is approximately 8 to 9 feet; he does not own the rail bed but wishes he did so he could take care of it, as he thinks it is an eyesore.

In terms of the density issue, Mr. Artz asked for direction as to how to proceed. In a perfect world the open space design option would fall under the Traditional Village zoning and he would have the opportunity to ask for a conditional use. Under the open space idea garden apartments are permitted. Unfortunately the Township's Traditional Village zoning does not have the open space provision. Should he seek rezoning for the parcel to R-3 and then ask for a conditional use, or should he try to get open space as a provision in the TV zone. Mr. Gardner said the site is problematic due to the 100 year floodplain and the proximity of the Turkey Hill. Mr. Artz said it is a difficult site to come up with a viable plan. Mr. Fisher said drainage is an issue as is the flatness of

the lot; the area is called Silver Spring for a reason. When Mr. Artz digs he is most likely going to hit water. Mr. Gardner said there are some new polymer materials that could prove helpful with the water problem and could potentially be a BMP area for stormwater practices. Mr. Dumeyer said he agrees with the concept to develop a tract of land that has a lot of conditions and problems and connected with it, but he also agrees with Mr. Fisher in that the Township needs to follow the Ordinance unless we wish to change it in order to accommodate what Mr. Artz is seeking. Mr. Fisher said a text amendment is probably the best way to handle this situation. Open space was not part of the TV zoning because they were thinking open space would address 50 to 60 acre-sized projects, not 5.5 acres. The whole Traditional Village concept needs to be tweaked as it hasn't work that well. One thing he would add would be open space.

Mr. Artz said the Lancaster County Planning Commission recommends a target density of 9 dwellings per acre. Mr. Burkhart asked if Mr. Artz is aware of the difficulty of trying to exit from Summit Drive onto Marietta Avenue at 7 a.m. There might be a need for a traffic light at the intersection, at least during the rush hours. Mr. Fisher said a traffic study might be warranted, perhaps for a light or wider shoulders so that cars can go around those cars waiting to turn left onto Summit Drive.

Mr. Artz said one part of his target audience for renters is the empty-nester demographic. He said there is a real demand for housing for people who want to move away from the single-family dwelling to a place that does not need to be mowed or maintained, but yet are not quite ready for a senior housing community. He is hopeful he can provide this type of housing for 3 to 5 years before they make that move. Mr. Fisher asked if Mr. Artz wanted to reduce the number of parking spaces to closer to two per unit. Mr. Kime said based on studies done (and they will provide this study information to the Board) the average number of parking places is between 1.4 and 1.5 per unit. West Hempfield Township's ordinance calls for 3 spaces per unit. East Hempfield Township requires 1.47 spaces per unit. Edward Fisher asked if the parking spaces would be numbered by unit. Mr. Artz is looking at a "first come, first served" parking of cars concept as opposed to the assigned parking place idea.

Melissa Kelly of Rettew said she had no additional comments other than those generated by the review of the sketch plan, which was seen by the Planning Commission at its meeting on September 15. It is up to Mr. Artz to provide justification for the density and the number of parking places. Mr. Dumeyer asked Mr. Artz if he was comfortable with the feedback he has received from the Board based on the discussion this evening. Edward Fisher said he would not like to go below 2 parking places per unit. Frank Burkhart asked Sandy about the analysis of the floodplain done by Light Heigl. Frank said he does not recall if there was ever a road barricade across Summit Drive due to flooding. Chief Pugliese said yes there have been times when Summit Drive has been closed due to water runoff/road flooding issues. Edward Fisher suggested to Mr. Artz that he clean up the sketch plan, work on the text amendments deemed necessary and then return to a Board meeting for further discussion. Mr. Artz agreed to implement as much as he can.

