

Supervisors Organizational Meeting

January 2, 2007

Time: 7:30 P.M.

Chairman John May called the meeting to order at 7:30 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, Jay Breneman, L. Allen Kreider and Allan Herr.

Members absent: Richard Bauder.

Staff present: Barry Smith, Bill Laudien, Mark Harris, Tom Zug, Mike Dickert, Ryan Strohecker and Rita Young.

Visitors present: See attached.

Mr. May stated the Supervisors held an executive session at 7:00 P.M. tonight to discuss a personnel matter.

Elect Positions

Temporary Chairman Breneman asked for nominations for Chairman of the Board. Mr. Kreider made a motion to nominate Mr. May for Chairman of the Board of Supervisors. Mr. Herr seconded the motion. The motion carried unanimously. Mr. May abstained.

Mr. May made a motion to elect L. Allen Kreider as Vice-Chairman. Mr. Breneman seconded the motion, which carried unanimously.

Mr. Herr made a motion to appoint Barry Smith as Secretary-Treasurer for the township. Mr. Kreider seconded the motion, which carried unanimously.

Mr. May noted the need to establish the Treasurer's Bond for the township. Mr. Breneman made a motion to establish the Treasurer's Bond in the amount of 1,500,000. for 2007. Mr. Herr seconded the motion, which carried unanimously.

Jim Huber, 113 Shannon Drive, asked the amount of the bond. Mr. May stated the amount.

Supervisors Area of Responsibility

Mr. May stated that Mr. Bauder requested a change in the area of responsibility from Planning & Zoning to Protection to Person & Property. Mr. May expressed concerns that since Mr. Bauder has been working on the Sub Division and Land Ordinance, he feels it would be best that there be no changes at this time. Mr. May made the following appointments for 2007.

Planning & Zoning – Richard Bauder & John May

Public Works – Allan Herr & L. Allen Kreider

Protection to Person & Property – Jay Breneman & Allan Herr

Fire & Emergency Services – Jay Breneman & John May

Parks & Recreation – Richard Bauder & L. Allen Kreider

Appointments

Planning Commission – Mr. Kreider made a motion to re-appoint Scott Haverstick to the Planning Commission for a 4-year term. Mr. Herr seconded the motion, which carried unanimously.

Zoning Hearing Board – Mr. Breneman made a motion to adopt Resolution 1-2007 to re-appoint Allan Granger for a 3-year term on the Zoning Hearing Board. Mr. Herr seconded the motion, which carried unanimously.

Park and Recreation Board – Mr. Kreider made a motion to appoint Elizabeth Leaman to a 5-year term on the Park and Recreation Board, seconded by Mr. Breneman. The motion carried unanimously.

Waste and Recycling Committee – Mr. Herr made a motion to appoint Connie Jackson to a 4-year term on the Waste and Recycling Committee. Mr. Kreider seconded the motion, which carried unanimously.

Solicitor – Mr. Breneman made a motion to appoint Goodman & Kenneff as the Township Solicitors. Mr. Herr seconded the motion, which carried unanimously.

Labor and Personnel Counsel – Mr. Kreider made a motion to appoint Ballard, Spahr Andrews & Ingersoll for Labor and Personnel Counsel. Mr. Breneman seconded the motion, which carried unanimously.

Engineer – Mr. Herr made a motion to appoint Buchar Horn as the Township Engineers. Mr. Kreider seconded the motion, which carried unanimously.

Traffic Engineer – Mr. Breneman made a motion to appoint Mark Henise as the Township Traffic Engineer. Mr. Herr seconded the motion.

Vacancy Board – Mr. Kreider made a motion to appoint Donna Taylor to the Vacancy Board. Mr. Herr seconded the motion, which carried unanimously.

Manager – Mr. May made a motion to re-appoint Barry Smith as the Township Manager. Mr. Herr seconded the motion, which carried unanimously.

Assistant Manager – Mr. May made a motion to re-appoint Bill Laudien as the Assistant Manager. Mr. Breneman seconded the motion, which carried unanimously.

Road Foreman – Mr. Herr made a motion to appoint Mark Harris as the Road Foreman. Mr. Breneman seconded the motion, which carried unanimously.

Zoning Officer – Mr. Kreider made a motion to appoint Bruce Ott as Zoning Officer for Manor Township. Mr. Breneman seconded the motion, which carried unanimously.

Assistant Zoning Officer – Mr. Breneman made a motion to appoint Bill Laudien as Assistant Zoning Officer. Mr. Herr seconded the motion, which carried unanimously.

Delegate to the State Convention – Mr. May made a motion to appoint Mr. Kreider as the Delegate to the State Convention. Mr. Breneman seconded the motion, which carried unanimously. Mr. Kreider abstained.

Auditor – Mr. Smith noted that Resolution 2-2007 has been properly advertised for Township Auditor. Mr. Breneman made a motion to approve Resolution 2-2007 to appoint Hess & Hess as the Township Auditors. Mr. May seconded the motion, which carried unanimously.

Traffic Commission – Mr. Kreider made a motion to appoint Tom Zug, Jay Breneman and Mark Harris to the Manor Township Traffic Commission. Mr. Herr seconded the motion, which carried unanimously. Mr. Breneman abstained.

On motion by Mr. Kreider and seconded by Mr. May, the Organizational Meeting adjourned at 7:45 P.M. Motion carried unanimously.

Manor Township Supervisor Meeting

January 2, 2007

Time: 7:30 pm

Chairman John May called the Supervisors Meeting to order. He noted that Mr. Herr, Mr. Breneman, Mr. May and Mr. Kreider were present. Mr. Bauder is absent.

Mr. May called for a respectful moment of silence for the death of President Gerald Ford.

Minutes – Mr. Breneman made a motion to approve the December 4, 2007 minutes as presented. Mr. Herr seconded the motion, which carried unanimously.

Mr. Kreider made a motion to approve the December 27, 2007 minutes as drafted. Mr. Breneman seconded the motion, which carried unanimously.

Bills – Mr. Kreider made a motion to approve the bills as listed. Mr. Herr seconded the motion, which carried unanimously.

Financial Report – Mr. Herr made a motion to approve the Financial Report as presented. Mr. Kreider seconded the motion. The motion carried unanimously.

Solicitors Report – Mr. Smith reported that Mr. Kenneff has filed a brief with the court regarding the doctrine of res judicata. He also noted that Mr. Goodman has been reviewing legal documents for the Sub Division Land Development Ordinance.

Business From the Floor

Mike Long, 2192 West Ridge Drive, asked if the Supervisors have decided anything about the petition he had submitted for the removal of the streetlights along Berkshire Rd, West Ridge Drive, and RT 741. Mr. May stated that they are in the process of having three streetlights removed on Capri Road but they do not have anything planned for West Ridge, Berkshire and RT 741 at this time. He noted that Mr. Bauder has requested that all the streetlights along arterial roads be removed from the billing of any residents, but that will take some time for review. Mr. Long stated that he was disappointed that they have not acted on his petition and this has been going on too long and it is not moral for specific residents to pay for streetlights on arterial roads.

Peter O'Donoghue, 388 Hershey Mill Road, thanked the Supervisors for checking his property in some recent rains but noted he still has a flooding problem. He presented the Board with more pictures of flooding on his property and asked that they continue to monitor the situation.

Old Business

Subdivision Land Development Ordinance – Mr. Smith stated that they are still working on the streetlight issue as it applies to new projects. He noted he has met with the consultant from Rettew and is proposing that the draft ordinance will require streetlights in developments where homeowners associations exist and they will be responsible for the funding for those streetlights. He added that in single-family projects the ordinance proposes that light standards be required in individual properties and would be the responsibility of the property owner as it is developed. He stated that streetlights to go in at intersections would be at the direction of the Supervisors. Mr. Smith asked if the Supervisors were in agreement. After some discussion on single family and multi family areas, or removal of everything in the ordinance, the Supervisors agreed on the proposal.

Police Chief Search – Mr. Smith stated that they have five candidates that are scheduled for interviews next week. He stated that Mr. Herr and Mr. Breneman will be participating in those interviews and hope to have a recommendation at the next Supervisors meeting.

New Business

Resolution 3-2007 Meeting Dates – Mr. May went over the meeting dates noting the Board of Supervisors will be held on the first Monday of each month, at 7:30 P.M. during 2007, with the exceptions of September when the meeting will be held Tuesday September 4 and November when the meeting will be held Wednesday November 7. Mr. Kreider made a motion to approve Resolution 3-2007. Mr. Herr seconded the motion, which carried unanimously.

Resolution 4-2007 Police Pension Plan – Mr. May stated that the Supervisors of Manor Township will continue the Police Pension Plan with no deductions from police salaries required. Mr. Breneman made a motion to approve Resolution 4-2007. Mr. Kreider seconded the motion, which carried unanimously.

Resolution 5-2007 Bank Depositories – Mr. May read the bank depositories as follows: Fulton Bank shall be General Fund, Capital Fund, Payroll Fund, Crossgates Sewer Fund, Street Light Fund, Tax Account Fund, Unemployment Fund and the Deferred Revenue Fund. The Bank of Lancaster County shall be the State Fund, Sewer Fund, and the Post Retirement Medical Fund. Mr. Herr made a motion to approve Resolution 5-2007 for the Bank Depositories. Mr. Kreider seconded the motion, which carried unanimously.

Resolution 6-2007 Sewage Enforcement – Mr. May stated Resolution 6-2007 appoints David L. Lockard as Sewage Enforcement Officer, Marvin Stoner as substitute officer and list the fees as follows: Sewage permit fees for single family and multi-family at \$75.00 and Commercial, recreational and institutional sewage systems and holding tanks at \$110.00. and also lists all other fees for services. Mr. Smith noted there are no increases from last year. Mr. Breneman made a motion to approve Resolution 6-2007. Mr. Herr seconded the motion, which carried unanimously.

Resolution 7-2007 Establishing Fees for 2007 - Mr. May stated this resolution sets the fees for permits, reviews, documents and services for Manor Township and remain the same as it was in 2006. Mr. Kreider made a motion to approve Resolution 7-2007. Mr. Herr seconded the motion, which carried unanimously.

Resolution 8-2007 Managers Salary – Mr. May stated that the salary for manager shall be set at \$79,100 for the year 2007. Mr. Herr made a motion to approve Resolution 8-2007. Mr. Breneman seconded the motion, which carried unanimously. Donna Bare, 107 Chestnut Grove Road, asked what the salary for manager was for 2006. Mr. May stated \$77,538.50.

Resolution 9-2007 Manor Township Sewer Rates – Mr. May stated that there will be an increase in quarterly billing rates from \$50.00 to \$55.00 effective January 2, 2007. Mr. Herr made a motion to approve Resolution 9-2007. Mr. Kreider seconded the motion, which carried unanimously.

Resolution 10-2007 Budget Certification – Mr. May noted that passing this resolution certifies the budget for 2007. Mr. Breneman made a motion to approve Resolution 10-2007. Mr. May seconded the motion, which carried unanimously.

Set Mileage Rate - Mr. May noted that the mileage rate for 2007, adopted by the IRS, will be 48.5 cents per mile for business miles driven. Mr. May made a motion to approve the standard mileage rates for 2007 as adopted by the IRS. Mr. Breneman seconded the motion, which carried unanimously.

Wheatfield Developers – Mr. May noted receiving a petition from Wheatfield Developers to rezone a parcel of land containing approximately 127 acres from R (Rural) to RH (High Density Residential). Mr. Kreider made a motion to refer the petition to the Manor Township Planning

Commission for review and have Mr. Smith send it on to the Lancaster County Planning Commission for comments. Mr. Herr seconded the motion, which carried unanimously.

VCM Partners - Mr. Smith noted that VCM Partners is requesting that their Letter of Credit from Union National Bank #2022 be released. Mr. Smith stated that the Letter of Credit has expired as of December 4, 2006, VCM Partners have met all their obligations and he recommended the release of the Letter of Credit. Mr. Kreider made a motion to release Letter of Credit #2022 Union National Bank, to VCM Partners. Mr. Breneman seconded the motion, which carried unanimously.

Act 67 and 68 Notifications – Mr. May stated the Township has received notification of Act 67 and 68 for two properties. They are Turkey Hill Dairy, Inc. for Wastewater Treatment Facility and Franklin View Farm for renewal of an NPDES permit for a concentrated Animal Feeding Operation.

Correspondence

PSATS 85th Annual State Convention Mr. May made a motion that the appropriate staff and Supervisors attend the PSATS 85th Convention with the necessary expenses paid. Mr. Kreider seconded the motion, which carried unanimously.

APMM Winter Workshop- Mr. Smith noted this management workshop and requested he be able to attend. Mr. May made a motion to approve Mr. Smith attending the APMM Winter Workshop with the necessary expenses paid. Mr. Herr seconded the motion. The motion carried unanimously.

Turf Management- Mr. Smith noted two seminars. The first being a one-day seminar for the Eastern Turf Conference, recommending Mike Dickert and Dan Funk attend and The Winter Turf and Ornamental School, recommending Mike Dickert and Dan Funk attend. Mr. Smith noted that attending these seminars aid in keeping our Parks and Maintenance personnel certified for required pesticide maintenance. Mr. Herr made a motion to approve Mike Dickert and Dan Funk attend the Eastern Turf Conference and the Winter Turf and Ornamental School, with the necessary expenses paid. Mr. Breneman seconded the motion, which carried unanimously.

Traffic Commission - Tom Zug read the Traffic Commission Report stating the meeting was held Wed. Dec. 27, 2006. He noted a request from Lisa Megargee for a pedestrian crossing at Columbia Ave. and Hershey Mill Road. He stated after letters were written, Penn Dot will not act on it, so West Hempfield will erect a crossing and Manor Township will do the same.

Police Report – Tom Zug stated that he had submitted the monthly report.

Road Foreman's Report – Mr. Harris stated that 336 loads of leaves were collected which was a drop of 70 loads from last year. He noted that the 2007 budget included the approval of the purchase of a road bank mower and he just received information that the mower is available through the PA State Contract. Mr. Harris stated that as of Feb. 1, 2007 there will be a price increase for the mower and he recommended they commit to the purchase now and the price would be locked in at \$92,938.55. Mr. Breneman made a motion to approve Mr. Harris purchase the road bank mower for \$92,938.55 through the PA State Contract. Mr. May seconded the motion, which carried. Mr. Herr excused himself from discussion and voting due to a conflict of interest.

Parks & Grounds Maintenance Report – Mr. Dickert noted they have finally stopped mowing. He stated the pavilion in the Woods Edge Park has been completed and they have removed some trees from Greider Park. They are also working on new water fountains at Charlestown Park.

Assistant Manager's Report – Mr. Laudien stated they are in the process of purchasing a new server for the computer system hoping it would be here this month. He also stated the Township calendar is being prepared and hoping that will be available for February. Mr. Laudien stated that the passes for the yard waste program will continue for 2007 and the agreement with LCSWMA has been extended for a three-year program.

Township Manager's Report – Mr. Smith stated he has submitted his monthly report and noted that the Township did receive a grant award from the PA Fish and Boat Commission, for \$3,000 to assist in developing the boat dock area at Blue Rock Road. Mr. Smith gave the Supervisors a copy of a proposal for a variety of fees when the Township bills people for services, such as storm water fees and the humane league, for their review. He noted that staff is suggesting the Supervisors consider enacting a penalty fee for unpaid bills. Mr. May asked if Staff had an estimated monthly delinquent amount. Mr. Strohecker stated an average delinquent amount from month to month would be \$5,000. Mr. Smith also stated there are two tracts of ground being considered for re-zoning at this time from Rural Zone to Commercial Zone and there is an amendment for consideration to the zoning ordinance. He stated the amendment is on hold and has not been advertised at this time because he is unsure if the Supervisors are comfortable with the amendment as it is presently stated. Mr. Smith stated if advertised now and the Supervisors would vote and if voted against, then they would occur extra expenses to start over and he asked that the Supervisors make any changes or final decisions on wording before they advertise. After some discussion, Mr. Kreider stated he has a problem with the ordinance allowing a paint shop and some other uses. He felt there would be too much noise or toxic fumes. Mr. Smith asked that the Supervisors review the ordinance and give him any changes they might want.

Building Permit Report – Mr. Kreider read the Building Permit report noting the number of permits and the amount of income from permits for the month of December.

There being no further business, Mr. Breneman made a motion to adjourn the meeting. Mr. Herr seconded the motion, which carried unanimously. The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

February 5, 2007

7:30 P M

Chairman John May called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, L. Allen Kreider, Allan Herr and Richard Bauder.

Members absent: Jay Breneman.

Staff present: Barry Smith, Bill Laudien, Mark Harris, Mike Dickert, Ryan Strohecker, and Tom Zug.

Executive Session Mr. May stated that an Executive Session was held this evening, prior to this meeting, to discuss a personnel issue and no decisions were made.

Minutes- Mr. Herr made a motion to approve the minutes from the Organizational Meeting that was held January 2, 2007. Mr. Kreider seconded the motion, which carried. Mr. Bauder abstained because he was not present at the January meeting.

Mr. Kreider made a motion to approve the regular January 2, 2007 Supervisors Minutes. Mr. May seconded the motion, which carried. Mr. Bauder abstained because he was not present at the January meeting.

Bills- Mr. Smith noted that the Township has met their obligation to the Millersville Fire Company for the purchase of their property. Mr. Herr made a motion to approve payment of the bills, seconded by Mr. Bauder. Motion carried.

Financial Report- Mr. Smith stated that the Staff has been successful in completing negotiations with the city on the formula of how to calculate the rate at which they charge the Township on gallons per day. Mr. Kreider questioned a \$150,000 entry under the General Fund. Mr. Strohecker stated it is a mistake and should be under the Capital Fund. Mr. Kreider made a motion to approve the Financial Report. Mr. Bauder seconded the motion, which carried unanimously.

Solicitors Report- Mr. Smith stated there is no solicitors report.

Business From the Floor

Peter O'Donoghue, 388 Hershey Mill Road, expressed concerns about the on going storm water problem and erosion on his property and asked what the status of the situation is. Mrs. O'Donoghue stated they have been to these meetings for months and she wants to know what the Township is doing to correct the problem. Mr. May stated they have been out to look at the area and they have not done anything so far. He noted that engineer studies indicate that the storm water construction is correct according to the storm water ordinance but he agrees that it is unacceptable the way the water is coming across onto the O'Donoghue property. Mrs. O'Donoghue expressed concerns over the number of water retention basins that have been constructed to drain into the central pipe that exits onto their property. Mr. Smith stated he believes the storm water construction is correct but they are looking at some other issues, based on comments from previous meetings. He noted he feels the flood plain along the stream has been altered and filled in and he is not sure what effect that might have on the drainage system. Mrs. O'Donoghue noted that the water previously came across the fields and crossed the road in a wider

area than it does now. Since the new development, the water is being funneled from five retention basins into one pipe to come onto their property. After some discussion, Mr. Bauder stated that he has also been out to look at this water problem and he can understand the frustration that the O'Donoghue's have. Mr. Bauder stated that he feels this is frustrating because even though the storm water plan has been approved and developed as per the storm water ordinance by the engineers and constructed to the plan, they do not have to prove that it works. Mr. Bauder also stated that even though it is frustrating, he is not sure there is anything that they can do about the situation and added that he has talked with the farmer below the O'Donoghue property and he feels that the water on his property is worse since the developments also. Mr. Kreider stated that he does not agree with the other Supervisors and in his opinion the storm water basins and design of this storm water plan is incorrect and it is not working correctly. He stated he would like to have a meeting with the management and the engineers to review the situation. Mr. Smith stated that construction is still going on, so the area will still have some changes on that project until the entire project is in a completed stage. The Supervisors did not feel that the storm water is being managed while construction from all the different developments along Hershey Mill Road is going on. Mrs. O'Donoghue asked the Board for some direction to help in this problem. She felt that if something is not done, she is going to lose some trees and have even more problems when spring comes. Mr. Bauder stated that he does not have enough information to know what the Board can do to help. Mr. May stated that he would like to have the engineers meet with the Supervisors to see what can be done about this problem. Mr. Smith noted, for a first step, he could arrange to have the township engineer from Buchart Horn come to review the plans with the Supervisors, and if at that time they are not satisfied, they could arrange further meetings.

Mike Figlio, 423 West Charlotte Street, stated that he has been informed that there is a pedestrian easement running between his property and 419 West Charlotte Street. He noted that when he recently purchased the property he was never told about any easement and his deed does not indicate anything about a public easement leading to the park area for Springdale Farms Development. He stated that after checking, he found that the original sub division plan shows four proposed walking paths. He noted that two paths were completed prior to the areas being turned over to the Township and they blend in nicely. Mr. Figlio felt the two paths already constructed were adequate access and he requested that the Township reconsider and not complete the path along his property. Mr. Kreider asked if the realtor told them about the easement. Mr. Figlio stated no. Mr. May stated it is clearly on the plans for the development and they should have been made aware of it by the settlement company they had. Jennifer Figlio stated that none of this was ever reviewed with them at the settlement for the property.

Gene Walker, 1742 Stonemill Road, expressed concerns about the streetlight in front of his property. He felt that the way the Township collects money for the streetlights is not fair and in some areas residents are paying more than they need. He also noted that the residents across from him on Stonemill Road do not pay for the streetlight and they are within the 250'. He stated that he had brought this to the Townships attention last year and it is still not corrected. He also stated that years ago when the streetlight was installed in 1964, the Township told him they were putting the light up on his property at the intersection of Colonial Manor Drive and Stonemill Road to light up the intersection and he would not be charged for it. Mr. Kreider stated that as far as he is concerned, the whole streetlight ordinance for Manor Township has to be reworked and he is tired of trying to get this straightened out. He wants more information from management. Mr. Bauder added that the streetlight problem came about because the cost of electric has gone so high and these are the steps they took to help with that. He added that the new sub division ordinance they

are working on will include language that will require the developers to put security lighting on individual homes rather than have streetlights maintained by PPL. He stated the current fee assessed to individual homeowners is all the same regardless of how many people in any area pay. It may seem unfair but he feels it averages out. Mr. Bauder stated that he is ready to put the streetlight expense back into the General Fund for 2008 because he feels the new sub division ordinance will take care of it. Mr. Kreider agreed that the ordinance will take care of it in the future but it will not help now. Mr. Kreider noted that he has changed his mind also and feels the Township has the resources to put the streetlight cost back into the General Fund.

Mike Long, 2192 West Ridge Drive, stated he has been here for the past several months complaining about the streetlight assessment and now he is glad to hear the comments of trying to do something about the streetlights. He agreed that some people are paying more than their fair share of the streetlight tax and the tax should be put back into the General Fund. He felt the program should be reviewed, get rid of unnecessary streetlights and put the cost back into the budget. Mr. Bauder stated they cannot accomplish that for 2007, but he is hoping that the cost of streetlights will be included in the 2008 budget for the Township.

Old Business

Sub Division Land Ordinance Update – Mr. Smith stated the consultant has the necessary documentation completed, with the exception of the final numbers for the open space plan.

Police Chief Search – Mr. Smith stated that interviews have been completed and Staff does have one individual for recommendation. He noted they will be setting times up for the Board to meet with the candidate and hopefully they will be moving forward with conditions of employment shortly.

New Business

Resolution #11-2007 Chief Reeve – Chairman John May read the Resolution that the Board of Supervisors of Manor Township Congratulate and Recognize James E. Reeve, hired March 1971, promoted to Sergeant in January 1974, Lieutenant in January 2001, and Chief in February of 2001, for exceptional leadership and service for the Police Department and the citizens of Manor Township. Mr. Kreider made a motion to adopt Resolution #11-2007, seconded by Mr. Herr. The motion carried unanimously.

Fire Company Reports – John Berkenbine, West Lancaster Fire Company, reported that their fire company had 262 calls for 2006 and 174 were in Manor Township. He stated their total operating expenses were \$97,189.00. Keith Eshleman, Millersville Fire Company, noted his report was provided earlier and he thanked the Supervisors for their support and express the sincere appreciation for the Township Manager, the Road Foreman, and the Police Department. He noted they had more runs last year than any previous year.

Murry/Sher-Wal Rezoning - Mr. Smith stated this request is to amend the zoning map by changing two tracts of land currently zoned General Commercial to High Density Residential Flex Zone. The tracts are owned by Murry/Sher-Wal. Mr. Smith noted that this has been before the Board before as a petition, at which time they forwarded it to the Manor Township Planning Commission along with the Lancaster County Planning Commission for comments. The MTPC did not provide a recommendation due to a 3 to 3 vote. Mr. Bill Murry, Murry/Sher-Wal, stated as the petitioner he is requesting the rezoning. Mr. Jeff Burkhart, David Miller Associates, explained this request is a 2.4 acre tract, in the front end of Woods Edge Development, but behind business on Columbia Avenue. He noted current zoning uses and what the flex zone would allow. He stated

the current zoning does not fit the location anymore and stated they have not heard any negative comments from the County on this zoning change. Mr. Murry presented aerial photos showing the location of the site and explained how he would like to develop these two sites with a condominium project. Mr. May noted comments from 2006 LCPC where they recommend that the change be postponed because of the pending Regional Comprehensive Plan and stated he agrees with that. Mr. Kreider stated it is his understanding, that the residents of Woods Edge are opposed to the zoning change and they would rather the two tracts of ground remain General Commercial. Mr. Herr agreed that we should wait until a later date to make a determination on this. Mr. Bauder also agreed.

Dan Deiter, 3174 Cornerstone Drive, stated he lives right across from the property where they are requesting the zoning change. He noted that he was not in favor of the zoning change and felt that if townhouses were put in, they would be very close to the noise of the business they would back up against.

George Elco, 3126 Windon Avenue, asked why the statement was made that the tracts are unsuitable today for the way they were zoned. Mr. Burkhardt stated because the definition of the ordinance for general commercial is tracts that are located along major corridors that would be easily accessible to commuter type traffic.

Yvonne Crouse, 785 Stehman Church Road, stated she feels that Manor Township does not have much commercial area left and it would be in the best interest of the Township to keep it zoned the way it is. She noted that Manor Township has very few commercial areas available and she feels this is a perfect location for it, plus the township would benefit in the tax base by keeping it commercial.

Mr. Bauder stated the largest tax base for commercial that Manor Township has is from the Lancaster County Solid Waste Authority but he agrees that we should still be careful with the remaining commercial property we have in the Township for the future. Mr. Herr agreed we should build the commercial tax base. Mr. Kreider asked Mr. Burkhardt if they considered Local Commercial for the area. Mr. Murry stated yes, however no one has expressed interest in it. After some discussion, Mr. May made a motion that the zoning ordinance not be adopted at this time. Mr. Kreider seconded the motion. The motion carried unanimously.

Hess/Enterline Rezoing – Mr. Smith stated this was advertised for action on the Hess Rezoning Request, and there is also an amendment proposed from the Hess revised zoning petition for the ordinance in that zone. He noted that all parties have agreed that it would be best to act on these at the same time. He recommended that the Supervisors not act on the advertised ordinance at this time and re-advertise after comments are received. Mr. May made a motion that the Supervisors not act on the advertised ordinance. Mr. Herr seconded the motion, which carried unanimously.

Revised Zoning Petition J. Glenn and Rose Mary Hess – Mr. Smith explained that this is a revised petition, which indicates the proposed changes to the original petition. Mr. May made a motion to have the staff and solicitor prepare an ordinance based on the petition and forward the ordinance to the Manor Township Planning Commission and the Lancaster County Planning Commission. Mr. Kreider seconded the motion, which carried unanimously.

Letter of Credit – Woods Edge Phase II Section 2A – Mr. Smith noted that a final inspection for this revealed several deficiencies such as sidewalks. The developer has been made aware of the necessary corrections. Mr. Herr made a motion to retain the Letter of Credit for Woods Edge Phase II Section 2A until the necessary corrections are completed. Mr. Bauder seconded the motion, which carried unanimously.

Columbia Water Letter of Credit – Mr. Smith noted the inspections have been made and all areas are found to be satisfactory. Mr. May made a motion to release the Letter of Credit with Fulton Bank, for the Columbia Water Company. Mr. Herr seconded the motion, which carried unanimously.

Parkfield Phase II Improvement Guarantee Agreement – Mr. Smith stated all documents have been reviewed and he recommended they accept and sign the agreement. Mr. Herr made a motion to accept and sign the Improvement Guarantee Agreement for Parkfield Phase II and accept the Fulton Bank Letter of Credit Number D004312. Mr. Kreider seconded the motion, which carried unanimously.

Act 67 and 68 Notification – Mr. May stated this is notification of Act 67 and 68 that Joel Frey is applying for a permit application for a CAFO for a pullet operation. Mr. Kreider questioned the source of water for this operation.

Delinquent Payment Penalty Policy – Mr. May stated this is consideration for a policy for payment in delinquent bills sent from the Township and it does not pertain to property tax bills or the light tax bills. He noted this would only be for bills sent out by the Township for services such as fees to developers. Mr. Smith noted at this time we have no policy and they are recommending 10% penalty for any unpaid bill over 30 days. Mr. Bauder felt this was high and wanted to amend it to 2%. Mr. Herr noted that the 10% is a pretty standard penalty. After some discussion, Mr. May made a motion to adopt the penalty policy at 10% after 30 days for unpaid bills. Mr. Herr seconded the motion. The motion carried with a 3 to 1 vote, with Mr. Bauder opposed.

Correspondence

Mr. Smith listed the following requests for training.

PELRAS Convention – request for Mr. Smith attending with necessary expenses paid.

PA Leadership Training - requesting the appropriate personnel attend with expenses paid.

Professional Pest Manager's School – request for Mike Dickert, Dan Funk, Mark Harris and Ron Shenk to attend with the necessary expenses paid.

Crossmatch Technologies – request for Officer Mark Burkholder attend this seminar with necessary expenses paid.

Mr. Herr made a motion that the listed seminars be approved for the recommended personnel to attend with the necessary expenses paid. Mr. Kreider seconded the motion, which carried unanimously.

Traffic Commission

Chief Tom Zug read the minutes for the Traffic Commission, which was held January 31, 2007. He noted a request for a Stop Sign at Crossgates & Winding Creek Rds, which will be passed on for a traffic study.

Police Report

Chief Zug stated the monthly police report has been submitted to the Board.

Road Foreman's Report

Mr. Harris noted that they are currently trimming trees, chipped over 1,000. Christmas trees and have been doing maintenance to the shoulders of some roads.

Park and Grounds Maintenance Report

Mr. Dickert stated it was a warm month and they have done some weed control and tree pruning. He noted that they have been doing maintenance to equipment and installed five new park benches.

Assistant Manager's Report

Mr. Laudien noted the Township Calendar has been delivered to homes and we are hoping to install the new server in the office this month.

Township Manager's Report

Mr. Smith noted he has submitted his monthly report. He listed working on the traffic maintenance program and ways to save money. He stated Wal-Mart is expected to submit a Land Development Application and if they do, it will probably include upgrades to our traffic signals. Mr. Smith stated the Audit has been completed by Hess & Hess and the Police Union has filed two grievances for personnel matters. One is for the 12-hour shifts and the other deals with the OIC Officer in charge pay. Mr. May noted that they have received the audit from the liquid fuels.

Building Permit Report

Mr. Kreider read the Building Permit Report noting there was a total of 24 permits issued in the month of January with a dollar value of \$1,031,603.

Bids

Mr. Herr stated that due to the escalating cost of road materials, he would like to suggest that Mark Harris have the option to bid road materials a couple different ways to take advantage of different prices. The Board agreed that Mr. Harris have that latitude to do that.

There being no further business, Mr. Herr made a motion to adjourn the meeting at 8:45 PM. Mr. May seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

March 5, 2007

7:30 P M

Chairman John May called the monthly meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, L. Allen Kreider, Allan Herr, Jay Breneman and Richard Bauder.
Staff present: Barry Smith, Interim Chief Tom Zug, Mark Harris, Bill Laudien, Mike Dickert, Ryan Strohecker and Rita Young.

Visitors present: See attached.

Executive Session – Mr. May stated that an Executive Session was held February 23, 2007 at 3:00 pm in the Manor Township Conference Room to discuss the hiring of a Police Chief.

Minutes – Mr. Kreider made a motion to approve the minutes from February 5, 2007 as submitted. Mr. Herr seconded the motion, which carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills as listed. Mr. Bauder seconded the motion, which carried unanimously.

Financial Report – Mr. Kreider made a motion to approve the financial report as submitted. Mr. Herr seconded the motion, which carried unanimously.

Solicitors Report – Mr. Smith stated there is no solicitors report.

Business From the Floor

Mike Figlio, 423 W Charlotte St, stated he was in last month with concerns about a pedestrian easement between his property and his neighbor's property. The easement would be a path to the park and open space for the development. He asked if the Supervisors have considered his request to omit the pathway, which has not been constructed yet. Mr. May stated that he would like to go to the location before making any decision. He would also like comments from Mr. Dickert. The Board agreed to look at the property and have a decision for the April meeting. Mr. Smith stated that would accommodate the time schedule of the road crew also.

Dennis Mitterer, Mountville Boro Authority, presented an overview of the proposed uses of the old Mountville Elementary School building, which was given to the Boro, and will be the Mountville Regional Community Center. He stated the purpose of the building is to engage East and West Hempfield Townships, Manor Township, and Columbia and Mountville Boro in a regional community type setting where all types of activities could be held. Mr. Mitterer listed programs that will relocate to the building such as the Mountville Library. It will include youth activities and other available space for programs. He stated they are in the process of a feasibility study at this time to get the actual costs in place and they do have a grant from the Lancaster County Commissioners because the building must be brought up to code. He noted they are not asking for money at this time but are asking for support from the Township and if the Supervisors would be willing to allow them to put some type of information about the Center in the Township newsletter for this program. Mr. Bauder asked who established this authority. Mr. Mitterer stated the Mountville Boro Authority has been in existence for 70 years. Mr. Bauder asked if they have a projected cost to run the facility after all the grants and initial costs to set the center up are completed. Mr. Mitterer had a diagram of the building and stated initial cost to have the building brought up to code would be about 3 ½ to 4 million dollars and the feasibility study will define the

other costs when that is completed. Mr. May stated the Township would be glad to run an article in the newsletter for them. Mr. Smith added that they have talked about having a satellite location for the Manor Township Police located in the building also.

Elizabeth O'Donoghue, 388 Hershey Mill Road, presented a letter from neighbors about the water they have been observing in the area and she thanked the Board and Mr. Smith for the attention to the water problems that they are having on Hershey Mill Road and thanked them for taking the interest in the problem. She asked that they continue to keep working on it. Mrs. O'Donoghue also expressed a concern about the excavation with Millstone Development and Parkfield Dev. She noted that the construction company was Miller Warner and she has a concern that Mr. Miller is on the Manor Township Planning Commission and feels this could be a conflict of interest.

Joe Richey, 335 Ironstone Ridge Road, stated that in December the Township was mowing along his road and damaged some landscaping on his property. He asked what plans the Township has to correct the damage. Mr. May stated he is aware of the damage that was done beyond the right of way. Mr. Richey stated the bamboo screening he had planted got mowed off and he would like it replaced with 8-foot bamboo. Mr. Smith stated that the bamboo should come back and will grow very fast and if it does not, then the Township will determine a solution to the problem. Mr. Richey stated that they had paid a landscaper to put the bamboo in a few years ago he would like to see it replaced with at least 8-foot bamboo. Mr. May stated the Township plans to check it this spring when things start to grow and make a determination at that time.

Pat Weidinger, 2025 Manor Ridge Dr., expressed concerns with the streetlight tax that has been assessed on certain properties. He stated that it is unfair to tax certain residents for streetlights when residents from all over the Township drive on roads and receive the benefits. Mr. May stated there are three ways to pay for streetlights, that being the general fund, the 250' rule or by the front footage assessment of the property. After some discussion Mr. Weidinger stated he felt it is unfair to assess any property for a service that benefits the entire Township. Mr. Bauder stated that he did vote for the streetlight tax but he has since changed his mind. He feels the streetlight cost should be put back into the general fund but he feels there is a valid argument to both sides of this.

Old Business

Streetlights – Mr. Kreider stated that he has looked at this issue for some time, along with studying the budget and the street lighting effectiveness. He stated he is strongly in favor of taking three arterial roads off the streetlight billing and placing them into the general fund for payment. The three roads would be Columbia Avenue/Rt462, Millersville Road/Rt741 and Blue Rock Road/Rt999. He stated that Mr. Strohecker and Mr. Laudien have reported that the PPL bill for these three arterial roads was \$8,348 for 51 lights and we collect \$12,909. After getting this report, Mr. Kreider made a motion to put the cost for lights on the three arterial roads back into the general fund for payment for the 2008 budget. He also asked if in 30 days, Ryan could give the Supervisors the result of what happens if all the streetlights that are now being billed to the public, were to be placed back into the general fund or the capital fund so we can rule on that in the April meeting. Mr. Bauder seconded the motion to put the three arterial roads back into the general fund.

Mr. Jackson, 506 Garden Hill Road, asked if they consider the light he had brought to their attention on Stonemill Road. Mr. Smith stated arterial roads are defined by name and definition in the zoning ordinance and Stonemill is not an arterial road.

Joan Matterness, 213 Sutherland Road, expressed concerns about the streetlight tax. She felt the tax is unfair and it is a nuisance tax. She questioned the cost of electric for traffic lights and other

lights that are in the Township. Mr. Kreider stated that Mr. Smith has analyzed the cost for traffic and he is looking into LED lights, which would pay for themselves within three years. Mr. Kreider stated they are trying to work on each issue with streetlights at a time. They cannot put all costs back into the general fund at one time. Ms Matterness stated that she has been coming to the meetings for six months and nothing has been done. The step to remove arterial roads is the first the Board has taken, but she felt it is still very unfair to tax people for streetlights on other roads. She also felt it is unfair that certain people petitioned to have lights removed. Mr. Bauder stated that the people that petitioned to take the streetlights out said they were ineffective and he feels there are many streetlights in this township that are ineffective. He stated he feels streetlights are dinosaurs that came in before there were advances in private security lighting and better technology. He estimated that we are paying three times the cost of electric because of contracts the township has with PPL and he would like to find a solution around this problem and address this issue. He stated he has changed his view and he is ready to put streetlights back into the general fund in 2008. Mr. Laudien stated that the budget numbers for the streetlight tax does not include the traffic signals or the lighting for buildings the township owns. Mr. Bauder stated we do not get a bill based on the amount of electric used by the streetlights. He noted we get a charge for each light based on a contract with PPL. Mr. Breneman stated that he would not be in favor of making this motion to put the arterial roads back into the general fund, not because he does not agree with the motion, but because he feels they need to discuss this issue until they are sure they have the entire situation for streetlights solved. He stated he does not want to make a motion on part of the issue and have to change it when completing the 2008 budget when they have budget sessions. Mr. Kreider stated in his opinion we should be starting the 2008 budget in January of 2007.

Mike Long, 2192 West ridge Drive, expressed concerns that the Supervisors should act now. It is time to do anything and continue to do things. He stated they should manage the Township because that is your job.

Mr. May called for a vote for the motion on the floor, to put the streetlights on arterial roads back into the general fund for payment in the 2008 budget. The motion carried with a three to two vote. Mr. May, Mr. Kreider and Mr. Bauder voted in favor and Mr. Breneman and Mr. Herr were opposed.

New Business

Final Draft Subdivision and Land Ordinance – Mr. May stated that they now have the final draft for the Subdivision and Land Development Ordinance and are now ready to have it reviewed by the Lancaster County Planning Commission and the Manor Township Planning Commission. He noted it is a very large document. Mr. May stated it does include a provision for streetlights (Section B 502.13) where a developer will be required that each single family dwelling will be required to have an on premise light, at least one lantern or post style lamp light fixture and states that this fixture shall be activated by a photo electric switch. Mr. May stated that he is not sure it should be stated that way because he turns his outside lights off at night when he goes to bed. Mr. Kreider agreed that a person should be able to turn the light off, even though these lights were to replace streetlights that are on from dusk to dawn. Mr. Bauder stated the pole lights were intended to provide pedestrian lighting and they are inexpensive to leave on. Mr. Herr stated that if you have the lights on a switch, a resident could not turn them on at all which would not be taking the place of a streetlight. After some discussion, it was stated that Section 502-13B1B stays as it is written. Mr. May stated that Section 407.1 –Water service feasibility report under F –1C rules on

calculating the DEP sewage flows. Mr. May felt this part should be clarified. Mr. Bauder stated Section B-31 511 –C1, refers to the calculating of park and recreational land being allotted for each residential lot. He feels it should say for each residential dwelling because this would reflect a more accurate calculation of the number of people to be served.

Bonnie Miller, 113Bent Tree Dr., stated that the County uses “lots” in their wording. Mr. Bauder stated that if we change to dwellings, the Township would acquire 5 to 6 times more open space than by calculating it by the County ordinance.

Mr. Laudien stated that a place where this would be very prevalent would be a mobile home park where there is one lot and many dwellings. Mr. Laudien suggested that they allow staff to review this and make the appropriate changes in this. Mr. Bauder agreed that management should review it.

Mr. Breneman commended Barry and Bill for the amount of work that was put into this draft ordinance. Mr. May made a motion to make the changes as dictated, review wording for lot or dwelling and forward the draft ordinance to the Township Solicitor as the official ordinance. The ordinance will then be forwarded on to the LCPC and the MTPC. Mr. Bauder seconded the motion, which carried unanimously.

Bids – Mr. Smith noted there were four bids received for the advertised 2000 John Deere 6410 Tractor and Mower. He noted bids as follows: Advanced Elevator Corp @ \$6,429., Leroy Reich @ \$9,000., James Musser @ \$17,110. and Miller’s Repair @ \$19,555. Mr. Smith recommended accepting the high bid from Miller’s Repair. Mr. Herr recused himself from any motion because he is involved with the State contract under purchase of the new mower. Mr. Bauder made a motion to accept the high bid from Miller’s Repair for \$19,555. Mr. Kreider seconded the motion, which carried with 4 in favor. Mr. Herr recused himself and explained that the new mower being purchased, is totally on state contract and Lancaster Tractor employs him, he did feel since they submitted under State contract, he should recuse himself.

Executive Session – Mr. May called for a five minute recess to review the hiring of a Police Chief.
8:30 PM.

The Supervisors resumed the regular meeting at 8:35 PM.

Police Chief – Mr. Smith noted there have been negotiations with a candidate for the position of police chief. Mr. Smith recommended the Supervisors make a conditional job offer to the candidate with a compensation package that includes our current benefit plan, a salary of \$73,000., and use of an older police vehicle. This offer will be pending that he passes a background check and all the required tests. Mr. Breneman made a motion to make the conditional offer as listed. Mr. Herr seconded the motion, which carried unanimously.

Comments for Strickler Site – Mr. May stated the Strickler Site, a defined Indian village in Washington Boro, is being considered, to be named a National Site Landmark by the Landmark Committee of the National Park System Advisory Board. He noted that they may write a letter of support for the application that will be considered April 11th and 12th in Washington DC.

Comments for Shultz-Funk Site – Mr. May stated the Shultz-Funk Site, which is located near the Strickler Site, is also a defined Indian site and is also being considered by the Landmark Committee of the National Park System Advisory Board to be set aside as a National Site

Landmark. After comments about the two Indian sites, Mr. Bauder made a motion to write a letter in support of designation of both the Strickler Site and the Shultz-Funk Site. The motion was seconded by Mr. Breneman, which carried unanimously.

CD Investment – Mr. Smith noted that it is time to renew the investment CD for \$41,428.67 at Fulton Bank. Mr. Smith went over the options of a 6 or 12 month CD with a 5% interest. After some discussion Mr. May made a motion to renew the CD with Fulton Bank, in the amount of \$41,428.67, for 12 months at 5% interest rate. Mr. Breneman seconded the motion, which carried unanimously.

PA Fish and Boat Commission Agreement – Mr. Smith noted he has the final document for the PA Fish and Boat Commission Agreement for the floating dock that is to be put in at the Blue Rock Road landing. Mr. Smith noted that this agreement is for a \$3,000 grant. Mr. Herr made a motion to accept the agreement and that Mr. May and Mr. Smith sign the agreement. Mr. Kreider seconded the motion, which carried unanimously.

Building Code Requirements for Renovations and Act 95 – Mr. Laudien stated that there are basically two issues. The first being change in Building Code with repairs and alterations are no longer covered under the building code process so this means if someone were finishing their basement, they no longer require a permit to finish their basement unless they are structurally changing the basement with load bearing walls. He noted that the building code inspector, Mr. Nelson, would like the Board to clarify if we want to modify the Township building code or not. Mr. Laudien also noted that the old regulations required a second means of egress when finishing a basement and the current ordinance does not require that. Mr. Kreider stated he has concerns if we do not require permits for electrical work and plumbing because there is a greater concern for fires. In his opinion we should continue code enforcement for basements. Mr. Laudien noted that major electrical work and plumbing still falls under the regular building codes, this is just for minor repairs. Mr. Laudien recommended that they leave the code at its present rules.

Bonnie Miller, 113Bent Tree Dr., stated that new construction does put a window or door in a basement regardless of any other rules.

Mr. Laudien explained that Act 95 states any commercial building that has not been certified or inspected, needs to be certified and inspected when it changes ownership. He recommended to advertise and pass this provision because there are commercial buildings along Columbia Avenue that have not been certified at this time and once it is certified, it would only be required to be certified again if the use changes.

Mr. May made a motion to continue to keep basement inspections the same and not require permits for minor repairs or minor work unless load bearing walls are affected and we require inspections of commercial buildings if they change ownership or the use changes. Mr. Herr seconded the motion, which carried unanimously. Mr. Smith noted he will have an amendment to the ordinance prepared.

2008 Regional Advisory Council Representative – Mr. May stated this advisory council requests a residential person and a municipal person to be appointed. Mr. Smith stated our present person for the residential position has been Pam Shellenberger but we have not had a municipal representative for several years. Mr. Smith stated we will make the recommendation for Ms Shellenberger to continue serving and the Advisory Council will contact her.

Correspondence

Mr. May noted information for the Lancaster County Association of Township Supervisors. Mr. Bauder made a motion that the Supervisors attend with the necessary expenses paid. Mr. Breneman seconded the motion, which carried unanimously.

MAGLOCLLEN – Mr. Kreider made a motion for the approval of Detective Alexander to attend the MAGLOCLLEN Conference being held April 2-6, 2007 with the necessary expenses paid. Mr. May seconded the motion, which carried unanimously.

Traffic Commission

Tom Zug noted the Traffic Commission Meeting was held Feb. 28, 2007 at the Manor Township Municipal Building. There were no visitors. He noted a traffic study was conducted for a stop sign on Garrity Rd. at Murrycross Way with a recommendation to post the stop sign at that location. A traffic study was also conducted for a No Parking sign to be posted within the Parkfield Development. The Traffic Commission is recommending that a No Parking Zone be established in Parkfield. Mr. Breneman made a motion to approve the recommendations of the Traffic Commission. Mr. May seconded the motion, which carried unanimously. Mr. Bauder made a request to the Traffic Commission to check out a sight problem at a stop sign at the end of Bender Road. The Stop sign is not visible and he would like it checked. He noted there is a large bush blocking the sight distance. Mr. Harris stated that previously the State has had responsibility of the Stop signs on Township roads when entering State Roads. However, just this month, Penn Dot has turned that responsibility over to the townships. Mr. Harris stated he will contact the property owner.

Police Report

Acting Chief Tom Zug noted that the Police Report has been submitted.

Road Foreman's Report

Mark Harris noted his report has been submitted and for the month of March he is scheduling pipe replacement and crack sealing. He noted maintenance to prepare for summer projects, including bids for materials. Mr. Herr thanked Mr. Harris and the road crew for the excellent job they did while plowing snow. He noted receiving calls and letters about the good condition of our roads. The other Supervisors agreed.

Pat Weidinger also agreed about that Manor Township roads were in very good condition and that the road crew did an excellent job.

Park & Grounds Maintenance Report

Mr. Dickert reported winter maintenance on equipment and installing new picnic tables at the Woods Edge pavilion. They have also installed an informational bulletin board at the Washington Boro Park Pavilion so things can be posted. He noted he is in the process of updating the hazardous substance materials at the maintenance building.

Assistant Manager's Report

Mr. Laudien reported there is an on going problem with the trash haulers being able to have enough time to complete pick up for their customers. The smaller haulers are requesting that we increase the number of days we allow pickup. He noted the request has been sent to the Waste and Recycling Board to review and give recommendations.

Township Manager's Report

Mr. Smith stated his report has been submitted. He added that previously the Township had adopted Act 537 and now DEP will not provide the 50 % reimbursement funding until each municipality passes a resolution indicating their intent to begin the on lot system management program. It must be completed in two years and he will be preparing the draft resolution and hope to have it ready for the April meeting. Mr. Bauder asked what the reimbursements are for. Mr. Smith stated it would be the 50% reimbursement for the cost of the project for Act 537. The Board discussed the three-year cycle of an on lot system and other aspects of maintaining this. Mr. May asked about future development with the School District. Mr. Smith stated he had a meeting about the planning of Manor Township for the future so they can meet the needs and providing facilities.

Building Permit Report

Mr. Kreider read the Building Permit Report noting that there were 27 building permits issued in the month of February bringing the total number of permits for the year to 51.

Jim Huber, 113 Shannon Drive, commented on the proposed zoning ordinance. He made comments about large-scale shopping centers, the Roth plan and comments about the information that Hanover Engineers is working on. Mr. May explained that Hanover Engineers is in the process of drafting an ordinance for the Township at this time.

Mr. Kreider made a motion to adjourn the meeting at 9:20 PM. Mr. Breneman seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

April 2, 2007

7:30 PM

Chairman John May called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, L. Allen Kreider, Allan Herr, Jay Breneman and Richard Bauder.

Staff present: Barry Smith, Interim Chief Tom Zug, Mark Harris, Bill Laudien, Ryan Strohecker, Mike Dickert and Rita Young.

Visitors present: See attached.

Minutes - Mr. Kreider made a motion to approve the minutes from the March 5, 2007 meeting. Mr. Breneman seconded the motion, which carried unanimously.

Bills - Mr. Herr made a motion to approve the bills as presented. Mr. Bauder seconded the motion, which carried unanimously.

Financial Report - Mr. Kreider questioned two payments for thermostats. Mr. Smith stated it was for two separate occurrences. The thermostats were changed on the Municipal side of this building and then there was a problem and they were changed on the Police side of the building. Mr. Smith noted they were going to change them on the Police wing next year, but since the problem surfaced, they went ahead and replaced them now. Mr. Kreider questioned the price. Mr. Smith stated the price included other work besides replacing the thermostats. Mr. Bauder questioned a receipt of 53,000. Mr. Strohecker noted a mistake was made when the February LCSWMA tipping fee was deposited into the General Fund. It will be transferred out. Mr. Kreider made a motion to accept the Financial Report as submitted. Mr. Bauder seconded the motion, which carried unanimously.

Solicitors Report – Mr. Smith stated that there is nothing to report at this time.

Business From the Floor

Peter and Elizabeth O'Donoghue, 388 Hershey Mill Road, thanked Mr. Kreider, Mr. May and Mr. Bauder for being involved in the storm water problem on Hershey Mill Road. She asked what new development is going on along Donnerville Road and asked where the storm water from that site will go. Mr. Smith stated that is a new sub-division and the storm water will go into the stream that runs along the property. Ms. O'Donoghue expressed concerns that this will add to the flooding that is already occurring on her property and asked why the Township can not stop all the development that is going on, in the Hershey Mill Road area, until the storm water problem is resolved. Mr. Smith stated that this new construction, Timson Hill Place, has met all the existing regulations and requirements, including storm water management. Mrs. O'Donoghue felt the planning process does not work and there is still a problem with the bridge on Rohrer Road. She expressed concerns that even more flooding will occur on her property and the Shelly's property, with this new development. Mr. May stated he does have a concern and would like more information about the culvert that is located at the Shelly property. Mr. May also noted concerns with the retention basin at Timson Hills. Mr. Smith stated those basins only detain not retain. Mrs. O'Donoghue expressed concerns that she would like to see something done right now to help this problem. Mr. May stated he can have someone review the storm water portion of the project. The O'Donoghue's felt that the amount of homes and amount of development in the area is very high

and this has resulted in the lower areas flooding. Mr. May stated the developments are in compliance with all the regulations. Mr. Kreider expressed concerns and stated when they went out to inspect this site there were some violations and after the violations were detected, the company worked to fix them. He felt there are still some problems but he does not know what to do about it. Mrs. O'Donoghue felt the bridge is a problem and stated it is a Township issue that should be addressed. Mr. Bauder stated they have built silt traps but he does not know if they work, and they can build things by specifications, but they do not have to prove they work as designed. He also stated that the river keeper person stated that the culvert located at the Shelly property is not correct. Mrs. O'Donoghue stated their quality of life has changed because of all that is going on with this development and the increased worry of flooding. She also noted a report by Allen Houck, and stated she has a problem with Jim Miller being a member of the MTPC and the fact that he is a contractor doing work in Manor Township. Mr. May asked Mr. Harris questions about the culvert on Rohrer Road, noting erosion and also that the angle is not correct. Mr. May stated that replacement for the culvert is not in the budget in the near future. Mr. Smith stated we could have Buchart Horn come and give a recommendation for the bridge. Mr. May agreed it would be good. Mr. Kreider stated he does not feel we should have Buchart Horn be the one to look at it and in his opinion they have caused some of the problems here. Mr. Kreider stated he would like to have a second opinion. Mr. Smith stated that would be possible but, Buchart Horn has reviewed the plans as per our ordinance, and if the Supervisors are not happy with what was approved, then they should review the ordinance. Mr. Kreider stated he would feel better with a second opinion. Mr. May stated they will contact the O'Donoghue's when they get the second opinion. Mr. O'Donoghue stated that he would like to see the Supervisors take a pro-active focus and address the concentrated high density being permitted. Mr. Herr suggested that the old culvert/bridge located on the abandon portion of Hershey Mill Road could possibly be removed to ease the flow through that area. The Supervisors agreed to have that area examined when the engineers come for the second opinion.

Henry Barley, 201 Bender Road, stated that Miller/Warner Construction only lays the pipes for these projects and they do not design the plans. Mrs. O'Donoghue asked why they are listed on the reports then.

Ted Gingrich, 110 Bent Tree Drive, questioned the 113,000 donation listed for Millersville Fire Company in the 2007 Budget which is more than any Manor Township Fire Company has received. He noted past requests from the West Lancaster Fire Company that were turned down. Mr. May stated this had been discussed at the budget meetings and the Board had decided to help purchase a piece of land to construct a large building for them. Mr. Gingrich did not feel the location was good and he felt it should have been built where there was more development. Mr. Herr stated that Millersville Fire Company responds to a large number of calls in Manor Township and the Board felt since the land was available, they should support them. Mr. Gingrich had concerns that Manor Township has helped this fire company so substantially when the fire company is not even in Manor Township. Mr. Gingrich stated that he felt there should have been a public hearing for it. Mr. May stated it had been discussed for a while and discussed at the budget meetings, which are open to the public.

Old Business

Springdale Farms Development Access – Mr. May stated the proposed access is a path that was on the original plans, to go between two houses in Springdale Farms, for access to the open

space for that development. Mr. May stated that the Park and Recreation Board met this past month and after their discussion, their recommendation was that the path should remain. Mr. May stated that even though the new owners were not told about the proposed path by the real estate agents, the access exists on the original plans. He noted that two other access areas exist, but they are very steep. Mr. Breneman asked if we are required to provide handicapped accessibility to the open space area. The Board discussed several options of ways the path might be constructed such as mulch. Mr. Kreider was sympathetic with the two residents where the path is located and felt the path will decrease the value of their property because people will be walking their dogs along it and the dogs will litter the path. Mr. Kreider felt the path should just stay as it is, a lawn, and the owners of the property are willing to just let people walk through the area. Mr. Bauder stated in his opinion it was a poor plan from the beginning because the developer did not allow enough room for a path to be constructed. He felt a path, should have been paved by the developer, if it was going to be there and there was no parking provided for the path. Mr. Bauder suggested that the path be vacated. After some discussion, Mr. May suggested that the walkway not be installed, but retain the easement and if the easement becomes a problem, then the Board can vacate the easement. Mr. Herr stated he would not be in favor of vacating the easement because if the Township was required to provide a handicapped easement to the open space area, or if the police would need to get to the area for any problem, they would need this easement. Mr. Kreider did not see any reason that there might be a problem in the area and felt we did not need to keep the easement to provide access for problems.

Keith Testerman, 419 W Charlotte St., and Mike Figlo, 423 W Charlotte St., both stated that if the Township would have to make the path a handicapped access, there would be not be anywhere for them to go at the end of the pathway anyway. Mr. Herr asked Mr. Dickert if it was possible the Township could ever be required to make the park entrance accessible to handicapped. Mr. Dickert stated yes, under the ADA rules we could.

Bonnie Miller, 113 Bent Tree Dr., noted some other locations where there is macadam access to this type of area and it is not very nice.

After some discussion, Mr. May made a motion that they do not install any type of walk way at this time, but maintain the easement that is on the original plan. Mr. Breneman seconded the motion, which carried unanimously.

Bamboo - Mr. Smith stated he has talked with Joe Richey, 335 Ironstone Ridge Rd, about the bamboo that was inadvertently mowed off by the road crew. He stated it is our intention that when weather permits, we will treat the existing roots of the bamboo and hopefully the bamboo will grow back very thick. Mr. Smith noted that if this should not work, the Township agrees to take the necessary steps to replant the bamboo. Mr. Richey stated he is agreeable to this.

Street Lights – Mr. May stated that he has requested this be on the agenda for tonight. He noted that last month the Supervisors voted to roll back the streetlights for the arterial roads into the general fund, knowing the financial impact. Mr. May stated that in his opinion, the Township can afford to put the entire streetlight account back into the general fund account. Mr. May made a motion to put streetlight costs back into the general fund account for the year 2008. Mr. Kreider seconded the motion. Mr. Bauder stated that he agrees with placing this expense back into the general fund, even though it may not be in perpetuity, and there could be a need to increase the millage of the taxes to cover the expenses for this, but for now it appears we have sufficient funds. Mr. Kreider noted he still has concerns about the number of streetlights that exist and would like to get rid of some of the lights. Mr. May agreed that we could do this bit by bit and remove any

streetlights that residents do not want. Mr. Bauder has concerns because the Township is under contract with PPL and is paying three times as much for the lights, as compared to just the cost of the energy. He noted he would like to get out of the contracts and just pay for the electric being used, and in his opinion they are old and outdated lights. Mr. Breneman expressed concerns about making the motion to do this now and not wait until they are in budget sessions for 2008, since it will not be in effect until 2008, that way if for some reason it did not seem feasible when working on the budget, they would not have to make a motion to change it again. Mr. Bauder stated he is in favor of doing it now so the subject can be put to rest. Mr. Kreider stated that from 2004 to 2006, we have increased the revenue by \$600,000 and he does not see a problem to do this right now. Mr. Herr stated he has concerns that they should wait until the work sessions for the 2008 budget. Mr. Herr stated expressed concerns that to do this, there will be a lot of people that will be impacted by an increased assessment and are not serviced by lights, and it will be greater than the \$39.00 cost billed for streetlights. Mr. Herr stated he feels there is a silent majority that has not been heard from because they are not aware of the impact it will have on them when electric charges increase. Mr. Bauder stated it should run around 12.00 per household when you spread it through the whole township. Mr. Smith stated that everyone needs to be aware that the motion does not eliminate the tax but states an intent to eliminate the tax. Action to do this would require a resolution or ordinance and should be done prior to the budget adopted for 2008. He noted that now if something happens to the township's financial position, they would have to take alternative action. Mr. Herr stated he is not opposed to this, just opposed to doing it without discussion of the 2008 budget. Mr. Bauder stated in his opinion, they should be working on the budget all year long. Mr. May stated, the motion has been made, to put the streetlight cost back into the general fund and seconded. He called for the question. There was a three to two vote showing Mr. Bauder, Mr. May and Mr. Kreider voted yes. Mr. Breneman and Mr. Herr were opposed. The motion carried 3 to 2.

Subdivision Land Development Ordinance Update – Mr. Smith stated the Subdivision Land Development Ordinance has been forwarded to the MTPC members along with the LC PC for their consideration. He noted the MTPC is scheduled to consider it at their Monday night meeting and it is scheduled for the Supervisors adoption at the May 7th Supervisors meeting. Mr. Smith stated the MTPC members have expressed concerns that they would like more time for review of the ordinance and they will probably schedule a second meeting for review. Mr. Bauder stated that the PC had two members on the committee that should have kept the PC informed, and he feels there was adequate time for review. Mr. Smith stated that in fairness to the PC, they did not receive the entire document until recently. Mary Glazier, 269 Chestnut Grove Road, is a member of the PC and she noted that she just received the document and they have a very full agenda. Mr. Smith stated that if the PC would like another meeting then the Township will have the consultant and staff team attend the meeting to give a brief presentation and comparisons. Ms Glazier stated she would like another meeting for review and noted that she would like to see the Sub Division Land Ordinance passed as much as anyone else, but she would like to see it be done right. She stated that they should also look at the storm water ordinance also.

Bonnie Miller, 113 Bent Tree Dr., asked if this ordinance will go to the County next Monday. Mr. Smith stated he does not know if it is on their agenda. She also asked if there was a time frame to complete this. Mr. May stated they will move this along as fast as possible. Mr. Herr stated that the MTPC needs time to review the ordinance, and if we need another month we should take it. Mr. Smith stated he will have to check and see if another 45 day review period is required if the Board does not act on it for when it was advertised, and noted he will check with the solicitors. Mr.

Bauder expressed concerns that we have taken such a loss from developments where we have received a minimal amount of recreation space up to this point and that if a developer applies right now, he would not want to see the township lose any more ground. He feels we need to pass the ordinance as soon as possible and if we have to amend it later we can do so. Mr. May agreed.

Bonnie Miller, 113 Bent Tree Dr., stated that her main concern is for quality of life. She feels developers are just hovering over Manor Township and she would like to see some type of moratorium put in place for Manor Township because our township is being over run with development.

Pat Weidinger, 2025 Manor Ridge Dr., felt that we need this ordinance but it needs to be done correctly and be thought through.

Bids - Mr. Smith stated the notice for awarding bids had been properly advertised and the bids were opened this afternoon at 2:00 by Mr. Harris and Mr. Smith. He went over the bids as received.

In Place Bid Results: Handywerk, bid a total of \$196,790.92

Highway Materials, Inc, bid a total of \$194,095.17

Mr. Smith recommended the bid go to Highway Materials, Inc. for the low bid. Mr. Smith noted they are pleased with the bids, they are lower than budgeted and the bids do include an escalator clause. Mr. Herr stated that policy in the past has been to use the 2 ½" overlay verses a 2" overlay and he feels they should stay with the 2 ½" overlay this year for Chestnut Grove Road so they can properly contour the road to get rid of water. Mr. May made a motion to award the bid to Highway Materials, Inc. for In Place at \$194,095.17. Mr. Breneman seconded the bid, which carried unanimously.

Seal Coat Bid Results: Stewart & Tate bid a total of \$68,226.06

Highway Fund Martin Paving bid a total of \$67,380.60

Mr. Smith noted this bid is for a quantity of 85,400 sq yards and recommended Stewart & Tate as the lowest responsible bidder.. Mr. Bauder made a motion to award the bid to Martin Paving for Seal Coat for a total of \$67,380.60. Mr. Breneman seconded the motion, which carried unanimously.

Seal Coat Bid Results: Stewart & Tate bid a total of \$4,931.80

General Fund Martin Paving bid a total of \$7,629.30

Mr. Smith noted this bid is for a quantity of 6,055 sq. yards, and recommended Stewart & Tate as the lowest responsible bidder. Mr. Bauder made a motion to award the bid to Stewart & Tate for a total of \$4,931.80. Mr. Herr seconded the motion, which carried unanimously.

Materials Bid Results: Highway Materials submitted stone bids for 9.5 mm FOB @40.50 per ton, delivered 45.40 per ton. 19mm @ 36.80 per ton, delivered 41.70. 25mm @ 34.50 per ton, delivered 39.40. County Line submitted a bid for 2A Stone @ 4.10 per ton, delivered 6.90.

Mr. Smith recommended the bids be awarded as listed. Mr. Breneman made a motion to award the bids for the 9.5 mm stone, 19mm stone, and the 25 mm stone to Highway Materials. Mr. Herr seconded the motion, which carried unanimously. Mr. Bauder made a motion to accept the bid for 2A stone from County Line for 4.10 per ton. Mr. Kreider seconded the motion, which carried unanimously.

Mr. May asked Mr. Harris if putting 2 ½" overlay would ruin the budget, and could they transfer funds to do this. Mr. Harris explained that he had met with Penn Dot to get approval for the Highway Funds and at that time he submitted a 2" overlay request, which the Board had

requested as a result of a work session for budget approval, so he noted he is locked into that with the Highway 8 Fund. Mr. Smith noted that it would be possible, but he suggested that the best way would be to find another way to fund the excess amount needed, such as the General Fund or the Capital Fund. Mr. Smith stated he would not recommend using additional funds from the Highway Fund. Mr. Bauder asked how much more material this would be. Mr. Harris stated this would be an addition of 609 tons. The Board discussed the time in which these projects should be done so they will not have escalated prices factored into the work. Mr. Strohecker stated that we must stay with what ever the budget was for the Highway 8 Fund.

Pat Weidinger, 2025 Manor Ridge Dr., stated that if Mr. Harris feels the road would be of better quality to use the 2 ½ " material, then it should be done. Mr. May and Mr. Herr both stated the 2 ½ " material would produce a better quality road and it would help with the heavy use that the road gets. Mr. Bauder disagreed and stated he did not feel the road was heavily used. Mr. Bauder stated he would like to see numbers showing that the 2 ½" material would produce a stronger road. Mr. Harris stated that a few years ago when working on South Centerville Road, they did produce data showing that increased asphalt and design will increase the strength of a road. After some discussion, Mr. Herr asked Mr. Strohecker which way he would suggest paying for added material if not through the Highway 8 Fund. Mr. Strohecker suggested the best way would be paying for it out of the Capital Fund. Mr. Smith explained the procedure for paying the excess amounts. Mary Glazier stated that even with the improvements made to Chestnut Grove Road last year, there are already problems starting where the edges of the road are breaking out, from the heavy manure trucks that use the road on a regular basis. Mr. Herr stated they are aware of the problems and will be looking into it. Mr. May suggested they look at the road and decide in May, what the depth of the overlay will be.

Growing Together - LIMC Comprehensive Plan – Mr. May stated they have been working on this for three years, and it was advertised for all the Municipality meetings this month to be adopted as part of the existing comprehensive plan or as a stand alone. Mr. Smith confirmed that the Resolution had been properly advertised. Mr. May noted the MTPC has had copies of it and he is in favor of adopting this as our comprehensive plan and not in addition to our comprehensive plan. Mr. Smith stated that the MTPC did officially consider this plan at their March meeting and they did recommend forwarding it to the Supervisors, however the PC did not recommend if it should be adopted as an addition or a stand-alone plan. After some discussion, they noted that most municipalities were in agreement that this plan should be adopted as a "stand alone" plan. Mr. Kreider made a motion to adopt this Comprehensive Plan for Manor Township. Mr. Bauder seconded the motion, which carried unanimously.

Amendments to the General Commercial Zoning Ordinance - Mr. May noted this amendment is described as "build Up Not Out". He also noted a letter from Harry Roth critiquing these amendments and stated he agrees with Mr. Roth. Mr. May stated the amendments from Hanover Engineers only encourages building up not out but does not require building up. Mr. May noted he did not quite understand the wording in this amendment. Jim Huber, 113 Shannon Drive, strongly encouraged the Supervisors to advertise and adopt the Roth amendment, which was originally received in 2006, because it discourages sprawl, preserves farmland and encourages the concept of building up not out. Mr. Kreider stated that he agrees with Mr. Huber and felt this would work well with what may happen with the Armstrong property and the concept of this is a step in the right direction. Mr. Smith noted that these amendments will not address the Armstrong tract which is an industrial tract with a PRD overlay, but if you like the concepts, then alterations would have to be made in the industrial zone and PRD. Mr. Bauder stated we could rezone the Armstrong tract.

Bonnie Miller, 113 Bent Tree Drive, suggested that the Supervisors look at storm water management and make sure we address this and not allow problems from storm water to be created on South Centerville Road. She asked where the commercial areas are. Mr. Smith explained where they were on the zoning map. Mr. May suggested that they take the original Roth Plan and give it to the Township Solicitor, Goodman/Kenneff and have them work it into our zoning ordinance. Mr. Smith noted that when the MTPC had considered the Roth plan, it had two options, which the planning commission could not come to an agreement on. They also had concerns about set back provisions where we were requiring designers to go up, but we were not effectively reducing set backs. Mr. Smith noted the Board wants to maximize the use of land, and the Planning Commission would also like to achieve that. The PC thought the set backs should be reduced to maximize the use. Mr. May stated Hanover Engineers does reduce the set backs, so he suggested to use their set backs in the Roth amendment. Mr. Huber suggested the Supervisors could just change the one set back in the Roth Plan and it should be fine. Mr. Smith stated that in the document we have, there is still one section where there are options, which still need to be determined and that needs to be done by the PC or the Supervisors and then advertised. Mr. Herr stated the document was submitted to Hanover Engineers because there were problems. After some discussion, it was decided that the Board would give Mr. Smith their ideas so he can submit a draft ordinance to the Township Solicitors for final review. Susan Smith, 233 Market St., asked if the ordinance is going to be ready for the May agenda. Mr. May stated they will try.

Resolution #12-2007 Grant for Police Laptop Computers – Mr. Smith noted this grant was discussed last fall and Mr. Laudien has been reviewing the information for the purchase of laptop computers for our police department. He noted that Mr. Laudien has applied for the grant to the Department of Community Economic Development but they are requiring a resolution of our intent for our commitment before they consider our grant. Mr. May noted that we are making a monetary commitment also and read Resolution #12-2007 stating that Manor Township is allocating \$28,050.00 for this project. Mr. Smith stated that we did review the budget to make sure of the amount of money that was in the budget. Mr. Laudien stated he is making application slightly in excess of \$70,000. with our matching portion being \$35,955.00. This would be in excess of what was allocated in the budget. He stated he could amend the application to be less, but the resolution would need to reflect that the Township is committing to half of the grant amount of \$70,000.00. Mr. Laudien stated that the Township would need to make the purchase and then they reimburse half the amount. Mr. Laudien stated he had made the application with the maximum exposure, which includes 11 laptops and mounting units, wireless service cards and installations. Mr. Herr asked if the \$70,000. would cover all 11 units. Mr. Laudien stated yes, we used the maximum figure but we would not have to spend that much. Mr. Bauder asked if all 11 units are needed. Mr. Smith stated yes because after their discussions, putting a unit in every vehicle that is used will result in efficiency. Mr. Smith stated this is a two-fold process, where we are applying for this with our intent but we still have to come back with what we actually get for the grant. Mr. Herr made a motion to adopt Resolution #12-2007 as it stands with the municipal allocation of \$35,955.00. Mr. May seconded the motion, which carried unanimously.

Resolution #13-2007 – On Lot Septic Management Mr. Smith explained this is a resolution to adopt a revised implementation schedule for the on-lot management ordinance and sewage management program component of the official sewage facilities plan for Manor Township. Mr. Smith noted the time frame had been 5 years, now DEP is requiring this time to be 3 years. Mr. Herr made a motion to adopt Resolution #13-2007 and Mr. Kreider seconded it. The motion carried unanimously.

Manorvest LLC Improvement Guarantee Agreement and Letter of Credit – Mr. Smith read the agreement and draft letter of credit. He recommended approval contingent upon review by the solicitor. Mr. Smith stated these are standard documents and agreements, but we do not have the originals tonight. Mr. May made a motion to approve this conditioned upon the Letter of Credit and the Improvement Guarantee Agreement being reviewed by the Staff and Solicitor. Mr. Breneman seconded the motion, which carried unanimously.

Correspondence

Mr. May noted an invitation to the 18th Annual LIMC dinner. Mr. Smith stated this invitation is for the Supervisors, Staff, Boards and Commissions.

Mr. Smith stated a request that Ryan Strohecker be approved to attend the Government Finance Officers Association.

Mr. Smith noted the Municipal Unfunded Liabilities Conference being held and requested Ryan Strohecker be able to attend this conference.

Mr. Smith noted the 59th Annual Association for PA Municipal Management Conference and requested he be able to attend this.

Mr. Herr made a motion to approve the listed events and requests for attendance, with the necessary expenses paid. Mr. Kreider seconded the motion, which carried unanimously.

Public Works

Mr. Smith noted that he would like to consider extending the Penn Dot Agility Program. He noted it has been an excellent program and it includes the sharing of road bank mowing in return for other work. Mr. Herr made a motion to give Mr. Smith permission to sign and extend the agreement to work with Penn Dot through the Agility Program. Mr. Bauder seconded the motion. Mr. Smith stated the current price is \$90./hr, but they will try to negotiate for an increase, noting that it is a five year term. Mr. Breneman noted the Township has used \$49,000. to this point and has banked \$38,000. with this program, and he commended Mr. Harris for his work in this program. The motion carried unanimously.

Traffic Commission

Interim Chief Zug stated Traffic Commission met on March 28, 2007 with the only business being that Mr. Harris reported that the stop sign was placed on Garrity Road at Murraycross Way as requested. He also noted that the no parking request, in the Parkfield Development, is still under discussion.

Police Report

Interim Chief Zug stated he has submitted his monthly report and asked if there were any questions. Mr. Breneman stated that he would like to commend those involved in solving the robbery that occurred on Stehman Church Road this past month, for the good work and quick results from the Manor Township Police Department.

Road Foreman's Report

Mr. Harris noted his report has been submitted and that as in past years, they will be scheduling street sweeping. He stated that this will be done again as a trade off program with Lancaster Township. He stated that he will be borrowing the street sweeper in exchange for Lancaster

Township using our leaf screener. He stated he thinks this is a very positive program and reduces our expenses. Mr. Harris also noted that they are preparing for the oil and chip paving projects.
Park & Grounds Maintenance Report

Mr. Dickert stated they have installed three new drinking fountains at the Manor Township Community Park, installed a portable toilet shelter at the Woods Edge Park and have installed dog dirt bio-degradable bags in the parks.

Mr. Huber, 113 Shannon Dr., commended the Manor Township Road Crew for the outstanding job they did this past year during snow removal. Mr. May agreed and asked Mr. Harris to pass this along to the crew. Mr. Herr agreed and noted that even Mr. Smith had helped in snow removal this year, driving a piece of equipment in the absence of one of the crew.

Assistant Managers Report

Mr. Laudien stated his report has been submitted and added that the Turkey Hill Country Classic will be coming up on May 5, and hoped all will attend.

Township Manager's Report

Mr. Smith stated he has listed items on his report and asked if there were any questions. There were no questions.

Building Report

Mr. Kreider read the Building Permit Report noting the number of permits issued in the month of March 2007 was 47 compared to 60 permits issued in March of 2006. Total dollar value to date is \$7,479,527 for 2007.

There being no further business, Mr. May made a motion to adjourn the meeting. Mr. Kreider seconded the motion, which carried unanimously. The meeting adjourned at 9:30 PM.

Respectfully submitted,

Barry Smith,
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

May 7, 2007

7:30 PM

Chairman John May called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Dr., Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, L. Allen Kreider, Richard Bauder, Jay Breneman and Allan Herr.

Staff present: Barry Smith, Bill Laudien, Mark Harris, Interim Chief Zug, Mike Dickert and Rita Young.

Visitors present: See attached.

Minutes – Mr. Kreider made a motion to approve the minutes from the April 2, 2007 meeting. Mr. Breneman seconded the motion, which carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills as listed. Mr. Kreider seconded the motion. The motion carried unanimously.

Financial Report – Mr. Bauder stated that when reading the audit for 2006, he noticed that \$30,000 designated for payment to the Highville Fire Company was never issued and it is not listed in the 2007 financial capital reserves. Mr. Bauder asked how the \$30,000 that was promised to Highville in 2006 will be paid from the 2007 monies. Mr. Smith stated it should be done by motion because the budget does not allocate that and he suggested that it be allocated from the Capital Fund. Mr. Bauder made a motion to release the \$30,000 to Highville Fire Company. Mr. Kreider seconded the motion and stated that this was an over site that should not have happened. The motion carried unanimously. Mr. Herr made a motion to approve the Financial Report. Mr. Bauder seconded the motion, which carried unanimously.

Solicitors Report – Mr. Smith stated that there is no solicitors report for tonight.

Mr. May noted that they will be moving two items up on the agenda. He noted the hiring of a police chief and discussion with the fire companies.

Police Chief – Mr. Smith stated the process has been completed for the next chief of police. He presented Todd A Graeff, 920 N. Garfield Rd, Bernville, PA and noted that Mr. Graeff has successfully completed all the necessary requirements in the hiring process. A conditional offer of employment had been made, with an annual salary of \$73,000., three weeks vacation, and utilization of a vehicle for work related activities. He also will receive the standard benefit package. Mr. Bauder made a motion to officially hire Mr. Graeff under the terms of employment as listed. Mr. Breneman seconded the motion, which carried unanimously. Mr. Graeff was sworn in by Chairman John May.

Fire Company Financial Matters – Mr. May stated that he has heard rumors that the monies for the fire companies were not disbursed to them because the Township Supervisors withheld authority to do that. He noted that this is not true. Mr. May noted that since changes were made and the fire companies now pay their own bills, the funds that the Township receives in the fall, for the fireman relief fund, are passed along to the fire companies right away. He added that when funds are budgeted for the fire companies they should be passed along to the fire companies early in the year. He personally apologized for the over site of the \$30,000. not being passed on to the Highville Fire Company. Mr. May also noted that on more than one occasion he has heard rumors that Manor Township gave land to the Millersville Fire Company and he stated that this is not true. Mr. May stated that Manor Township provided \$100,000. to Millersville Fire Company toward the purchase of the land located along RT 999. Mr. May stated we support all our fire companies equally. Mr. Smith added that in the future the Township will commit to paying the donations from the Township to the fire companies early in the year.

Craig Hohman, 2109 Manor Ridge Drive, West Lancaster Fire Company, noted that usually they receive their donation in January, which allows them to be able to pay bills until fund raising events start after spring.

He stated this year they had to transfer funds to be able to pay bills until the donations came in. He thanked Mr. Smith for assuring them that the donations will be made early in the year. Mr. Bauder asked Mr. Hohman if he contacted the financial officer at the township when they were running out of money to pay bills. Mr. Hohman was not sure.

Jim Knapp, 10 Third St, Washington Boro Fire Company, stated they appreciate what the Township gives to them, but he asked if they are considering any type of increase. Mr. Breneman stated that there was a 5% increase in the last two years donations and the total donations over the last ten years has been 2.613 million dollars. He noted that 48 % of that was in the last 4 years, so they have increased substantially. Mr. May stated they are trying to create some type of authority to take over and give some type of relief because everything is taking more.

Rob Muschlitz, 1810 Temple Avenue, West Lancaster Fire Company, asked about a letter that was sent out in error about funds being sent. Mr. May stated that Ryan Strohecker sent that information and regardless of the circumstances at the time the letter was sent. He stated that when the Township gets funds, then the fire companies will receive their funds right away. Mr. Muschlitz asked if the donation given to the Millersville Fire Company will effect the donations that the other fire companies receive from the Township. The board stated no. Mr. Bauder stated they will continue to disburse the state funding in October in three equal parts to the fire companies in Manor Township. Mr. Kreider suggested that the Township send out a letter on how the monies are released because there seems to be a lack of communication between the Township and the fire companies.

Connie Jackson, 348 W. Charlotte St., stated she was glad that Millersville Fire Company has purchased the land on RT 999 and asked if there was any possibility that the land along the creek could be added to the greenway and join Springdale Farms greenway. She also asked if there would be any plans to make RT999 and Ironstone Ridge Rd intersection safer. Mr. Smith stated they had previously looked if the driveway for the fire company could come out to that intersection but the land that the fire company purchased does not extend that far. He added that he is not sure about the greenway. Ms. Jackson asked about the installation of a traffic signal. Mr. Smith noted it is a state road and we do not have control for lights at that location, but we could ask Penn Dot.

Business From the Floor

Connie Jackson, 348 West Charlotte St., first thanked Manor Township for the support they gave the Turkey Hill Country Classic, which she felt was a wonderful event. Ms Jackson stated that she just found out that the Supervisors made a decision at last months meeting not to make a paved access to the parkland for Springdale Farms Development. She asked that the Supervisors reconsider their decision greatly because it impacts the entire neighborhood of 162 homes, not just the two homes that the path abuts. She noted that she does sympathize with the two homeowners, but she was the first homeowner in Springdale Farms and she has been waiting for the access to be put in for a very long time and it is on the original plans. She noted that she is not the only one that feels this way. Mr. Kreider stated that he did not know when he made the decision last month that anyone was waiting for this access. He stated that he was disappointed that he did not have the information and should have been told. Ms Jackson stated that she feels the Board should realize that the decisions that the Board of Supervisors make effects the entire community, not just the two people that come before them. She noted that she has been waiting for this path to go in because it is the flattest point for access. Mr. Bauder stated that this was a bad plan from the beginning and he is disappointed that there was not a better access provided to that site in the first place and it should not have been an access through two residences. Ms Jackson stated that may be, but that does not change the fact that the access is on the original plans. After some discussion, the Board agreed they will not abandon the easement but could possibly put it in with mulch. Mr. May stated they will continue this discussion at a later time.

Bill Laudien noted that two Supervisors just stated they were not aware that there was opposition to not putting in the path. Mr. Laudien stated that at a meeting, he did make it clear both publicly and to the Supervisors privately that there were people interested in seeing this path completed. He also noted that Mr. Kreider, had attended Park and Recreation Meetings, where this matter was discussed in detail and recommendations were made by the Park Board with very specific comments. Mr. Laudien stated he did not appreciate reference to the Staff, when they did their diligence and went through the process. Mr. Kreider stated he had no comment. Mr. May stated that Mr. Laudien is correct, but he had forgotten about it and he does remember it was brought up at those meetings.

Ted Gingrich, 110 Bent Tree Dr., noted a listing in the budget for \$150,000. real estate purchase and asked what that was for. Mr. Smith noted that was entered into the budget for the possible purchase of the K.L. Smith property, which is adjacent to the maintenance building. He added that we already use some of the property and we are not sure what the price might be when it becomes available.

Old Business

US Department of Interior – Shultz-Funk Site and The Strickler Site Mr. Smith noted that last month we reported that we had received notification that the Department of Interior was considering these two sites, located in Washington Boro, as historical landmarks. However, if there is any opposition from the homeowners then the preservation does not occur. We have now received notification that the two sites are not being considered at this time due to opposition from the homeowners. The letter states that if the homeowners change their mind in the future, the sites will be reconsidered.

Rohrer Road Culvert Reports – Mr. May stated they have received a report from Buchart/Horn and a report from Rettew. He noted the report from Buchart/Horn acknowledged the filling in of a pond, a fence that was not a single wire strand and several other items. The Rettew report was a little more detailed but the conclusion was that it is not necessary and would not be cost efficient to re-due the culvert on Rohrer Road. Mr. May stated he was disappointed that the reports were not more detailed. Mr. May stated that on the 24th of May, Bruce Gilmore, from the Chesapeake Bay Foundation, is coming to meet with Harry Campbell, Harrisburg Chapter, and inspect the site again. Mr. Gilmore, chairman of the Mud Busters Chapter of the Foundation and Mr. Campbell will inspect for silt and sedimentation runoff. Mr. May stated he is disappointed because all the permits for storm water say the final result after development is that storm water is to be reduced by 50 %, but there is nothing to determine what happens during construction. Mr. Bauder stated that he has studied the technical details and that is correct that during construction water run off is not monitored. Mr. Smith stated that both Buchart Horn and Rettew were asked to give a general observation reports and not detailed ones. He added that more detailed reports would have been very costly. Mr. Smith stated there are two categorical issues, one is the erosion and control measure and the other is the overall management of storm water. Mr. Smith noted we could look at other storm water ordinances and see if we would like to alter the ordinance we have, you can do that. Mr. May noted he viewed a web site for Act 188 regarding storm water, and it is very good. Mr. Bauder agreed. They discussed some areas that have had problems in the past and noted in the future we will have a storm water authority but it will come at some great costs.

Floris Sissler, 316 Stone Creek Rd, asked if the meeting on site at Hershey Mill Road is open to the public. Mr. May stated they are simply meeting on site to discuss the problems and see what measures have been taken. He noted that it will be at 1:30 PM. Mr. Smith suggested it be advertised as a public work session. Mr. Kreider stated that the construction sites on Hershey Mill Road have had an excessive amount of trash and have not been maintained. He noted that the trash and bottles had entered the stream also. He felt there should be control on the way a site is maintained during construction. Mr. May noted seeing the same problem on Letort Road at the construction area there. Mr. Herr noted that we are also taking on a lot of water from West

Hempfield and Mountville at the area of Hershey Mill Road and he feels some of the trash is coming from the other side of RT 462 at that location and should be addressed also.

Elizabeth O'Donoghue, 388 Hershey Mill Road, stated her property is one that is having problems from the construction and she asked why she was not included in the meeting when the engineers came to visit the site. Mr. Smith noted he was to have the engineers review the site and not instructed to have anyone else there. Ms O'Donoghue stated that the Buchart Horn report deals with the culvert and the Rettew report deals with the flood plain. Ms O'Donoghue asked if Rettew Engineers were on site for the inspection. She then noted they were not on site and they did their reports from aerial photographs. She stated Buchart Horn was on site for their reports. Ms O'Donoghue noted that she thought the reports were to be about the bridge and not the flood plain. She stated that in her opinion these are two different reports about two different issues, one being the flood plain and the other being the culvert. Mr. Herr stated that even if this was reviewed from two different view points by the engineers, all were still in agreement that this is a flood plain area and there is going to be some flooding. Ms O'Donoghue stated they are not addressing what she feels is the main issue that being the storm water coming from the development through one culvert onto her property. She had concerns that the two reports do not report the same size of the culvert. She feels the Township has deflected and no one has asked her about the pond issue. She noted it has always flooded there but it is worse than before since the development and that is the issue that still needs to be addressed. She told Mr. Smith that she feels the reports are bias. Mr. Smith stated he has not been bias at any time with the engineers and asked both companies to provide a report to the Board of Supervisors. Mr. May stated that he did notice that the reports refer to the culvert as two different sizes. Mr. Smith asked the Board that they study these reports and look at waters coming from the surrounding areas. The Supervisors agreed that after the May 24th meeting they will address the issue again. Mr. Kreider stated that he received a call from a person that lives along Hershey Mill Road, that is having problems with a shed along the creek where the bank is reseeding, and this problem is further up the stream from the area we are discussing now. The Supervisors agreed that a lot of the problems with water seem to be coming from further up stream than from the development along Hershey Mill Road.