C. DONNERVILLE ROAD PROJECT SKETCH PLAN – DONNERVILLE ROAD

Mr. Bill Swiernik of David Miller Associates, Inc., Attorney James Welch of McNees, Wallace & Nurick and Eric Scott of Oak Tree Development Group were present to discuss the sketch plan for the development of a 35,000 square foot building at the southwest corner of Donnerville Road and Hempland Road. Two-thirds of the building will be used for a vehicle service operation for aerial trucks; the remaining one-third will be constructed with the idea of having a separate tenant. Two access driveways off Donnerville Road will be built – the upper one is a right-in, right-out driveway; the lower one is a full turning movement driveway. Because Donnerville Road was recently resurfaced with curbs along the intersections, they are planning to extend the curb through to the first intersection and to place curbing at the entrances. They are proposing that there be no access to the building off Hempland Road.

Stormwater management will occur in a retention facility at the southern end of property. There will be a series of pipes that go on the east and west sides. They are encroaching into the 100-year floodplain but it is not a FEMA-regulated flood area. The floodplain has been created by an obstruction. The water is channelized and one overbank is not the same elevation as the other and water spills out into this overbank condition. To address this issue they will do some fill and overbank excavation to balance the area and create a low-lying area on the property resulting in no increase in flood heights offsite, either up or downstream.

The applicant owns the land and they have proposed a subdivision line to create two lots. One lot would have frontage and access off Electronics Way; the other lot will have frontage and access off the adjacent roadways. The applicant is under a tight timeline with an objective of occupying the building by the end of May 2017. They have received a review letter from Rettew Associates with modifications noted and addressed. Public sewer and water is supplied to the site. They have submitted paperwork for an NPDES permit.

Melissa Kelly said Rettew has not had the opportunity to review the most recently submitted plans from the applicant with the latest modifications. Edward Fisher said he thinks it would be best to revisit the plan when all the modifications have been reviewed. Mr. Swiernik said they will be back next month to present a final plan to the Board of Supervisors.

D. JOHN S. FORRY – 1510 SILVER SPRING ROAD – REQUEST FOR TIME EXTENSION

Zoning Officer Jodi Heffner received a letter from Land Grant Surveyors requesting a 90 day extension for the final plan approval for the John S. Forry subdivision. The time extension is needed to complete certificates and to obtain DEP's approval of the sewer planning module. The new deadline will be July 13, 2017.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to grant a 90-day extension for the John S. Forry proposal. Motion approved, 5-0.

V. OLD BUSINESS

A. BUILDING COMMITTEE UPDATE

Chief Mark Pugliese reported that the Building Committee will meet on Thursday, October 6, 2016 to look at IT and phone services, and shared services versus individual services for the Police and Fire Departments. Pugliese and Interim Township Manager Jim Williams met with David Miller Associates to review the site plans and the need for a variance from the Zoning Hearing Board for the Fire Department driveway. They also met with architectural firm Buchart Horn and office furniture design firm Benjamin Roberts to discuss details regarding the floor plan, room sizes and conduits. He also received an estimate from UGI regarding the cost of running a gas line to the new building site. Jim Williams addressed the need for storage space for archived records and the idea that some of the rooms designated as “future office space” in the new building could be used for storage of records.

B. COMPREHENSIVE PLAN UPDATE

Interim Manager James Williams has received a map from Lancaster County Planning Commission showing the properties that are in the AgSecurity districts. The next joint meeting is planned for Thursday, October 20, 2016 following the Planning Commission meeting.

VI. NEW BUSINESS

A. 2017 MMO PENSION ESTIMATES

Chairman David Dumeyer acknowledged, for the record, that the Supervisors received the 2017 MMO Pension Estimates on Wednesday, September 28, 2016.

B. AWARD NEW THREE YEAR TRASH/RECYCLING CONTRACT (2017-2019)

Jim Williams recommended that the Supervisors accept and approve the alternate bid provided by Republic Services for contract hauling for the years 2017-2019. One change to the program will be the distribution of large recycling totes to Township residents. New items will be able to be recycled and can be co-mingled. More recycling will take items out of the trash stream and therefore reduce tipping fees at Lancaster County Solid Waste Management. There has not been a rate increase for trash services in the Township in the last eight years.