Darryl Sensenig, 363 Hershey Mill Road, stated he does not feel the retention ponds hold 50% of the water because of the overflow pipe. Mr. Smith stated there are different phases of the construction and you really cannot judge them until they are completed to the final phase.

Pat Weidinger, 2025 Manor Ridge Drive, asked if the rule is, that during construction, a developer does not have to meet the 50% run off reduction, it only has to be met after the final phase of storm water management is completed. Mr. Bauder stated the conservation district is in charge of that and they are concerned with trapping the silt. Mr. Weidinger asked if EPA's NPDES Phase III has ever gone anywhere. Mr. Smith stated he does not believe it has ever gone any further than it was.

New Business

Subdivision and Land Development Ordinance – Mr. Smith stated an ordinance has been developed for the Board's consideration, and he noted that it has been provided to the LCPC on March 12, and it was also mailed to the MTPC. He noted we have met the 45 day notice that the MPC requires. He stated that he has received some comments from the planning commission and he will forward them to the Board. Mr. Smith noted that the MTPC has stated that they would like a little more time for review, and added that the ordinance has been properly advertised and notice has been given. Mr. May stated that if the ordinance is adopted tonight, he is not bypassing the MTPC. He will still take their comments into consideration and they can always amend the ordinance. Mr. May stated that at the April 23rd PC meeting the commission was asked to give their comments to the Supervisors. Mr. May stated that he feels this ordinance should be in place to protect the Township from any applications for new development that might come into the office. Mr. Kreider

felt it is time to move on and get it done tonight. Mr. Bauder stated the amendment process can be done at any time and we should adopt it now. Mr. Breneman felt the Board should listen to the MTPC and give them another month for review and do it right the first time and not have to go back and amend it right away. Mr. May felt he did not want to take a chance for another application to come into the Township for development without this ordinance in place. Mr. Breneman asked Mr. May if he changed his mind since the MTPC meeting. Mr. May stated yes, he has changed his mind. Mr. Bauder stated that he was disappointed that two people on the panel were not continually informing their own commission about the progress of the deliberations. Mr. Herr agreed that we should wait and give the MTPC another month and asked if we would have to advertise again if we would wait. Mr. Smith stated yes it would need to be advertised again. Mr. May noted the amount of time that would pass with meetings and advertising if they would not pass it tonight.

Floris Sissler, 316 Stone Creek Road, stated that she feels the Board should pass the SALDO and then come back and amend it later.

Pat Weidinger, 2025 Manor Ridge Drive, agreed that the ordinance should be passed to protect the township from development. He stated we need it for Township control and we need to move forward now.

Mr. Smith stated for clarification, the MTPC had two members that did participate on the panel for the SALDO, but there was a large gap where it was dealt with primarily by consultants and the planning staff here and did not have all the information to give the MTPC for review each month. Mr. Smith also stated that it should be clarified that this Sub Division Ordinance will not deal with zoning issues such as Wal-Mart. It does not deal with a business and how many hours it can be open for operation because that is determined under zoning. As for the Armstrong tract, the land is zoned industrial with a PRD overlay, which is complicated, but the process they must go through does not change because of the SALDO.

Connie Grow, 107 Kilgannon Lane, stated that she would like the new SALDO put into effect, before a Philadelphia firm that purchased the Eshleman farm submits a plan. Mr. Smith noted that firm has already submitted a plan and this would not affect them.

Joan Matterness, 213 Sutherland Road, stated she would like to see the SALDO passed, it is a living document and it can be worked on and changed.

Jim Miller, 110 Bridal Circle, stated he is a member of the MTPC as well as the LCPC. Mr. Miller stated he agreed with the comments that it was a shame more members were not present when the LCPC voted on a recent issue. He noted timing was not good because it was the same time the convention was held and the other members were attending that and unfortunately there is a time frame on how long you have to render a decision. Mr. Miller stated he feels that the MTPC is a valid board and their comments are very good and they will probably support having a SALDO but he feels the public in general has been misled as to what the SALDO can do for Manor Township. This ordinance is a manual for how you will be able to sub divide land or how you will do land development. He stated that the way an individual homeowner can use his land, is determined by the Zoning Hearing Board and the permitted uses within the zoning ordinance. The SALDO is how you carry out what the zoning ordinance allows you to do and does not give you control over what can happen on the land. Mr. Miller also stated the MTPC had until today to make comments about the SALDO, and Mr. May stated at the MTPC meeting that he would not vote to pass the SALDO until he came back to the MTPC to finish the comments. Mr. Miller noted that if the Board of Supervisors does not want the comments from the MTPC then why have the PC take the time to respond. Mr. Miller stated he takes personal interest in this Township and feels this council has very good input. Mr. Miller stated that he feels the process to put the requirements in place are flawed and also noted that some Supervisors are stating that the Township is being taken advantage of by developers with respect to park and open space, however the LIMIC that we use has the second highest acreage per capita of all the LIMIC municipalities. Mr. Miller added that the Supervisors don't need the SALDO to change how much park and open space we get from a developer, they could have changed the amount of ground or money in lieu of if they wanted at any time over the last four years. Mr.

Miller noted that in reference to what the NPC allows for off site traffic improvements, it is illegal by State Law to require, any off site traffic improvements from any developer for any land development plan. He suggested that a solicitor review the section in the SALDO and make sure it is in compliance with the NPC. In review, Mr. Miller noted it is very important to have this document correct, we are not going to gain the type of control many people think we will from this document and the document truly needs work before adopted. Mr. Miller stated that it is his understanding that the two MTPC members that were to be involved in this process were kept out of the loop of information. Mr. May noted that he can not agree with that statement because John Ahlfeld was on the committee and was involved all along and he is the chairman of the MTPC, and if the two people were not briefed, he takes no responsibility for that and added that the chairman did not do it or the members did not ask. Mr. May stated he has changed his mind on this, thinking we would wait until we have a perfect ordinance, but now he thinks we would not have a perfect ordinance for months. Mr. Bauder stated that this ordinance, was developed by professionals, who do this for other townships and includes things that are precedent. He noted that as for off site traffic improvements, most get the funds from fees in lieu of traffic study. As for parks, it is not the volumn of park ground but it is important where they are. Mr. Bauder stated that he feels that the park at Woods Edge is a puny little kiddy park where we even had to pay to put the pavilion in, and this is a tragic thing. He stated Greider Park and the Manor Township Community Park are nice, but he feels people have to drive too far to get to them. He feels we need to reduce the impact of the automobile and parks should be where people live. Mr. Bauder stated he is disappointed in the park allocation in the Eagle Heights area, the Parkfield Development and Woods Edge is horrible for the Eshelman farm. Mr. Kreider asked Mr. Miller if he has calculated the park and open space to include the Susquehanna River. Mr. Miller stated he took the rate from our living plan.

Scott Haverstick, 1970 Water St., stated he is a member of the MTPC and he would challenge anyone who would be more interest in this township than he, or in proper development. He noted that the MTPC worked very hard on this ordinance and noted that the document has some real problems that need corrected and they asked for another month to take care of that. He stated the Supervisors have complained about projects not having adequate park space and as a Board, could have done something about that at any time and have not, you didn't have to wait for a SALDO. Mr. Haverstick asked that the Supervisors postpone adopting this SALDO for one month. He stated the MTPC is the Board that brought all this to the Supervisors and now are asking for one more month. He noted that some of the Supervisors gave the MTPC their pledge that they would not vote on it at this meeting and it is obvious that you are not going to keep your word.

Amy Thorn, 3102 Windon Avenue, stated that she hopes the Board votes to pass this and amend it later. She noted that she feels we have had too much irresponsible development for too long and she cares for this township. She asked the Board to pass this tonight and stated that she hopes this Board is re-elected because they have served the people and what they want. Mr. May asked if we put off voting on this for one month, will we be able to vote in our June meeting. Mr. Smith stated if this ordinance is changed at all, then the process needs to start over and we need to re advertise for the 45 days. Mr. Bauder stated the responsibility of developing the ordinance is the planning commission so that means the 45 days start when the planning commission would get the revised document and that means it would be another couple months. The Board discussed the time frame if the SALDO was not passed tonight. Mr. Kreider stated he appreciates the planning commission but he sees no reason to wait any longer because the planning commission can still give input and make changes if necessary.

Pat Weidinger commented that this could continue to go on each time changes are made, so we could just keep going and going. He stated the longer you wait the more chance there is of something coming in to the township for development. He feels the planning commission has done some good work and he appreciates that they want more time, but thinks we should move forward.

Jim Miller stated we currently use the County SALDO and also the county requirement for the amount of parkland and we do that because their requirement for parkland is higher than the requirement for Manor Townships requirement, which the Supervisors, as a Board, could have changed at any time since elected into office and did not have to wait for a SALDO. Mr. Miller stated he received the ordinance for review the same day that the clock started for the 45-day limit. He feels the Board is using the excuse of running out of time, and verbalizes that the Board appreciates the comments of the planning commission, when in fact the planning commission never would have had enough time for comments and changes, and he feels there never was an intent to take those comments from the planning commission because the Supervisors advertised this and started the clock the day the commission received the plan. Mr. Miller stated if the Board is not interested in comments from the planning commission, then why have the board. Mr. May stated that the Board is going to accept all the comments from the planning commission anyway, and the process is going to be the same. Mr. Breneman stated he appreciates the planning commission and he would like to give them another month because they have spent a lot of time on this and they have the expertise for this. He would like this SALDO to be as good as it can and he agrees with Mr. Miller that we should wait and make it right.

John Thorn, 3102 Windon Avenue, stated he is very concerned about possible development around his home. He stated that he is not happy with things that are going on in Lancaster County because there are so many private interests in things for profit and greed. Mr. Thorn stated he feels the Board needs to make a stand and pass this tonight.

Pat LeMay, 78 Sun Lane, stated that it may take a lot of time to make the SALDO perfect, and if passed tonight the planning commission can still do the improvements, so why wait, just pass it tonight.

Mr. Bauder made a motion to adopt Ordinance #1-2007, the Manor Township Sub Division and Land Ordinance as presented. Mr. Kreider seconded the motion. The motion carried with a 3 – 2 vote. Mr. Breneman and Mr. Herr voted against adopting the ordinance at this time. Mr. May stated he would like us to work just as hard in the future as we did in the past, until we get the ordinance just the way we want it.

Mr. Smith stated that now that we have passed the SALDO, he recommended that the Supervisors appoint an agent to administer this ordinance. Mr. May made a motion to appoint Rettew Associates to administer the SALDO in conjunction with the Staff. Mr. Breneman seconded the motion, which carried unanimously.

Sarah Reinholt, 2725 Royal Road, thanked the Board for passing this ordinance and she feels this is one of the best Boards we have had in a long time. She noted that she respects those that did not want to pass it because she feels they have worked very hard for our township, but she stated it seems that this SALDO will give the citizens power. Mr. May stated that he truly respects everything the planning commission has done and hopes they will continue to work on this SALDO.

Zoning Ordinance Amendment - Mr. Smith stated this ordinance amendment has been properly advertised and has gone through the appropriate process. He stated it is an ordinance amending the Manor Township Code of Ordinances, Chapter 27, By amending the zoning ordinance by amending the zoning map, changing two tracts of land zoned (A) agricultural zone to (LC) local commercial zone. He noted a letter with County comments and the recommendation from the MTPC to approve the zoning map change and the amendment to rezone. Mr. May stated this is Ordinance #2-2007.

Bernadette Hohenadel, Attorney for applicants Roy F. and Evelyn A. Enterline, 857 Central Manor Road and J. Glenn and Rose Mary Hess, 833 Central Manor Road, presented the request to amend the zoning ordinance for the use of limited automobile, trailer, truck, and farm machinery service and repair facility, including but not limited to auto mechanics, lubrication services and tires, brake, muffler, transmission and car radio as a special exception use in the local commercial zoning. She also noted a request to amend section 407.1 relating to the specific criteria and request that a sentence be added stating that within the local commercial zone limited automobile, trailer, truck and farm machinery service and repair facilities, including

but not limited to auto mechanics, lubrication services and tires, brake, muffler, transmission and car radio as a special exception use. Ms Hohenadel went over the petition requesting the rezoning of 833 Central Manor Road, owned by J. Glenn and Rose Mary Hess and 857 Central Manor Road owned by Roy F. and Evelyn A. Enterline. Both properties are zoned (A) Agricultural and requesting that the 8.28 acres owned by the Hess's and the 1.13 acres owned by the Enterline's be rezoned to (LC) Local Commercial. She also requested that the Official Zoning Map be amended to designate the change in the zoning from Agricultural to Local Commercial, which will further the interest of providing basic commercial goods and services to the local residence that live in this existing area, furthering the concept of villages. She noted it is compatible with the local commercial district that all ready exists to adjoining property. Mr. Bauder stated that he would like to add that they have adopted a new comprehensive plan that is much more friendly to farm activity. It will provide for more agricultural activity on farms. Mr. Smith stated that the first step is changing the map from what is, existing Agricultural to proposed Local Commercial. Ms. Hohenadel read the petition to rezone the properties for 833 Central Manor Road owned by J. Glenn and Rose Mary Hess and 857 Central Manor Road, owned by Roy F. and Evelyn A. Enterline noting the rezoning request from Agricultural to Local Commercial. She noted they are also requesting the Supervisors amend the official zoning map to reflect this change. Ms Hohenadel stated they are proposing a low impact commercial use and provide convenient access for services.

Mr. May called for a five- minute recess.

Mr. May resumed the meeting. Mr. Smith noted that all is in order with Ordinance #2-2007 and Ordinance #3-2007, which were prepared by the Township Solicitor.

Mr. Breneman made a motion to adopt Ordinance #2-2007, amending the Official Zoning Map from Agricultural to Local Commercial, on two tracts of land. Mr. Herr seconded the motion, which carried unanimously.

M. Bauder made a motion to adopt Ordinance #3-2007, amending the Manor Township Code of Ordinances, Chapter 27, zoning, by adding limited automobile, trailer, truck and farm machinery service and repair facilities, including, but not limited to auto mechanics, lubrication services and tires, brake, muffler, transmission, and car radio as a special exception use in the (LC) Local Commercial Zone. Mr. Herr seconded the motion, which carried unanimously.

Proposed Zoning Ordinance Amendment for Shopping Centers – Mr. Smith noted this has been distributed for review because there have been some minor modifications to what was originally distributed. Mr. Roth, on behalf of Friends of Irresponsible Development, stated this amendment relates to shopping centers, trying to have developers make more efficient use of lands for major commercial developments within Manor Township. He went over the urban growth boundaries. He noted that the proposal forces large scale development to build in a multi story format, cutting down on lot size, decrease lot coverage and decrease lot set backs to adjoining properties because of building in multi story fashion. Mr. Roth went over the current comprehensive plan noting Manor Township is still a bulls-eye for suburban development. Mr. May stated they have been working on this for a long time and they need to move on. Mr. May felt it should be passed on to the MTPC and the LCPC. After some discussion, the Board agreed to send this ordinance on. Jim Miller, stated if advertised and changes are made, does it have to be re-advertised. Mr. Roth stated recent law is that if you make a change, it should be re-advertised, but he noted it is important to advertise to start the process and it can be changed and re-advertised. Mr. Herr made a motion to pass the proposed Zoning Ordinance Amendment for Shopping Centers on to the MTPC and direct Staff to advertise the amendment. Mr. Breneman seconded the motion, which carried unanimously.

Retirement – Mr. Smith noted a retirement letter from acting Chief Tom Zug effective May 25, 2007. Mr. Smith expressed congratulations and appreciation for the years of service he gave to Manor Township. Mr. Smith also thanked him for filling the vacancy of interim chief. Mr. Kreider made a motion to accept the retirement of Interim Chief Tom Zug, to be effective May 25, 2007. Mr. Bauder seconded the motion, which carried unanimously.

Award Bids – Mr. Smith stated bid requests for two fuel pumps had been properly advertised and two bids were received. Bids were opened showing Richard Wimer bid \$27,245 for both pumps. Also a bid from Professional Petroleum, bid of \$17,300 for both pumps. Mr. Smith noted he and Mr. Harris have reviewed the bids and recommended the bid be awarded to Professional Petroleum. Mr. Bauder made a motion to award the bid to Professional Petroleum for \$17,300. Mr. May seconded the motion, which carried unanimously.

LCSWMA proposed Wind Energy Project – Mr. May stated there had been a question to the height of the proposed pole that is to be erected. Mr. Smith explained the process for this project. He noted that LCSWMA has asked MT Zoning Officer, Bruce Ott, for his interpretation for this project, which Mr. Ott has determined that the application for the proposed pole would be within the perimeters of the ordinance and would be a permitted use. Mr. May noted this would be a pole with wind cups to determine if there is enough wind current to support the project. Mr. Warner presented pictures of the proposed pole and noted it would be a one-year project to determine this. Mr. Kreider asked if there was approval from the FFA. Mr. Warner stated the pole is 180 ft. and the FFA requires approval is it is 200 ft or over. Mr. Warner noted if this works, then we would have to come back to the Township with a full permit.

Donna Bare, 107 Chestnut Grove Rd, asked if this would be within the perimeter of the fenced in area. Mr. Warner stated it is on LCSWMA land, along the Northeast ridge. Ms Bare also asked if there would be any noise from it. Mr. Warner stated no, it is just a pole and there is no motor of any type.

Barry Remley, 715 Walnut Hill Road, asked if approved, how big would the towers and blades for this project. Mr. Warner stated we really don't know, that will be determined from the wind. He noted a typical one would be 260 feet, with a blade of 160 feet.

Joan Matterness, 213 Sutherland Road, asked if they are just gathering data at this time. Mr. May stated yes. She was concerned that this would set a precedent for the future. Mr. Warner stated if data shows this is a good idea, then we would be coming back asking for permission to put this in.

LCSWMA Minor Permit Modification #101389 – Mr. Smith stated this permit has been distributed for review and Supervisors may comment if they wish.

Owl Bridge Subdivision Agreement - Mr. Smith stated this has been forward to the Solicitor for review, but they have not received any comments back at this time. Mr. Smith stated this is a two-lot subdivision and the letter of credit is in the amount of \$61,845.00 and recommended approval. Mr. Breneman made a motion to approve this Subdivision Improvement Guarantee Agreement and Letter of Credit in the amount of \$61,845.00 pending the approval of the Solicitor. Mr. Kreider seconded the motion, which carried unanimously.

Eagle Heights Security Bond Reduction – Mr. Smith noted Eagle Heights is requesting a reduction in their Letter of Credit in the amount of \$572,779.66. Mr. Smith stated that after review, he is recommending that the actual reduction should be \$451,262.66, noting Eagle Heights included sewer in their request for reduction, and that is held by LASA. He noted that this would leave a balance of \$681,549.24. Mr. Bauder asked who inspects these things. Mr. Smith stated Buchar/Horn does the final inspection. Mr. Bauder stated this says site stabilization is 85% complete, and he did not feel this looks like 85%. Mr. Smith noted we retain 15% of the overall amount of money held to make sure work is completed. Mr. May made a motion to approve the reduction in the Letter of Credit in the amount of \$451,262.66 leaving a balance of \$681,549.24. Mr. Kreider seconded the motion, which carried unanimously.

Chestnut Grove Road, Superpave – Mr. Smith noted they have discussed the amount of material that is to be put on Chestnut Grove. He noted that if an additional ½ inch should be added, it would be an additional 600 tons of superpave. Mr. Kreider stated that he would like to stay within the budget figures and he feels the extra ½ inch will not produce a lot of extra benefit because of other effects like sunlight and winter weather freezing. Mr. Herr noted that superpave has become a stronger material but the need to increase the ½ inch is to be able to profile the road and have a crown for water run off and freezing problems. Mr. Harris noted that Penn Dot uses 3 inches to improve roads where needed and stated that the most important thing in maintenance to a road is drainage on getting water off the road. Mr. Harris noted that even if 2 ½ inches of material is put down on Chestnut Grove it still does not bring that road up to the required standards. After some discussion, Mr. Harris recommended that they use the 2 ½ inches of material and noted this has been the normal practice for roads with similar problems. Mr. Herr stated this road also gets very heavy weight traffic and agreed they should use the 2 ½ inches of material. Mr. Herr made a motion to approve 2 ½ inches material be placed on Chestnut Grove Road and use funds from the Capital Fund for the extra ½ inch material. Mr. Bauder stated this is not an arterial road and not a collector road and traffic is limited except for farming. After some discussion, Mr. Bauder stated he was not in favor of the extra ½ inch and feels they should stay within the budget. Mr. Breneman seconded the motion to use the 2 ½ inches of superpave for Chestnut Grove Road. Mr. May stated it has been moved and seconded and called for the question. The motion carried with a three to two vote. Mr. Kreider and Mr. Bauder voting no.

Wal-Mart Preliminary Plan Conditional Approval – Mr. Smith stated this has been presented for their information but also to get permission for Staff to meet with the Township Solicitors, review this plan and determine what an appropriate response from the Township will be. Mr. Smith felt the Board and Staff should have legal council for this document and conditional approval. The Supervisors agreed that Mr. Smith should take this to the Solicitor.

South Creek Road Bridge Status – Mr. May stated this has been a problem for several months and the County is considering closing the bridge. Mr. Smith stated he has sent a letter to the County Commissioners asking for their consideration of re-examining their current position. He noted attending a County meeting to express our concerns. Mr. Herr noted he attended that meeting and explained the need for this bridge to remain. He stated the County says the road count is low in that area but gave reasons it should stay open. Mr. Smith noted that as a result of the meeting, it was decided that they schedule a meeting to discuss available funds to replace the bridge. Mr. Smith noted he has written to the County on behalf of the Township, and suggested the Supervisors write a letter to the Commissioners asking them to replace and put in a structure for this area and asked that each of the Supervisors directly contact them with the request.

Harold Barley, 728 Walnut Hill Road, stated he was grateful for the addition of the road at Rock Hill Road and they do appreciate it. He stated that he has contacted the County Commissioners about the bridge and noted that without the bridge, when the water rises from the creek, there is no emergency exit for the area and the boys club, which has many children at times.

Lancaster County Conservation Dist. 2007-2008 Memorandum of Understanding – Mr. Smith noted this Memorandum of Understanding is renewed on an annual basis, and we are required to do this. The Board was in agreement that we should renew this Memorandum each year.

Lancaster Inter-Municipal Committee Sign Regulations- Mr. Smith stated the sub committee that deals with the zoning issues continues to review this and if anyone has any individual comments contact Mr. Ott. Mr. Bauder stated that in his opinion there is no benefit in having the LIMC Sign Ordinance and off site signs should be permitted for agricultural uses. Mr. May agreed that we should have off site signs for agricultural business.

Lancaster County Planning Commission Susquehanna River Corridor Master Plan – Mr. Smith noted a letter from the LCPC asking for input and advice in order to develop an effective plan for the future and asked

that the Township appoint a representative. After some discussion, the Board agreed that Barry should ask an appropriate person attend to represent Manor Township.

Correspondence

Mr. Smith noted there is a request for Officer Charles Snyder to attend the basic Police Motorcycle Training Course. This is a two week intense course in Washington DC and the cost is \$1,100. for the two weeks.

Mr. Smith also noted a one-day seminar request for Mike Dickert to attend the Keystone Athletic Field Managers Organization. There is no cost to the Township because Mr. Dickert is a member of this association.

Mr. May made a motion to approve the two listed seminars. Mr. Herr seconded the motion. Mr. Breneman expressed concerns that we are already over budget for Police Conferences. Mr. Bauder asked how many officers are trained for the motorcycle. Mr. Breneman stated three. Mr. Bauder asked if the motorcycle is effective. Interim Chief Zug stated it is very effective. The community relates well to it. Mr. Herr noted that it is also cheaper to operate.

Joan Matterness, 312 Sutherland Rd, asked at what point the Township is at with having the computers installed in the police cars. Mr. Smith stated that we are waiting to hear back about a grant approval for funding.

Mr. May stated it has been moved and seconded and called for the question. The motion carried 4-1, with Mr. Bauder voting no.

Traffic Commission

Interim Chief Zug noted that the Traffic Commission was held April 25, 2007. He stated old business was the no parking signs in Phase I of the Parkfield Development is completed and there was no new business.

Police Report

Interim Chief Zug stated the April statistics have been submitted and there is no further business to report. Mr. Breneman thanked Chief Zug for his input into the traffic commission and for helping out when our chief retired.

Road Foreman's Report

Mr. Harris stated his report for the month has been submitted. They continue to work on base repairs and side gutters and they are in the process of doing some street sweeping. Mr. May asked a question about Valley Forge Road and the way it is breaking up. Mr. Harris noted that a lot of roads that were done in the late 90's are now at the point where this is beginning to happen.

Parks & Grounds Maintenance Report

Mr. Dickert reported that the parks are open for the season. Mr. Smith stated we had an incident at one of the parks this week, where a child fell and got hurt. After reviewing the situation with the parents, it was noted that there was no fault from the park equipment and added that Mr. Dickert does an excellent job on inspecting the park facilities and is on top of safety issues. Donna Bare stated she was pleased with the dog dirt bag dispensers that were placed in the parks.

Assistant Manager's Report

Mr. Laudien thanked the girl's soccer team, the boy's baseball team and all volunteers, the road crew and police department all for the excellent help with the Turkey Hill Country Classic. He stated this is probably

the most successful turnout ever from the community. Mr. May thanked Mr. Laudien for the job he did. Ms Bare asked how many people registered this year. Mr. Laudien stated there were 375 cyclists, 250 runners and 100 children runners and really did not know how many people there were through the day enjoying the rides and other stands. He contributed the large turnout to an excellent weather day.

Township Manager's Report

Mr. Smith noted his report has been submitted and he would like to address one issue. Mr. Smith stated the motor on the Township Explorer had expired and will cost \$5,000. to repair. He asked the Supervisors what direction they would like to go to replace a vehicle since the newly hired police chief will be using the car he was presently using. Mr. Bauder asked if we listed the purchase of a vehicle in the 2008 budget. Mr. Smith stated it had been discussed but it is not in the budget. Mr. Bauder suggested that the Township lease a vehicle until the Taurus gets fixed. Mr. May suggested we get prices for both lease and purchase. Mr. Smith stated he would like to hear from the new chief as he evaluates the fleet being used for the police and determine if he may need the car he has or if it is in excess for the fleet. Mr. Bauder noted there is a police vehicle sitting now with the transmission out. After some discussion, the Supervisors agreed that Mr. Smith come back at next months meeting with a recommendation on a vehicle for lease or purchase.

Building Permit Report

Mr. Kreider read the building permit report noting 30 permits issued in the month of April compared to 39 permits last year. Total number of permits for 2007 is 128 compared to 143 at this time for 2006. Total dollar value this year is \$1,657,560.

There being no further business, Mr. Breneman made a motion to adjourn the meeting at 11:15 PM. Mr. Herr seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary,
Rita J. Young

Manor Township Supervisors Meeting

June 4, 2007

Time: 7:30 P.M.

Chairman John May called the meeting to order at 7:30 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge of allegiance to the flag. Roll call was taken.

Members Present: John May, L. Allen Kreider, Richard Bauder, Jay Breneman and Allan Herr.

Staff Present: Barry Smith, Bill Laudien, Mike Dickert; Ryan Strohecker, Chief Graeff and Evelyn Rineer.

Visitors Present: See attached.

Minutes - Mr. Kreider made a motion to approve the minutes from May 7, 2007 meeting. Mr. Breneman seconded the motion, which carried unanimously.

Bills - Mr. Herr made a motion to approve the bills as listed. Mr. Bauder seconded the motion, which carried unanimously.

Financial Report - Mr. Kreider question why the police schooling is 21% over budget? Mr. Bauder stated the motorcycle training was fairly large last month and Mr. Smith stated there were probably a few more opportunities for schooling than normal. Mr. Bauder stated he could not find check no. 000239 that was for the Highville pumper. Mr. Strohecker advised that was budgeted for in 2006 but never made the donation. The donation was made this year and is listed in the capital fund. Mr. Bauder made a motion to approve the financial report. Mr. Breneman seconded the motion, which carried unanimously.

Solicitor's Report - Mr. Smith stated there is no specific report. Mr. Smith indicated he would be mentioning several items throughout the course of the agenda items.

Mr. May stated he was adding two items to the agenda. 1) A brief discussion about a special meeting they would like to possibly hold at Letort Elementary School for the people in Letort Manor regarding the coming sewer installations. Mr. May stated there is a lot of concern by the residents regarding the coming sewer and a wide range of feelings about it. Mr. Bauder advised this also includes Perth Hills.

Donna Bare, 107 Chestnut Grove Road, indicated she has quite a few friends from that development with concerns over the upcoming sewer and water and asked that as a courtesy they send a letter to each of them informing them of the meeting. Mr. May felt that was a good idea. Mr. Smith clarified it is only sewer and not water.

2) The second item was brought to Mr. May's attention by Allan Herr and that is some residents concern with the bridge outage at S. Creek Road and the fact the County has pretty much indicated they are going to let it go. Mr. May stated it is a rather critical situation in that it affects the health, safety and welfare of people in that area who during a storm could be isolated from emergency equipment. Parts of the road flood out before the bridge does and they would be genuinely isolated if the bridge is not fixed. Mr. May stated he wrote a letter that he would read under new business.

Business From The Floor

Mike Zuber, 124 Shannon Drive, stated every year he comes before the Board and ask why they cannot or will not adopt a noise ordinance. Mr. Zuber stated he called three bordering townships that all have noise ordinances and called two boroughs. One borough has a noise ordinance and one does not. Mr. Zuber stated there is a problem in Wilshire Hills regarding noise. Mr. Zuber stated he would like to see a noise ordinance, since nothing that can be done if neighbors are playing music loud or partying. Mr. Herr asked what the nature of the noise was. Mr. Zuber stated someone else would

speak about that. Mr. Zuber stated two weeks ago he complained about Mr. Murry's lots not being mowed and other people have also made complaints. Mr. Zuber asked if Mr. Murry is ever cited. Mr. Smith stated letters are sent and if there is no compliance within the legal time lines they are cited.

Valerie and Steve Galler, 113 Whitney Road, stated they are having a problem with loud music from the neighbors. They have asked them to turn it down but they are turning it up louder just to instigate a problem. They have called the police and they say there is nothing they can do because there is no noise ordinance. Other neighbors are complaining but they are afraid to speak up because of retaliation. They play the loud music from 5:00 p.m. and whenever he comes and goes. He does not live in Wilshire Hills but comes and goes from his girlfriend's residence. The music is being played from his truck and sometimes he has it playing for several hours. They have called the police and were told there is no noise ordinance and he can play his music as loud as he wants. Mr. May stated they will be happy to look into a noise ordinance but does know that some noise ordinances as written are hard to enforce. Mr. Smith stated they could look at some model ordinances and talk to the solicitors about the implementation. Mr. Bauder stated he has heard complaints and obtained a copy of the city's noise ordinance but he does not believe they could adopt something like that. Mr. Bauder asked why the neighbors are intimidated. Mr. Galler said one is a single woman can not afford to get anyone mad at her and the woman next door talked to Mr. Galler in her garage so no one would see her talking about it. Ms. Galler stated they had their Christmas lights cut when they complained about parking and they made a police report. The entrance to Wilshire Hills was torn up after the Civic Association put an insert in the monthly letter about parking. Mr. Kreider stated when he was going door to door came across an 80 year old lady on Manor Ridge Drive with the same type of situation except it is motorcycles late at night. Mr. Kreider stated the lady asked the individual to keep it down and was given a lot of lip. She said she would not say anymore because she is afraid of him. Mr. Kreider stated when it is a situation a neighbor is afraid that is serious in his opinion and there is not room for that kind of thing in Manor Township. Mr. Kreider stated he has the same situation where he lives and he is in the country.

Bonnie Miller, 113 Bent Tree Drive, stated as a point of information two weeks ago she called the police regarding a gentleman who was burning behind her residence. A lot of people are afraid to call even on incidents that have ordinances.

Jim Huber, 113 Shannon Drive, wanted to reinforce the concerns expressed and particularly ones by Mr. Zuber. Mr. Huber is a member of the Wilshire Hills Civic Association and at those meetings for the past several times there have been complaints expressed about noise. Mr. Huber asked about the status of the grass mowing near Wilshire Hills. Mr. Smith stated as explained he does not know the status. Mr. Ott handles those situations and Mr. Smith will check if the letter has been sent. Mr. Huber stated he told several people who had concerns to contact the Township, which they said they did.

Earl Newcomer, 276 Blue Rock Road, asked if Manor Township had a nuisance ordinance. He feels a better way to handle the noise issue would be a nuisance ordinance. Mr. Newcomer stated noise sometimes is not harmful and other times it bothers you.

Mr. Bauder asked Chief Graeff if there was a noise ordinance where he came from and he stated they had one. Chief Graeff stated it was a noise and nuisance ordinance and Mr. Newcomer made a good suggestion. It is not just loud music or revving engines of motorcycles or cars but sometimes it is manufacturing plants, etc. that are making noise above beyond what they should be making at 1:00 or 2:00 in the morning. Chief Graeff stated if something is looked at it should combine many things

and covers everything that can be covered and still eliminate the agriculture areas. Most noise ordinances are from 10:00 p.m. until 6:00 a.m. and Chief Graeff suggested keep it between 10:00 p.m. and 6:00 a.m. or 11:00 p.m. and 5:00 a.m.

Sara Reinbold, 2728 Royal Road, feels if the noise ordinance is from 11:00 p.m. until 6:00 a.m. you will have people who say they can do it until 11:00 p.m. Mr. Reinbold feels the ordinance should cover the entire day.

Mr. May stated they would look into an ordinance and come up with something that is satisfactory to the township and the Chief.

Chief Graeff replied to Ms. Reinbold's comment stating what needs to be done is maybe put it to an excessive amount of noise 24/7 but the 10:00 p.m. to 6:00 a.m. would be the out of norm things. The problem you would have making it 24/7 is someone is having a pool party, the radio goes into the neighbors yard, the neighbor is not invited they will be called for that and they will be running around handling noise and nuisance complaints because someone has their music just a tad louder then comes from their house.

Mr. Galler stated when a vehicle stereo is vibrating your windows and doors that is a little bit excessive.

Old Business

Wheatfield Developer Petition To Rezone - Mr. Smith stated a petition was given to the Supervisors and it was forwarded to the Planning Commission for comment so this is not an ordinance that was ever proposed. That would be the next step if the Township chose to do something about it. You have the Planning Commission comments before you and you can determine whether you want to do anything.

Vic Kicera, 2838 Kissel Hill Road, Lititz, represents Wheatfield Developers and wanted to discuss briefly a request to possibly change the petition to amend it and look at medium density. They have heard the comments of the neighbors and Planning Commission and do not disagree with them. They also feel that maybe that tract of ground would be a better transitional type piece of land to go from the rural to the agricultural, which is across the street. Mr. Kicera stated he had another sketch plan done some time ago as medium density. All single families could be looked at or a combination of single families and semis with preserving as much open space as possible. They want to work with the Township and residents and try making it something more along the lines of Shadowstone and/or Springdale Farms type of project. They would be willing to deed it into several tracts if that helps and only rezone a portion at a time. It is a large tract and will not get developed overnight. It will take years to develop it and they would be willing to look at putting an easement in place with a third party possibly to be somewhat of an administrator of it to make sure things are done that were proposed. Mr. May stated you met with us after the Planning Commission had made the recommendation not to at this time change the zoning. Mr. May stated he told them at that meeting and will tell them now he is inclined to go along with the recommendation of the Planning Commission but would certainly entertain looking at any medium density petition that might be presented. Mr. May stated he had the sense at that meeting the Planning Commission does not feel it is the time to do anything. The Planning Commission was concerned with the high density and the traffic at either end of the road where it goes onto Letort and Rt. 999. Mr. Kicera stated they understand those issues would need to be dealt with. Mr. Bauder recommends they resubmit to the Planning Commission. Mr. Bauder stated he tends to take the recommendation of the Planning Commission but the major objection to all of it is the high-density part. Mr. May advised it would be a petition to the Supervisors, which again they would refer to the Planning Commission. Mr. Kicera believed when they filed the initial petition they had asked if it could be amended at some point along the line to medium density and he believed they

thought it could be amended during the process without having actually filed another petition. Mr. Smith believes that would be appropriate but it would take the necessary paperwork to accompany that. It would be Mr. Smith's suggestion, unless the Board deems otherwise, that they either withdraw the petition or submit a new one or to request an amendment to the petition relative to the type of zone change you asked for. Mr. Smith feels the cleanest way would be to have a document similar to this one and have the appropriate zones in. Mr. Kicera talked about only rezoning a portion at a time and Mr. Smith stated they would have to talk to the solicitor regarding that. Mr. Kicera asked if there was any feedback from the Solicitor on the spot zone issues if only rezoned a piece of. Mr. May stated he did not speak to the solicitor specifically and Mr. Smith stated he was not part of the meeting. Mr. Kicera stated Mr. Smith's assistant was in the meeting and was going to check with the Solicitor. Mr. Thomas in the meantime checked and said any larger tracts like that would not constitute spot zoning. Mr. Kicera stated he is withdrawing the existing petition and will re-file a medium density petition. Mr. Smith asked that Mr. Kicera produce a letter stating the withdrawal of the petition. Mr. Kicera asked if there was any feedback from the Supervisors regarding medium density. Mr. Bauder stated he does not object to a petition for medium density zoning. Mr. Herr stated they have heard the concerns of traffic and some other things there and he is open to taking a look at medium density zoning. Mr. Breneman stated he is not going to second guess the Planning Commission but he feels some of the Planning Commission feels the same as Mr. Herr. Mr. Kreider like the concept of building a section at a time. Sometimes these mass developments turn out to be major catastrophes as far as doing construction so he would be willing to entertain that. Mr. Bauder asked if Mr. Kicera had discussion with the CHARR group and Mr. Kicera stated he has not but would be willing to meet with them.

Wal-Mal Review of F.A.I.D.'s Land Use Appeal – Mr. May suggested they pass that and go into an executive session towards the end of the meeting to review and see what they want to do with regard to their appeal and they will come back and adjourn the meeting. Everyone was in agreement.

Mr. Bauder stated he had had a few items he wanted to bring up. Mr. Bauder asked that the administration look into rezoning the tracts adjacent to the Wal-Mart tract so it complies with the new Comprehensive Plan that specifies that area as local commercial. Mr. May stated Mr. Ahlfeld spoke to him about that and he thinks it is a good idea to look at it.

Mr. Huber stated under old business there is an issue of the Roth amendment and the proposal to change the general commercial zoning. At one point it was recommended to send the amendment to the newspaper for public notice. Mr. May stated he spoke to Mr. Huber on the phone and advised it would be advertised for action at the July meeting and Goodman/Kenneff took care of the advertisement. Mr. Huber stated he wanted to bring it up at this meeting so it would be part of the record. Mr. Kreider stated it could not be advertised prior to 30 days.

Mr. Bauder asked if a motion is needed regarding rezoning the tracts. Mr. Smith stated for staff he would like more explicit direction on what Mr. Bauder would like accomplished regarding rezoning. Mr. Bauder stated they would depend on Mr. Smith's expertise to give them reasonable alternatives. Mr. Herr stated one of the things they addressed before was that they wanted to preserve what commercial space they have so they would want to try to work toward that area.

Joan Matterness, 213 Sutherland Road, asked for clarification on what parcels of land they were talking about rezoning. Mr. May advised it was the four lots adjacent to the Wal-Mart parcel.

Mr. Bauder stated he would also like to change the permitted use of mobile homes in rural zoning areas. Mr. Bauder stated since they are part of the regional comprehensive plan they do not have to provide for every permitted use. The Supervisors were in agreement with Mr. Bauder.

Mr. May stated last month it was talked about the S. Creek Road Bridge being out and apparently the County is going to abandon it or tear it down. Mr. May stated he has written a letter to the County Commissioners for their five signatures and Mr. May read the letter.

Bonnie Miller stated at last week's Commissioners meeting it was brought up that Safe Harbor Village has been sold and is going to be developed which is Conestoga Township. Ms. Miller suggested through this group that bought the village maybe something will be done with the bridge. Ms. Miller was advised the village area has no direct connection to the bridge and would not affect anyone who would live in that area.

Mr. Kreider asked if anyone has any idea of how much money is being talked about regarding the bridge. Mr. Smith stated at the County work session they were talking about a standard replacement that would meet PennDot specifications being in the 1.2 – 1.4 million dollar range. They indicated they do not have the funds to do that and indicated they have 64 bridges within the County that are under their jurisdiction. When they look at various components related to bridges and how they prioritize them this is probably 62 of the 64 in terms of how it would rank. They have scheduled a meeting for Commissioner Henderson, Mr. Smith and several County Administrators on the 18th to meet with some people from the engineering department, department that deals with grant aids and assistance and will look to see what funding mechanisms might be available. Neither Mr. Smith nor Supervisor Herr could make any indication of any contribution at this stage. Preliminary process is to find out if there is any money and Rep. Cutler has indicated in a letter to the Supervisors that he is interested in seeing if funds would be available. Mr. Bauder stated he would not sign the letter, because he has not seen a comprehensive presentation to spend 1.2 million. Mr. Bauder stated he did not have enough information to make a decision. Mr. Kreider stated he feels the same as Mr. Bauder. As Mr. Bauder indicated, it is taxpayer's money no matter where it is coming from. Mr. May stated he sees no harm in exploring it, especially if the people in that area would be cut off in a flood. Mr. Bauder stated he would have to see how often it happens that they are cut off. Mr. Bauder stated there are many places in the Country that only accessible by boat and life is not perfect and everything cannot be made 100% sure. Mr. Bauder stated the bridge has no commercial value because the other end is a weight limited bridge and he has never seen a semi-truck use the bridge. Mr. Bauder was advised there are trucks that cross the bridge. Mr. Smith stated he has seen some of Country Engineer McCudden's documentation that may be very helpful, as it would have traffic counts and data. Mr. Smith believes they could ask Mr. McCudden to come whether to a work session or one of the regular Supervisor's meetings and present the information. Mr. Herr stated the Commissioners response was go ahead and improve Creek Road and his response to that was for the township to improve Creek Road all it does is improve access to the Boys Club. It does not address all of the other issues, why spend all the money just to do Creek Road when the bridge can benefit so many other people. Mr. Herr stated at this point he thinks the letter is just asking them to do more exploring into it and bring some of that detail to the Supervisors and some of their reasoning of why they want to close it and not replace it. Mr. May stated they can say in the letter they request they explore funding sources. Mr. Breneman agrees the letter needs to be sent and get the County working on it and show them the township's position on it. Mr. Breneman stated he used that bridge 2-3 times a week.

Donna Bare asked if this bridge is irreparable and Mr. Smith stated it is. Mr. Herr stated the main support beams rusted off at the one end about a year ago came in installed heavy plates and temporarily it was okay. Last summer a hole opened up in the decking of the bridge. Ms. Bare stated everything does not need to be state of the art replaced. Mr. Herr stated that was their approach when they went there. The response was with new PA and Federal Standards that are in place they cannot do retrofit to what is there. Mr. Smith stated their opinion was they will build it at the standard that the state and county requires if you want it less we will give you the bridge as a township and you can deal with it.

Mr. May stated addressing this specifically to Mr. Bauder and Mr. Kreider he asked if the letter said “under the circumstances we think the county would be ill advised to abandon or remove the bridge and we request that the feasibility of its rehabilitation or replacement be given serious consideration”. Mr. Kreider and Mr. Bauder stated they could go along with that wording. Mr. May stated he would reword the letter and have it out tomorrow for signatures.

New Business

Resolution to Accept Parkfield Phase I Streets – Mr. Smith stated Resolution #15-2007 was prepared to accept dedication of the streets and right-of-ways as listed in Parkfield Phase I and also have the deeds prepared for signature. They have been inspected and meet Township guidelines. Staff and Solicitor are recommending you sign this resolution and accept the deed for these streets. Mr. Breneman made a motion to approve Resolution No. 15-2007. Mr. Kreider seconded the motion, which carried unanimously.

Timson Place Letter of Credit Reduction Request – Mr. Smith had an opportunity to do a site visit and there were several items included in his request for reduction that have not been in place. They are not extensive in dollars but an adjustment is required. Mr. Smith recommended the letter of credit be reduced by the amount of \$155,223. with the remaining balance in the amount of \$221,003. Mr. Bauder made a motion to reduce the letter of credit in the amount of \$155,223. with \$221,003. remaining. Mr. May seconded the motion, which carried unanimously.

Woods Edge Phase II Letter of Credit Release Request – Mr. Smith stated time has expired and everything is in order. There is an obligation to release the letter of credit. Mr. May made a motion to release the letters of credit for Woods Edge Phase II as follows: Fulton Bank #D002671 and Susquehanna Bank #0130988984. Mr. Bauder seconded the motion, which carried unanimously.

Turkey Hill Letter of Credit Release Request – Mr. Smith stated the development has been completed and the actual expiration date is July 19th. Based on the fact these are all internal improvements and not public improvements if you chose you can release that letter this evening or make a motion to release it July 18th. Mr. Herr made a motion in regards to the Turkey Hill letter of credit #SLCCIN00505 that we give the release for that letter of credit with U.S.Bank. Mr. Breneman seconded the motion, which carried unanimously.

Manor Oaks Lot 146 Letter of Credit Reduction Request – Mr. Smith stated the request is in order. Mr. Bauder made a motion to reduce the letter of credit by \$80,784.25 leaving a balance of \$158,803.18. Mr. Herr seconded the motion, which carried unanimously.

Waste and Recycling Committee Recommendations regarding collection days and hours – Mr. Laudien stated the Waste and Recycling Committee is recommending the extension of days to include Wednesdays and the recommendation that we include hours of pick up to go from midnight on Saturdays after a holiday. The rationale is that as Waste Management and some of the larger haulers have increased their prices a number

of small haulers have come in with lower prices and serve a broader number of customers. Those haulers are having difficulty, as they tend to be one or two truck operations making all their rounds in the limited number of days we have available. The Waste and Recycling Committee considered those recommendations and they thought a fair compromise was the inclusion of one extra day and Saturdays after holidays. Mr. Bauder stated citizens ask him about a single hauler. Mr. Bauder stated surrounding townships have a single hauler and some have mandatory and some have voluntary. They seem to like it and the rates seem good. Mr. Bauder asked if the single hauler has been considered. Mr. Laudien advised it has been looked at on multiple occasions. The Waste and Recycling Committee agrees that politically, philosophically and in some ways economically that the current system, with the type of township we have, is the most viable. Most people realize a savings and efficiencies where they have more condensed communities and more densely packed townships may be more viable but the nature of this township does not really allow that. Mr. Bauder made a motion to accept the recommendation to add Wednesday and commencing at midnight after certain holidays. The motion authorizes staff to prepare an ordinance with correct language. Mr. May seconded the motion, which carried unanimously.

Chief Graeff's Requests – Purchase Vehicle – Mr. Smith stated the Chief has laid out the actual cost and has given some justification for alterations he would like to see. These would be on state contract so would be available. Mr. May pointed out the vehicles were a Crown Victoria and Ford Explorer. Mr. Kreider stated they are under the budget amount that was allowed in the capital fund. Mr. Herr made a motion to grant the request of Chief Graeff to purchase the Ford Crown Victoria and Ford Explorer by the PA State Contract. Mr. Breneman seconded the motion, which carried unanimously.

Mr. Kreider asked the status on the grant money for the computers. Mr. Smith stated he believed they are waiting for the state to take action. Mr. Laudien stated the grant application process is closed and the grants will be awarded in July. Mr. Laudien stated they anticipate being a recipient of the grant.

Promotion Process - Mr. Smith stated the Chief make a very compelling reason in terms of supervisory powers that promotion would be in order. Mr. Smith stated it is a good suggestion on the Chief's part to make this a competitive process as opposed to a perception that existed over time that simply promotions were based on seniority or favoritisms and that is a common thought in some departments in some public works area. His proposal to do a testing process and add several elements into this selection process is commendable. What needs to be considered 1) is it appropriate to have those supervisory positions established and 2) are you in agreement with the process in which they should be filled? Mr. Bauder stated certain aspects of leadership do not always show up in a written exam. Mr. Bauder stated he sees the oral exam will be taken before the panel of Chiefs and Chief stated that was correct. Mr. Smith stated 55% would be done by the oral evaluation and the remainder would simply be applied to the test. The test is not the majority of the deciding factors. Mr. Bauder stated no one has veto power and Chief Graeff advised Mr. Bauder he was correct. Mr. Kreider stated if there are promotions would someone be promoted to take care of letting the newspaper know what is going on in the township. Mr. Kreider stated we need to let the people know what is going on in the township. Chief Graeff stated he agreed and press releases should be part of what is going out. Chief Graeff stated one of the positions administrative/detective sergeants would handle press releases. Chief Graeff stated there is too much for one person to do and that is why he needs supervisors so he can delve out some of the details that need to be done and make sure everything is done properly. Mr. May stated they have asked in the past that information be given to the newspapers. It is important for the neighbors to know if there is a spree going on or something they can be looking for.

Joan Matterness stated she was happy to read the article about hiring officers and would like to commend Chief Graeff's idea for the promotion process.

Donna Bare stated she also read the article regarding the Chief Graeff's appointment in the paper and thought it was a nice article. She came to address the issue that Mr. Kreider brought up regarding the police log in the newspaper. Ms. Bare feels there is a lot of things that go unsolved in the Township maybe if more people were aware of what crime activity is going on they could be keeping an eye out and maybe make the Township a little safer. She believes that would be a tremendous goal for Chief Graeff to include in his list of goals.

Mr. May made a motion to approve the process set forth with latitude for Chief Graeff to determine which method to use in terms of the testing and which entity to use depending on the number of people who want to take the test. Mr. Herr seconded the motion, which carried unanimously.

Advertising for Police Officers – Mr. Smith noted the most recent retiree Interim Chief Tom Zug who retired at the end of last month. He should not be looked at as just an interim chief he was involved in patrol and other aspects. That is one position that is now vacant and Mr. Smith probably one of three were not replaced when Chuck Roberts had retired and there were two resignations within a 24 month process. Mr. Bauder asked what is recommended in regards to numbers. Chief Graeff stated he left it open ended. Chief Graeff stated what he wants to do is get the testing process going and then maybe come back and request a number. He would like to see at least two hired this year. Mr. Breneman commented historically when officers were hired there were one or both of the Supervisors and staff involved in the process as far as interview, etc. and this would not allow that anymore? Mr. Smith stated this process would be different. Mr. May and Mr. Bauder feel good about the proposed hiring process. Mr. Breneman feels the process is good but does not allow them to meet the candidates. Mr. May stated he is not sure they could not meet the candidates. Chief Graeff stated this process is similar to the promotional process that is already approved. From his understanding of talking to officers and police supervisors, most of these things were done at one time or another but only parts of them. Chief Graeff stated they will go through the entire process by advertising, bring applications in, test, physical fitness test, oral interview and after that everything else is contingent on offering employment. Mr. Smith stated this process is typical in municipalities our size and larger. Mr. Bauder made a motion Chief Graeff be given the latitude to select the process that is most efficient and cost effective. Mr. Breneman seconded the motion, which carried unanimously.

Ted Gingrich, 110 Brent Tree Drive, asked how understaffed was the police force. Chief Graeff stated from the year 2002 they are looking at two officers down as of now. Mr. Breneman stated he went to a Police Staffing Workshop where a formula was put together as to where the level should be and about a year ago they came up to 20 – 25 actual officers. Mr. Breneman stated the force is down at least one or two. Mr. Smith stated administratively they would challenge Chief Graeff regarding a number of changes one being a pending grievance on 12-hour shifts. That is one process that needs to be analyzed while evaluating other processes productivity of the department. Chief Graeff will be expected to justify his request for whatever personnel it may be.

Bonnie Miller stated the 2002 figures she assumes would be the population but the population in 2007 would be much higher, so therefore, probably do need more than one officer because of growth. Mr. Breneman stated the future population is figured into the process that was used.

Correspondence

Mr. Smith noted there is registration forms for Chief Graeff for the PA Chief's Conference and the other a request to have Gary Strock and Kim Geyer attend the

Command Institute for Police Executives. Mr. Bauder made a motion to approve the request. Mr. Kreider seconded the motion, which carried unanimously.

Traffic Commission

Chief Graeff noted Traffic Commission meeting was held on Wednesday, May 30 with himself, Mark Harris and Supervisor Breneman present. There was a letter from Esther Greiner, 22 Bucknell Avenue, requesting a handicap parking sign at her residence. After advising her that the parking space could be used by any handicap person,, she withdrew her request. There were some citizens concerned about speeding in Bowling Green area. The Commission talked about putting out the traffic data collector to see if the speed was as high as residents claimed and a traffic study will be done to determine if a stop sign should be installed at Valley Drive and Weston Road.

Bonnie Miller asked if a study could be requested at Centerville and Stonemill Road. Ms. Miller stated Centerville Road is a racetrack and just recently there was a very bad accident. Mr. Breneman asked that a written request be submitted to the Traffic Commission. Mr. Smith advised this area is probably the most frequented enforcement area currently.

Police Report

Chief Graeff stated the report stands as written but would like to point out DARE is finished. There were several DARE graduations and the Community Police Officer also attended the Mountville Fair and Mountville Health Days. They have been targeting aggressive driving and seat belt enforcement details. They led the Memorial Day Parade. Chief Graeff indicated he is a big proponent of Community Policing and he has spoke to all the officers. One of the things he wants to do is get the motorcycle out more often, the bicycles and have the officers get out on foot patrol. These things are happening and as the summer goes on he will be expanding on them. There were 21 criminal arrests for the month, for the year 135, traffic citations 106 for the month, 493 for the year, 27 accidents for the month, and 147 throughout the year so far. A note written by Joanna Rodriques was left that read "I think that Manor Township has the best cops in Lancaster". Chief Graeff stated it is an honor for him to take this position and wanted to let the Supervisors know he appreciates the honor and the privilege given to him and he wants to make everyone proud and appreciate the trust given. He stated it is a very good police department and there are some fine officers both male and female and he hopes to improve on what is already there and make it an even better place for them and a better police department for the residents.

Road Foreman's Report

Mr. Smith stated Mr. Harris's report stands for itself. He did want mentioned the contracted work lined up seal coating and overlay is expected to start in the next one to two weeks.

Ms. Bare asked if Chestnut Grove Road is being tar and chipped or blacktopped. Mr. Smith advised it would be a blacktop project. Mr. Herr advised next year there would be a tar and chip. Ms. Bare asked if they could request they do not get a tar and chip. Mr. Herr explained the process regarding roadwork.

Parks and Grounds Maintenance Report

Mr. Dickert reported there is nothing out of the ordinary. They are into their maintenance routine for the year. The summer employees have started.

Assistant Manager's Report

Mr. Laudien reported last month he responded to a number of complaints regarding trash haulers picking up on off days as well as some accusations of throwing recycling in with the trash. The incidents of recycling thrown in with the trash Mr. Laudien found the haulers were not in violation of our ordinance. One of the operators

has a compactor truck for waste and recycling so while it may look like trash is going into a general trash truck it is actually going into a recycling holding truck. He worked with the consultant and Park and Recreation Board on the Comprehensive Park and Open Space Program Plan and started to make some headway there. They decided to start meeting on a more regular basis than previously advertised in order to try to get this done if possible by the end of the year. There were a number of stormwater issues that compiled over last fall and through the winter that were waiting spring and summer cycle. With the cooperation of Mark Harris and the Road Department, they were able to address a number of those issues and resolve the stormwater problems to the satisfaction of the residents. He worked with ARRO and Bruce Ott to modify the permits package. The package has worked tremendously. We have processed probably somewhere between 800 and 1,000 permits and it allows staff to search through the permits in a very quick way and very efficient way. It allows us to get permits done in the absence of Bruce Ott. The reason it must be changed is not anything wrong with the program but the State modifies what they want to see on a permit on a six months basis and we have put them off as long as possible. We are not changing the substance but changing the way it works when you receive a permit. The summer program will start next Monday and will run for eight weeks.

Manager's Report

Mr. Smith mentioned regarding Wal-Mart staff has met with the solicitor to look at two specific aspects 1) giving scrutiny to the County's conditional approval of the preliminary plan and how that may effect the Township and 2) reviewing the appeal that F.A.I.D. has into the County which is the purpose of your pending Executive Session. Scheduled for this week, our consultant will be meeting with Mr. Laudien, Mr. Ott and Mr. Smith reviewing all the comments that have been solicited regarding subdivision/land development ordinance. There will be a meeting June 18th regarding the S. Creek Bridge and hopefully will look at whatever options are out there regarding funding. The Charlestown Road culvert has been deteriorating and it has been budgeted for the engineering proposals. For the engineers to prepare a proposal, they need to know whether the Supervisors want the standard 28' that would be two lanes and the appropriate pedestrian on each side. There had been discussion regarding making the culvert three lanes. Mr. Breneman asked if the engineering could be done that it could be added to as far as box culvert. Mr. Smith stated the adding to is not practical from a standpoint that there are wing walls and footers. Mr. Smith stated there is a possibility it can be extended but the cost of that is just as much if not more when it is factored in you have not only constructed one set of wing walls to an extent you will be doing again. Mr. Bauder stated, to make it bridge three lanes, the stonewall would have to be removed and that would be a tremendous cost. Mr. Smith stated he feels the alignment should be were it currently is and first improvement would negate having to expand right-of-way in the near future would be to look at upper improvements at the Rt. 741 intersection with a right turn lane. There are times when most people are turning right. If there would be a right turn lane, it would significantly facilitate traffic through there because in peak hours it is backing up to the bridge. Mr. Breneman feels the best thing is to replace what is there and if something happens redo the intersection. Mr. Smith stated the immediate future is to replace the culvert that will in all likelihood predate anything that happens on the tract behind us. In the event the tract behind us comes in with 600+ acres, they will have to do significant improvements at which time that intersection will be a must. Mr. Bauder stated since the tract was mentioned that is in the PRD, which gives Planning Commission complete authority for approval, and he would like to see that changed so that the Board has part of the approval of that PRD. Mr. Smith stated that would be amending the zoning ordinance. Mr. Smith stated the suggestion is very practical and

logical and Mr. May agreed. Mr. Bauder asked if a motion is needed for amending the zoning ordinance to adjust the approval process of the PRD. Mr. Smith stated if there is consensus to do that they would just prepare it. Mr. May asked if a motion is needed on the culvert. Mr. Smith stated if the consensus is to go with 28' he will work with the engineer and the goal will be to get the engineering done. It is budgeted for this year and if able to get it awarded and done this year or into the first quarter of next year they would want construction to hit virtually immediately after school is out, because this will be a disruptive construction.

Ted Gingrich reported that the intersection at Charlestown and Rt. 741 was allotted three-quarters of a million dollars by PennDot for improvements and they pulled that money to put sidewalks in at Dutch Wonderland.

Building Permit Report

Mr. Kreider read the building permit report noting the amount of permits issued in May of 2007 was 60 and last year 41. Permits year to date were 188 and last year 184. Dollar value of permits issued in May 2007 were 2,599,634 and the dollar value of permits issued year to date in 2007 is 11,736,721 compared to 2006 of 12,937,269.

Mr. May stated the Board was adjourning for an Executive Session regarding a litigation matter and when they come back it would be to adjourn the meeting.

Mr. May reconvened the meeting and stated the purpose for the Executive Session was to determine whether or not they wanted to intervene in the land use appeal filed by F.A.I.D. with regard to the Wal-Mart matter. Mr. Breneman made a motion that Manor Township wishes to intervene in the land use appeal that has been filed by F.A.I.D. and others for the conditional approval given by the LCPC. Mr. Kreider seconded the motion, which carried unanimously.

Mr. Gingrich stated he heard on TV today that Wal-Mart is drastically cutting back on their new openings.

There being no further business, Mr. Kreider made a motion to adjourn the meeting at 10:40 p.m. Mr. Herr seconded the motion, which carried unanimously.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

July 2, 2007

7:30 PM

Chairman John May called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA, at 7:30 PM. He led those in attendance in the pledge to the flag. Roll call was taken noting all Supervisors present.

Members present: John May, Richard Bauder, Allan Herr, Jay Breneman and L. Allen Kreider.

Staff present: Bill Laudien, Mark Harris, Chief Graeff, Mike Dickert, Ryan Strohecker and Rita Young.

Visitors present: See attached.

Minutes – Mr. Breneman noted a correction in the minutes under the police report. He stated the sentence reads opponent and it should be proponent of Community Policing. Mr. Kreider made a motion to approve the June 4, 2007 minutes with the listed correction. Mr. Herr seconded the motion, which carried unanimously.

Bills – Mr. Herr made a motion to approve the bills as listed. Mr. Breneman seconded the motion, which carried unanimously.

Financial Report - Mr. Bauder made a motion to approve the financial report as submitted. Mr. Kreider seconded the motion, which carried unanimously.

Solicitors Report – Mr. Laudien stated there is no solicitors report.

Business From the Floor

There was no business from the floor.

Old Business

South Creek Bridge – Mr. May stated he had written a letter noting they would like the County to explore the possibility of putting in a new bridge or at least explore the cost of it. Mr. Laudien stated that Mr. Smith is continuing to work with the County to try to find some alternative funding for the bridge. Mr. Kreider stated that he has a problem spending money to replace or repair a bridge that he feels goes nowhere. He noted there is a bridge close by that can be used instead. The Supervisors discussed that there are 62 bridges that the County has to repair and they felt this one would not be high on the list.

Springdale Park Walkway – Mr. Kreider stated he has talked to the two homeowners along the walkway and other homeowners in the community and they have come to the conclusion that the owners, on either side of the park walkway, are more than willing to have signage put up along their properties. Mr. Kreider felt this is a perfect solution to this problem even if everyone might not be happy with this. Jim Hall, 129 Swedesford Lane, felt the signs are a good idea because it is a beautiful park area but a lot of people don't know it is there. He felt this is good for the community but did make a suggestion that some brush at the end of the walkway be cleaned up. Mr. Breneman agreed that the signage is a good idea and should be installed at both ends of the pathway. Mr. Kreider made a motion to direct Mike Dickert to install the signage. Mr. Breneman seconded the motion, which carried unanimously.

Mr. Kreider asked if the Board plans to be discussing a noise ordinance tonight since it was mentioned at last months meeting. Mr. May stated no, it is not forgotten, but not ready to discuss yet. He noted that they are exploring the possibility of combining a noise ordinance along with a nuisance ordinance.

Mr. Bauder stated he had made a request in the past to look at changing our PRD zoning, and asked where they are with that. Mr. Laudien stated there are three issues that were brought up last time it was discussed. He noted they have begun work on the PRD Overlay, the noise ordinance and also constructing the noise ordinance to include amending the days of operation of the waste haulers. He stated he hopes to have all three items prepared and advertised for the next meeting.

New Business

Shopping Center Zoning Amendment – Mr. May noted this has been before the Manor Township Planning Commission at last months meeting and they had forwarded it to the Supervisors for adoption. Mr. May also stated that there has been discussion on rezoning the four lots around the Wal-Mart area, but there are other places in the township where this ordinance would apply. He stated the MTPC has recommended that it be adopted. Mr. May stated that this was a long discussion with the MTPC. Mr. Bauder stated he attended the MTPC when it was discussed and he is satisfied with the recommendation from the MTPC to adopt this amendment. Mr. May stated this amendment reads as follows: An ordinance amending the Manor Township Code of Ordinances, Chapter 27, Zoning, by amending the Official Zoning Ordinance of Manor Township, Lancaster County, PA, by (1) implementing measures to protect valuable areas within the Township's Commercial zones from sprawling development patterns associated with large-scale shopping centers; (2) Requiring multi-story development for large scale shopping centers; (3) Requiring multi-story off street parking lots for large scale shopping centers (4) increasing required loading spaces sizes for shopping centers; (5) clarifying the language of section 401; and (6) adjusting related sections to accomplish the preceding revisions. Mr. Bauder made a motion to adopt Ordinance #4-2007. Mr. Kreider seconded the motion, which carried unanimously. Mr. May noted that it might be a good idea to look at our Zoning Ordinance in relationship to the Regional Comprehensive Plan verses our own to make sure we are consistent.

Mr. Bauder stated that with regards to signs, in our new Comprehensive Plan there is a comment about making sure our sign ordinance serves the citizens of our township. He stated that since he no longer has a vested interest in signs, he feels that seasonal off premise signs should be allowed. He stated he would like the Township to do something about this. Mr. May agreed because there are so many off premise signs anyway. Mr. Kreider agreed about the signs, however he feels signs should have a limited time and place even if it is a farm product. Mr. Kreider stated he does not like any signs, but if they are used, then people must abide by the rules and take them down when not in use if seasonal. Bonnie Miller, 113 Bent Tree Drive, stated that the Township already has an ordinance for signs and went over several rules. She noted that the sign ordinance is only enforce if someone calls the Township and complains, then the zoning officer will go out and pull illegal signs. Mr. May stated we have adopted the Regional LIMC Sign Ordinance. Mr. Laudien stated that the sign ordinance is enforced and there are many signs in the basement of the township building that Mr. Ott has pulled. Mr. Herr asked if we make a change in our sign ordinance, how does that affect the LIMC sign ordinance that we have adopted. Mr. May stated we can make any changes we want in our own sign ordinance for the township. Mr. Bauder stated the he feels we should review our sign ordinance. Mr. May stated that he did bring up the issue of off premise signs at an LIMC sign meeting and all the other townships wanted to leave the ordinance as it is. Mr. Herr suggested they direct staff to review the sign ordinance for changes in off premise signs. Mr. Laudien suggested that possibly the Supervisors should review the ordinance so it could reflect the changes they had in mind. After some discussion, the Supervisors agreed that they would all review the ordinance and give staff their recommendations.

Wheatfield Developers LLC Petition to Rezone - Mr. May stated that the MTPC recommended that the Haverstick Farm not be rezoned in the past and now, Wheatfield Developers is requesting that the 132 acre farm be rezoned from R-Rural to RM Medium Density Residential. Mr. May suggested that this request be passed on to the MTPC for their comments. Mr. Bauder made a motion to pass the request from Wheatfield Developers to rezone, on to the Manor Township Planning Commission for recommendations. Mr. Breneman seconded the motion, which carried unanimously.

Wheatfield Developers Conditional Use Application – Mr. May stated they have received a conditional use application to keep the Haverstick Farm zoned Rural and put in a trailer park. Mr. May stated that a conditional use application is an application that does not go before the Zoning Hearing Board or the Manor Township Planning Commission. He stated it is a request that goes before the Supervisors. He noted that the Board has 60 days for the filing of the complete application to set a hearing. Mr. May stated the he believes the application is complete and they will have to set a date. He noted the Supervisors are the judge and jury for this application and it would be inappropriate to make any comments at this time. Mr. Laudien stated the conditional use hearing is similar to what occurred with Wal-Mart’s special exception hearing. The difference in this case will be that the Township, shall be represented by the zoning officer. The staff members will be required to attain their own council. Mr. Laudien stated that this case, the request shall be presented to the Supervisors, by the zoning officer and his council, by the applicant and their council and by any other parties which my want to voice their opinion. Mr. Laudien agreed that it would be inappropriate for the Supervisors to make any comments on this at this time. Mr. Laudien recommended that the Board appoint Matt Crème to represent Mr. Ott as legal council for the conditional use hearing. Mr. May reviewed that there are two things happening by this developer at this time. Mr. Bauder made a motion to attain Matt Creme as legal council for Bruce Ott through the conditional use hearing for Wheatfield Developers, LLC. Mr. Kreider seconded the motion, which carried unanimously.

Peace of Mind Self Storage Waiver Request – Mr. Laudien stated that Peace of Mind Self Storage is asking for a waiver request to have an additional area stoned and not paved, to expand their business to park some RV’s and trailers or boats. Their request is to use crushed stone instead of blacktop. Mr. May stated there are other areas where this has been permitted. Mr. Herr made a motion to grant the waiver request to allow the area to be stoned instead of paved. Mr. Kreider seconded the motion, which carried unanimously.

Agricultural Security Area Addition – Howard and Frances Shaub – Mr. Laudien stated this is a notification that Howard and Frances Shaub, 3483 Blue Rock Road, would like to add 39.2 acres into the established Agricultural Security Area for Manor Township. He noted they would like to utilize the 180-Day Procedure. Mr. Breneman made a motion to accept the petition for Agricultural Security for Howard and Frances Shaub and grant the 180-Day Procedure. Mr. Herr seconded the motion, which carried unanimously.

Barb Cook Lefever Isolation Distance Waiver – Mr. May explained a letter from Dave Lockard, Sewage Enforcement Officer for Manor Township, stating the applicant wishes to repair her sewage system at 1 Dublin Drive and is requesting the waiver of isolation distance because they can not meet all the requirements of the regulations. Mr. Lockard is recommending approval of the waiver. After some discussion, Mr. Kreider moved to approve the Lefever isolation distance waiver request. Mr. Herr seconded the motion. The motion carried unanimously.

Southern-End Low-Grade Rail Line – Mr. May stated a request from Mr. Dan Good, Lanc. Co. Conservancy, along with Mr. Ralph Goodno, asking the Township to endorse a consultant for the

rail trail. He noted that the consultant would receive \$10,000, however, \$9,000 of this is already a grant, leaving only \$1,000 that the municipalities would have to provide. The Manor Township Supervisors signed a letter in support of the establishment of a rail trail passing through Manor Township.

Parkfield Phase 10 Letter of Credit Reduction – Mr. May stated this request, from Fieldcrest Associates, for a reduction in Letter of Credit #D004312 is in the amount of \$451,510.00. Mr. Laudien stated this project has completed 65% of the excavation and the storm water is 95% complete and Staff is satisfied with the work. Mr. May questioned the letter listing work being 65% complete without listing documentation. Mr. Laudien stated that Mr. Smith does have all the documentation he just did not make copies of all of it. Mr. Bauder asked about the storm water. Mr. Laudien stated that the issues on storm water for this project were storm water management issues and this is reduction of Letter of Credit issues for the excavation. Mr. Harris added that all the storm water structures are in place and they will begin pouring curbs within the next week. After some discussion, Mr. Kreider made a motion to reduce Letter of Credit #D004312 in the amount of \$451,510.00. Mr. Breneman seconded the motion, which carried unanimously.

Manor Oaks Remaining Lands Section 1 Letter of Credit Reduction Request – Mr. May noted a request for a reduction in Letter of Credit #566 from Manor Oaks. The request is for a reduction of \$72,425.68 leaving a balance of \$24,065.00. Mr. Laudien stated that Mr. Smith is recommending that the Supervisors do not grant this reduction in this Letter of Credit at this time. Mr. May tabled Letter of Credit #566 for Manor Oaks.

Manor Oaks Remaining Lands Section 2 Letter of Credit Reduction Request – Mr. Laudien stated this reduction of Letter of Credit #617 request is in the amount of \$10,553.35 and would leave a balance of \$66,884.45. Mr. Laudien stated staff is recommending the reduction request. Mr. Bauder made a motion to grant the reduction request of \$10,553.35 for Letter of Credit #617 for Manor Oaks. Mr. Breneman seconded the motion, which carried unanimously.

Manor Heights Apartments – Letter of Credit Reduction Request – Mr. Laudien stated there are two issues in this request. The first issue is for a reduction in the maintenance guarantee leaving a balance of \$148,732.56 and staff is recommending that this be approved. Mr. Breneman made a motion to reduce the Letter of Credit and leave a balance of \$148,732.56. Mr. Kreider seconded the motion, which carried unanimously. Mr. Laudien stated the second request is for the second bond to be reduced to \$94,402.00 which staff is recommending approval. Mr. Bauder made a motion to reduce this Letter of Credit to \$94,402.00 for Stony Creek Ridge Limited Partnership. Mr. Herr seconded the motion, which carried unanimously.

Township Job Description – Mr. May noted that the Supervisors would like to review the job descriptions for the Township and he suggested that they appoint a committee to improve them or shift some responsibilities and clarify some responsibilities. He noted this would also provide benchmarks for evaluations. Mr. May appointed Mr. Herr and Mr. Bauder to be on a committee with Mr. Smith and Mr. Laudien to review the job descriptions. Mr. Bauder stated he has concerns with the methods used for evaluating and he feels the Board should have input to this. Mr. May stated the last time they were reviewed was in 2001.

Correspondence

Mr. Laudien stated the Township has received notice from DCNR for final approval for the floating dock to be installed at the end of Blue Rock Road. He noted permission to purchase this and go ahead with the project, and hope to have the dock installed as soon as possible.

Mr. Laudien noted a request from West Lancaster Fire Company. Mr. May read a letter of request for financial assistance from Manor Township for the purchase of a new engine with an estimated cost of approximately \$500,000. He noted reasons why West Lancaster will be purchasing the new engine. Mr. May suggested that they forward the request to the budget to consider it for the coming year.

Mr. Laudien noted a request to attend the Grounds Manager's Field Training at Swarthmore College for a one-day session, cost \$35.00 per person. Request is for Mike Dickert and any other appropriate personnel.

Mr. Laudien noted a request for Officer Tricia Mazur to attend the Reid Technique of Interviewing and Interrogation at a cost of \$395.00.

Mr. May made a motion to approve the two requests for seminars with the necessary expenses paid. Mr. Breneman seconded the motion. The motion carried unanimously.

Mr. Bauder stated that he and Mr. Kreider looked at the culvert located on Charlestown Road. In their opinion the culvert is in good shape except for the out-going sides. He stated he would like to have a bridge builder look at this to see if he could repair the bridge instead of replacing it. Mr. May noted that at the May meeting it had been budgeted to have the engineering studies done for the bridge. Mr. Bauder felt it should be done before the engineer studies, because if it could be repaired, then we would not need the engineer studies. Mr. Harris stated that it was his understanding and the engineering study was agreed upon at the last road tour when the culvert was looked at. Mr. Harris stated that it was also approved in the budget project to have the engineering study done. Mr. Bauder stated that they did agree and approve that, but he recently looked at the bridge and he feels the bridge has not deteriorated any more. Mr. Harris stated that he has looked at it and he feels the bridge is deteriorating more. Mr. Harris went over several other areas of the bridge that have been deteriorating more and based on discussions this past week with Buchart/Horn it is not likely that the bridge can be replaced in 2008. He noted that the process to get all bids and permits required would take until 2009 to complete. Mr. Harris stated that he would be happy with this time frame because it would give the Township time to set monies aside in the budget process for this project which will be a large bill. He added that this is good vision and planning. Mr. Harris noted they had a previous estimate to repair the bridge at \$30,000 and the engineers stated you would have to double that at this point. Mr. Harris noted that there was concrete put in to try to stabilize some of the erosion but it still needs replaced. Mr. Bauder stated he would still like to have someone different look at the bridge. Mr. Kreider asked if we have ever had Penn Dot look at this. He noted that Penn Dot offers some services at no charge and gives some ideas of what should be done. Mr. Harris asked if Mr. Kreider is referring to LTAP. Mr. Kreider stated yes, but when he looked at the bridge today, the concrete was put on the down side of the wing walls, there is erosion under that and he thinks putting more concrete in is not the answer and he felt the entire wing wall should be removed and there is nothing wrong with the bridge itself, just the wing wall. Mr. Harris stated there are no wing walls on the down side where he is talking about and the part that is deteriorating is the original structure. Mr. Harris asked the Supervisors if they want to put new wing walls on a deteriorating structure. Mr. Bauder stated in his opinion the bridge is not that deteriorated. Mr. Harris noted that the engineer study reports from 2002 and 2005 states that the deterioration has increased. Mr. Kreider felt it can still be repaired. Mr. Bauder stated he would like to study it further. Mr. May noted we can get an estimate but we must weigh the cost of repair on the length of how long it will last. Mr. Harris stated that he needs direction because of the risk of liability if they repair the existing bridge and then it fails. He noted that the bridge has 4000 cars crossing it daily. After some discussion, the Board

agreed to continue to take bids for the engineering and Mr. Harris will contact LTAP for their opinion. Bonnie Miller suggested they contact JD Eckman, bridge builders.

Traffic Commission

Chief Graeff reported that the Traffic Commission met June 27, 2007. He went over the report noting that the traffic study conducted on Weston Road for speeding did not justify any modification on that speed limit. However the study did show that there was justification to erect a stop sign on Weston Road at Valley Road. Mr. Kreider made a motion to erect the stop sign at Weston and Valley Roads. Mr. May seconded the motion, which carried unanimously.

There was a request to check the site distance at the intersection of Charlestown Road at Donerville Road because of the cornfield. He noted Mr. Harris has already taken care of that problem by cutting the corn in the sight distance for the corner.

Chief Graeff also noted a request for duck crossing signs to be erected on South Centerville Road. The Board made a recommendation not to erect the signs.

They received a concern from John Loose about the CVS parking lot located along RT 462 being used to cut through from Ursinus Avenue to Good Drive. The Board noted there is not a lot that can be improved because the lot is already posted "no thru way" ..

A request was received to conduct a traffic study on a new street being constructed at Timson Place. The street will connect Timson Hills with Donerville Road. Officer Gardner will be conducting that study.

Mr. May stated that he has heard complaints about the cut through from Duke Street into Springdale Farms at Knollwood Road. He stated cars are using it and it is not even paved. After some discussion, Mr. Laudien stated that it was intended to be a construction access but in default as an emergency access but never intended for any public access.

Police Report

Chief Graeff stated the monthly report has been submitted. He added that officers are attending mandatory updates and training. He listed the traffic statistics and noted that he had received a call from a resident in Mountville that stated she was pleased with the increase of patrol in Mountville after her request for it. Chief Graeff stated this does reflect back to the officers doing their job. He went over areas where he has spent money but is also saving money. Chief Graeff also presented a picture of the graphics he would like to be put on the new police cars. He added that the officers helped in the decision on the graphic design and they have had a positive feedback about this. Jim Huber, 113 Shannon Drive, asked if they plan to retain the Native American emblem. Chief Graeff stated yes, they will be keeping that. Mr. Herr asked about the response for the advertisement for officers. Chief Graeff stated there were 15 applicants and they will be accepting them until the 27th of July. Mr. Bauder asked where they use the bike patrol. Chief Graeff stated it will be used in Mountville Boro and any high density developments and in the parks. Joan Matterness, 213 Sutherland Road, asked if they have gotten the computers for the officer yet. Chief Graeff stated they are still waiting to hear from the state but they hope to know by the end of July.

Road Foreman's Report

Mr. Harris reported work from the Highway 8 fund, doing line painting, contracted oil and chip was completed, and completing paving in place. He noted inspections on new development and work on Locust Grove Road.

Park & Grounds Maintenance Report

Mr. Dickert stated the month of June has been very busy with routine work. He did note that there has been an increase in vandalism at both Greider and Charlestown Parks.

Assistant Manager's Report

Mr. Laudien noted continued work on the Comprehensive Park and Open Space Plan with the Park and Recreation Board and they hope to distribute a survey with the next newsletter. The summer playground program has started and the Township has received the first submission under the new SALDO. Mr. Laudien stated a safety audit has been completed for the Township and it went very well again this year.

Township Manager's Report

There was no report.

Building Permit Report

Mr. Kreider read the Building Permit Report noting that there were 44 permits issued in the month of June bringing the total number of permits for the year to 232.

John Gentile, 304 Stone Creek Road, asked if there were any updates on the progress of Wal-Mart. Mr. May stated no but FAID has filed an appeal to the County Planning Commissions determination. He stated that Manor Township is an intervener on this appeal and will be filing our own briefs on appeal. Sarah Reinbold, 2725 Royal Road, asked when the hearing will begin. Mr. May stated that there will not be a hearing because this is an appeal.

Peter Stillwell, 101 Stone Creek Road, read a letter about Wal-Mart, expressing his concerns.

There being no further business, Mr. Kreider made a motion to adjourn the meeting. Mr. Bauder seconded the motion, which carried unanimously. The meeting adjourned at 9 PM.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

August 6, 2007

7:30 PM

Chairman John May called the meeting to order at 7:30 pm in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, Allan Herr, L. Allen Kreider and Jay Breneman.

Members absent: Richard Bauder.

Staff present: Bill Laudien, Mark Harris, Ryan Strohecker, Chief Todd Graeff, Mike Dickert and Rita Young.

Visitors present: See attached.

Minutes – Mr. Laudien noted a correction to the July 2, 2007 minutes. He stated that the ordinance number, # 4-2007, needs to be added for the Shopping Center Zoning Amendment. Mr. Breneman made a motion to approve the minutes from the July 2, 2007 meeting with the correction. Mr. Herr seconded the motion, which carried unanimously.

Bills – Mr. Kreider made a motion to approve the bills as listed. Mr. Herr seconded the motion, which carried unanimously.

Financial Report - Mr. Kreider made a motion to approve the Financial Report as submitted. Mr. Breneman seconded the motion, which carried unanimously.

Solicitors Report – Mr. Laudien stated there is no solicitors report at this time.

Business From the Floor

Jacque Gumper, 1005 Hearthstone Road, read the following statement from C.H.A.R.R. Over the past five years C.H.A.R.R. has worked to oppose the rezoning of the former Haverstick tract along Donerville Road. The intent of C.H.A.R.R. was for involved citizens to work together for a common goal. At this time there is not a unanimous approach to the current rezoning petition and mobile home park hearing. Therefore, due to the diverse opinions of the neighbors, C.H.A.R.R. is dissolved as a citizen organization and will no longer be speaking on behalf of a group. Everyone's input, ideas and concerns should be expressed as individuals and not representative of C.H.A.R.R. Therefore, further input, ideas, concerns and actions will be personal expressions, and not representative of a group.

Darryl Sensenig, 363 Hershey Mill Road, expressed concerns about flooding in the Hershey Mill Road area and flooding at his Mill. He noted that he still feels the retention basin on Hershey Mill Road, located across from his property is not releasing water out of the pipe the way it should. He noted he had concerns before and feels they have not been corrected, and the outlet to the basin is, blocked by weeds. After some discussion, the Supervisors directed Bill Laudien to contact the Lancaster County Soil and Conservation District for review. Mr. Kreider asked if the office receives the reports from the Conservation District. Mr. Laudien stated he believes that Barry gets those reports.

Brad Singer, 246 Coffee Street, requested that the Supervisors continue to explore the possibility of re-opening the bridge at Creek Road. He stated he knows it is a County bridge, but asked that the Supervisors support having it re-opened. Mr. May stated that since the bridge has been closed, there is a continual trash problem. People are going there and throwing trash out. The Supervisors asked Mr. Laudien to contact the County for the status of the bridge at this time. The Supervisors agreed that they will also make some calls to the County.

Peter O Donghue, 388 Hershey Mill Road, noted he still has concerns about the flooding on Hershey Mill Road and understands that the Supervisors are going to contact Lancaster County Soil and Conservation. He stated even though they control the soil run off, will they have any kind of authority to say this retention pond is working efficiently or not working efficiently and see that corrections are made if needed. Mr. May stated that the Conservation District has caused modifications to be made in the past and they do have authority. Mr. O Donghue asked what the correct authority is to make sure the retention basins are installed correctly and are in correct working order. The Supervisors agreed that the Soil and Conservation District is the authority that monitors this.

Jim Huber, 113 Shannon Drive, expressed concerns about a noxious weed control order from the Department of Agricultural for controlling Purple Loosestrife. The location is along South Centerville Road, property owned by Murry Co, Sher-Wal Inc. at the Woods Edge Development. Mr. Huber stated that the purple loosestrife has already taken over the wetlands in that area and has spread into the adjoining parkland owned by the Township. He noted that the letter from the Dept. of Ag stated they are ordered to implement measures to control the purple loosestrife, and it shall be done when the plant begins to flower. Mr. Huber wanted to bring this to the attention of the Supervisors and make sure that something will be done to follow out this order. Mr. Kreider stated this happened last year also but nothing was done. Mr. May explained that it was too late in the season to control the weed last year when it was brought to their attention. Now we are trying to deal with it again this year and we are aware of it.

Old Business

Wheatfield Developers LLC Petition to Rezone – Mr. May stated that this request was reviewed by the Manor Township Planning Commission at their last meeting. Mr. Laudien stated the MTPC has made no formal recommendations. Mr. May stated that there are two things going on with this tract of land. The first is the petition to rezone the land and the second is the Conditional Use Application from Wheatfield Developers for a mobile home park. Mr. May stated the Conditional Use Hearing is scheduled for August 14, 2007 at the Manor Middle School if needed. He noted that at the same time, there is a petition with a request to rezone the same tract from the present zoning of Rural to Medium Density Residential, which the Supervisors denied in the past. Mr. May stated that in his opinion the Board should seriously consider the rezoning and he was in favor of referring the request to the Solicitor at this point for the rezoning to Medium Density Residential, even though he does not like it at all. Mr. Kreider stated that he feels it is time that this Township heads off the developers and go by the LIMC plan for growth and not let the developers come in and tell us what to do. Mr. Kreider stated we were elected and put in this position to stop development and he feels the Board is going right back to where it was a few years ago. Mr. Kreider quoted house bill #904, now being voted upon, stating this bill will give the Supervisors and Townships more control where they have a time to get their ordinances together to make some smart decisions about growth in their township. He felt that right now we do not have control over development. Mr. May added that the bill Mr. Kreider is referring to would allow the Township to put a moratorium on building until they would get everything in line. Mr. Breneman stated the tract of land is in the Urban Growth Boundary and he also would like to hold off on this right now, but to rezone would be the lesser of two evils in his opinion. Mr. May stated that the MTPC did discuss this request extensively and even though they did not make a formal recommendation, they were more in favor to rezone than to go through the conditional use hearing. Mr. Breneman agreed. Mr. Herr

stated he agrees with Mr. Breneman and Mr. May, because it is in the UGB and something will happen to this property sooner or later. He would be happy if they could hold it off, but he does not see how that can happen. He agreed to have the solicitor review the request for the rezoning.

Bonnie Miller, 113 Bent Tree Drive, stated that she respects the Supervisors for running for office, however she stated she was at the MTPC and the Commission did vote and have an opinion. She noted that the Supervisors have been put in office to help steer our Township into the future and now the ball has been dropped. She stated that the Supervisors are saying they want to give this some time and at the same time they are saying to move on. She stated she does not appreciate this.