Motion: Kent Gardner moved, seconded by Edward Fisher, to accept the alternate bid from Republic Services of Pennsylvania for the trash/recycling contract for the years

2017-2019, to establish an annual fee of \$204.00 or \$51.00 a quarter, and to reduce the discount for paying for the whole year from 5% to 2.5%. Motion approved, 5-0.

C. STONY BATTERY ROAD DETOUR AND TEMPORARY SIGNAL

Public Works Director Dale Getz was contacted by Rettew Associates regarding the ongoing UGI project on Stony Battery Road. UGI is having issues completing the pipeline project and is proposing to close Stony Battery Road and detour traffic on to Corporate Boulevard. Mr. Getz said this would have to be a Board decision and there would have to be a temporary traffic signal at Marietta Avenue and Corporate Boulevard to handle the increased traffic volume. The detour is slated to begin in November 2016 for approximately 21 days. Mr. Getz recommended that supervisors contact an outside consultant to do a traffic study of the Corporate Boulevard/Marietta Avenue intersection for a temporary traffic signal and to re-evaluate the need for a permanent signal at that intersection once the detour is lifted. The temporary signal will be installed at UGI's cost and would need to be approved by PennDOT. There was some discussion about how to control the amount of traffic on Corporate Boulevard and by extension Church Street especially during rush hour and when school lets out.

Motion: Kent Gardner moved, seconded by Edward Fisher, to authorize Township staff to identify a consultant to look at the Stony Battery Road detour plan ahead of time, to evaluate the condition of the road both pre- and post-detour, to make sure there is liability insurance in place to cover any costs, to insure that the signal is paid for and removed by the consulting company immediately upon the completion of the detour, and that staff consult with Counsel Josele Cleary to review this agreement and to write the letter. Motion approved, 5-0.

VII. ORDINANCE AND RESOLUTIONS

A. RESOLUTION 9-16/STREET DEDICATION – ARCHER LANE

On September 23, 2016 Melissa Kelly and Ben Webber of Rettew Associates and Public Works Director Dale Getz met with Sylvan Partners LP to do the final street walk-through inspection of Archer Lane. Sylvan Partners provided as-built record drawings of the storm sewers. There are some minor changes to be made but Melissa recommended approval of the resolution.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to adopt Resolution 9-16 Street Dedication of Archer Lane as a Township road. Motion carried, 5-0.

B. RESOLUTION 10-16/GREAT EASTERN MANAGEMENT

Brenda Baumbach prepared documents authorizing removal of former Township Manager Ron Youtz's name from the Great Eastern Management account.

Motion: Kent Gardner moved, seconded by Edward Fisher, to adopt Resolution 10-16 Great Eastern Management. Motion carried, 5-0.

VIII. APPROVAL OF PAYABLES

Payroll/Taxes.....	\$ 300,409.93	Electronic Payment
General Fund.....	\$ 266,938.34	Checks 28083 - 28218
Fire Hydrant.....	\$ 0	Checks
Street Light.....	\$ 10,261.16	Checks 407 - 408
State Fund.....	\$ 305,054.18	Checks 3092 - 3101
Escrow Fund.....	\$ 4,095.78	Checks 166
Sewer Fund.....	\$ 4,979.30	Checks 3735
Refuse Fund.....	\$ 134,319.86	Checks 2411 - 2424

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between September 1 through September 30, 2016 and any residuals. Motion carried, 5-0.

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE

Motion: Chairman David Dumeyer called for a motion to adjourn into Executive Session to discuss a personnel issue. Kent Gardner moved, seconded by Edward Fisher, to adjourn the regular meeting at 9:05 p.m. and to go into Executive Session to discuss a personnel issue. Motion carried, 5-0.

Respectfully submitted,



Brenda Baumbach,
Secretary