Steven Shue, 127 Stable Drive, stated that at the last MTPC, Mary Glazier voted not to rezone this area, and Beth Herr seconded it with a vote of 4 to 1. He stated there should not even be a discussion on rezoning tonight because the property has not been posted as legally required, one week before discussions take place and they should not legally make any motion. He stated that the same mistake was made with the Eshelman Farm, where you had to go back and post the property and start over. Mr. Shue stated that he is against this rezoning because it does not fit the Township. Mr. Shue went over the costs to live in a trailer park and asked that there be an open discussion on this. He also noted that there is no posting on the property about the rezoning. Mr. May stated he meant to say that he was in favor of initiating the process to go through for rezoning, which would include the advertising and posting of the property.

Bonnie Miller, 113 Bent Tree Drive, ask why appoint people to take their time and sit on boards and make recommendations when the Supervisors don't do anything about the recommendations. Ms. Miller stated that the MTPC clearly recommended waiting on this subject, and placing it on the back burner. Mr. May stated he remembers what happened at Pheasant Ridge and that it went all the way to the Supreme Court and it was fought through a conditional use hearing and the trailer park won out.

Mike Deptula, 126 Stable Drive, stated he feels like they are having this development forced upon them. He feels the Supervisors are not taking all the problems into account if they allow the development to go in when they are not ready for it all just because of the threat of a manufactured home community of one color or another. He asked that the Supervisors wait until it is needed. Mr. Kreider stated that he agrees with Mr. Deptula and stated the developers have choices and they could sell it to a farmer. Mr. Kreider noted that he is against doing something with the property at this time just to help the developer. He stated that even though the property is in the UGB we should not be pressured into rezoning it at this time. Mr. Deptula felt it does not make sense and would not be good stewardship for the community and he feels that the request for the mobile home park is just a threat.

Steve Shue added that a farmer could buy the land because it is presently being farmed. Mr. May noted that the problem for a farmer to purchase the land at this time would be the cost.

Jim Clymer, 301 Letort Road, stated he a neighbor and he owns 22 ½ acres that adjoins the land that is being petitioned for rezoning. He asked the Supervisors if they would please include his 22 ½ acres in the rezoning, if they move to rezone the property at this time. He stated that he feels this is a reasonable approach to take at this time because something is going to happen to this piece of property sooner or later. He added that he understands that they plan to put deed restrictions on so it will not be developed as densely as the zoning would permit and he feels there are rules and regulations to control the water and other things during development along with traffic restrictions. He was not in favor of the high-density plan that was submitted a few years ago but he is in favor of the plan that is being proposed at this time. He noted that since his

property is right in the middle of all this he feels it makes sense to include his property in the medium density rezoning.

Mike Deptula, 126 Stable Drive, stated this is an example of what is going to happen if they start rezoning because a developer asks for it. Neighbors will want theirs developed along with the rest. This is only going to open up the gates. He noted that the roads, schools, etc. are not ready for all the increase in development.

Gloria Shue, 127 Stable Drive, applauded Mr. Kreider for his way of thinking and stated that his were the only pro-active rather than re-active comments tonight. She stated the Mr. Kreider is the only one thinking long-term effects of this request.

Bonnie Miller stated she feels there will be flooding problems with this development the same as the flooding problems that are going on at the development sites on Hershey Mill Road.

Peter O Donoghue, 388 Hershey Mill Road, noted areas in New Jersey where they did make moratoriums and made green areas. He feels if a developer buys a piece of land assuming it will be rezoned, then that is not a wise business decision. He does not feel the township should bail them out by rezoning.

Mr. May stated that the developers did meet with C.H.A.R.R. and they could not reach any type of decision between the two. He noted there was a lot of negative opinions here tonight with only one on the positive side. Mr. May stated they could table this and the conditional use hearing will start August 14, 2007 but he feels we should initiate the process to rezone this now. Mr. May stated that even though it is not a popular thing to do, he made a motion the start the process to rezone the tract of land for Wheatfield developers LLC. Mr. Herr seconded the motion.

Mr. Shue stated that making this motion violates the MPC. Mr. May stated the motion was to initiate the process to possibly re-zoning this tract of land to a residential district, and this is the legal way. The property will be posted and there will be hearings.

Steve Himelsbach, 123 Stable Drive, stated there was new information presented tonight that he was not aware of, that being if there is a possibility of someone buying the land from the developers, so it could remain a farm and possibly be preserved, then he feels the Supervisors should wait and not push to rezone tonight. He also has concerns for the traffic and road issues. Mr. May stated if there was a possibility that this farm could be sold to a farmer and preserved, then it should be explored very quickly. Mr. Breneman noted that even if someone purchased this property for farming, it would not be able to be placed in the Ag Preserve because it is located within the UGB area and the County will not preserve farms located there.

Mark Loy, 1024 Shadowstone Drive, noted that the developer knew what the zoning was when he purchased the property and he does not understand why the Supervisors are struggling with the issue to rezone. It is a business decision on the developer's part and if the Supervisors vote to rezone this then they are only opening the door for other developers to purchase land and ask for rezoning.

Mr. Kreider stated that, everyone on this Board, was elected to get rid of a few Supervisors that were friendly with developers. Mr. Kreider stated that he feels they are right back to that again. Mr. May stated he is worried about the Pheasant Ridge situation and Mr. Breneman agreed. Mr. Kreider stated he is not worried about the developer losing money because no one bailed him out when he was in business for himself and made a bad decision. He added that Pheasant Ridge is a different issue and it was a different time and he feels they can head something like that off now, but he stated that we are not able to discuss that tonight. Mr. Herr stated that his concerns with the rezoning request, was not for the developer losing money. He

noted that it was well known that the ground was for sale and if any farmer wanted to pay the price, they could have bought it to continue farming it. Mr. Herr stated that when the property now known as Pheasant Ridge went through the courts, it cost this Township a lot of money and they lost anyway. Mr. Herr stated there has not been any type of consensus between groups at this time and Stable Drive was never listed to be a dead end street and would be connected at some time. Mr. Herr felt to rezone would be the best way to control what happens with the property, since the developer is willing to put restrictions in the deeds. Mr. May stated that the issue is not whether a developer makes money or loses money, but stated the odds of the developer selling this property back to a farmer and losing money is not very high compared to the prospect of putting a trailer park in a rural area where it is permitted.

Mr. Shue asked if there were no honor among men any more. He feels the developers are using guerrilla tactics for the Supervisors to rezone this property.

Mr. May stated he is going to withdraw his motion to start the process to rezone and wait for Mr. Bauder to come back because at this point it would be a two-two vote. He stated the request for rezoning will be tabled at this time but the conditional use hearing will begin on August 14, 2007 as scheduled. Mr. May stated that he hopes everyone has enough foresight to see what could be happening here.

Noise Ordinance – Mr. May stated that the Staff has a sample noise ordinance from East Hempfield Twp. and he has also gotten a copy of Lancaster City's noise ordinance. Mr. May stated they will be reviewing these. Mr. Kreider stated that in his opinion if they impose a noise ordinance, then they also have to have a solid way that our officers can arrest people who do not abide with the noise ordinance. He feels we should not be following the other ordinances but come up with one of our own. Mr. May stated he feels the City ordinance can do that and ask Mr. Kreider to review that. Mr. Kreider stated he is tired of backing ordinances that fall by the way side and he feels the Chief should have input into this ordinance so it will be able to be enforced by law. Mr. May added that the public will have to call with a complaint to have this enforced though, because we do not want our police just driving around hunting it. Mr. Kreider stated that he wants the officers to have the authority to arrest someone when the opportunity presents itself and not wait to be called to a situation.

New Business

SALDO – Peace of Mind Self Storage Mark Lauriello, Rettew, stated this is the first plan under the new Sub Division and Land Development Ordinance for Manor Township. He noted that the way the ordinance is set up, the Supervisors now have control over approval or disapproval. Mr. Lauriello stated the first time a plan is presented to the Supervisors it is presented as a briefing item where no action is scheduled. The Supervisors review the plan, ask questions and then prior to the next meeting action is scheduled. Mr. Lauriello presented the plan for Peace of Mind Self Storage noting that the plan is an expansion of the existing business located on Charlestown Road. He stated they are proposing a small expansion adding on some ground to create an area where they plan to store RV's. With this plan there are a few modifications or waivers. They have requested a waiver of the preliminary plan with a request that they be allowed to proceed with the final plan because it is an expansion of an existing use. The MTPC has recommended approval of this. There is request for modification of a requirement to show all existing features within 200 feet of the site and the MTPC recommended denial of that request. They have requested modification of a the requirement to submit a traffic

impact study and the MTPC recommended approval of that with the recommendation that they provide a fee in lieu of that study that would be acceptable to the Township. They have also requested a waiver of the three meeting delay but this does not matter since the Township now has their own SALDO. Mr. Lauriello stated this property is in the industrial zoning district and is a permitted use and it will utilize an existing retention basin that was designed for the entire remaining lands between this site and the beer distributorship at the end of this industrial strip. Mr. Lauriello stated that is the briefing on this plan and no action needs to be taken at this time. Mr. Breneman asked if there is any impervious surface here because the area shows mostly stoned. Mr. Lauriello stated the driveways are to be paved but the area where the RV's are to be parked will be stone. Mr. Kreider asked if the area is stoned will that cause a problem to being handicapped accessible. Mr. Lauriello stated certain parking spaces will need to be handicapped accessible but they may still have stoned areas. Mr. May stated that this plan is not in accordance with our parking lot regulations because by definition this is not a parking lot it is a storage area.

Dedication of Creekside Drive – Mr. Laudien stated that Mr. Harris has been on location and inspected the site and noted that everything is in order. Mr. Laudien stated that the Staff has recommended approval of dedication, which if done tonight will be in time to be submitted for the liquid fuel funds. Mr. Breneman made a motion to approve Resolution #16-2007 for the dedication of Creekside Drive. Mr. Kreider seconded the motion, which carried unanimously.

Improvement Guarantee Agreement – Washington Boro United Methodist Church – Mr. May stated this is for a \$56,000 Letter of Credit for the WBUMC. Mr. Laudien stated he has the Improvement Guarantee Agreement and the Letter of Credit from the Millersville Federal Credit Union and you would need to enter into this agreement contingent upon the Solicitors review. Mr. May made a motion to accept the Improvement Guarantee Agreement and the Letter of Credit for the WBUMC contingent upon the Solicitors review. Mr. Herr seconded the motion, which carried unanimously.

Uniform Pension Ordinance and Non-uniform Pension Ordinance - Mr. May stated this was a formality after our audit that should have been taken care of. He noted there should have been an ordinance that would authorize the agreements we have entered into. Mr. Strohecker explained that these plans adopted in 2003 but were never passed by ordinance and this needs to be done. Mr. Breneman made a motion to prepare an ordinance and advertise it for the Non-uniformed Pension Plan. Mr. Herr seconded the motion, which carried unanimously. Mr. Breneman made a motion to prepare an ordinance and advertise for the Uniformed Pension Plan. Mr. Kreider seconded the motion, which carried unanimously.

Timson Place – Mr. Laudien stated this is a request for a Letter of Credit reduction for Timson Place, Manorvest Deveelopment. He stated they are requesting a reduction of \$94,547.00, leaving a balance of \$126,456.00, and it has been reviewed by Mr. Smith and is recommended to approve the request. Mr. Kreider made a motion to approve the Letter of Credit request for Timson Place in the amount of \$94,547. leaving the balance of \$126,456,00. Mr. Herr seconded the motion, which carried unanimously.

H2 Enterprises – Mr. Laudien noted that typically the Township retains 15% in any letter of credit, however this is a request to release the entire amount. Mr. Laudien stated that in this request, H2 is not dedicating any of their building parcel or parking lot to the Township therefore it is not necessary for us to retain the 15%, unless the Supervisor would choose to do so. The Supervisors agreed there would be no reason to retain any money. Mr. Herr made a motion to release the entire amount of the letter of credit to H2. Mr. Breneman seconded the motion, which carried unanimously.

Front Yard Setback – Mr. May stated that the subject of Front Yard Setbacks came up due to an issue at the corner of Hershey Mill Road and Rohrer Road on the O Donoghue property. The issue is that the Manor Township Zoning states that if your property is on a corner, then you technically have two front yards to your property. Mr. May stated this problem has happened in the past. After some discussion, the Supervisors asked the Staff and Mr. Ott to take a look at this and see what the solution might be. Mr. Laudien noted that the ordinance states you cannot put any structure in the front yard, which is from the front of the house to the road. He added that the problem is when a house is set pretty far back on a lot and the issue with the O Donoghue property is they have two front yards because of the corner.

Bonnie Miller, 113 Bent Tree Drive, asked if it would be logical to say that the Township made this situation more difficult because they moved Hershey Mill Road. Mr. May stated that we will deal with this through the ordinance.

Fire Company Consolidation - Mr. May stated that on the 25th of July, there was a meeting with Millersville Boro Council and the four fire companies. He noted the meeting was facilitated by Dean Fernsler, DCED, and out of that meeting, the fire companies have an active interest in consolidating. Mr. May stated that this would help with all the additional burdens that have been put on the fire companies and help them operate more efficiently. He noted that at the meeting it was decided that we should have a task force comprised of 13 members, which would include representatives from the fire companies, citizens and Board members. Mr. May stated the fire companies have put up equal amounts of money and they hope to get this done. Mr. May stated that a resolution should be ready for the next meeting.

Ted Gingrich, 110 Bent Tree Drive, noted that the committee or task force is proposed to be a two-year commitment. Mr. Herr added that Mr. Fernsler stated that he was impressed with the level of commitment that the fire companies involved have, and the way they have put money up front for this. Mr. Herr stated that there was an invitation made to the Mountville Fire Company but they did not choose to participate at this time. Mr. May noted that if they change their mind, they will have the option to join when it is done but not in the middle of the process.

Bonnie Miller, 110 Bent Tree Drive, asked what about the real estate if they consolidate. The Supervisors stated that all the stations remain the where they are. Ms Miller suggested that there be another location toward Weaver Road where a fire station could be erected because there is such an increase in housing along Hershey Mill Road and that area. . Mr. May stated that would be up to the proposed task force. Mr. Breneman stated that area would be Mountville.

Correspondence

PSTCA Tax Collectors Conference – Request from Rita Young to attend this conference for one night with necessary expenses paid.

Tractor and Mower Operator Safety Course – Request to have the public works dept. personnel attend this, which will be held at the maintenance building.

National MADD Conference – Request for Officer Carolyn Gundel to attend this with the necessary expenses paid which will be \$75.00 because she has been awarded a scholarship, which will pay for airfare, hotel and most of her meals. Mr. Breneman asked the Chief Graeff thank Officer Gundel, for her work in this area.

Mr. Breneman made a motion that the appropriate people attend the listed workshops and functions. Mr. Herr seconded the motion, which carried unanimously.

Traffic Commission – Chief Graeff stated the Traffic Commission met on July 25, 2007. The traffic study done by Officer Gardner was reviewed for the establishment of a Stop sign on Hampden Drive at Donerville Road and a continuation of the 25 MPH speed zone. Based on the report, the Traffic Commission recommended both. Mr. May moved to erect the Stop sign at Hampden Drive and retain the 25 MPH speed zone. Mr. Herr seconded the motion, which carried unanimously. Chief Graeff stated Officer Gardner also conducted a study in Parkfield Phase II, regarding the placement of stop signs, speed limit signs and no parking signs. He also stated that Parkfield Phase I now has dedicated streets.

Police Report – Chief Graeff stated the office handled 1302 calls for the month with 422 of the calls being complaints. He also noted a letter of gratitude to the department and especially to Det. Jim Alexander. Mr. May asked Chief to pass their appreciation on to Det. Alexander. He added there was a letter of appreciation from the director of campus security for Elizabeth College from Jack Longenecker thanking Officer Tom Moser for his participation in the active shooter rapid response training. Chief noted thank you letters that were received for Cpl. Strock with the DARE program and a day care program. Mr. May gave Chief Graeff a copy of a noise ordinance to review and asked the Supervisors if they liked the new design on the police cruisers. The Supervisors were pleased. Chief Graeff also noted that the bike patrol has been out more and he displayed one of the new shirts they will be wearing for better visibility and stated he has installed new bike hitches to transport the bikes.

Jim Huber commended the Township Supervisors and Chief Graeff for retaining the Native American design along with the new design and he is very pleased. He stated the Native American was the original design for Manor Township and is a strong symbol for them.

Ted Gingrich and Mr. Breneman both stated they have seen more of the bike patrol and the motorcycle being used. Chief Graeff stated they also have included the name Mountville in the new design on the cars, which Mountville council seemed very happy that they were included. Chief Graeff stated that 38 applications for officers were sent out and 16 applications were returned. He went over the process so far noting that they are down to 10 good quality candidates. Mr. Breneman thanked Chief Graeff for the professional way the situation of a child's death was handled in Washington Boro this week. Chief Graeff gave credit to the County Detectives and Detective Alexander.

Road Foreman's Report – Mr. Harris reported that he has submitted his monthly report. He added that the culvert maintenance was for the culvert on Charlestown Road between Millersville Rd and Manor Blvd. There was a field instruction and did do repairs. He noted that they will be starting the widening on Old Blue Rock Road.

Parks and Grounds Maintenance – Mr. Dickert reported that the month of July was normal maintenance and repairs of equipment along with mowing. He added that they will be trying new safety nets with the playground equipment.

Assistant Manager's Report – Mr. Laudien stated that the Township did not receive the grant money for the lap top computers for the police at this time. Chief Graeff stated the money was taken by the Governor and went to the Philadelphia area and now he must re-apply for the grant for the new fiscal year if the Supervisors are still willing to pay half. They agreed. After some discussion, the Chief stated that any letters the Supervisors write in support of this would help.

Mr. Laudien stated that he is happy to report that the floating boat dock for Blue Rock Road landing has been delivered and he hopes it will be put in place soon. Mr. Laudien stated there is no official budget work session scheduled at this time and he would like to know if we want to do so. Mr. May stated we should because they need to discuss the post retirement medical plan and the Capital account. After some discussion, Mr. Laudien stated he will put together a sample schedule for their review.

Township Manager's Report – There was no Township Managers report at this time.

Building Permit Report – Mr. Kreider read the Building Permit Report noting that there were a total of 31 permits issued for the month of July. He noted that last year at this time there were 30 permits issued. He added that the total number of permits for the year is 263.

There being no further business, Mr. Breneman made a motion to adjourn the meeting at 9:15 PM. Mr. Herr seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Conditional Use Hearing
Manor Township Supervisors Meeting

Tuesday, August 14, 2007

Time: 7:00 PM

Chairman John May called the meeting to order at 7:00 PM in the Manor Middle School, 2950 Charlestown Road, Lancaster, PA. He led those in attendance in the pledge of allegiance to the flag. Mr. May introduced the Board. Roll call was taken.

Present: John May, Jay Breneman, Allan Herr, L.Allen Kreider, and Richard Bauder.

Mr. May stated this is a Conditional Use Hearing for Wheatfield Developers, LLC. Case #07-0622 Mr. May read the statement explaining that the conditional use application is for 132 acres plus/minus of land on the east side of Donerville Rd, west of Letort Road. The applicant is proposing a mobile home park. There is public water and sewer available to the site. The Board of Supervisors will hear this application and make a decision.

Mr. May stated that Mr. Kenneff has the Proof of Publication and the proper notices for this hearing. He also noted that the premises were posted. The notice was also posted in the Municipal Office.

Mr. Kenneff called Mr. Ott, Zoning Officer for Manor Township, to be sworn in.

Mr. Kenneff asked Mr. Ott to identify himself and asked if he received the conditional use application. Mr. Ott stated that he is the Zoning Officer for Manor Township and that he did receive the conditional use application that was before the Board of Supervisors.

Mr. Kenneff asked Mr. Ott if the application was published. Mr. Ott stated yes. Mr. Kenneff asked that the Proof of Publication for the Conditional Use Hearing be marked as Supervisors Exhibit # 1 and asked Mr. Ott to identify the exhibit. Mr. Ott stated that it is a legal publication from the Lancaster Newspaper, published July 31, 2007.

Mr. Kenneff asked Mr. Ott if he posted the property and in what way. Mr. Ott stated yes he posted the property on Stable Drive and along Donerville Road. Mr. Ott identified the notice that was placed at the locations listed. Mr. Kenneff asked that the notice be identified as Supervisors Exhibit # 4.

Mr. Kenneff asked Mr. Ott if he sent notice of the hearing to the effected parties. Mr. Ott stated that notice of the hearing was sent from the Township Solicitor Tom Goodman to Jim Thomas.

Mr. Kenneff asked Mr. Ott if he was aware that the Supervisors asked the Manor Township Planning Commission to comment on and make any recommendations on this application. Mr. Ott stated yes. Mr. Kenneff asked that the minutes from the July 9, 2007 Manor Township Planning Commission Meeting be marked as Supervisors Exhibit #2 and asked Mr. Ott if there was a discussion about the conditional use and asked if there was a motion made during the course of that meeting. Mr. Ott answered yes.

Mr. Kenneff stated that he had no other questions at this time.

Mr. Kenneff addressed Mr. May and stated that he has received a request of continuance from Mr. Thomas and he requested that he be able to address the Board.

Mr. Thomas, on behalf of Wheatfield Developers, stated that the developers have become aware of the divided opinions in the community for this project. They feel that it would be in the best interest of everyone to explore some options to this development. He noted this would not only protect the Township but also protect the relationships. Mr. Thomas asked for a 60 day hiatus so they might try to discuss this situation with the appropriate people, for options. He submitted a Letter of Continuance recommending October 15, 2007 as the available date to meet and the hearing will begin if necessary. Mr. Kenneff asked that the Letter of Continuance from Mr. Thomas be marked as Supervisors Exhibit #3.

Mr. May asked Mr. Kenneff about party status. Mr. Kenneff stated that at this time he would extend the request for party status for Steven Shue and Steven Himelsbach. He suggested that we wait until the October 15, 2007 meeting to go any further.

Mr. May asked if there were any objections at this time. Mr. May stated that at this time the Supervisors are unanimous with continuing this hearing on Monday, October 15, 2007 at 7 PM.

Mr. Bauder made a motion to continue the Conditional Use Hearing for Wheatfield Developers, LLC on October 15, 2007 at 7:00 P.M. in the Manor Middle School and waive the time requirements. Mr. Herr seconded the motion, which carried unanimously.

Mr. Creme, special council for Manor Township, addressed the Board and stated that this will be posted at the Township Building.

There, being no further business, Mr. Breneman made a motion to adjourn the meeting. Mr. Kreider seconded the motion, which carried unanimously. The meeting adjourned at 7:10 PM.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

September 4, 2007

7:30 PM

Chairman John May called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:30 PM. He led those in attendance in the pledge to the flag. Roll call was taken showing all Supervisors present.

Members present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Allan Herr.

Staff present: Barry Smith, Chief Graeff, Bill Laudien, Ryan Strohecker, Mark Harris, Mike Dickert and Rita Young.

Visitors present: See attached.

Minutes – Mr. Kreider made a motion to approve the minutes as drafted. Mr. Bauder seconded the motion, which carried unanimously.

Bills – Mr. May asked if there were any additions to the bills. Mr. Breneman made a motion to approve the bills as listed. Mr. Herr seconded the motion, which carried unanimously.

Financial Report – Mr. Bauder noted that the medical costs are over budget. He stated it looks like we will run \$150,000 over this year and asked why. Mr. May asked if there were increases that were not anticipated. Mr. Strohecker stated that the budget number this year was not increased from the previous year's budget numbers and we are also making some payments for things that occurred last year. He noted that the \$150,000 that Mr. Bauder has referred to does not include any reimbursements that we get during the month of December, so it is hard to say what it will be until all those factors are in. Mr. Strohecker stated that the reimbursement at the end of the year does make a big difference. Mr. Smith noted that we are dependent on the pool for insurance that we are a part of as to how we end up at years end. Mr. Bauder stated that this is a mutual system and we do not have a large insurance carrier, it is a mutual system among other municipalities. Mr. Strohecker stated he would not categorize it that way because we do have a large carrier, that being Capital Blue Cross as our carrier. He explained that we are in a pool system where there are 15 municipalities that try to reduce rates by in bulk. Mr. Bauder stated that the wage tax is higher also. Mr. Bauder made a motion to approve the financial Report, seconded by Mr. Breneman. The motion carried unanimously.

Solicitors Report

There was no solicitors report.

Business From the Floor

Connie Jackson, 348 W. Charlotte St., asked if there was a time frame for installing the directional sign for the park area at Springdale Farms. Mr. Smith asked the Supervisors if they would like Mr. Dickert to take care of it since it had already been discussed and approved at a previous meeting. Mr. May stated yes. Ms Jackson asked if one or two signs are to be installed. The Supervisors were not sure how many signs were approved but felt that having two signs would be good.

Jim Huber, 113 Shannon Drive, asked if anything has been done about the purple loosestrife on South Centerville Road, at the Woods Edge wetlands. Mr. Dickert stated that Mr. Murry has had the area sprayed and the purple loosestrife is starting to turn brown. Mr. May stated they will continue to monitor the area.

Bonnie Miller, 113 Bent Tree Drive, expressed concerns about people on Weaver Road that continue to burn trash and asked that the police notify those residents that they are not allowed to

burn in that area. She noted that it is not zoned for burning in that area and it is not being enforced. Mr. May stated that he will pass her concerns on and see what can be done.

Adrian Baker, 922 Walnut Hill Road, had concerns about the bridge that has been closed at Creek Rd and Walnut Hill Rd. He stated he used the bridge on a daily basis and would like to see it reopened. Mr. May noted that it is a County bridge and has been closed by the County. He also added that the Supervisors have written letters to the County requesting that the bridge be repaired and reopened. Mr. May stated they have also written letters to our representatives and have received a response from Bryan Cutler, 100th Legislative District, noting that he would offer his services in helping the Township obtain state funding to begin construction or repairs. Mr. Herr stated we should continue to be in contact with the County and keep trying to get support to have it repaired.

Jim Quinn, 33 Dublin Drive, stated that he received information by mail that sewer will be coming through his area but he would like to know if the Supervisors could have water included in the installation of sewer. He noted that he felt it would make a lot of sense to do both at the same time. Mr. May stated that they have talked to Lancaster city in the prospect of including water but it is at their discretion if water is installed along with the sewer and the Township cannot compel them to do it. Mr. Quinn stated that it would be reasonable to do both. Mr. May stated there will be more information in the future with a better time frame and cost of the project. Mr. Quinn's concern is that he just had a new system installed for sewer and now he will be compelled to hook up to public sewer that he does not need but he would like water included with that. Mr. Smith noted we are making a good faith effort to try to get the water and added that people could get information by checking the LASA website. Mr. Bauder noted it would be logical but we cannot make the city run water to any area.

Old Business

Wheatfield Rezoning Petition – Mr. May noted that the Wheatfield Developers had filed a petition to rezone the Haverstick tract on June 20, 2007, to Medium Density Residential. He noted that since then, there has been a conditional use hearing for the tract, which was held before the Supervisors at the Manor Middle School and that was continued pending reconsideration of this request and pending the developers meeting with the neighbors. The decision was tabled at the last Supervisors meeting for further consideration. Mr. May noted he is open to hear input at this time. Mr. Bauder stated that this item was not listed on the agenda on the website, which was an over site and it was not listed in the Sunday paper. Mr. Laudien stated it was not an over site and the agenda was posted last Friday but due to technical problems the web site did not update itself until this afternoon. Mr. Laudien added that, posting the agenda on the web site is not a legal advertising requirement but it is a courtesy for residents. Mr. Bauder stated there is a lot of public interest here and this was not published. Mr. May stated it was not advertised for tonight because this is not the time it needs to be advertised. He stated they would not be adopting this rezoning request tonight; we would be referring this to the Township Solicitor for review. He noted that the Solicitor would draft an ordinance and then it would be decided if we accept it or not. Mr. Smith stated at that point there is a public hearing process and then is when formal action is taken to advertise. Mr. Smith noted that this is the first time there was a conflict with the server posting something and the Sunday news receives our entire agenda and they decide what parts they print. Mr. Bauder stated that his concern is that the 230 single-home plan brought in by Wheatfield Developers had a third party guarantee that the plan would

be implemented. He stated he does not understand and he is not sure how you would implement a third party plan and how it would legally work.

Mr. Jim Thomas, 28 Penn Sq., on behalf of Wheatfield Developers, noted that the developer has offered a deed restriction to the benefit of the building industry association. He stated they are prepared to offer this to a third party that guarantees that the person has the right to enforce the deed restrictions for single-family dwellings only, at the expense of this developer. Mr. Thomas stated a third party deed restriction is enforceable. Mr. Bauder asked who implements it. Mr. Thomas stated they do. Mr. Kreider stated that he would like to see another meeting between the developer, just two Supervisors and very close residents to this project, possible within a half mile and he requested an informal meeting to resolve the differences. Mr. May stated that after the conditional use hearing he thought there was going to be a meeting, but it never happened. Mr. Thomas stated that they were under the impression that the residents group had disband and that therefore there would not be a meeting. He noted that they are open to another meeting. Mr. Bauder stated his philosophical position is that he would rather the property remain a farm. Mr. May stated they all would like that but we don't have that choice. Mr. Kreider again stated he would like the meeting to be a discussion of the local people that are involved, the developer and only two Supervisors, so it does not look like we are taking action on anything. Mr. May asked if Mr. Thomas would be willing to set this up. Mr. Thomas agreed noting there will be public meetings where people may express their thoughts, but he is open to this private meeting. Mr. Thomas stated there are timing issues here and they would like to keep the whole process moving because of dead lines. Mr. Smith stated that a public meeting like tonight is advertised and everyone is included. The problem with holding this private meeting will be deciding who would be invited since the group CHARR no longer exists, making sure no one is left out. He noted we need guidance before a list is created. Mr. Bauder stated we could just make a public announcement at this meeting that we only want certain people.

Chip Trautman, 120 Stable Dr., stated he felt this should be tabled because several people did not know this would be on the agenda for tonight. He also added that they would like to meet with the developers and he would be willing to help with notifying people to attend the meeting. Mr. Trautman noted that it is his understanding that the MTPC has not given any recommendations yet because they are waiting to hear from the County. Mr. Thomas stated that the MTPC has requested the County PC's review on this and the only way the County PC will give a review is if you take the step to authorize and draft the ordinance. Mr. Thomas noted we all can participate at the County level but the only way to get the County review is to draft this ordinance. Mr. Trautman stated he understood that drafting the ordinance would be the normal process. Mr. May asked if the petition can be referred to the County without having the Solicitor draft an ordinance. Mr. Smith stated it is unlikely that the County will provide comment without having a prepared ordinance to comment on. Mr. Thomas stated that the zoning ordinance is very specific on how the procedure is done.

Jim Hall, 129 Swedesford Lane, stated that he feels that even if they held a public meeting, he would not think more than half a dozen people would show up. Mr. Smith stated the process is to develop the ordinance and then it is advertised for all to comment, and he added that to create the ordinance does not put it into effect; it just gives everyone an opportunity to comment on it. Mr. Kreider stated that is his point, when an ordinance is prepared and advertised, everyone is invited, and he does not think it should be for everyone. He wants a very informal discussion with only people that live within about a half-mile radius of the site. Mr. Bauder stated his

biggest concern is the third party guarantee and thinks it could be clarified in an informal meeting.

Mr. May stated there is a clock running on the conditional use hearing and noted concerns that if we do not take it to the draft stage it will be another month if we do not send it to the County and another month till the next meeting and it will go on too long and this conditional use hearing is going on. Mr. May stated he would like to refer it to the solicitor for a draft so it could be open for discussion. Mr. Herr agreed that we should not delay it again. Mr. Kreider felt that word of mouth is good enough to reach the people that need to be at the meeting.

Mr. Herr made a motion to direct the solicitor to draft an ordinance for the rezoning petition of the Haverstick tract. Mr. Breneman seconded the motion. The motion carried by a 4 – 1 vote, noting that Mr. Kreider is opposed.

New Business

Ordinances – Uniform Pension Plan and Non-Uniform Pension Plan - Mr. May stated the Ordinance for the Uniform Pension Plan and the Non-Uniform Pension Plan is to correct a finding that has been placed on the Township as a result of the State Audit for something that should have been done back in 2003 when this contract was approved. Mr. Smith stated that the auditors have indicated that we should have an ordinance for both of these because there were changes to the plan and should have been adopted at that time. The ordinances presented tonight have been prepared by the solicitor and have been advertised. Mr. Bauder stated he was not a Supervisor at the time these contracts were adopted and asked why we need an ordinance to officially adopt this. Mr. Smith said because the State is telling us we need these ordinances. Mr. Bauder asked if that means every time we adopt a contract we need an ordinance. Mr. Smith said he is not sure if every time there is a change to this, then we need to do an ordinance but that could be a possibility. He noted, the plan document, needs to be adopted by ordinance according to the State Auditors office. Mr. Smith stated, things like this sometimes come out of the auditor's office and even though we strongly object, we need to do it. Mr. Herr noted that this is bringing the Township in compliance with the State guidelines. Mr. Smith stated they have prepared two ordinances, one for the Uniform Pension Plan Document and one for the Non-Uniform Pension Plan Document. Mr. Bauder stated that he has a problem with the Non-Uniform Pension Plan. He stated that he reviewed the minutes from way back and the Board never adopted a non-uniformed plan. Mr. Smith stated that he was unable to say that is a correct statement. Mr. Bauder stated he looked at the minutes and could not find it. Mr. Smith stated that he did not see any reference to it in the minutes. Mr. Bauder also stated that this non-uniformed plan was developed by its' beneficiaries and he felt that plans should not be developed that way. Mr. May stated that this plan has been in effect for the last four years or longer. Mr. Bauder stated it is very close to the uniformed plan but the non-uniformed plan provides for a cola if it is doable. Mr. Bauder stated he is not ready to adopt a plan that he does not have before him. Mr. May asked if there is a contract in writing that is signed. Mr. Smith stated the plan was implemented in the 70's to the best of his knowledge. Mr. May stated that this is for 2003. Mr. Bauder stated there are things in the plan that he is not in agreement with, but that is another issue. Mr. May asked if there is a non-uniform document effective January 1, 1997. Mr. Smith stated yes there is a plan document and there was one prior to that. Mr. Herr asked if the only problem is that it was just not done by ordinance. Mr. Smith stated that is correct. Mr. May asked if the Supervisors signed it back then. Mr. Smith stated he did not know for certain. Mr. Kreider wanted to table this for one month. Mr. Bauder stated they would not be able to complete a

document in one month anyway. Mr. Breneman stated that if there is a document from 1997 that the Supervisors signed at that time, we are bound by that document. Mr. May agreed. Mr. Bauder again stated that he could not find any documentation of that. Mr. Smith stated that this ordinance brings us into compliance with State Auditor regulations. Mr. Strohecker stated this is a technicality and if the ordinance is signed tonight, then the finding that has been placed on the Township can be rectified before the final report is due.

Mr. Bauder made a motion to adopt Ordinance #5-2007 repealing the previous Police Pension Ordinances and adopting a Uniform Pension Plan Document. Mr. May seconded the motion, which carried unanimously.

Mr. Bauder made a motion to adopt Ordinance #6-2007 repealing the previous Non-Uniform Pension Ordinances and adopting a Non-Uniform Pension Plan Document, adding that he feels there is work to do on this. Mr. Breneman seconded the motion, which carried unanimously.

Resolution Fee Schedule – Mr. Smith stated that when Manor Township started the SALDO process we had maintained our existing fee schedule and as we started reviewing the fees we adjusted them as necessary. Mr. Laudien explained the administrative fees and the deposit account and what the applicant is responsible for. Mr. Bauder asked if there is a deposit in addition to the fee. Mr. Laudien stated yes, there are two separate fees, one being a fee that is for the Township and second the applicant must present a deposit fee that goes into escrow in the general account that is tracked. Mr. Bauder moved to adopt Resolution #17-2007, adopting a fee schedule in accordance with the requirements of the Manor Township Subdivision and Land Development Ordinance and the PA Municipalities Planning Code. Mr. Kreider seconded the motion, which carried unanimously.

Resolution Emergency Service Organization - Mr. May stated there was a meeting with the four fire companies and Millersville Borough on how to proceed with any type of consolidation. He noted that the State consultant, Dean Fernsler, recommended that there be parallel resolutions at the Borough of Millersville and Manor Township on how they will form the Emergency Task Force Committee. It will consist of one representative from each fire company (4), one elected representative from each municipality (2), then the two municipalities and the fire companies will each select a citizen representative (6) and then a citizen representative appointed by all the entities (1) so there will always be a citizens majority on the Task Force Committee. Mr. May stated if this resolution is adopted then our next step will be to appoint our elected representative and then pick a citizen representative. Mr. May stated that he is very optimistic about this and the fire companies have come up with \$100,000 to make this happen. Mr. Breneman made a motion to adopt Resolution #18-2007 to approve the formation of the Emergency Service Organization Task Force. Mr. Herr seconded the motion, which carried unanimously. Mr. Bauder asked if this includes the ambulance service. Mr. May stated not at this time.

SALDO – Richard Rohrer Final Plan Mr. Caldwell, consultant with Rettew, reviewed the one lot sub-division plan on the Northeast corner of the Richard Rohrer farm, which was received July 10, 2007 for consideration by the Township. He noted the location and stated that this plan was presented to the MTPC for comments August 13, 2007 where they had questions about the nitrates. He stated a revised plan should be coming back. Mr. Bauder stated that the lot taken out was in clean & green and asked about roll back taxes. Mr. Caldwell stated a farm in clean & green is able to take out two acres with out affecting the clean and green status. Mr. Caldwell stated there are still some site distance issues that need to be addressed yet.

SALDO – Peace of Mind Mr. Caldwell stated the Supervisors had reviewed this last month as a briefing item and sketch plan. He went over the Charlestown Road facility and noted they are proposing to add a portion to the existing facility for storage of RV'S on a gravel lot. Mr. Caldwell stated they have requested three modifications for the plan processing and he recommends approval, along with the MTPC. Mr. Caldwell stated they have requested waiver of showing the existing features within 200 feet and stated that the MTPC recommended that request be denied. Mr. Caldwell stated that they requested waiver of a traffic study evaluation, which the MTPC recommended a fee in lieu of. Mr. Bauder made a motion to waive the preliminary plan for Peace of Mind Self Storage, seconded by Mr. Kreider. The motion carried unanimously. Mr. May made a motion that the request for a waiver showing the existing features within 200 feet be denied and they will have to show them. Mr. Breneman seconded the motion, which carried unanimously. Robert Barber, 2749 Chapel Road, asked several questions about the requests. He noted that as a neighbor, he has been very pleased with the project and Mr. Price. Mr. Bauder made a motion to grant the request for a waiver of the traffic study and negotiate a fee in lieu of. Mr. Herr seconded the motion, which carried unanimously. Mr. Caldwell stated there was a request for a waiver of the three meeting delay, but explained that since Manor Township is no longer under the County ordinance, then that does not apply. Mr. Caldwell stated that this should be back again sometime in the future as a land development plan.

SALDO – Nelson & Janet Habecker Lot Add-On Mr. Caldwell stated the property is located on Habecker Church Road, and is a request for a lot add on. He went over the existing lot and what they are adding, noted that after review there are no significant issues and no modification requests. Mr. May asked if the information has been provided for a perk and probe. Mr. Caldwell stated yes, the plan had been resubmitted. He noted there is a review in process and it is not finished yet and stated it will be back as an action item in October.

SALDO - Glenn Rohrer Lot Add-On Mr. Caldwell stated this plan for Glenn Rohrer is a sub-division and lot add on located on Old Blue Rock Road, RT 999 at a piece of Blue Rock Road which had been split. He stated that the farm is 118 acres and crosses to the Old Blue Rock Road section and this request is for the Centerline Separation/Lot Add-on to be considered by the Township. Mr. Caldwell stated this plan is a one-lot sub-division for a proposed 5 acres with existing buildings and noted that there is a third acre lot existing. Mr. May stated that he was not sure why they are doing this sub-division. Mr. Caldwell stated probably because of the sub-division, which was created by the construction on RT 999 off of Old Blue Rock Road. Mr. Bauder stated that Old Blue Rock Road is no longer a Township road. Mr. May stated yes, it is a Township road and there are four existing properties on it. Mr. Caldwell went over the existing lot and the proposed driveway. He stated there are no significant issues and no modifications or waivers requested with this application. He noted it was a briefing item at the MTPC meeting on August 13, 2007 and is a briefing item here tonight. Mr. May asked what the significance of the 90 day review period was. Mr. Caldwell stated that the applicant is granted, by the MPC, a 90 day time period from the date the application is filed. Mr. Kreider noted that on Phase III of the plan, it refers to the 100 year flood plain, and stated that he usually hears requirements of the 500 year flood plain from our township. Mr. Smith stated the applicant, needs to identify the flood plain. He asked why Manor Township has the 500 year flood plain requirement when a lot of townships don't. Mr. Smith stated Manor Township requires the 500 year flood plain because the Township took the position to be more conservative years ago. Mr. Caldwell stated that Manor Township is more conservative than some of the surrounding counties but noted that it is not 5 times the area for the 500 year flood plain verses the 100 year flood plain. Mr. Bauder asked

what other townships have the 500 year flood plain. Mr. Caldwell stated he would have to look, he did not know off hand. Mr. Bauder stated that most do not have the 500 year flood plain and stated that he does not think anyone knows where the 500 year flood plain is and he would recommend that the board remove the 500 year flood plain requirements. Mr. Kreider agreed because it creates a hardship for residents. Mr. Bauder recommended that something be drafted to remove the 500 year flood plain requirements. Mr. May stated the plan before the Board for Mr. Glenn Rohrer is a briefing item with no action required and will be back in October or November.

Mr. Herr asked if there is a standard fee or formula that would be used to calculate the fee in lieu of for the Peace of Mind Storage plan that was granted the waiver. Mr. Caldwell stated that normally it is by the cost to the applicant but it cannot exceed the cost of the study. Mr. Caldwell stated this is normally done in areas that have had previous studies done and the township already knows the necessary improvements needed and the fee would be a portion added toward that improvement. He added that you would start with the cost of the study. Mr. Smith stated that he or Mr. Laudien would be working with Rettew Associates to get a starting point for negotiation with the applicant.

Agricultural Security Area Addition Richard and Shirley Falk – Mr. Smith explained that this is a request for the farm of Richard and Shirley Falk, 1004 Breneman Road, to be added to the Agricultural Security Area. He noted it is a 23.3 acre farm. Mr. Breneman made a motion to accept the petition from Mr. & Mrs. Falk to add their farm to the Ag Security Area and be handled by the Ag Preserve Board in the 180 day procedure. Mr. Herr seconded the motion, which carried unanimously.

Manor Oaks Phase III, Letter of Credit – Mr. Smith noted that the inspection has been completed for Manor Oaks Phase III and they have requested that the roads be finalized for dedication and release their Letter of Credit #D01689 in the amount of \$44,526.55. Mr. Smith added that they have exceeded the time frame. Mr. Smith stated that the actual amount that has been retained in the Letter of Credit is \$36,536.55, which is the 15% being held. Mr. May moved to release Letter of Credit #D01689 to Manor Oaks in the amount of \$36,536.55 and notify them of the amount difference. Mr. Bauder seconded the motion, which carried unanimously.

Shepherd Family Limited Partnership Letter of Credit Release – Mr. Smith stated that this is a request for the release of this letter of credit because even though the requirement is for funds to be maintained for 18 months for any public improvements, this particular construction does not have any improvements to it. Mr. Smith stated that if the Supervisors choose they could maintain the Letter of Credit until Feb. 2008. Mr. May asked what the point would be. Mr. Smith stated we could because there is the 18 month regulation but feels it is not necessary. After some discussion, Mr. Breneman made a motion to release the Letter of Credit to The Shepherd Family Limited Partnership in the amount of \$17,135. Mr. Herr seconded the motion, which carried unanimously.

Manor Oaks Lot 146 Letter of Credit Reduction Request – Mr. Smith noted inspections have been completed and he recommended that the request for the reduction in Manor Oaks Letter of Credit No. SB-909554-0001 be reduced from \$158,803.18 by \$85,250.00 leaving a balance of \$73,553.18. Mr. May made a motion to reduce Letter of Credit No. SB-909554-0001 for Manor Oaks, by \$85,250.00 as requested. Mr. Bauder seconded the motion, which carried unanimously.

Parkfield Letter of Credit Reduction – Mr. Smith explained inspections have been done and he recommended that the request for reduction to the Letter of Credit for Fieldcrest be approved. Mr. Bauder made a motion to approve the request from Parkfield for a reduction of \$523,160.00

in the Parkfield project, Phase II, leaving a balance of \$860,383.70. Mr. Breneman seconded the motion, which carried unanimously.

Uniform Pension Plan Minimum Municipal Obligation - Mr. Bauder asked who received the \$12,500 administrative fee. Mr. Strohecker explained that it is the administrative fee that is paid to Principal Financial Group for administrative expenses. Mr. May stated that the minimum municipal obligation is \$164,200. Mr. Bauder asked what was listed in the budget for that. Mr. Smith explained that this is for the year 2008 not the 2007 budget. Mr. Bauder asked how much the Township receives from the state for the pensions. Mr. Strohecker stated it is different for each plan, but this year it was budgeted for \$180,000 total for both Uniform and Non Uniform plans. Mr. Strohecker noted that the \$164,200 listed now is just for the Uniform plan. Mr. Kreider made a motion accepting the Manor Township Minimum Uniform Employee Pension Plan for the 2008 budget process. Mr. Bauder seconded the motion, which carried unanimously. Mr. Bauder stated that he thought the uniform plan was over funded. Mr. Strohecker stated yes it is over funded. Mr. Bauder asked why the Township has a projected obligation then. Mr. Strohecker explained that over funding is what we pay above and beyond for the current retirees but we still have ongoing yearly costs that are putting money away for future retirees down the road. Mr. Strohecker noted that the MMO's show an over funded provision, taking that into account and reducing the amount for next year, it is a funding adjustment line.

Non-Uniform Pension Plan Minimum Municipal Obligation – Mr. May stated this plan comes to a total minimum municipal obligation of \$200,627. Mr. Bauder asked why last year the number was much larger than 200,000 and asked why it is lower. Mr. Strohecker stated there have been some changes to the non-uniform pension plan. Mr. May stated that the Township also has been more aggressive in investments. Mr. Strohecker stated the investments have paid off greatly. Mr. Herr made a motion to approve the Non Uniform Employee Pension Plan for the 2008 budget process. Mr. Breneman seconded the motion, which carried unanimously.

Correspondence

Mr. Smith noted a letter from Bryan D. Cutler, 100th Legislative District, regarding the bridge between Creek Road and Walnut Hill Road and offering his service in obtaining funding for repairs to the bridge. Mr. Smith stated that the bridge is in Manor Township but it is a County facility so for Rep. Cutler, obtaining funding on behalf of the Township, the money would have to go to the County. Mr. Bauder made reference to the County Planning Board, which meets every month and prioritizes these things. Mr. Bauder stated we have no obligation in this and it is the Counties and they make the decisions, so people need to go to the County. Mr. May stated he would clarify that with Mr. Cutler. Mr. Smith stated he does not see a problem with Mr. Cutler wanting to help the County get funding to replace the bridge and the Supervisors of Manor Township supporting that.

Police Department – First Aid, CPR & AED Instructor Course - Mr. May explained that Chief Graeff has requested having an officer trained to instruct CPR, First Aid and AED to save on the amount of money spent to keep employees certified and save on people coming in on overtime to attend the certification classes. Chief Graeff noted that Officer Matt Wolf has volunteered to attend training to become a certified instructor for First Aid/CPR & AED in November and he requested permission to send Officer Wolf. Mr. May made a motion that Officer Wolf attends training to become an in house instructor with the necessary expenses paid. Mr. Breneman seconded the motion, which carried unanimously.

Mr. May stated Chief Graeff has also requested that Officer Clay Smoker attend the Police Mountain Bike Training at H.A.C.C. on September 24-28 at the Lancaster Public Safety Training Center. He noted it is a free course and he would like to expand the department's bike patrol unit. Mr. Bauder made a motion to approve Officer Clay Smoker attending the Police Mountain Bike Training at H.A.C.C. Mr. May seconded the motion, which carried unanimously.

Mr. May explained that Chief Graeff is requesting permission to sign a Memorandum of Understanding for the Lancaster Intelligence System Taskforce (L.I.S.T.). Mr. May made a motion that Chief Graeff sign the MOU and send it back to the County Detective's office so we may participate in ongoing multi-jurisdictional investigations or prosecution activities within Lancaster County. Mr. Breneman seconded the motion, which carried unanimously.

Traffic Commission

Chief Graeff reported that there was a request for a handicapped parking space at 38 Girard Avenue and the Commission recommended approval. He also noted a no parking request on the West side of Acorn Lane, Eagle Heights development and they moved to accept that and recommend to this Board that they establish the no parking along with a no outlet sign being posted on Eagle Path. Mr. Herr made a motion to approve the Traffic Commissions recommendations to establish no parking on the West side of Acorn Lane, a handicapped parking space at 38 Girard Avenue and a no outlet sign posted on Eagle Path. Mr. Kreider seconded the motion, which carried unanimously.

Police Report

Chief Graeff stated he has submitted his report for the month noting the traffic arrests for the month. He noted that the lap top computer grant has been forwarded to Rep. True and Rep. Cutler's office and both Rep. have supported it, passing support on to DCED. Chief Graeff also stated he has talked to Mr. Cane who will be supporting this. He stated they are hoping to find out sometime this month. Chief Graeff stated that the new hire process went well. The interviews were two weeks ago and they are in the process of background investigations. He stated the Sgt. Testing was last week for the promotional process and interviews for that position are scheduled for October 18th. Mr. May noted a letter that Chief Graeff received commending Det. James Alexander for his professionalism in a case that ran over an extended period of time. Mr. May asked that Chief pass along the Supervisors appreciation to Det. Alexander for his work. Chief Graeff stated he will be pleased to do that. Mr. May made reference to the crime watch meetings that are going to be held and Chief Graeff noted that they are in the process of scheduling the Citizens Police Academy meetings. Mr. Bauder asked if the numbers for his report were for August. Chief stated yes. Mr. Bauder stated that Lancaster County has one of the highest drunk driving deaths and asked the chief to comment. Chief stated that we have a good record for making arrests for DUI. Mr. Bauder stated Officer Gundel has been good at this. Chief Graeff stated she has received the Top Cop Award from the State several times and this is for arresting drunk drivers. Chief stated just last month the Board approved Officer Gundel to attend a DUI Conference and she had also received a grant for it because of her expertise.

Road Foreman's Report

Mr. Harris stated that the bridge maintenance has been taking place and the installation of the boat dock is moving ahead at the landing at Blue Rock Road and hopefully will be completed by the end of September. Mr. Breneman asked when the lines are scheduled to be painted on the

roads that have been oiled and chipped. Mr. Harris stated he is at the mercy of the contractor. It is a bid through the county and Mr. Harris noted that he feels this job is very big for the bid holder. Mr. Herr noted that he was aware that Mr. Harris is having the same problems with Penn Dot and the agility program with the mowing machine and he asked if there were any changes. Mr. Harris noted this may not happen and noted Chuck Enoch has stated we cannot give a time.

Parks and Grounds Maintenance

Mr. Dickert stated for the month of August the Charlestown Park and Washington Boro Park parking lots have been oil and chipped. He noted the ball field at Greider Park has been renovated and now includes a pitcher's mound. He also noted that he has received a permit from DEP and the Fish and Boat Commission and he will be spraying the purple loosestrife at the Township section of Woods Edge Park. Mr. Dickert added that there will be a softball tournament held at Greider Park sponsored by Clipper Magazine Company this month. Mr. Herr questioned vandalism in the parks and asked how major our vandalism is. Mr. Dickert stated our vandalism is usually \$100 or less. However this month a water fountain was smashed and that repair will be \$1,000. Mr. Dickert noted that they are in the process of creating a vandalism column in the budget for 2008 so it can be tracked.

Assistant Managers Report

Mr. Laudien went over his report noting that the newsletter has gone out and it includes a survey for recreation activity and park use. He stated we have already gotten a few back in the office this week. Joan Matterness, Sutherland, applauded Mr. Laudien for the newsletter and was especially pleased with the survey that was included in it. She stated it is time that Manor Township thinks about a community building. Mr. Laudien noted a letter amending a previous correspondence from David Miller about a parkland mini-study. He stated the change reduces the amount of parkland dedications from its current value of .047 acres per dwelling unit and provides for two different ranges with the low end being .036 acres per dwelling unit and the high end being .049 acres per dwelling unit. Mr. Laudien recommended that the Board consider utilizing the lower number because it is a more defensible position both legally and comparable to neighboring municipalities, while still allowing for ample parkland. Mr. Bauder made a motion to adopt the range of .036 to .049 to formulate parkland for the present time. Mr. May seconded the motion, which carried unanimously. Mr. Breneman stated that they did receive the draft plan from Park and Recreation but the information for Manor Church was not updated. Mr. Laudien stated that he will take care of that and will be presented to the public on the 24th of this month.

Manager's Report

Mr. Smith stated that his report has been submitted. Mr. Smith expressed his appreciation for all the expressions of sympathy for him and his family and thanked the Supervisors and Staff for all the patience and prayers they have extended to him and his family in the past six weeks that have been so difficult. He truly appreciates it all. He stated the Staff has done excellent work in his absence and especially thanked Bill Laudien for taking on all the responsibilities that he has. Mr. May stated they continue to keep Barry and his family in their thoughts.

Building Permit Report

Mr. Kreider read the building permit report listing 27 permits for the month of August. He stated that was compared to 30 permits in August of 2006. The number of permits for the year 2007 so far has been 290.

There being no further business, Mr. Kreider made a motion to adjourn the meeting, seconded by Mr. May. The motion carried unanimously. The meeting adjourned at 9:45 PM.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Budget Work Session

Wednesday, September 19, 2007

Time: 8:30 A.M.

All Supervisors and required staff were present.

Ryan Strohecker made a presentation being with the Capital Reserve Fund. Mr. Strohecker had two proposals to present. The current Capital Reserve Fund that has been in place for about three years is familiar. There are seven categories. At the end of this year, there will be a million dollars reserved into those categories for the specific needs of the Township. Mr. Strohecker stated he would like to talk about continuing with the current Capital Reserve Fund or making some changes. The changes he proposes would shift it from Capital Reserve Fund to a Capital Improvement Plan. When the Capital Reserve Fund was started, some numbers and categories were put together and they are pretty general categories. They do not really get into many specifics. The Capital Improvement Plan tries to move from more general plan to a more specific Capital Improvement Plan for the Township. Mr. Strohecker gave an overview of the Capital Fund. On Page 2 some of the categories under the column of Item Description were changed. They are pretty much divided up by department and can really be whatever they want them to be. He tried to get away from more general categories and get into specific attainable goals this Township is going to have over the next five years. He has taken out categories such as Catastrophic Emergency Relief Fund and Facility Improvement, because they were monies set aside for things that really were not obtainable. He wanted to get more goal oriented categories that are going to be achieved in the next five or ten years. #4 under Item Descriptions Public Works under the Roads Department you can see a breakdown of every vehicle and piece of equipment they are looking to replace over the course of the next five years or beyond. That would be the same with every category. There is a column for the prior years spending for 2006 you can see some numbers that can be found on the Capital Income Statement you received every month. The items under the column that say current year are items you would see are currently in the Capital Income Statement you receive. Those are actual expenditures that are coming out. Following across for years 1, 2, 3, 4, and 5 these are items that we are planning to put money away for the next five years. It allows you to look at a five-year plan for the Township items you know we will be spending.

Mr. Stohecker stated as each year goes on obviously everything is going to shift to the left of the columns. Under the column "Year 1 Budget for 2008" when the budget is put together for next year its going to shift over to the current year and you will see some items there that will show up now in the Capital Fund itself. If you take the Roads Department for example looking under the column that says "Year 1 Budget" down to 1996 International Dump Truck you will see a number for \$109,000 what happens next year that is going to hit the Capital Fund and will be budgeted for next year and come out of the Capital Improvement Plan. Under the totals on Page 3, look under the column that says "Year 1 Plan for 2008" you can see under Capital Improvement Plan they must come up with \$582,000 to fund two things. 1) To fund the expenditures that are going to come out of the Capital Fund for next year and 2) to fund the programs that are in place that we are going to be putting money away for. The \$582,000 does not mean that the

money you must put aside in Capital Reserve a portion of it is but it also represents the money you will have to spend next year for vehicles that we already are putting money away for. As you go down through the years that money is going to get less and less simply because this will be the first year that we are actually putting this plan in place. With the balances we have in the Capital Fund, he does not see any reason why they would not be able to implement this immediately per 2008 and be able to have the fund balances to have money in reserve and fund the project that would be doing next year.

Mr. Breneman asked, going back to the International Dump Truck, why not start next year and start planning for that to be replaced in ten years rather than wait five years out and put a higher amount on it. (Answer was not understandable because several people were talking at one time.) Mr. Breneman referred to Parks such as the Ford 250 Pickup it shows \$2,000 next year and the year after \$20,050 but then nothing is shown after that why not start right away? Mr. Strohecker referred back to the 1996 Dump Truck and stated next year that will shift over to the current year capital fund. When this is printed out next year, you will see the next dump truck show up and putting whatever amount away. After that becomes a budget item for the current year, then it pops up on this plan as being putting money aside for the future. Mr. Smith said what you are saying Mr. Strohecker is the replacement of what is going to be the 2008 purchase dump truck we will start allocating small portions of money for that replacement projected 12 years. Mr. Strohecker advised what is in front of you is not the complete Capital Improvement Plan. It is the information that is available so far. Things have not been done to this level of detail so far; therefore, if they chose to do this it will require some transition in thinking with the department heads of trying to project out what these costs are and what items should be on here. There is a lot of infrastructure and building improvements that are not included in this plan that must be continued to be worked on. This is just basic and what we know so far. Improvements will have to be made if the Supervisors like it. Mr. Herr stated he likes this and with his work he sees more and more this is the trend municipalities are using. Mr. Smith stated there would still be some variations. Mr. Smith gave an example that the salt shed needs to be replacing next year they would have to deviate from this in some manner. Decisions would have to be made at that time. Mr. Herr stated in the same example if it was projected for four years out and we have put back three years and it did fall over they would have somewhat of a kitty to pull from. Mr. Strohecker pointed out when the Capital Fund Budget is presented for next year or future years there may still be items on that budget that were not included in this plan. This just help get down on paper some of the big costs they know and how they can plan for them. Mr. Herr stated he has seen this is an ongoing thing and takes several years until everything is on it.

Mr. Strohecker stated this is all paper money. They only have one account for the Capital Fund. It is not changing the structure of the actual physical money they have. It will operate much the same as the Capital Reserve Fund where it is money on paper. The Capital Fund is on one side that is the budget the Supervisors approve and the Capital Reserve Fund currently or what is proposed Capital Improvement Plan on the other side that are suppose to work hand in hand. All they are is two documents on paper. This is not a separate fund where there are two bank accounts set up and monies flowing from one to the other. It is all in one and only paper money. There are some dynamics and mechanics that will go into this that will have to be tracked separately from this

document to make sure that the total dollars from year to year are being set aside for these projects and not being dipped into by the Capital Fund.

Mr. Breneman asked if the needs of the police could be itemized this way also?

Mr. Kreider asked if there are any regulations that need to be followed? Mr. Strohecker advised any kind of Capital Reserve or Capital Improvement Plan would fall under GASB Regulations. The long range plans need to be seen. This is far too detailed for what they are looking for. Mr. Smith advised when the Township audit is done our auditors talk about a large acquisition and large expenditures that do show up on here are things they want more detail about. They are interested in what is the total present expenditures in vehicles not interested in a crack sealer for \$31,000. Mr. Kreider referred to the category of land acquisition. Mr. Strohecker stated he would like to see them move away from a broad category of land acquisition and move toward "What land are we talking about". Mr. Smith referred to the Smith tract and stated if they had been utilizing this method of planning the K. L. Smith Tract would have shown up. This is in the current budget and that is why it is not on this particular five-year plan. Mr. Kreider asked that status of this tract? Mr. Smith advised they have their proposal and must go to Tom Goodman and make sure it meets code. They would like to have that transfer this calendar year.

Post Retirement Medical - Mr. Strohecker stated they are not required to do the GASB 45 Compliancy Evaluation until 2009 for the 2008 plan year. They are not talking about current medical insurance they are talking about the medical insurance for employees after retirement. We were given three ways to project what the costs of these benefits are going to be company wide. One method is pay as you go, a middle of the road method is a partially funded method, and the third one is fully fund your retirement benefits for medical up front. The pay as you go method, which is what is currently being done, Mr. Strohecker read under the pay as you go funding scenario Manor Township has assumed to finance retiree health care benefits from assets available in the General Fund. At the discount rate of 4.5% is assumed and represents the long term expectation of the earnings of the General Fund which is invested in short term investments. If Manor Township finances retiree health care benefits on pay as you go basis the balance sheet liability is projected to grow expeditiously. If we continue with the pay as you go method, over the next 30 years they are projecting a line item in the income statement to be approximately \$154,000 just for post retirement benefits. They are taking the number of retirees times the current monthly health care costs per retiree times twelve months and that works out to about \$154,000. That also takes into effect the monies reimbursed with their spouses and all the current costs. The reason why they say it will grow expeditiously if you think of it in a closed box we have approximately 40 employees. If there is a \$400,000 medical insurance cost you see on the income statement a \$154,000 of that is specific to retirees remaining \$250,000 is cost of current employees. The reason why it grows expeditiously is over time you have those 40 employees who are retiring so that \$400,000 cost is slowly over the next 30 years shifting to all the retiree cost and no current medical cost. That is assuming you would not hire any more employees over the next 30 years.

Partially Funded Method - If you want to take half of your costs and start putting money away so that as those employees retire you have the money to fund their health care benefit cost. They take into account not only what the current costs are but add to it

approximately \$400,000 a year to set aside to partially fund those costs. If you go fully funded method you can put away \$800,000 into a separate trust.

Several things need to be considered as they go forward. Direction is need from the Supervisors as to their thoughts, any changes they want to make, and if they think this is a benefit they want to continue to pay for or not. There does not have to be any determination made. The only thing the GASB 45 says must be done is come up with this report and put on your balance sheet. As they went through this process, Mr. Strohecker stated they found in the current planned documents there is quite a bit of loopholes that could be costly that they would recommend some changes be made. Maybe have now plan documents written up to close some of the loopholes. Mr. Smith changed terminology stating he is not sure loopholes are the best way to describe what the document is. The document has areas that are not black and white in terms of the administration of it. The problem with the document that is a one-page document that probably was established ten years ago was a very bland straight document that did not anticipate certain things. Looking at this when employees had questions about things that could occur in the future regarding eligibility, etc., we are looking at this and saying this document does not give enough clarity on a particular topic. Mr. Stohecker stated there are two actions. One with the Supervisors go ahead, they can take a look at some of those items in the plan document and have them looked at and rewritten by lawyers who understand these things better. The second action item is the numbers are out here now they need more direction as to whether you want to take action or not.

Mr. Kreider stated he feels this is something the Supervisors need to spend time on. With national health care and all the different changes taking place, he thinks they need to really think about this. Mr. Smith stated they want the Supervisors to be aware of the long term financial commitment as it exists today. A more pressing issue would be to get direction to allow them to get the plan document up to the type of language and specification it should be. Mr. Smith gave an example if the retirement age is 60 or 65 whatever the age would be and they hired an individual at 59 do they qualify for post retirement medical. That is not a question that is inherent when they have an employee that is 25. When the plan is looked at there is nothing that says this is a qualifying event. They do not want to be in a position where someone can take an action against the Township as a retiree or employee. The Supervisors agreed to give the go ahead to start working on the document right away. Mr. Strohecker stated they are starting the process two years earlier than needed so there does not need to be immediate decisions. If the Supervisors want to work at it over time, they have time on their side. Mr. Breneman stated he feels they need to look at the whole thing. He feels they need to make comparisons and see if they are in line with other areas. Mr. Kreider stated an issue needs to be brought up regarding new employees versus present employees. Mr. Smith advised there are some municipalities that have changed some base benefit plans for new hires. Mr. Strohecker advised there are two other issues. There is the uniform contractual side and the non-uniform employees. If it were as simply as just saying for any new hire we are not going to offer plans then this becomes very easy because the numbers are going to increase over time but eventually it is going to stop. At some date these numbers will be at zero. Mr. Smith stated a document needs to be drafted as a starting point to have something to work on. Mr. Strohecker stated the other thing that would be helpful is if you want options if there would be any recommendations you

could provide. The numbers could be run and shown the effects such as if you do not include spouse, if you increase \$50 spousal rate to \$100 or whatever it might be. With that type of direction, they could start working on the numbers. Mr. Kreider asked when the base line information is needed.

Mr. Smith stated they need to find out what legally they can impose on the current retirees who retired under the current set of circumstances and planned issues. Several aspects need to be looked at 1) what do they do with new hires and 2) what do they do with current employees who have already invested in and (3) what is the effect on a prior and already retired employee like Don Sheeler. Mr. Breneman advised he would like to know what programs other municipalities have.

Mr. Strohecker stated he has been getting some information regarding past 65 post retirement medical due to a disagreement he and Mr. Bauder have been having. Mr. Strohecker stated he might be on the losing end of that argument. Mr. Kreider asked if they could get figures regarding the number of retirees. Mr. Strohecker stated there are 37 current employees on the plan and nine retired. In a one for one relationship with no additional hires, if you had 40 employees over the course of 30 years those 40 employees over time are going to be retired. A projection can be given based on some sort of maximum assuming everybody stays. Mr. Strohecker stated it comes down to you are spending \$154,000 a year on post retirement medical and is that an acceptable number or not. If it is not acceptable, then they need to talk about what type of changes need to occur. It was agreed the Supervisors would like to see projects on several increments. Mr. Kreider stated to day many spouses have their own retirement policy. If they have the capability, who becomes the primary or the responsible party. Mr. Kreider stated he would like to know that. Mr. Strohecker stated another thing to include in the projections is cut off at age 65 and how that would affect the figures. Mr. Strohecker stated he believes Mr. Bauder may be correct that quite a few other townships do not offer medical benefits past 65. It would be nice that whatever is done is done for the uniform and non-uniform. If there would be a separate plan for the uniform and non-uniform it would be more confusing. If there was one for current employees and one for new employees, it becomes that much more simple than having three or more plans out there. Mr. Kreider stated he had asked a question before and was advised there can not be two plans for the uniform police. Mr. Smith stated he thinks the discussion was that the department would not sign a contract for two separate plans within their unit. Mr. Smith stated could it be done possibly; would it likely be done probably not. Mr. Laudien stated in the last contract negotiations there were provisions within the contract that they were willing to apply to new hires and not to existing members not with health care but with some other issues.

Manor Township Supervisors Meeting

Monday, October 1, 2007

Time: 7:30 P.M.

Chairman John May called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:30 p.m. He led those in attendance in the pledge of allegiance to the flag. Roll call was taken showing all Supervisors were present.

Members present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Allan Herr

Staff present: Barry Smith, Chief Graeff, Ryan Strohecker, Mark Harris, Mike Dickert and Evelyn Rineer.

Visitors present: See attached.

Minutes – Mr. Breneman made a motion to approve the minutes as drafted. Mr. Herr seconded the motion that carried unanimously.

Bills – Mr. May asked if there were any comments. Mr. Kreider made a motion to approve the payment of the bills. Mr. May seconded the motion that carried unanimously.

Financial Report – Mr. Bauder stated he read that money was added to the highway fund. Mr. Strohecker stated \$76,000 was added and the balance is just under \$500,000. Mr. Bauder made a motion to approve the financial report as presented. Mr. Breneman seconded the motion that carried unanimously.

Solicitor's Report

Mr. Smith reported on behalf of the Solicitor that he has been preparing amendments to the zoning ordinance. One amendment deals with what the Board had discussed regarding the jurisdiction of the PRD Ordinance to change that from Planning Commission's authority to the Board of Supervisor's authority for their approval power. There was also discussion regarding the flood plain and the desire of the Board to change that to 100 years rather than the 500-year flood plain and that amendment is being work on. The Solicitor is preparing those documents so they can be presented at the same time rather than separate advertising for the amendments.

Business From The Floor

Darcy Pollock, 401 Stehman Church Road, Millersville, questioned the article in the September 5th Lancaster Newspaper regarding repairs of bridges specifically a bridge the article says .25 miles from her home but actually it is .9 miles. Ms. Pollock pointed out there is misinformation regarding the bridge in the article. She sees there are competing funds for fixing the bridge and the other 11 bridges listed in the article and would like to know what the Township is doing to represent them appropriately to the County in terms of obtaining grant money for the repair of the Creek Road Bridge. Mr. May pointed out this item is on the agenda and will be discussed.

Ben Bonzinski, 30 Nursery Lane, stated he has lived at his residence for 40 years and he has a new neighbor with a dog that has been barking for about four weeks from 8:00 a.m. until 9:00 p.m. Mr. Bonzinski stated he has called the Township Office and was told there is nothing that can be done since there is no noise ordinance and the Police Department said the same thing. He called the animal shelter and they advised that the dog is cared for and there is nothing they can do about the dog. Mr. Bonzinski would like a noise ordinance and one that includes barking dogs. Mr. May asked if he neighbors have complained to the person with the dog and advised they should approach the owner of the dog. Mr. Bonzinski stated

the one time he called the police they came out and talked to the dog owner. Mr. May advised the noise ordinance is being worked on.

Mr. Smith advised an item was missed on the agenda and stated the Executive Director of the Lancaster Public Library, Debra Rosser, was with them to make a presentation. Ms. Rosser asked that the Supervisors consider an increase in their municipal allocation to the library. A packet was handed out that included a chart of the municipalities in Ms. Rosser's service area and what they are currently giving per capita. Manor Township is allocating \$20,000 and it comes about to \$1.21 per capita. Commonwealth Libraries recommend municipalities funding the libraries at \$5.00 per capita. Ms. Rosser stated the Township was not able to give an increase last year but hopes they will consider one for this year. Something new at the library is a return on investment study that Commonwealth Libraries did. There is a \$5.50 return on investment for every taxpayer dollar for the library. Ms. Rosser advised that they are reliant on state and municipal funding. They are trying to increase their fund raising in donations and they have instituted a bequest program. A new service in the library is language line. It enables anyone who speaks a foreign language who needs to get information and need a translator can come into the library and point out on a sign the language they speak. They place a three way telephone call to a translator and they can help that patron. Ms. Rosser advised approximately 34% of the community has a library card. In 2006, they purged from the records old library cards that have not been used. They actually gained another 303 patrons. Ms. Rosser stated there are approximately 1/3 of the township residents using the library.

Mr. Breneman asked if there was any data as to how many of the people actually used the library last year. Ms. Rosser stated in 2006 they purged inactive cards, which means in the past year 34% of the residents have used the library.

Mr. Herr asked if there is any data indicating the number of times the cards are used. Ms. Rosser stated that would be difficult to determine.

Old Business

Wheatfield Rezoning – Mr. Smith stated there have been discussions between the developer and area residents and their representative sent a letter to the Township indicating they believe they have come to a consensus of what to do with the property in terms of zoning. Goodman and Kenneff have been directed to change the draft ordinance to reflect it will be Low Density Flex. There is no action tonight other than information. There was a continuance of the Conditional Use Hearing until October 15th. It is necessary to meet that evening. There must be a quorum of the Board so that they can agree to a continuance. Mr. May stated the developer has agreed to a general continuance and not a specific date. Mr. May stated they will convene October 15th at 7:00 p.m. at the Manor Middle School. Mr. Smith stated because of the nature of that meeting it might be more practical to hold the meeting in the Municipal Building. Mr. May stated it would be more courteous to the school to move the meeting to the Municipal Building. Ms. Gumpfer indicated she did not see a problem with holding it in the Municipal Building. Mr. Smith stated it would be advertised and they would make sure the area residents are notified.

Mr. Kreider stated he wanted to compliment the developer and the residents regarding the meeting. He stated it was orderly and there was many things accomplished at the meeting. It shows that sitting down and talking, the problems can be worked out many times.

South Creek Road Bridge – Mr. May stated in May or June he proposed to write a letter to the County Commissioners suggesting they repair S. Creek Road bridge which was not acceptable to the Supervisors. A letter was then written to the Commissioners asking

them to explore the possibility of the repair of the bridge that was acceptable. All the Supervisors signed the letter asking the Commissioners to explore the repair of the bridge. Mr. May learned approximately two weeks ago that Mr. Kreider sent e-mail and Mr. Bauder sent a letter discouraging the repair of the bridge. Mr. May stated there is contradictory statements, even though they spoke as an individual and not a Supervisor; people are asking what is going on. Mr. May's position is it may not be the most heavily used bridge but it was a bridge, was used and that money that may have been used to repair the bridge goes to some other equally unimportant thing. Why not have it go to their unimportant bridge

Mr. Bauder stated he did some investigation regarding the details in the letter they sent. He found some technical problems in the letter. He does not think they should be condescending to the County Commissioners to say they are going to spend the money on some equally unimportant thing. Mr. Bauder stated the County has a Transportation Committee that list priorities and in this case Mr. Bauder concurs with their conclusions as a County taxpayer. Why spend 1.3 million dollars on a bridge, when there is another bridge .9 miles away.

Mr. Kreider stated he somewhat did the same thing as Mr. Bauder. He lived around this area for a long time and he was an electrical contractor. After Mr. Kreider agreed to the letter, he went down and remembered the bridge and remembered when Agnes went through and all the roads in the area were under water you could not get to the bridge. He remembered the conversation at the meeting and one of the biggest reasons he voted to send the letter was because they said the bridge should be repaired from a safety standpoint and he is always concerned about safety for the residents. They said if the bridge is not replaced, in flooding conditions there would be no way for those folks to get out. After Mr. Kreider visited the site, he remembered when the storm went through you could not get to the bridge because the roads were underwater and people evacuated behind their house on a hillside and went down to a farm in a little barn and stayed the night. When he realized how low on the totem pole it was for the County to throw money into this bridge, he agreed that it effects some people and it is in their Township; but in the reality of the thing is he can not support everything just because it is in their Township. The taxpayers money is to do the most for everyone and he does not see that the bridge got used that much even when it was there.

Bonnie Miller, 113 Bent Tree Drive, attends Commissioners' meetings when possible. They are 9:15 a.m. every Wednesday morning at the Court House. Ms. Miller asked the Commissioners two weeks ago if they were aware of this bridge. They received a letter and were aware of it. They went out to see the bridge and they reported to her that is a low priority bridge. They cannot repair every bridge, but the Township can request and get grant money through management and work on it through the Township level. The residents need to be told how the process works and the County cannot repair every single bridge and this bridge happens to be a low priority bridge.

Tracy Long, 248 Creek Road, lives 50 yards from the bridge and it is her main way in and out. That bridge is the only way in and out when the water gets high because it floods Walnut Hill and Creek Road and it floods at Indian Hill and Creek Road. It is the only way into that valley for the nine houses on that road. Many of the residents park at her home and walk through the fields to get back to their property. The bridge is vital for the residents of that area. Mr. May asked if Ms. Long attended any of the Commissioner's meetings and Ms. Long advised she has not because she works 9 – 5 Monday thru Friday. Mr. May advised she can write to the County. Ms. Long stated she has called them and has written a letter to them. Ms. Long stated she knows it is a County bridge and it was repaired after Agnes. Agnes was a freak accident, because the floodgates at Safe Harbor were opened at the wrong time and everything backed up. Ms. Long stated last December when the bridge

was really damaged you could not get through Walnut Hill and Creek Road until the following morning because logs were washed down to the bridge and flooded everything. Ms. Long's stated the only way in that evening was over the bridge. Ms. Long stated her house sits about 70 yards away and the water made it to about six inches from the house.

Mr. Herr stated he has lived in the area all his life and when the bridge was replaced after the flood in "72" the whole elevation of the bridge and the surrounding road was raised approximately 4-5 feet. Prior to that, the bridge would flood before the road, but after that correction the road now floods at Creek Road and Indian Run Road sooner than it ever touches the bridge. It is a major difference of prior "72" to present day and with the bridge there it does as Ms. Long stated provide access to that road long after Creek Road and Indian Run Road are flooded.

Harold Barley, 728 Walnut Hill Road, owns land in front of the bridge. He is a third generation farmer in the area. He is 36 years old and plans on being there for at least another 36 years. He wants the Supervisors to know they will be there for awhile or hope to be and think their tax dollars should stand up for something in their area. He did take time from his schedule and went to see the County Commissioners and they were kind enough to listen to them. Now they find out that some of the Township Supervisors are for the bridge repair and some are against it. Mr. Bauder and Mr. Kreider you are treating us like second-class citizens in our area. Mr. Barley stated his tax dollars are as high as anybody else. The Boys Club is located on the road. How many people does it take. You have money to build ball diamonds and parks and everything else and to him those things are not important. Who is to say what is important and what is not.

Darcy Pollock stated she was shocked to hear that several Supervisors had written to the County and said they were against fixing the bridge. She asked Mr. Kreider if he signed the correspondence or e-mail as a Supervisor or as a private citizen. Mr. Kreider stated everyone knows he is a Supervisor. Mr. Kreider stated he might have signed it as a Supervisor. Ms. Pollock asked if he used the Township e-mail and Mr. Kreider stated no. Ms. Pollock said you signed it as a Supervisor so you are representing us as the Supervisors against the bridge when we are all here for the bridge. Mr. Kreider stated a small percentage of people in the Township are affected and he would like to see the 100-year flood plain and see where the water level is. Everybody must construct based on the 100 year flood plain, even the 500 year flood plain. Ms. Pollock asked why not get the information before you write the opinion Mr. Kreider stated he has GIS maps and has seen some of the areas and he knows the answer to that question before talking here tonight. He would like to see the Township provide and show him the 100-year flood plain is not in the area where this bridge is. If there were a house there, they would not be allowed to build a house if it is in the 100-year flood plain. What is the difference If the County has no money, it is not going to get by the County anyway. Ms. Pollock stated you do not know that until you lobby for it until you ask for it. You are dooming it before you have even tried. Ms. Pollock pointed out they also talked in the newspaper article about the Governors releasing money for State grants. If the Township is not even going to represent us correctly to the County, how are we ever going to expect you to represent us at the State level. Mr. Kreider stated he requested they put in the capital fund an amount of money set aside each year for catastrophic or any area of things that are unforeseen and this will probably a perfect location to use some of that money towards the bridge. Ms. Pollock asked if Mr. Kreider is saying he will do that. Are you committing to that or are you saying it would be a probability. Ms. Pollock stated they certainly were not going to get anything out of the County after the two of them wrote this letter and e-mail. Mr. Kreider stated he is willing to study it but he is not willing to assign money to something that is not really going to benefit a lot of people in our Township. Mr.

Kreider stated he couldn't personally represent single individuals. His job is to represent everyone in the Township not just a few. That is how business use to be done in the Township. He represents everybody who calls him or talks to him in anyway. There is just as many people he talked to who said it is crazy to rebuild the bridge. Ms. Pollock asked if the Supervisors spoke to the County as a group or as each individual. Mr. Kreider stated they signed the letter Mr. May sent to the County. Ms. Pollock stated they also got contradictory information from you in the letter or e-mail you wrote personally and from you as well Mr. Bauder. Mr. Kreider stated the contradiction is that he looked into the situation where it was and remembered all that went on down there and if they can prove to him it is out of the flood plain he can re-support it. Mr. Kreider asked if anybody could tell him if it is in the flood plain or not.

Ms. Pollock asked Mr. Bauder if he represented the Supervisors or himself in his letter. Mr. Bauder stated he wrote as a County taxpayer. Mr. Bauder stated he concurred with the County's decision. Mr. Bauder stated there were four major rainfalls last year. In November there was one that closed the road. People could not get across at Letort Road. There were many that could not get across Owl Bridge. Most of the bridges were closed. Many roads were flooded and closed. That was not the only road. Ms. Pollock pointed out it is the only access road for people who live in that area to get in or out. Mr. Bauder stated people could not get across either of the bridges to go south from Letort Road or Owl Bridge Road. They were isolated also. Ms. Pollock asked if that is a reason not to fix the bridge. Mr. Bauder stated he is saying things happened all over the County and the Township. To cite one incident and say we could not get to our homes for a while because of the flooding at Creek and Indian Run is not justification to repair the bridge as that was an isolated incident. Mr. Bauder stated as a County taxpayer he does not want to see them spend 1.3 million dollars for the limited number of families the bridge services when traveling east. The bridge serves no commercial value because if you are going that way you must cross the iron bridge that is 24 ton limited bridge that is narrow and farm equipment cannot cross. Ms. Pollock stated she sees farm equipment all the time. Mr. Bauder stated he rides bike on the road and Ms. Pollock pointed out she lives on that road. Mr. Bauder stated it serves 155 families. Ms. Pollock stated if you are counting 155 families does anyone know the number of people who use the other bridges in this article and how many families are served. By comparison, does anybody know why we are not worth it and these others are Do we know how we stack up. Mr. Bauder stated it is not a collector or arterial road. Ms. Pollock stated neither are a lot of these other roads. Mr. Bauder stated the traffic count is between 50 and 100 vehicles per day that is very low and that count is from the County. Ms. Pollock stated she did not think that is a recent traffic count. Mr. Bauder stated the current traffic count on Rock Hill is about 200. Ms. Pollock stated she does not think he is making an informed judgment and she thinks he is not speaking as a cohesive group to the County so in her view he is not representing us as a group but representing themselves as individuals.

Mr. Breneman stated the traffic counts on Rock Hill Road were much higher than 200 just last year when it was done. He realizes some of those come across Walnut Hill Bridge. Mr. Breneman talked to the Chairman of the County Commissioners this week. He wanted them to explain their position that this is a lower usage bridge. The rating on the bridge out of the 65 is probably about the 64th. That does not mean in his thinking that they do not pursue this and they do not still not get that bridge opened. He thinks they should do all they can and hope the citizens will still keep after the County and not let this thing die two months from now. Mr. Breneman stated he was very upset because he thought they were together with the letter. He realizes Mr. Kreider and Mr. Bauder were talking as individuals but Mr. Breneman said for the last four years he has not talked as an individual because whenever he

talks it says Jay Breneman, Manor Township Supervisor. He is a public official and if he opens his mouth Manor Township gets attached to it. He is very up set with Mr. Kreider and Mr. Bauder.

Scott Haverstick, 1970 Water Street, Washington Boro, gave some general comments stating Mr. Kreider and Mr. Bauder were within their rights to have their individual opinions about the bridge as much as he disagrees with them. Mr. Haverstick questioned if Mr. Kreider is suggesting bridges should not be repaired if located in the 100-year flood plain because he expects that would eliminate a lot of bridges by the nature of their location. Mr. Kreider pointed out this is not a repair but a replacement. Mr. Haverstick stated he crosses this bridge every day and the problem with the bridge seems to have originated from the decking not flooding so he is not sure what the 100 year flood plain has to do with anything. As a member of your Planning Commission, I am deeply concerned about letting the infrastructure go to hell. Where do you draw the line. That bridge is not the most important or heavily used in the Township but it is used by fairly substantial number of people in that location. They have the right to use that bridge. It is an existing bridge. It is incumbent upon you as our representatives to put as much pressure as you can on the County. If Allen and Dick feel as though they cannot support this, they can excuse themselves. Mr. Haverstick stated he suspects the majority of the Supervisors are in favor of the County taking action and he urged them very strongly to do so.

Wendy Smith, 268 Creek Road, stated she lives below the bridge by the Boys and Girls Club. No one has addressed the alternate route for this bridge not being in place, which is down Creek Road. Ms. Smith pointed out Creek Road is an extremely narrow road. She asked if the bridge is not repaired what action would take place to make the road safer to travel. Ms. Smith stated Mr. Kreider expressed concern about public safety. She is in a rural area and it is a direct route across the bridge. If an ambulance needs to find her home, she is concerned. She is distressed to hear the Supervisors are not in unison regarding the bridge and the action Mr. Bauder and Mr. Kreider took was not discussed with the other Supervisors.

Brad Singer, 246 Coffee Street, Millersville, is concerned because the County did not do its job. Their web page specifically states the County engineering staff is responsible for the maintenance, repair, and restoration of the County bridge system. This includes annual inspection of the 62 County owned bridges. In compliance with the Federal Bridge Inspection program, in house staff will also perform all the routine maintenance and repair work for all bridges. They also complete total restoration of the County's covered wooden bridges. Mr. Singer stated money was spent on the roadways to that bridge and the infrastructure Mr. Haverstick referred to is your responsibility to that bridge. The County has a responsibility to the Supervisors who represent the residents. Mr. Singer stated they are a low-density area by design. They do not have the masses, Mr. Kreider, to say to you there are 2,700 of us that do not want to pay light bills. There are 150 of us who want use of that bridge. They wanted the County to maintain it and they thought the Supervisors were getting reports on the bridges in the area. Mr. Singer stated he moved to the area because it thought it was a community that cared about all residents. Mr. Singer stated Mr. Bauder and Mr. Kreider usurped the power of the Board. Mr. Singer advised he was at the County meeting as well as Mr. Smith, Mr. Herr, the Boys Club, and Harold. Mr. Singer stated it is a shame they have not stood up for them.

Anna Barley, 728 Walnut Hill Road, stated luckily she lives on a hill and luckily she is not stuck waiting for an ambulance or anything else if there should happen to be a flood. There is a family who lives in the area who are elderly and the gentleman has Alzheimer's. What would happen if there is high water at Creek Road and Indian Run and they should

have an emergency, he is stuck. That is neither fair to them as taxpayers nor fair to anybody else in that area. Ms. Barley asked if a letter was received from Bryan Cutler offering to help get grant money and asked if anybody checked into it. She was advised they received the letter. Mr. May stated he has called to discuss it but has not reach him yet. Ms. Barley stated that if they could be told what else they could do to raise the level of where they fall on the list of bridges that need fixed they would appreciate it.

Allan Herr stated Ms. Smith asked about improving Creek Road. Mr. Herr stated when they were at the County meeting one of things the County told them was for the Township to improve Creek Road. Mr. Herr guessed at an amount to improve the road and stated it would make sense for the Board to support a bridge, which will serve a lot more people instead of just Creek Road. Mr. Herr stated he thought as a Board they were in consensus with this. He was very upset and had numerous people asking him what the Board was doing. It does not make sense to have to improve Creek Road, which would not at all help the situation of the bridge. Just to widen Creek Road as suggested by the County, he guessed would be one-half million plus. Mr. May stated if that road were widened the priority for the bridge would go down further. Mr. Herr stated the bridge benefits more than Creek Road. It benefits people from Pittsburg Valley, Highville, Creswell, and he has heard from Conestoga Township they do not like the increase traffic traveling through Conestoga. The County stated they like the fact it takes traffic and spreads it out and right now they are throwing more traffic on Letort Road and the Main Street through Conestoga. Mr. Bauder stated it costs about \$100,000 to \$120,000 a mile to widen and pave a road and that road is .9 mile.

Mary Eshbach, 2966 Safe Harbor Road, stated regarding safety the road they must travel now because the bridge is closed is terrible. Ms. Eshbach stated the ones who do not use the bridge should look at the area they must travel now.

Tracy Long stated the section between Walnut Hill and Rock Hill is not meant for two cars. Ms. Long stated school buses travel those roads every day.

Bonnie Miller stated she is upset because she attends meetings monthly. She is upset because these people do not go to the Commissioner meeting or the workshop meetings and further upset because the Supervisors do not go there as a team. Ms. Miller stated they must go to the County and fight for these people and give the manager the responsibility to apply for grant money to help these people. Ms. Miller indicated if taxes need to be raised so be it; but then these same individuals should not come in and complain about the increase.

Mr. May stated they would discuss this among themselves individually and see if they can come to some sort of understanding. In the meantime, Mr. May stated maybe Mr. Kreider could satisfy himself as to where the 100-year flood plain is located. Mr. Smith stated he could address the issue of the flood plain. Mr. Smith advised bridges and other structures are permitted within the flood plain whether it is 50, 100 or 500 year flood plain as a special exception. Mr. Smith stated they should not lose site of the fact it is a County bridge. It would be under the County jurisdiction to make all the applications pertaining grants.

New Business

SALDO-Brekland Preliminary Subdivision Plan Briefing – Mr. Smith advised this was formally known as the Hampilos Property and is bound by Letort Road and Walnut Hill Road. It is a 14-acre property and there is a proposal to subdivide this property into 32 single-family residential lots. The developer would have to have a sewer pump station to accommodate this tract. The development currently proposes access from Walnut Hill Road. There are a number of issues that need to be dealt with one of the issues being who has

ownership and the right to develop the tract. A letter was received indicating ownership is being contested, but they must continue to process the plan. If there is approval of this plan, ownership would be one of the conditions. Mr. May stated when this was before the Planning Commission a year ago there was concern regarding the cul-de-sac and the depth of it and the fact there was no emergency access from Letort Road. Mr. Smith advised that could be an issue as the developer could be landlocked from actually being able to obtain access from Letort Road. Mr. Herr stated it is the developer's desire to add the two-acre tract. Mr. Smith stated stormwater would be an issue on this tract. Mr. Smith stated he and Mr. Caldwell have done a preliminary review and corresponded through Mr. Caldwell with the developer with some of the decisions they made relative to stormwater management. Mr. Kreider stated there was a discussion about the Pflumm property and getting a right-of-way and asked the status of that. Mr. Smith does not know if it was looked into but it has not been proposed. Mr. Herr asked if the developer has met with Homefield because the water flows in their direction and it was a major concern with Homefield. Mr. Smith stated he and Mr. Caldwell have met with representatives from Homefields. Mr. Smith stated they have determined there is not a natural watercourse, what is there is an erosion ditch. That information has been given to the developer and they must go back to the drawing board.

SALDO – Harnish Brother Lot Add-On Plan briefing – The Harnish brothers are proposing a lot add-on as depicted on the plan. They are requesting two waiver modifications Section 404.A1 and the second a waiver of Section 403.6E. Our consultant will have comments relative to those waivers. Mr. Smith indicated this tract is located across from Central Manor Elementary School.

SALDO – Richard Rohrer Final Subdivision Plan Time Extension – They are requesting a 60-day time extension that is at their discretion. Mr. Bauder made a motion to grant 60-day extension from November 11th. Mr. Herr seconded the motion and the motion carried unanimously.

SALDO – Nelson & Janet Habecker Lot Ad-On Action Item – Mr. Smith stated this is before the Supervisors for conditional plan approval and read the following conditions:
ZONING

1. In the site data, the listed minimum lot width needs to be revised to one hundred fifty (150) feet (§ 201.5).

SUBDIVISION AND LAND DEVELOPMENT

1. All adjoining landowners and plan book recording references (if any) need to be included on the plan. Specifically, Gregory K. and Kenneth P. Rohrer, parcel owners to the southeast need to be included on the plan (§ 403.2.J).
2. Although this plan reduces an existing non-conformity for Lot 1, the location of a suitable replacement sewage absorption area, replacement area easement and the percolation test holes and deep probe holes need to be included on the plan. In addition, the existing sewage system needs to be a minimum of ten (10) feet from the proposed property line (§ 403.4.R, 407.2.F).
3. All certificates need to be completed prior to recording the plan (§ 405.1).
4. One copy of the approved final plans needs to be submitted to the Township in an electronic GIS compatible format acceptable to the Township (§ 404.2.N).

Mr. Herr made a motion to grant conditional approval of the Nelson & Janet Habecker Lot Add-On Plan with the attached conditions. Mr. Breneman seconded the motion and the motion carried unanimously.

SALDO – Glenn Rohrer Lot Add-On Action Item – Mr. Smith recommended approval of the lot add-on plan with the following conditions.

ZONING

1. The maximum lot coverage needs to be included in the site data (§ 201.7).
2. A note needs to be added to the plan stating that on separate non-farm parcels, no shrub nor tree shall be planted within twenty (20) and thirty (30) respectively, of any land used for agricultural purposes (§ 201.11).

SUBDIVISION AND LAND DEVELOPMENT

1. Unless a modification is requested and granted, the plans need to be a maximum scale of fifty (50) feet equal to one (1) inch (§ 403.1.A).
2. The right-of-way widths, cartway widths, and “T” numbers of Old Blue Rock Road and Charlestown Road must be included on the plan (§ 403.3.B.1).
3. The use of the existing structure located on Lot No. 3 Block “B” needs to be indicated on the plan (§ 403.3.C.2).
4. Prime agricultural soils need to be identified (§ 403.3.C.4.i).
5. The applicant needs to include the proposed zoning conditions within the site data table on the cover sheet (§ 403.4.B). The required minimums and maximums from the Zoning Ordinance are listed. The proposed must be listed as well.
6. An ownership, use and maintenance easement agreement, in a recordable form acceptable to the Township, must be provided for the proposed access easement over Lot 2 (§ 403.4.F).
7. A deed plot of the parent tract as it existed on September 19, 1990, or the date of an amendment to the Manor Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District, with all parcels subdivided from the parent tract after September 19, 1990, or the date of an amendment to the Manor Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District, including the deed reference(s), recording date(s), and subdivision plan book reference number(s) of any lot subdivided after September 19, 1990, or the date of an amendment to the Manor Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District needs to be provided. In addition, the following note needs to be included on the plan: *“As provided for by Section 201.4 of the Manor Township Zoning Ordinance, the available quota of single family dwelling units was ____ units as of September 19, 1990 or the date of an amendment to the Manor Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District. This subdivision represents ____ of the remaining ____ allotted single family dwelling units. Lot No. ____ shall carry with it the right to erect the ____ remaining quota of single family dwelling units.”* (§ 403.4.P).
8. All certificates need to be completed prior to recording the plan. In addition, the Board of Supervisors certificate needs to be revised to the Manor Township standards as presented in the appendix (§ 403.5, 404.3, 403.5.E).
9. One copy of the approved final plans needs to be submitted to the Township in an electronic GIS compatible format that is acceptable to the Township (§ 404.2.N).
10. Evidence of an approved planning module, exemption request, or notice that a planning module is not required needs to be provided (§ 404.4.A). The applicant must verify that a septic system replacement area exists on Lot 3 (§407.2.F.2).
11. Once the legal right-of-way is added to the plan (see above comment), additional right-of-way may be required along Old Blue Rock Road and Charlestown Road (§ 502.5.G, 502.7.B). If so, the following note must be added to the plan: "This plan reserves additional right-of-way along all or portions of the existing road frontage of

the subject property. This additional right-of-way is hereby reserved for possible future use by PennDOT and/or Manor Township for future roadway and related improvements."

12. The watercourses need to be contained within drainage easements that are wide enough to contain the unimpeded flow from a one hundred (100) year design rainfall (§508.2.E). A naturally vegetated riparian buffer system that encompasses the one hundred (100) year floodplain or thirty-five feet from the top of the stream bank, which ever is greater, needs to be provided along the existing stream (§509.7.A).

Mr. Kreider made a motion for conditional approval of the Glenn Rohrer separation project #07-01104-004 subject to the conditions set forth in the September 28, 2007 memorandum to Barry Smith from James Caldwell. Mr. Herr seconded the motion and the motion carried unanimously.

Frank & Shana Hess & Barbara Kauffman Letter of Credit Reduction – Mr. Smith stated he reviewed the submission as presented and makes a recommendation based on an alteration because they did not ask for a valid reduction. Their reduction exceeds what the Improvement Guarantee Agreement permits. Mr. Smith stated the current letter of credit is \$99,200 and Mr. Smith recommends a reduction of \$84,320 leaving a balance of \$14,880. Mr. Bauder made a motion to reduce the letter of credit by the amount of \$84,320 with \$14,880 remaining. Mr. Breneman seconded the motion and the motion carried unanimously.

Act 14 Notification Parkfield Phase III - Mr. Smith advised this notice is making you aware of the developer's intent to secure an NPDES permit renewal for Phase III of Parkfield. Mr. Bauder questioned if this would fall under the jurisdiction of the Township Subdivision and Land Development Ordinance. Mr. Smith advised the Parkfield was submitted to the Township under the County's Subdivision and Land Development Ordinance. Mr. Smith stated they would be getting clarity from the Solicitor whether the Township or the County will review Phase III. There are several projects that have come in under the County Ordinance and remain unfinished.

Bonnie Miller asked if one of the projects is Stonemill Estates. Mr. Smith stated the developer has preliminary approval and being judged by the County. Ms. Miller asked where Wheatfield Development falls. Ms. Miller was informed there has been no submittal.

Offer of Employment for Police Officer – Chief Graeff introduced Justin Kinard indicating Mr. Kinard has scored number one throughout the testing process. Chief Graeff advised a conditional offer of employment was given approximately four weeks ago so he could proceed through the process, which he has done with flying colors. Chief Graeff asked that Mr. Kinard be hired for the position of police officer. Mr. May congratulated Mr. Kinard for his test scores. Chief Graeff asked for the hire date to be October 8th instead of the 15th. Mr. May made a motion the Board approves the hiring of Justin Kinard with an effective employment date of October 8, 2007. Mr. Breneman seconded the motion and the motion carried unanimously.

Request to Hire Additional Police Officer – Mr. May stated Chief Graeff had provided statistics and asked if all the Supervisors had read the memo. Mr. Bauder questioned the sentence stating Manor Township could be staffed with 26 officers. Chief Graeff stated that is an estimate based on the population. Mr. Bauder asked what is being asked for tonight. Chief Graeff stated he is asking to hire one additional officer that brings the officers to 21. Chief Graeff advised there is money to support hiring another officer in the fact that the Chief's salary was not spent for the first quarter. There will not be a deficit for hiring a police officer. Mr. Bauder pointed out that is just for one year. Mr. Breneman asked if going through the process of hiring Mr. Kinard is there someone else in that pool

Chief Graeff sees as a viable officer or will the process need to be gone through again. Chief Graeff advised he has four good candidates. Mr. May made a motion to approve the hiring of the additional 21st officer based on the points noted for hiring. Mr. Breneman seconded the motion. Mr. Bauder stated he would like to hear Mr. Strohecker's comments as to what it will cost the Township. Mr. Bauder stated the funding has to be balanced. Mr. Bauder talked about contacting townships that do not have a police force who use the State Police and they are content with that. Mr. Herr feels as a budgeting process they need to look at where the funding will come from. Mr. Herr feels they may need to look at whether this can be done at this time. He understands there are viable candidates, but the whole thing needs to be looked at budget wise. Mr. May stated he is willing to table the motion until after the budget sessions or withdraw it for resubmission. Mr. Breneman stated he is in agreement with Mr. Herr and Mr. Bauder. Mr. May stated he withdrew his motion. Mr. Herr stated the need is there but he is comfortable to wait until they go through the budget process. Mr. May stated he would like to see the police force reach a 21-man level. Mr. Kreider indicated arbitrations are coming up and he would like to see the results of the arbitration. Mr. Kreider stated they need to think in the long range and how much more will the police receive and how will that figure into the finances for the next few years. Mr. Smith stated Chief Graeff will be making his presentation for the coming year and a glimpse at his long range plans at a scheduled work session on Wednesday. Chief Graeff stated he is only looking at a conditional offer of employment at this time. Chief Graeff stated he does not want to lose people. The condition offer does not mean someone must be hired. A conditional offer can be made so they can continue with the testing process, which they need the conditional offer to do the physiological, medical, and the polygraph. Mr. Herr asked the time frame they can carry out a conditional offer. Mr. Breneman stated he would hate to offer conditional employment and then take it away. Mr. Bauder asked Chief Graeff what his timetable was for the four individuals that qualified. Chief Graeff advised the applicants have tested in other places and it is a competitive market for candidates.

Ted Gingrich, 110 Bent Tree Drive, asked what it costs to go through the testing process for a police officer. Chief Graeff stated so far there is about \$1,300 - \$1,400 in the process not counting the time involved.

Chief Graeff advised this discussion goes into the next agenda item with regard to the joint hiring process that is proposed. Lancaster County Chiefs of Police are considering a joint hiring process where 10 – 15 departments join and will do a physical fitness test and also a written test and give the list from there to participating agencies only. There would be a \$500 buy in for the first year. This testing will not occur until next spring or summer. Mr. Herr questioned if there can be further discussion at the work session regarding conditional hire. Mr. Smith advised it can be discussed but no action can be taken. Mr. Bauder advised the additional hiring must be defined as to what it will cost in taxes and right now there is no way to define it. Chief advised one lawsuit would wipe away any benefit you may get.

Bonnie Miller stated the Township is obligated to provide safety and well being. She stated she lives in an area where there is a lot of police activity and she believes the Chief should be supported. Ms. Miller pointed out there will be tax income from all the new development next year and she is quite sure there is enough money to support at least one more good police officer. Mr. Herr stated Mr. Strohecker is having a hard time with all the other increases and it is phenomenal how just the normal things are going up. Mr. Bauder stated there are a lot of retirees in the township who do not pay wage tax and that is the biggest revenue not real estate. Mr. May stated developments do not increase the coffers of the Township because you have school taxes, increase infrastructure, and expense related to it. Commercial properties provide revenue but not residential developments. Ms. Miller

questioned the 1% tariff tax on retirees. Mr. Bauder stated that is a wage tax and it is only on earned income.

Memorandum of Understanding for the Joint Hiring Process – Mr. May feels this is a good thing and would like permission to sign. Mr. Bauder made a motion to enter into the cooperative agreement. Mr. Kreider seconded the motion and the motion carried unanimously. Mr. Bauder asked if this process provides candidates. Chief Graeff advised several other counties have the process and it is run one time a year. Mr. Bauder had questions on how the process works.

Enola Low Grade Proposed Rail Trail – Mr. May stated months ago he along with Mr. Smith, Gib Armstrong, Mitch Hanna and Scott Haverstick went to Norfolk Southern in Philadelphia to discuss the rail trail especially Manor Township section. There has been no activity and Mr. May wants to move this forward by getting in touch with Norfolk Southern and see what legal descriptions they have or do not have, find out what type of appraiser does the right-of-ways or railroad tracks, discuss that with an appraiser, and find out what costs involved. Norfolk Southern needs that information for purposes of consummating any transactions and nothing has happened. Mr. Kreider agrees to moving this forward. Mr. May feels strongly if the Manor Township section is built the other municipalities will build also. Mr. Smith advised he would make those contacts. Mr. May stated this is one of the big reasons he stayed on as Supervisors. Mr. Bauder questioned if this should be turned over to Parks and Recreational. Mr. Smith stated contact should come from himself.

Emergency Services Task Force Selection of Representatives - The fire companies, Millersville Borough and Manor Township have agreed to come together to form this task force. Mr. May stated it is his recommendation since he and Jay Breneman have been meeting with the fire chiefs on a quarterly basis that Mr. Breneman be the Township's elected representative. Mr. May made a motion to appoint Jay Breneman to serve on the task force. Mr. Herr seconded the motion and the motion carried with Mr. Breneman abstaining. Mr. May stated regarding the citizen's representative he and Mr. Smith received a resume from Gregory Noll who is quite accomplished in the area of fire and emergency services. Mr. May stated it would be their thoughts for Mr. Noll to be the 7th at large individual and not the Township citizen's representative. Mr. Eckman stated the resume was distributed and the cover letter was read. He is very well qualified and there is some support among the fire companies to support him at large. There was another application forwarded to the fire companies who was a Manor Township resident. Ms. Matterness stated she believed the letter referred to was from her. Mr. Breneman stated Russell Guthrie was through this process before and stated he would be willing to be a representative.

Bonnie Miller feels a fresh addition may be needed as a person at large. Ms. Miller supported Ms. Matterness because of her experience; she attends County and Township meetings and is currently involved with several processes within the County.

Mr. May stated a elected representative will be appointed, probably Mr. Breneman, a citizen's representative from Manor Township will be appointed and then the at large will have to be appointed by all six entities. For purposes of discussion, what they are looking for is their citizen's representative. Mr. May stated they have two people to consider. Mr. Breneman asked Ms. Matterness for clarification as to what position she is interested in. Mr. Breneman stated the citizen's representative needed to be voted on tonight and the at large one would be done at a later time possibly at a meeting on October 24th. Mr. Eckman stated the fire companies have completed selection of all their representatives except for Highville who will have theirs within a week or so. They were hoping to have a joint meeting on October 24 so that the task force could have a meeting to be advised of their responsibilities and elect their task force officers. They are hoping that meeting can take place in November

and productive meetings start in January. Ms. Matterness had submitted her resume to West Lancaster Fire Company who chose another applicant and are submitting her resume for the at large representative. Mr. Breneman made a motion to appoint Russell Gutherie as the Manor Township representative. Mr. May seconded the motion. Mr. Kreider had reservations regarding appointing someone without a resume. Mr. May stated he does not know the individual but Mr. Gutherie has been through a successful consolidation process and he obviously worked through with a group, lives in our Township and is willing to do it again. Mr. May stated all those things are in his favor to add Mr. Gutherie as the citizen's representative from Manor Township to the task force and called for the vote. Motion carried.

Transfer to General Fund from Sewer Fund and Capital Fund – Mr. Bauder made a motion to transfer \$50,000 from Sewer Fund to General Fund and \$150,000 from Capital Fund to General Fund. Mr. Breneman seconded the motion and the motion carried unanimously.

Request for Reduction of Credit in Crossgates Phase IV – Crossgates Phase IV Letter of Credit from Fulton Bank #D01620. Mr. Smith advised the developer has met their obligation and their 18 month period has arrived and Mr. Smith recommends they release that letter of credit. Mr. Breneman made a motion to release the letter of credit from Fulton Bank for Crossgates Phase IV #D01620. Mr. Kreider seconded the motion and the motion carried unanimously. Mr. Smith advised the letter of credit was in the amount of \$89,962.23.

Correspondence

PA Community Forestry Conference – Mr. Smith is asking the Board to authorize Mike Dickert to attend he conference. Mr. May made a motion to allow Mike Dickert to attend the PA Community Forestry Conference. Mr. Breneman seconded the motion and the motion carried unanimously.

Traffic Commission

Chief Graeff reported their meeting was held on September 26th with all members present. Mr. Harris advised “No Parking” and “No Outlet” signs were installed in Eagle Heights and a “Handicap Parking” sign at 30 Girard Avenue.

A traffic study was done by Off. Gardner regarding speed zone, stop signs and no parking in the development of Parkfield. Off. Gardner reported Phase I is a 25 mph speed zone and Phase II and III are continuation of the existing roadways. Off. Gardner recommended the 25mph speed zones be extended into Phase II and III. The following recommendations were made to install stop signs based on the roadway designs: On Shade Tree Drive @ Greenhedge Drive; On Shade Tree Drive @ Farmstead Drive; On Shade Tree Drive @ Fieldgate Drive; On Amsterdam Road @ Greenhedge Drive; On Fieldgate Drive @ Greenhedge Drive; On Greenhedge Drive @ Donerville Road; 4 Way Stop – Farmstead Drive (north end) @ Greenhedge Drive; 3 Way Stop – Farmstead Drive (south end) @ Greenhedge Drive; 3 Way Stop – Fieldgate Drive @ Greenhedge Drive. A recommendation the following roadways be posted with “No Parking” zones limiting parking to one side of the roadway: Greenhedge Drive, Shade Tree Drive, Farmstead Drive, and Amsterdam Road. Chief Graeff advised the Traffic Commission accepted Off. Gardner's report and recommend to the Board signs be approved as submitted. Mr. Herr made a motion to approve the erection of the listed signs. Mr. Kreider seconded the motion and the motion carried unanimously.

Mr. Murry from Redwood Drive expressed concern regarding speeding vehicles. The traffic counter will be placed on Redwood Drive.

A letter regarding increased traffic and speeding in Timson Hills was received from Andrea Carty. She requested speed bumps, to replace the dead end that was taken out and place stop signs the intersection of Hampden Drive and Yorkshire Way. The Commission agreed with placement of stop signs on both ends of Yorkshire Way. Ms. Carty was advised there would be no speed bumps or reinstalling of the dead end street. Mr. Breneman made a motion to place stop signs on both ends of Yorkshire Way. Mr. Bauder seconded the motion and the motion carried unanimously.

A letter was received regarding posting of speed limit signs on Forrey Road between Rohrer Road and Habecker Church Road. There is no speed limit posted, therefore, it is 55 mph. A house is being built and due to the location of the driveway and the speed limit permission will not be given to install the driveway unless there is a lower speed. A motion was made to post a 35 mph speed limit on both sections of Forrey Road. There was a traffic study completed by Strausser Surveying. Mr. Breneman made a motion to post both sections of Forrey Road with 35 mph speed limit. Mr. Herr seconded the motion and the motion carried unanimously.

There is no speed limit sign on Sun Lane between Walnut Hill and Letort Road and a study will be done regarding the speed limit.

An e-mail was forwarded to the Commission regarding Hershey Mill Road and cars and motorcycles speeding and drunk drivers. Chief Graeff responded to that e-mail and will try to increase police coverage in the area.

Police Report

Chief Graeff pointed out there were 26 accidents for the month, 255 for the year; traffic arrests for the month 162 total for the year 1,157; criminal arrests 28 for the month and 273 for the year. Corporal Strock's Community Policing report is attached and is very busy with the community events. The Citizen's Police Academy is beginning on Thursday night at 7:00 and Cpl. Strock also just did the 55 Alive Driving Course this past week. There was an attendance of 20 people. Mr. Breneman stated two of the events he attended Cpl. Strock fingerprinted children and it was very well received. The community really enjoys seeing a police officer and being able to interact the officer. Mr. Breneman asked that his thanks as well as the Board's be passed along. Chief Graeff pointed out the chart that was attached to the report.

Road Foreman's Report

Mr. Harris gave his report noting several projects in the plans for the year were completed, worked on the agility program with PennDot, installed the boat dock launch and paved it with the assistance of West Hempfield. Mr. Harris referred to the Township News magazine indicating there was information given regarding signs and Federal Regulations that impact the Township. Mr. Harris stated for the last year he has been identifying certain roads and converting those sign from engineer grade to the high intensity which is better for retro reflectivity. The Federal Government said all signs must be converted by 2012. Mr. Bauder stated this issue was addressed at PSATS and stated it applies to Stop Signs. Mr. Harris stated in the last year they have been in the process of upgrading their sign room and equipment to make signs. They now take the speed limit sign and bring it back to the sign shop, recycle the aluminum blank and pay a smaller fee just for the face and reapply that. Mr. Herr stated there is a piece in the sign department that eventually they will not be able to material for and Mr. Harris stated that is correct. They can no longer use the machine that was bought in 1960 due to the unavailability of material for the machine. Mr. Kreider expressed thanks for the installation of the boat dock.

Parks and Ground Maintenance

Mr. Dickert noted they have been busy in the month of September. He pointed out the control of purple loosestrife at Woods Edge Park. Mr. Dickert stated on Friday he met with a gentleman from the Department of Agriculture and they walked around and saw the loosestrife is controlled. The control measures taken to the north in the pond area was also effective. This is something that will have to be followed up with on an annual basis.

Assistant Manager's Report

There was no report available.

Manager's Report

Mr. Smith noted he has been meeting with Mike Kyle, Executive Director of LASA, regarding Letort and Perth Hill sewer extensions. They are beginning to prepare another communication to the residents to give them an update as a result of what has occurred since the last meeting. There are not a lot of new things but they want to keep them informed. LASA is looking at several alternatives on how to construct this as cost effective as they can. They will have a public meeting in the near future but it is their goal to send a letter out to update the residents in the month of October.

Mr. Smith stated the Washington Boro Heritage Group applied for and got a historic marker to be located in the park on Rt. 441. There will be a dedication on October 20th at noon of the marker. It will be a part of the Heritage Days event and as elected officials they are invited to participate in that.

Building Permit Report

Mr. Kreider reported in the month of September 2007 there were 46 permits issued compared to 33 last year; permits issued year to date 336 compares to 306 in 2006; the dollar value for the permits issued in September is \$3,606,987 and the dollar value of permits issued year to date \$26,719,439 that compares to \$21,575,717 in the year 2006.

Mr. Breneman made a motion to adjourn the meeting. Mr. May seconded the motion and the motion carried unanimously. Meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Budget Work Session

Wednesday, October 17, 2007

Time: 8:30 A.M.

Supervisors and required staff were present.

Mike Dickert proceeded with his presentation regarding budget information under the General Fund. Mr. Dickert stated there are areas that need to be completed with plantings of shrubs. There is an increase in cost for fertilizers and pesticides due to the fact this year there was left over from the previous years that have been used. Mr. Dickert added a category for vandalism repairs. There was a fountain smashed this year that was expensive enough that he was unable to include that to repair this year or replace so it needed to be placed in next year's budget. By starting a new category "Vandalism Repairs" that amount was taken out of the "Maintenance & Repair of Buildings". Mr. May asked what contracted services were. Mr. Dickert advised that has to do with hiring someone to prune trees and he is looking at for next year in the Springdale natural area. LASA has a sewer line that goes down through that is very level ten foot wide right-of-way through the woods and there are numerous saplings, etc. growing up. There is a company that has land clearing services available and LASA has indicated they would be willing to split the cost to go down through there and open it up. That would give a clear walkway from Springdale area through the back of Manor Oaks that is within the projected greenway. Mr. Smith stated there are categories for contracted services in the other departments as well. Mr. Smith stated we do trim trees but there are some special needs where we need to have funds available to take care of those matters when it is beyond the scope of what we have equipment or trained people for. Mr. Bauder questioned the category of conferences and the need to attend that many conferences. Mr. Dickert stated that also covers four certified applicators. Mr. Dickert advised some of the courses are locally and some are not depending on the specialized nature of them. Mr. Herr advised Mr. Dickert's license would require a lot more than Mr. Bauder's as a private applicator because Mr. Dickert's license would require more. Mr. Smith stated one of the reasons that has been increased is Mr. Dickert has an opportunity to go to a national conference. Mr. Smith pointed out looking at the "07" budget and then year to date everything was not spent. Mr. Dickert pointed out recertification for playground inspector comes up next year also and that occurs every three years. Mr. Kreider questioned what is included under the electric category and asked if it included the restrooms in the parks. Mr. Dickert stated it includes the dusk to dawn lighting. Mr. Dickert stated Greider Park is the only park with streetlights.

Capital Fund – Mr. Dickert stated he tried to list items in the categories in the order he would see as priorities. Playground equipment – They are unable to keep the dog dirt disposal bag dispensers stocked. It is not a matter of kids littering with them they are being used. A number of swing mats and anchor kits were done this year and they helped a lot with keeping the mulch from being kicked out when swinging. Picnic tables are purchased from the State Penitentiary as kits to replace a few that from sitting out rot and damage due to vandalism. Information kiosk is something they wanted to put at Herr Park. It is on the master plan for the park and with the educational nature of that park it is believed it would be a good idea to have something there to explain the different features of the park. Mr. Dickert has been hoping for someone who needed an Eagle

Scout project or something like that could take ownership on that. Now that he knows Penn Manor has a requirement for seniors to do a project of some sort that also adds to that. He hopes whoever would take ownership and do it has a project with the Township oversight would also do some fundraising to raise the funds to do it. Minor equipment purchase – the tractor proposed is a replacement of the tractor used for the large area mower is a piece of equipment that gets used very hard. Over the last year or two there has been an increase in the repairs needed on the tractor as it is reaching the end of its usable cycle. According to the replacement schedule this is the year for this tractor. Mr. May asked the life expectancy on this tractor and Mr. Dickert states normally a tractor lasts a long time but this tractor runs at full throttle all the time. It is either in transport or in full throttle. The hours on the tractor have not been updated for this season's use. The amount listed is without trade-in or without selling the old tractor and is based on state contract. Aluminum trailer used to haul the mowers around has been used hard for 14 years. Last year the tongue broke on it, replaced an axle last year and this year, put a new deck on it and that decking is now pulling up and ready to be replaced again, and the tailgate has broken several times on it in the last two or three years. Since pricing a trailer similar to the present one there is a new model that has come out that is \$3,000 less than the model they were looking at. Mr. Dickert would like to replace the walk behind mower that is five years old. Maintenance repairability has two items. Next to the soccer field at Greider Park there is a swale with an open pipe at the end of the swale. It is dangerous for kids who run off the soccer field after a ball that is a 15-18" drop. Mr. Dickert proposes to put in a catch basin and fill the swale in so is not so much of a drop. At the basketball court at Washington Boro they repaved it about three years ago and propose they put a seal coat on it that has color to it. It is not just used for basketball but for instance with the tomato festival they pull a trailer in there and in the process tear up the blacktop. Mr. Smith stated this has nothing in common with the oil and chip process or resurfacing process. The issue with sealing once you start sealing you are sealing and it will be on a reoccurring basis or you will have a lot of problems. Mr. Kreider stated he agrees with Mr. Smith.

Mark Harris stated he would be cover the three categories general, highway aid and capital fund. Mr. Harris stated they are trying to keep things as close as they can to last years totals, however there is some need to adjust from their perspective. The first category is material supply with an increase. There is a calcium chloride tank on the facility that is used as an additive for salting roads. It is a 5,000 tank and this year they will empty that tank and it will need to be replenished. In the past they have paid it out of the material supply category. There is an increase in crack sealing. As they get into the older developments such as Manor Ridge, Colonial Manor, Fairway Park, etc. there are a lot of roads that were crack sealed in the late 90's and they are now at the end of the anticipated cycle of the sealing and need to go back into those developments and keep sealing trying to lengthen the life of the pavement surface. There is an increase in tires and tubes as they anticipate the upcoming year they know they need to replace tires on the backhoe, ten-wheeler dump truck, and a number of trucks they anticipate needing to replace tires on. Equipment and vehicle repairs you will see on your monthly statement tires, the repair of equipment and vehicles they are at the 100% and are exceeding that. They have had a number of breakdowns this year that had to be addressed. They are no longer a part of the buy back program and the equipment is no longer cycled every three

years and as they own the equipment longer there is more issues that need to be dealt with. They had a cylinder in one of the dump trucks that is pitted and there is a pool of hydraulic oil underneath the truck every day. There will be a \$1400 repair where the cylinder has to come off, must be spray welded and reground. The goal was to do it this year but obviously the funds do not allow it so that is planned for next year. Another item is the maintenance repair of building that is a newer category. Their maintenance building is now 20 years old and as the building ages there is need for repair. The meeting room doors are actually rusted out and one of the items that need to be taken care of. There is ongoing maintenance in the building. Proposing to get an automatic garage door opener for the back garage door. Mr. Harris pointed out they would be more efficient in heating and safer for the employees climbing in and out of the snow covered trucks. Mr. May questioned the category "General Expense". Mr. Harris advised that pays their motor oil, antifreeze, hydraulic oil, batteries, etc. Mr. Kreider asked if the heating and electric of the building is in one of these categories. Mr. Harris informed him that is in the administrative portion of the budget that is not handled by him. Mr. Kreider asked if the meter at the maintenance building is set up to be added to the administrative building as an add on or a separate bill. Mr. Strohecker advised the electric is a separate bill. Mr. Bauder questioned the salary category line and Mr. Smith stated it has not been established to date. Traffic Control – Mr. Harris stated the bottom line stays the same but some things have been shifted. There is less in the material and supplies and there is an increase in sign materials. It was brought up on a Supervisors meeting about a sign machine and the need for a replacement. In doing that, they would have no inventory of materials so they would need to spend more to get an inventory to make the signs. There is a slight increase in maintenance repair, roads and bridges. They anticipate an increase in the cost of blacktop. Mr. Herr had questions on the sign machine and asked if this helps update the machine or is this new materials. Mr. Harris stated this is new materials in anticipation the Supervisors would allow them to get a new sign machine. Mr. Harris advised he has the roads listed for seal coating and for his purposes he puts the year the road was previous sealed. The industry states chipping should get 5-7 years and it appears they are hitting those targets. Last year they put a coarser mix on Chestnut Grove Road so they did need to spend a lot more money on putting a top on it, therefore, he is proposing they seal that road. Last year on Stehman Church Road they widened a portion and the profile of the road is very good so he is proposing to oil and chip the widening portion. If they continue with the widening of the road then it would be paved all at one time. The contracted service is line painting and that stays the same. Winter maintenance is salt and this year there has been a spike in the cost of salt and it will be \$52.00 a ton with an increase of \$6.00 a ton. Widening – As Mr. Harris has been surveying the roads and prioritizing the needs for widening he is submitting to widen Miller Road and Seitz Road. Mr. Herr asked the traffic count for Miller Road and Mr. Harris stated about 100 a day. Mr. Harris explained that he considers a road for widening after examining the width of the road, condition of the road, the vehicle use and the school bus use. Mr. Bauder asked how much is received in the Highway Funds per year. Mr. Strohecker stated about \$35,000 shy of what Mr. Harris is proposing. Mr. Bauder asked if there is any reason there is a \$500,000 balance in the fund and why couldn't the dump truck be bought through that fund. Is there an anticipated need for that balance? Mr. Smith stated when they get to the culverts, the

Charlestown culvert being one, in the past there has been times they have split the costs some from Highway and Capital. The dump truck could be bought out of that fund. Mr. Bauder did not recall how much was in Capital Reserve for culverts. Mr. Strohecker stated this year was budgeted \$100,000 for engineering. Mr. Harris referred to Page 2 regarding Breneman Road where base repair was done this year, however, there is a portion just east of Creswell Lane a length of 1,000 ft. where there is a severe base problem. There are springs that come out through the road every year. He is proposing to reclaim that is similar to what was done on S. Centerville Road a few years ago where they mill the road and incorporate 2A with that making it a base and propose to put a total of 4" of asphalt on that. Highway Aid resurfacing that is where the paving is done. Looking back to the 5, 10 and 20 year plan that staff did a number of years ago and to look how they are coming in target with some of those projections. Many streets listed are primarily in the older developments and they have in the past chipping away at some of these developments and getting some more structural strength in them by doing overlaying. There is a god bit of it this year is because last year their widening was less than what it had typically been. They would cover Old Blue Rock Road and Locust Grove Road that were widened in 2007 and then they would use some of those funds to work in some of the older developments. Many of the developments were paved prior to the 1980's. Mr. Kreider asked if it is the entire Old Blue Rock Road or just some areas. Mark Harris stated it is the portion widened from Rt. 999 to Ironstone Ridge Rd. Several roads are listed 2 times and that is different segments of the road. Mr. Herr stated under oil and chipping Stehman Church Road is listed two different times. Mr. Harris explained why it is listed several times. Mr. Breneman asked the blacktop price for last years. Mr. Harris said it was \$52.79 per unit. As an estimate, Highway Materials stated between \$60 and \$65.

Capital Fund – Traffic signals repairs \$22,012. Every year the traffic signals are inspected and repaired as needed. Based on the study there are several traffic lights that are not compliant with PennDot permit. To bring the lights up to the permit standard they need some repairs. Mr. Harris went over some of the repairs needed on the different traffic signals. Mr. Smith stated some of the issues have been ongoing. Some issues the position has been taken of a wait and see and try to determine what is an absolute need to make some of these repairs. The South Centerville though not functioning the way it should be has been delayed a number of years because of Wal-Mart and other projects that may have an affect on some of these signals. Came to the conclusion they need to be done because they are getting to the point where they going to problematic for traffic or safety issue. There is a remote possibility if Wal-Mart is approved next year he may suggest they do no repairs at that time, however, if they are not approved he is suggesting the repairs are made then the risk is two years later it is approved the signal post put in will be removed. The failure to do something now puts the Township at a great risk. Mr. Bauder asked what the risk is and Mr. Smith stated it is going to fall down. What is being proposed is to replace it in place. Mr. Gingrich stated he was at the East Hempfield meeting when Sheets was approved and they gave the Township \$90,000 to help improve that intersection. When Western Corners was developed they ripped the loop out and it was never replaced and that is the problem there. Mr. Smith stated among staff they would debate whether to go underground with a loop again or go overhead with video detection to control that intersection. Something

like that East Hempfield will share the cost. They are looking at the controller upgrade this year that will get them the preemption. If they want to accelerate that they add preemption to that then they will add that cost. Mr. Herr asked what that cost would be and Mr. Smith advised another \$2,000 - \$5,000. Mr. Gingrich stated Millersville Boro got a Federal Highway Grant and did all the lights in Millersville Boro and he wondered if East Hempfield and Manor Township has looked into a Federal grant to do the lights. Mr. Smith stated they would look at that. Traffic Signal LED installation – New category showing what it would cost per intersection to convert the lights to LED. The vendor who gave the price had stated these prices do not include the amber light. He indicated if you convert the amber light to LED it would lengthen the pay back time. The amber light is lit so short of a cycle. He advises not to do the amber at this time because of the cost of that, however, where there is directional left turn arrows that are amber you do need to do it in LED. If not and that bulb goes out it effects the entire signal. If the Township would decide to do all the lights, this vendor would reduce the cost by 10%. Mr. Smith stated this is something they suggest is done and at the same time. In time it will get them to a point where they will realize the savings. Mr. May questioned the number of signals to be done. Mr. Smith stated he could not at this time give the number of signal heads. Mr. Harris advised some of the lights are already LED. Mr. Kreider would like more information on the amber light because of the fact bulbs burn out and there would be more maintenance involved if must do the amber lights. Sign Machine – Would be a new machine for the public works department. Currently they are going to outside vendors to provide some of the specialized signs such as street signs. Bowling Green curb replacement – Looked at the development several years ago on the road tour and they are seeing the vertical curb in segments is beginning to deteriorate more than when they were out a few years ago. The \$21,000 would be to pay a contractor to remove the curb and replace. Mr. Harris would like their public works department to do the backfilling of the topsoil, seeding and the restoration of the street. Culvert Replacement Charlestown Road - This culvert is located between Second Street in Washington Boro and Prospect Road. It is a corrugated metal pipe that has continued to rust through. They repeatedly restored the road surface because of the settlement occurring. This culvert would be the opportunity for the Township to be the general contractor of the project. The price includes quotes for a tract hoe, remove the existing pipe include they purchase the pipe themselves, sub the guide rail out, they do the backfill, the riprap installation, and the paving. Mr. Harris is trying to create an environment where they are less dependent on others to do work they can do themselves. Mr. Harris would like the opportunity for his crew to take on this endeavor and he believes they can do it in a week's time. Mr. Harris stated he is not anticipating replacing the pipe with anything larger or smaller. They would not have to have any studies done for the DEP permit if they replace it with the same size pipe. Mr. Kreider stated he and Mr. Bauder looked at the bridge replaced on Owl Bridge Road by the County and there were some problems. Mr. Kreider feels the road crew will do the job right the first time. Dump Truck – They are do to replace a dump truck. Proposing to replace the smallest dump truck in the fleet which is a 6 ton dump truck and propose to go to a 9 ton dump truck. The reasoning for going to a larger truck they are not able to complete the entire route during plowing without having to come back and top off. With a larger load of salt and antiskid they would be more efficient in not having to return to refill. Because of its

limited size the dump truck sits a large portion of the year. There has been a history of problems with the truck. They have had to put two rear ends in the dump truck. It is a limited slip rear end axle and when they leave to salt roads they put as much salt on the truck as possible. They have had problems with overloading and with the rear end that is in it has caused them to have to tow it back to the shop during a snowstorm. They put the rear end in themselves. They would need to get a plow and salt spreader with a new truck. They have gone with the stainless steel dump body also. They are projecting the life of their trucks longer due to going with the stainless steel bodies. Mr. Breneman asked if the price has the plow and spreader included. Mr. Harris stated it does but does not show a trade-in or sale of the truck. Mr. Herr asked what the truck would be worth selling it and Mr. Harris stated he would hope to get between \$8,000 and \$10,000. Mr. Kreider asked if he has ever advertised in PSATS and Mr. Harris stated he has not. Mr. Smith stated it is a useful option. A number of times there have been a time frame of getting things into PSATS. When they know well in advance they want to sell something, it is a good option. Mr. Herr stated they put a piece in through work and it is expensive and they did not get one call. Most readers of that magazine are township municipal people who are looking to buy new. Mr. Kreider indicated putting it on the web site not in the magazine. Mr. Smith stated they have an obligation to put some formal advertisement together and in addition to that they can on chat groups or group users make people aware it is for sale. They have the option to sell directly to another municipality. Mr. Harris stated he found the Lancaster Farming is very effective. Leaf Collector – A development has come along that is an advantage they now make leaf collectors that have hydraulic booms. East Hempfield has several that Mr. Harris has looked at. East Hempfield has purchased their leaf collectors on a 902 Recycling Grant that is administered by DEP and DEP has a window of opportunity in November to apply for grants. These are a reimbursement grant where you can get up to 90% return. Mr. Harris would like to explore that option. Mr. Harris stated it is a competitive grant, however, Manor is looked on favorably due to the compost facility they operate and receiving leaves from other municipalities. Mr. Herr stated he feels they should let Mark go ahead with the grant application. Mr. Herr stated with his experience in selling leaf equipment he never had anyone who did not get the grant. It is competitive and sometimes you must go for it a second time but if you are in first you stand a very good chance of getting the grant. Culvert Engineering is for the culvert just below this building and the land acquisition is for the property we have been earmarking for the last couple of years. Mr. Bauder asked what the engineering cost was based on. Mr. Smith stated that was a number engineer said put in there but it will not be that much. Mike Schober or Frank Huttel gave the figure. Mr. Smith stated they are still looking at a number of options with one being contractor design. This number is not what it will be but something had to be put in. Mr. Bauder stated he feels there needs to be a reasonable estimate. Mr. Bauder talked to other Townships and engineers and he gave an example of another bridge that was put in and what the engineering costs were for that bridge. Mr. Herr stated he gave Barry Smith's name to J. D. Eckman from Atglen who does a lot of bridges.

Mr. Strohecker advised he had four things to go over. They are about one week away from the budget presentation so they started to put together the numbers for the budget. One of the changes he was looking at making to the income statement was a

suggestion that Mr. Bauder brought up several years ago as far as breaking out overtime on the income statement, social security and Medicare taxes, and even took a look at taking the insurance categories and breaking them out by department so they can look at each department to see the total cost to the Township. As he started putting all this together he realized he is not sure that is the best way to do it. When comparing us to other townships they are constructing their budgets closely to the way we currently have the income statement. He felt the best thing to do is keep the continuity with the income statement we had but instead provide more regular supplemental reports that would show that information. What you are looking at is three year look at the overtime by department. This is not a report that has been given on a regular basis maybe on an annual type basis but every payroll they do take a look at the overtime and he would like to start providing an overtime report specifically the year we are in and it would look similar to what you have. They can take a look at semi-annual reports that do break up the insurances by departments so he can show by percentage the cost of each department and that would include overtime, all the benefits, etc. He has changed his opinion on this a little and he thinks he would like to go to more supplemental reports and keep the income statement closer to what it is. Mr. Bauder stated the major difference he sees between us and other municipalities is that we include the Medicare and social security tax in the income. When the public sees those numbers they do not realize that those are not income expenses. It inflates the numbers for the general public. Mr. Strohecker stated the key is to make sure the Supervisors understand what they are doing and why they are doing it.

Report with the projected balances at the end of the year – Given so the Supervisors have it to know what the balances are looking like. They are still pretty far out from the end but he did put some projections in for “07”. There is nothing for what they are projecting for “08”. That will come after the budget presentation. He thinks a good projection number for the General Fund to have sitting in unrestricted balances somewhere between one and one and one-half million dollars for the Township. They are about one year away from getting to that point. If we finish up the way he projects we might have 1.3 million in there that is a good round number to have. The General Fund has been changing for the positive over the past couple of years. The Capital Fund is a little deceiving in the balance because although there is two million dollars sitting in there a lot of that is already tied up. Mr. Strohecker stated in the projected income for 2007 for the Capital Fund he projected they are going to spend that money before the end of the year. Mr. Smith stated it is possible they will be able to obtain the K.L. property. If they do not include it and they cannot get those documents signed then they have a problem for “08”. Closer to the end of the year if the budget has not been advertised they can make the alteration. Mr. Strohecker stated he wanted to the issue of streetlights. He needs direction in preparing to put the budget together. At this point in time you wanted them to put it back into the General Fund and although they have only gone through the first round of putting the budget together they are landing in the General Fund somewhere around \$150,000 deficit for the 2008 budget. Mr. Bauder asked if that included the pass of \$250,000 capital over and Mr. Strohecker stated yes but it is \$150,000. There are two questions that need answered. 1) Do we want to open the discussion of streetlights? Do you want to leave it as it is or do you want to talk about it more? 2) If the streetlights remain in the budget, it is approximately a \$125,000 hit the

general fund for next year, and if projections are correct the budget is going to be short by \$150,000. Are you willing to open up the idea of raising taxes to cover that amount? Mr. Smith stated General Fund is achieving a balance they believe is a safety net that is unrestricted and are you willing to have that balance come down as a way of offsetting the streetlight cost. In a practical sense they cannot cut even if they reduce and when they are able to eliminate some lights they are not going to reduce that in half. Even with some efficiency they are not going to reduce that in half so they are still going to have a significant cost to pay for streetlights. It does have an affect how they are going to present the final budget. They still need to understand the Board on record of making a commitment and that commitment has not been met regarding streetlights. A resolution/ordinance needs to be prepared where official action will have to be taken. That will be needed prior to the start of next year. Mr. Kreider commented when the decision was made to put it back in the general fund one of the reasons was because the earned income tax was going up that helped fund that cost. Mr. Kreider asked if they projected the earned income is going to go down or continue to go up. Mr. Stohecker stated part of the thought of that philosophy is you are taking a look at one item and because that is going up you can afford to cover the cost of streetlights. The way the General Fund works is that the real estate, transfer tax and earned income the three major contributors to the revenue are all going up. The question is what is the pace of the expenses going up. The salaries, benefits, etc. are going to continue to go up. They have been seeing in the past two years that the revenues have been exceeding expenditures to the point where they are able to build up these balances to the one and one-half million he thinks is a good level. By doing the \$125,000 hit, that is the cost of two police officers. It is a big cost that is now hit and what he is projecting that is going to be a cost that is going to exceed the expenses from the projected revenues. He does not look at it as this one line goes up is it comfortable. It has to be the totality of it. Mr. Kreider stated the other factor is they are in the midst of possibly making some changes to the streetlights as technology is increasing. Whatever they are doing now may change three or four years from now very easily. They may end up putting their own streetlights in with solar power and not even have a bill coming in from the power company. There is a lot of factors to think about on this. Are they going to jump and do something short term? He is continuing to research the possibility of the streetlights whether or not they do a bond issue. It is too early in his opinion to do it now because there is till technology being developed in battery backups that is going to revolutionize the whole system. He thinks this is a major thing and he can see where your position is on it but there is the other side of it that it could be a short term until they get to that point. Mr. Smith stated they are looking at having to deal with things on an annual basis that decisions have to be made rather quickly and also looking at where will they be five and ten years from now. Mr. May stated right now they must worry about next year. Mr. Herr stated another element is when is the deregulation go off on the electric. Mr. Strohecker stated 2009. Mr. Herr stated before they could do anything with new technology they could see a dramatic increase of the cost if they commit to put that in. \$125,00 hit now could be \$175,000 or \$200,00. Mr. Bauder stated no one is going to get away with increasing 20-30%. Mr. Kreider stated most of that increase is slated for residential because industry and commercial has been paying the bill and that is what this is all about. Mr. Strohecker stated they wanted to lay out the options for the Board and it looks like most of that loss

can at least be attributed to the addition of the streetlights back into the General Fund. Mr. Strohecker stated if they wanted to take the loss that is fine but there have been discussions in the past the door was open if they do put it in the General Fund they might want to raise taxes for that amount. Mr. Strohecker stated he just wanted to know what direction they wanted to move. Mr. Herr stated he feels his analogy is very good that it could provide two police officers also. Mr. Bauder stated not with all the benefits it cannot provide two police officers. Mr. Herr stated a good portion of it. Mr. Bauder was challenged by someone this week who said they do business with other townships and their real estate tax on these similar township is less than our tipping fee. Why is our real estate tax higher than some of those and yet we get a million dollar tipping fee. Mr. Bauder stated he does not think they have to accept the status quo and keep adding percentages. He thinks they have to be challenged by some other issues. Mr. May stated they do not know what the hit is so maybe we take the hit this next year and see what it is and then plan accordingly knowing what has happened. Mr. Strohecker stated he could pretty well project what the cost will be. The monthly bill is the same for electric every month. It goes up just about every year. Mr. Bauder asked how much excess was in the General Fund this year. Mr. Strohecker stated he thinks there will be \$313,000. Mr. Bauder stated that is income versus expenditures. Mr. Bauder stated you look at personnel and you are going to add 3 or 4% maybe and that would be \$60,000 or \$70,000 for wage increase. Last few years a balance has been added the reserve that is what got it up to this level. Mr. Bauder stated with wage increased they are still left with \$200,000 that is added this year. He thinks they can spend that \$200,000 for streetlights for this one year and evaluate it next year. Mr. Strohecker stated if next year performs the exact same way as this year he is correct. Mr. Smith stated they recognize there are some factors that play into that which are out of their control but they are looking for a general consensus before they put that packet together for next week. Mr. Kreider stated he also agrees with Mr. May. He wanted to bring up an increase on tipping fees from the landfill. He talked to Jim Warner sometime ago about this and he says there is not a cap. There is now a cap on a million dollars but that can change. Rather than going out and raising taxes, etc. he thinks they ought to go to their largest supplier. Mr. Bauder asked if Mr. Kreider is asking the administration to pursue that. Mr. Kreider stated he is. Mr. May stated he met some people at PSATS who have free trash pickup because they host a landfill. He does not think that is practical here as they are smaller townships. Mr. Bauder asked if the franchise fees are safe for the year. Mr. Smith stated he believes so. Mr. Strohecker stated there is one point he wanted to make. He follows Mr. Bauder's logic as far as net income for the year. From a financial perspective Mr. Strohecker stated he is still not satisfied even though they have been building up the reserves he is still not satisfied the way the General Fund has been performing on its own as a stand alone fund. If you remember you said approximately \$200,000 net income potential for next year we are still transferring money in from the capital fund and the sewer fund to fund this General Fund to help build up some of those balances. The General Fund is still not operating by itself as a stand-alone fund based on its revenues and expenditures. They are looking good in the General Fund but they must know why they are doing that. Mr. Bauder stated they get a million dollars and they just put it in the Capital Fund every other budget all their income besides besides their sewer, lighting, highway put all their income into the General Fund and then fund the Capital Fund from that. We go the other

way. He thinks they should put it all in the General Fund and fund the Capital Reserve from that like everybody else does. Mr. Kreider stated the only reason he does not like it is when it goes into the General Fund it is there. Mr. Bauder stated he cannot assume when it is in the General Fund they are going to be a bunch of dopes and waste it. Mr. Kreider stated he does not believe they will either but what about the next administration. Mr. Strohecker stated there is a difference in philosophical approach to this budget. We maintain it the way it is simply because they are one of the few townships in Lancaster County who has a landfill. A controversial landfill. Mr. Smith stated it looks like the consensus is no tax increase and they will look at the balances to fund the streetlights. Mr. Smith asked if it is their desire to open up some negotiation with the Solid Waste Management Authority he ask that they do that at the next meeting so they have the public direction and when he pursues that it is known is at the direction of the Supervisors. Mr. Smith thinks in a practical term it will come down if we are going to ask for additional things the negotiation is we must come to the table with something also. Their permitting is going to be based on DEP regulations not whether we want it or not. By way of illustration, it might come down if we want additional tipping fees they are going to want more operating hours on a Saturday for instance. It will be more complicated than going in and saying we want it to be more than 25 million.

Continue discussion regarding post retirement medical Mr. Strohecker narrowed it down to eight questions and take a look at three different options of changes to the post retirement medical plan. Option 1 is an option that keeps things exactly for the current employee and affects the future employees. Option 2 takes a look at some minor changes to current employees and retirees but makes more drastic changes to future employees. Option 3 most severe option. Minor change to current employees and the most drastic change to future employees that will be completely drafting a new plan. Would like to give you time to look at the options and provide feedback and then they can start to put together numbers on how it is going to affect the evaluation report going forward. This is a deep topic. The more you delve into it opens up more and more questions. He does not think they should be making any kind of rash decisions or quick decisions on this matter. It should be approached in a cautious manner because there are a lot of factors that play into it. As they go through the budget process he is updating them on what they are talking about and what they are looking into. He thinks they should let it go for a couple of months until they get through the budget process. There is no effect they can make right now because they are not proposing any changes to the staff next year. The police are under a contract so making a decision at the next meeting on post retirement medical is not necessary. Revisit this issue the first quarter of next year when they have had time to generate some of the numbers based on options and hear feedback. Mr. Gingrich stated as a citizen of Manor Township they have done a good job of not raising taxes but at some point you will have to. If you raise the taxes telling them it is for public safety he does not think there will be any complaint from residents and that will cover the streetlight bill. Mr. Breneman advised he respected his opinion but he thinks anybody is too broad they will get complaints.

Mr. May stated they were going into an Executive Session on a personnel matter. The work session was adjourned at 11:00 a.m.

Budget Work Session

Wednesday, October 24, 2007

Time: 8:30 A.M.

Supervisors and required staff were present.

Mr. Strohecker stated every year he tries to come up with a theme and last years theme was Hold the Line. This year's theme is very similar it is Hold the Line Equals Deficit Spending. As we go through this and discuss why the changes were made you will see they really tried to hold the line on just about everything in the budget.

Overview of the taxes – the mileage rate .78 stays the same, real estate transfer tax and earned income tax stays at ½ %, strike through the streetlight tax, sewer charges for Manor Township sewer will still remain at \$55.00, Crossgate sewer charges would remain at \$152.75. No major changes with the exception of the streetlight tax. Mr. Bauder asked if this is per quarter and Mr. Strohecker stated it is. Mr. Smith mentioned there were several increases in both sewer funds over the last several years. Mr. Bauder asked if they are still holding the \$600,000 balance and Mr. Strohecker stated yes. Mr. Strohecker stated they do a \$50,000 transfer. Mr. Strohecker stated it would probably take about 15-20 minutes to get through the entire presentation.

General Fund – There will be a column that gives the year to date numbers as of the 21st of October, gives the 2007 budget and the next column is the 2008 budget that was submitted by the department heads and the last column will be the 2008 proposed budget. They are looking at real estate taxes somewhere around \$900,000 for the year. The real estate transfer tax went up a little from last year to \$430,000 and the earned income tax went from 1.85 budgeted this year to two million next year. This should be close numbers they were not inflated or deflated from what should be reality. Not a lot of changes on the revenue side. The interest on the savings went up by about \$15,000. There were no changes in the Foreign Casualty Insurance and the other revenue items do not see a need to make comment. The zoning permits were reduced by a little as a few changes were made this year that will probably bring that number down. No other major changes on page 2 and the top of page 3 to finish out the revenues. It again will be budgeted for a \$50,000 transfer from the sewer fund and a \$150,000 transfer from the Capital Fund. Mr. Breneman pointed out under sale of compost a correction was needed and Mr. Strohecker stated it should be \$15,000. Mr. Bauder pointed out the bottom line is also affected. Mr. Strohecker stated as he has said before his biggest concern is the General Fund and the deficits that they have been realizing. This is a key component these transfers. That is \$200,000 we are adding to the General Fund from other funds. Across the board you will see our proposal for 2008 recommending keeping everything as far as staff levels exactly the same as they are for 2007. Obviously, there will be some changes they will recommend a 3 ½% increase for the non-uniform side and the uniform side they have a contractual obligation of 3 ½ % increase. Those are the only changes that will be seen as far as salaries are concerned for next year. On the Executive Expenditures there are really no major changes. The same follows down through in the other categories. Page 4 no changes in the computer hardware/software categories. In the engineering services the one change is a category for expenditures for SALDO review fees. There is a corresponding category in the revenue section for SALDO fees. That is a wash of \$20,000. No major changes in the General Government Building and Plant categories. Police section – Some changes in the salary category. The 2008 submitted line item on Page 4 all the different salaried categories there look different from the column to the right that has the proposed salary categories. The Chief has proposed a couple of changes to personnel. One change is additional hours for a part time secretary, proposed promotions to sergeant and detective sergeants and proposed an additional person in the patrol division. If you put all those proposals together in the second column from the right that is the way the salary numbers are going to flush out. Converse if you go to the columns on the right in what is proposed what you see is a proposal that none of those changes would be made that the

personnel stay the same as they are today. The only difference would be the contractual obligations of 3-½ % increase. The Chief gave a very detailed proposal of what he wants to do and the only difference between the two columns is if nothing occurs versus if they take the full recommendation of the Chief. Mr. Bauder stated \$400,000 for corporal detectives etc. There is a number in there now. Mr. Smith stated there is no number in there. There are corporals and officers in charge. The Chief's proposal was for three sergeants. Mr. Kreider asked if this is based on hiring one new patrolman. Mr. Strohecker stated there are no additional personnel proposed. Mr. Smith explained what he and Ryan are showing on the right hand column is not showing any additions. What the Chief is showing on the column to the left is what he has submitted. They are looking to the Board for their direction on what they want to do with personnel. Mr. Bauder stated an addition was approved at the last meeting. Mr. Smith stated that is this year. They are talking about additions in 2008. Mr. Strohecker stated the big number is a salary patrolman and you can see what is in the proposed column of \$972 versus what is in the administrative proposed column of \$996. There is really not a lot of change there. The big reason for that is because the \$972 there are some individuals that would be proposed to come out of that number and go up into the sergeant/detective category. That would drastically reduce it, however, one of things proposed by the Chief was an additional officer so that is what takes it back up to a closer number to what they are currently spending on patrolman. Two new categories have been added. The Chief recommended a Community Policing category and Investigations.

Category for fire companies will remain the same. Why in the year to date column the numbers are actually \$43,000, \$42,000, \$43,000 the reason being the actual Foreign Fire Insurance was \$42,664 for the year. The reason the additional \$1,000 in the Highville and Goodwill Fire Companies is because there were insurance claim against their vehicles this year. The Township put up \$2,000 for the deductible for that claim. There can be fluctuation from year to year because the revenue source for that money is based on insurance premiums that are purchased from out of stators into two companies that are in the states.

Planning & Zoning – there are no changes there. Obviously the salary change of 3 ½%.

Road Department - the numbers you see in the top line item is reflective of a 3 ½% increase across the board for the road department. There were some changes that Mark had proposed and he had talked about in detail at the budget meeting last week. You see those reflected. There is no major change except for Page 6 - Maintenance and Repair of Buildings you can see he submitted \$1,000 for that we made it \$4,020 the reason being during his presentation he talked about some changes to the building such as fixing the doors, etc. We thought it best to move that out of Capital Fund and put it in the General Fund. He spoke about traffic control device and there haven't been major changes in those categories.

Streetlight category – the clincher on this budget. He projected that cost is going to be around \$130,000 for next year.

Recreation Category – No major changes. The Parks Category is listed there. Same for salaries with the 3 ½% increase.

Mr. Breneman questioned the seal coat was \$15,070 last year and is zero this year. Mark stated they are able to pay certain things out of liquid fuels like when they did the driveway at the maintenance building that does not meet liquid fuel criteria so they had to pay that out of General Fund.

Mike talked about adding the vandalism category so that was added for next year.

Insurance – The number stayed the same from last year to this year and the reason being they might actually see a decrease in their insurance due to the result they have had some pretty good years of being self funded. This is the liability insurance for the township. Mr. May asked what insurance policies he is talking about. Ryan stated liability, vehicles, and liability on the building and any of the land. Mr. Kreider asked when the last time there has been a comparison with another company. Ryan advised they do it about every two to three years. This year when talked to the broker she suggested they are about due to take a look at other

companies. Ryan stated St Paul is their liability insurance and they stated if they do quote it out they would reduce it by ten percent. When she looked at the policy and what we are paying she felt that they are paying a fair premium and a ten percent reduction would be better and more advantageous. Mr. Bauder asked if we are going to bid it out. Ryan stated it does not need to be bid out but the broker shops it out and shows the comparisons from different companies for the same insurance. Mr. Bauder asked if the broker selects the companies. Ryan stated they could have input. Ryan stated he was advised it is hard to find companies that want to insure government entities because of the degree of what they do. Mr. Smith stated the other difficulty is they are self funded in Workmen's Compensation and Health so that puts them in a little deficit when talking about seeing great decreases in general insurance categories. Mr. Kreider stated as far as health insurance he is a little confused but as far as the deductible what is the present deductible. Ryan advised \$100 per individual and max \$300 per family. Mr. Kreider stated that does not sound like a lot. He believes they should investigate the possibility of raising the deductible and see if it would be a savings to the Township. Mr. Smith stated they are not locked into the deductible but contractually that would be something they would have to look at. Mr. Bauder stated by long time precedent they cannot break that precedent.

Health Insurance - \$522,000 was spent as of the 21st. That is going to go up and down. \$395,000 was budgeted and they are going to blow that budget out of the water. The number put in for next year is \$600,000. He put in what he believes will be a realistic number for next year. There have been a couple of reasons that have driven the increase cost from year to year. The budget number that was used for 2007 really was not a good budget number. A couple years have been a little deceptive as far as health insurance is concerned and that is because there have been a lot of good years where they have gotten big rebates back. They went through a couple of years about two or three years ago where there were a lot of surgeries, accidents and it bumped the numbers up and that is sort of a delayed process. He believed 2007 is starting to realize the effects of those "bad" financial years as far as health insurance is concerned. Bottom line is health insurance categories are going up. You can even attribute the post retirement medical plays a part in this. He thinks \$600,000 is going to be a good round number for next year. If he looks at the premium costs and what is spent per month they are probably around \$640,000 so he is wishfully thinking they will get a minimum of at least \$40,000 reduction at the end of 2008 to get them \$600,000 or below on that category. Mr. Bauder pointed out that is \$14,600 per employee. Mr. Bauder asked if there are a lot of extra claims do they burden you with that as an individual. Mr. Smith stated there is a cap on what every municipality is sole responsible for. When it gets beyond that cap then they all share in that exposure. Mr. Bauder asked if we have a mutual risk. Ryan asked Mr. Bauder what he meant. Mr. Bauder stated he is asking that is \$14,600 is a huge premium. Are you sure the private sector could not give a better rate than this type we are in now. Ryan stated there was a recent discussion about this. Whenever somebody brings up health insurance you get tons of responses. He was watching them and somebody asked what other municipalities are paying and he said we are paying about \$1,000 a month. It seems that \$1,000 seemed to be a pretty reasonable figure. When it comes to health insurance it is good to look at our performance from the previous year because then we know exactly what the numbers are. Mr. Smith stated the five-year trends are very good. Mr. Bauder stated the reason he is asking this question is we are putting our risk against a small pool. When you buy your insurance from a large company you are putting your risk against a very large pool and you do not get penalized for experience in one or two years. Would we be better bidding it out? Ryan stated it is not a bad idea to take a look at what companies are offering and what the private sector does. Ryan stated he has had quite a bit of experience not just with Manor Township but with other organizations with the self funding method. Whenever you go self funded you know you are bearing a certain amount of risks. You may have five years that are really good and you could pop another five that are not so good or another two. It is a matter of financial risk. Ryan can identify exactly why they are going up. It is not surprising the numbers are what they are. It does not mean they cannot turn around and come down in future years. That is possible. Barry

stated if they took the current plan and took it in to the insurance market and bid it our premiums wouldn't be lower. Mr. Bauder asked if he could say that for sure. Barry said he could. Barry stated he is looking at the ten-year history and looking at what the market is. Mr. Bauder asked if an insurance broker has ever been brought in and talked to. Barry stated in the past yes. Mr. Bauder stated the premiums went up by 30%. Mr. Bauder stated you cannot count the past you need to look at now. Ryan stated they are probably due to take a look at that. They do look at that every so often maybe three, four years or so. They are not hesitate whatsoever to go out and price it out and see if what they are doing is cost effective or not. Mr. Bauder asked if that is a big job. Ryan said relatively speaking yes. Mr. Bauder stated if you give an insurance broker our contract and say price this out is that a lot of work for you. Ryan said not for him but for their broker it would. Mr. Bauder is not concerned how much time the broker spends only the time Ryan must spend. Mr. Kreider stated as was mention in the discussion group and real conclusions based what people said there was one that stood out. One of the townships went to a \$1250/\$2500 deductible and they said their savings and their premiums were dramatic. When he thinks about it he thinks it would be good for them to evaluate that. That is quite a huge deductible. In his own business he did it and he insured themselves with a \$2500 claim and it paid him. Mr. Bauder stated he has the high deductible but the township pays most of the gap but you write a policy with the deductible. Mr. Bauder stated his son is in business for himself and he has a high deductible policy that costs him about \$3,000 a year. Mr. Smith stated if there were higher deductible it would make a dramatic effect. Mr. Bauder asked if they should investigate that. Barry stated he believes they would see more advantageous effect to the plan by doing that as opposed to what they can get from an outside vendor. The huge difference is our ability to get dramatic refunds when they all do well and that has been significant. That is why he looks it at over a ten year period as opposed to can he go out today and possibility get it matched and perhaps get it lower with no ability to get any refund whatsoever. Mr. Bauder stated the refund is a risk it is uncertain. Barry said they do have a history. Mr. Bauder stated you could not build uncertainty into a budget. Barry stated there are some certainties. There is a cap on all of it. It is the mid range that is establishing that uncertainty. Mr. Bauder asked what the penalty is this year for having higher experience. Barry stated he ha not seen that final number yet. Mr. Bauder said he has no idea what the refunds could be. Could they be \$200,000. Ryan stated they have been around \$100,000 in the past. Mr. Kreider stated it seems to him if the whole group would go to a higher deductible the savings would be greater than if it is just us. Barry said they cannot do that each municipality selects their own and because it is contractual. Mr. Kreider stated an independent company it might be more advantageous in an independent company than in our coop. In other words we are actually reducing the risk to all the townships in the co-op. If you do it on a national basis it might show it is a greater savings. Mr. Bauder stated they need to get the numbers. Ryan stated it is a good suggestion and next year it might be a good idea to shop it out to see the comparison. Ryan stated in the past when he has done this with other companies self-funded is the way to go when you look at the averages over a long period of time. There is more risk. They are hoping they have good years of health and they can get a good refund. Mr. Herr stated if you go out into the market place with our previous model of some high years like in the past and that will reflect in a higher rate when you go out for bid. Mr. Kreider asked if we require physicals like for our patrolman. Barry stated they do by way of employment. They do not on an annual basis. They could negotiate that.

Pension Fund – Numbers actually went down for next year. Pretty much a result of our pension fund is doing well in the market. Bottom line numbers they are proposing that they have net loss next year of \$205,000. When they get into the fund balances they will see how that has an overall effect on the General Fund. Take all the proposals they are looking at a net loss of \$336,000.

Jay Breneman asked if the co pays are being kept the same.

Mr. Bauder asked where they are paying for the unused sick days. That is included in the salary. Mr. Bauder asked how many days are included. Ryan stated the way that is projected in the budget when they look at it by departments they look at the actual unused sick time and plug those numbers in. Mr. Bauder stated those numbers are included in the salary. Ryan stated some of it is an estimate.

Mr. Herr asked what employee assistance program is. Barry stated it is a counseling program. Three sessions is obligated to as an exposure for an employee. Beyond that the employee is then responsible. It also gives them the opportunity for mandatory referral. If they believe there is an employee that has an issue that effect their performance they have the ability to intervene.

Capital Fund - The revenues on the Capital Fund are pretty self-explanatory. It did increase the interest savings probably a low estimate. Projected a million dollars coming into the fund for next year. The last three digits signify which department is being talked about. The administrative department is putting in a vehicle purchase. This is an \$18,000 expenditure proposed for Barry's replacement vehicle. Mike has given his proposals for the various items. One of the changes to the minor equipment purchase they put in the tractor mower for \$36,000 and the walk behind mower. Under the police category is all the things the Chief submitted. The detail of the \$117,000 proposed expenditures includes the tazers, copier, shotgun, laptop, speed alert system and the generator. Under what is proposed the laptop was listed, the copier, some reductions in the chairs and portable radio equipment and the tazers are there. Barry indicated there has been discussion on the generator as to what the generator would actually do in terms of the building. Could it be adequately addressed through a corporal service and they tried to determine what services would they lack with the current set up absent of the backup generator. They looked at communications is essentially cell phones and radios which would not be affected by a power outage. The in house phone would be affected. The current battery backups take care of minimal lighting, computers would be down but there would be laptops that are battery backup. They can include the generator if from the Supervisors standpoint they believe it is reasonable for that expenditure. Doors can be opened so we are not sealed and locked, would be out of heat for a period of time but we have never seen in my period of 20 years an outage of more than two to two and one-half hours. Mr. Smith stated what the Chief put in is a reasonable number for a permanent backup generator. The question is philosophically is that something they want to do and it is here for a long time. Mr. Kreider's personal feeling is the automatic transfer switch is the right way to do it. His concern is things have changed since 9/11 and FEMA is a player in the whole thing so it is hard to go back and say this has never been a problem. Is there grant money available because we have somewhat of unusual situation with a power plant and landfill in our township? Mr. Smith stated not that he is aware of through FEMA or PEMA in terms of grant. His experience with those agencies the money comes as a result of incidents. There were grants available for fire companies but he does not think those same grants in terms of building and structure improvements or enhancements are not available to municipal police departments. Most of that money was allocated to fire companies. If they chose to do that he would like to discuss it before they make that kind of allocation. Mr. Breneman asked if it would be possible to put the transfer switch, wiring, etc. in place and then would be just a phone call away for a portable generator. Mr. Breneman guessed possibly \$5,000 to do that and Mr. Kreider did not feel it would stop at that. Mr. Kreider said he hated to spend money for an item like this but he has yet to see a government building that does not have this when the building was built. Barry said when they talked about the General Fund and many of those expenditures they are so fixed and locked in what they do. Things like this in Capital because of the total cost of doing something ends up being a bidding process and if you choose to have it in we can explore it, bid it and we have more time to determine if you want to do it or not. Barry stated it is difficult for him to say whether they will need it next year or whether will not need it for ten years. Mr. Kreider stated he would like to hear the other Supervisors opinion on this. He thinks this would be a good thing to discuss at a Supervisors meeting to discuss it

and talk about it and get input from the public if they are there. He thinks it is a good thing to think about. Mr. Herr stated another option to consider is there has been very limited discussion at this point but it is something they may consider down the road and the Chief has addressed this a little for the need for additional space in that area and maybe if they proceeded down the road there would have to be additional space needed and maybe that is the time to incorporate it right into a project of that nature. First, where do we locate it right now without making some significant changes that can be incorporated into an over all plan. Mr. Herr stated he could appreciate Mr. Kreider's view also at anytime you could need it and that is the question of what value do we put on it. Mr. Kreider stated he could do some of the investigation. All he would need is the demands of the building versus the size of the service we presently have and calculate whether or not we are at a 50% or 25% load. Even if we do add onto the building, that would play in as to whether a service change is necessary. Mr. Herr stated he would hate to do something now and then 5-10 years down the road have to half of it has to be redone or it is not sized up. It can be sized up now but if that provision was there they could grow with it. Mr. Smith asked if that is not fairly easy information to obtain and Mr. Kreider stated he would be willing to do that and report back to the Supervisors. Ryan stated it is important to have Bill's input as the building and maintenance guy if they just want to get certain operations that are up and running by battery power like the phone, etc. it would be good to have Bill's input on what kind of cost talking about just to get essential functions versus a whole generator system. Mr. Bauder stated he feels they should decide right now what they want to do. He does not think it needs to be done in a public session. Barry said what their hope is they will see what determination is from this meeting as to whether they need to have additional discussion on what they are doing or are they able to get today the kind of direction that puts this in a final budget format. Mr. Bauder's opinion is that Barry assess the risk, get all the factors and if they are not ready to make the decision then they should put it off until next year. Barry stated they could do some upgrades just in backup battery capability which is far different than it use to be. It would get essential services up and running. Mr. May agrees with Mr. Bauder not to put it in the budget but actively explore it, get some figures so they know what they are talking about and address it next year. Barry advised in the meantime they will look at what enhancements they can make under the current system with backup battery capabilities, analyze how long this building can be comfortable in a non heating system. Mr. Bauder asked if we can drain back our water system if we would get a four or five day ice storm. Barry stated the system could be drained. Mr. Kreider asked the feelings about the maintenance building and what about the fuel. Mark stated that would be their greatest concern because they have already been without power and they have put the doors up by hand and have been able to manage. They have never been any long-term situation. They always have the tanks on the back of the pickups filled and they have never had to go outside but that would be an option. Barry stated their greatest risk would be an ice storm that is region wide without power because right now our strategy would be if we do not have power in the Central Manor area we drive to Mountville or Lancaster for gas. Mr. Kreider stated this was why they added the category catastrophic disaster to the Capital Fund and that is what he had in mind a fund that was accumulating in case we had some real need. To him that would a catastrophic incident. Barry said at the maintenance building they have the ability there that a transfer would make a lot of sense that they would have the ability to transfer the fuel pumps and be operated by a portable. Mr. Kreider stated he and Barry would get all the information and then they would go from there. The Supervisors were all in agreement.

Replacement of two patrol vehicles and the addition of one SUV to the police department. In contrast they are proposing that the two replacement vehicles be put in the budget with the exclusion of the additional vehicle. Reason for the difference in the contractual services there was a additional \$8,000 put in for the wireless card for the laptops so that cost is associated with the other proposal of the laptops coming in next year. Chief referred to the first line the \$110 for this year did you do something with the \$9,000 for the radios is that somewhere else. Ryan stated they would show up. Chief questioned the \$50,300 you only had \$30,000 for

the laptops is that carrying anything over for this year because it is actually \$35,700 needed. Ryan got the number from Bill as to what would be a good carry over number but that is something they could talk about if a better budget number would be \$35,000. The laptops are in the budget so he wants to put the most accurate number in there. Barry did not think the Board is adverse to whether it is \$30 or \$35,000. The Chief advised he has talked to an individual last week and it has been approved except for the last level and he said there should not be any problem for the executive director to approve it. We should get paper work by the middle of November for that grant. Mr. Breneman stated they would then be looking at that in the first quarter of next year. The \$254,000 was put in this year for the radios have come out of the budget for next year. Mr. Breneman stated a comment regarding the fire companies. They are entering into the task force and was just wondering whether they should be thinking about a category for possible contributions that will be required. Barry said they do not know what that will be. Barry thinks the start up money committed by the companies should be sufficient for the first year. Mr. Breneman said when they had the meeting it was suggested maybe the municipalities could help out with postage, etc. His thought is they are okay but just asking it be considered. Maybe they should put a small amount in like several thousand dollars or just absorb it when it happens. Mr. May thinks that is what they should do. Mr. Bauder pointed out there is money in the Capital Fund that is not ear marked for the fire companies that could be transferred if needed. Mr. May felt it should be handled that way.

Fire Company Donations – as a general rule the donations were increased by 6% next year. There was no change made to the LEMSA category or the Columbia category.

Roads Department – There is a little bit of change from Mark's budget presentation to what is in the categories because he had to take his information and fit it into what we use. He submitted expenditure for a dump truck of \$122,000, minor equipment purchases replacing the LED lights, purchase of sign machine, leaf collector so that is under the \$62,977. Barry has an estimate from their vendor to put amber lights in the traffic signals that would \$8,000 to the LED expenditure over what is shown. It will reduce the cost of energy use and may reduce the cost of maintenance but not to the degree of green and red because of the time sequence. Mr. Kreider stated the big advantage of LED is the fact you come upon a traffic light that is facing the sunset the amber is much clearer. All the colors are much clearer as contrasts in that condition. An amber light is just as valuable as a red light. Engineering for the box culvert – originally there was \$100,000 that has been converted to \$50,000. Barry had talked to Rettew and it is their feeling \$50,000 would be an adequate budget number. Talking to Buchart they still believe a full-blown engineering of not just design but project management and inspection that \$100,000 is a good estimate. Hearing some of the discussion we have had he chose to use \$50,000. Mr. Bauder asked if Buchart-Horn is doing anything extra and Barry stated no. Township people told Mr. Bauder they should not put it to the highway fund. It causes a huge amount of extra paper work and problems. Mr. Bauder talked to other people and this number looks high enough. Mark had submitted three expenditures \$14,000 for the painting, and the other two shifted to general fund. The \$14,000 for the painting shifted over to what is proposed for next year. Land acquisition – the K.L. property that has been talked about for a couple of years. Mark talked about he traffic signals, curb replacement and culvert replacement. There are some adjustments to the numbers over on the proposed side because some of the numbers were revised to be a little more accurate. What Mark proposed a week ago, is included in the proposal for next year with some revised numbers. To wrap out the Capital Fund remaining at \$20,000 from 2007 for the County donation and \$150,000 to the General Fund with our recommendations will give you a \$108,000 you will put back into the Reserve Fund for the Capital Fund for next year. Mr. May asked if the \$22,000 is the light at Centerville Road and Mark advised that is part of that. Mr. Bauder as if the expenditure are mostly done for the year. Are there any more big expenditures coming in for the year. Barry stated the land acquisition would be one that could come in this year. Mr. Bauder asked how more balance is in the Capital Fund balance and Ryan said \$557,000. Mr. Bauder stated we got one million dollars so that means you will put in a

balance from this year of \$400,000. Ryan said based on the current numbers \$354,000 back into the balance. Mr. Bauder stated since there was \$70,000 more into the Highway Fund this year and we had a balance of \$430,000 it is almost \$500,000 he would like to see the dump truck taken out of the Capital Fund and put into the Highway Fund. He does not see any reason for carrying a \$500,000 balance in the Highway Fund because that is money we get every year unless the State changes the rules. Mr. May agreed it is not a bad idea.

Mr. May stated at the Fire Chiefs meeting it was pointed out the light is going to come down at Centerville Road and Route 462. Barry stated he has actual photos and inspections and that light has literally been that way for two years. Barry said they are not ignoring S. Centerville light post. He believes they could do in the first month or two but if a truck hits that solid that post is coming down as well as if you get 100 mph winds. Mr. Bauder stated that could be taken care of in an emergency. Mr. May stated the sad thing to put it back in place it will be hit again. Mr. Bauder stated his daughter lives across Lititz Creek had to have a new bridge put in \$65,000 but it is not over built. Mr. Bauder stated if the bridge over S. Creek Road was done on a private basis it could be done for less than half. Barry stated they have multiple options regarding the light and then you factor in Wal-Mart and the change of the intersection so he would like to do what is effective to keep it in place and the cheapest possible because of the likelihood it comes out if and when Wal-Mart builds. The issues in intersections are the state right-of-way and permit matters. Mark Harris stated he would like to see considered he feels the problem is the eastbound traffic turning left onto Centerville Road he thinks if that stop bar was moved west that would keep traffic back which would keep which would leave more area for trucks to navigate that corner. He has been told PennDot is going to continue the paving from where they terminated just to the west of that and that comes to the permitting question also because we are regulated as to how many arrows has to be put in. Mr. Harris indicated keep traffic back so trucks can make that turn would help a lot. Barry stated it is good suggestion and if they put that pole in they do that in conjunction and modify the permit at the same time. Mr. Kreider asked if there are road sensors in that intersection and Mark stated there are. Mr. Kreider said the \$122,000 for the dump truck he talked to Mark about this and he told me the miles on the truck is about 58,000 and granted it probably needs replaced but we certainly did not get any use out of it. Mr. Bauder asked if it is beyond repair. The size is one factor and Barry said there are a number of issues with it. At the time the decision was made Barry suspect the factors the Board was looking at made reasonable sense to get that style and type of dump truck and time has proven it is not in terms of its capabilities and its limitations. The other issue is the mechanical design of the transmission has been an absolute failure and sometimes that happens. Mr. Bauder asked how many years they had the truck and Mark advised ten. Mr. Bauder asked if they had older trucks that are giving them good service. Mark stated he has one truck with mileage is in the high 90's and they have double the miles on the older truck. Barry stated the truck with the 90,000+ is still a good reliable dump truck. Mr. Herr stated the issue is the truck is a specked out design for what they are doing and the other issue he has seen cases where 50,000 mile dump trucks are replaced by township partly because what Mark is experiencing with beds rusting out. The nature of the work deteriorates these beds and he is sure he is going to a totally different bed. Mark proposes a stainless steel bed. Mr. Herr stated every year they run the truck the value on the open market is going to drop off. Mr. Bauder asked if the transmission is beyond hope and Mark advised it is the rear end that is giving them problems. Highway Aid Fund – What is submitted and what is proposed are identical. You have the detail Mark provided. He talked about he category for the reclaim grade and pave category. Mr. Bauder brought up the point of moving the dump truck over to the highway fund. You can see what the affect of that would be to the bottom line. Will be dipping into the reserves by about \$157,000. Also take note if you look at the budget for this year we were suppose to come in a little bit above the expenditures by about \$1,000. It actually hit \$78,000 over. Mr. Bauder stated he is looking at the two year not the one year. Mr. Bauder asked how the missed the budget. Mark pointed out on that column they have about \$11-12,000 to pay out

on the line striping. That would change that. Mark stated regarding the salt they have budgeted for 1400 tons of salt and if you look at that column we are \$20,000 under that because we did not use all the salt. Ryan stated the bottom line from his perspective he does not see any financial incentive to put it in either the highway or the capital fund. They proposed in the capital if you feel you prefer to pay out of the highway he is not going to discourage you to do so. Mr. Breneman stated it does not affect the bottom line. Mr. Bauder asked what the projected end of year balance is in the capital and how much of that is encumbered by capital reserve items. Ryan said it is just over two million dollars. Mr. Bauder asked how much of that is encumbered by items the Board took action on and put in capital reserve. Ryan stated right now what is encumbered is slightly over one million dollars. He did not plan on getting into the reserve fund because they talked about changing it to CIP Fund and that would change those numbers. He plans to give that to them when they have a feel as to what they want to do on the budget but at this point he did not bring that documentation with him. It can be figured somewhere around one million dollars is a good number. Mr. Bauder stated you can transfer capital into general but you cannot transfer highway fund. He sees an advantage of carrying a large capital fund balance but does not see advantage in carrying a large highway balance. That is fixed. Mr. Kreider stated there is no reason to build the Highway Fund. Mr. Bauder stated unless you saw a big item coming up. Mr. Kreider agrees with putting it over into the highway fund. There was a consensus to put it into the highway fund.

There are no changes in the sewer fund quarterly charge. Barry Smith stated in the terms of the sewer fund in recent conversation with Ed Arnold and the people at Millersville who operate the plant he believes holding the line on the sewer rental is a good position and does not foresee having to do anything with that for the next year or two. What they want to try to monitor because it is a fairly new system is at some point in time sewer rates just need to be increased to begin developing that reserve fund that at some point in time will be necessary down the line because the age of the system. We saw that first hand with LASA where they did not do that where they held their sewer rate constant for a period of about 15 years and there is an enormous hit when you have to pay because the sewer lines and treatment plant do not last forever. DEP regulations change that need to be factored in. Crossgates – before they present this to the public at a meeting they probably need to make some adjustments on the revenue and expenditure numbers. He put this together three weeks ago and has not looked at it since. They added a couple additions to Crossgates. A couple of homes have been put into the system so that number should go up a little. Barry said there is a small number of uses and Ryan put this together three or four weeks ago and there will be some changes in numbers as they get more users on. They want to have those numbers in the final budget you will approve as accurately as they can.

Projected Fund Balance – This gives you an overview of the financial condition of the Township. General Fund – The projected balance at the end of this year is going to be around 1.3 million dollars. This number has stayed pretty consistent. Ryan stated he needs \$375,000 minimum to get through the first quarter of the year at least the first two months of the year. He thinks a good round number for the General Fund in reserves is somewhere between 1 and 1 ½ million dollars. If there is another year like 2001 and 2002 and 2003 they are going to need a balance in that range just to get through any down years or recessions that may occur. That will hold them over for a couple of years to get through. According to those numbers the balance at the end of this year will be somewhere in between there. The budgeted net loss for next year in the General Fund is \$205,000 that will reduce that fund balance down to about \$1,100,000. It looks like there is a lot of money in the General Fund but it is deceptive. Ideally as the revenues increase you know the expenditures are going to increase and you want to keep them somewhat in line with each other. Some of the additions that are going to affect it is the inclusions of the streetlight tax for next year and the increase in health insurance category. It is important to remember they are not running a balanced budget yet depending on how you look at it. They are proposing what the code would consider to be a balanced budget because they have

the reserves in place to cover the deficit. He thinks that is a deceptive way to look at it. He likes to look at the funds in a stand-alone fund and say can this fund perform on its own by itself. In answer to that question the General Fund is not even close yet. They are still transferring \$200,000 from other funds and already looking at a net loss for next year of \$200,000. He does think there is some good long term outlook for the fund. Obviously they took a big hit with the streetlight tax going in it of \$130,000. Overtime they will be able to balance that out and also going to take a look at some changes in the streetlights that will reduce that cost. Overtime they will be okay in the General Fund if they continue to maintain the philosophy of "Holding The Line". That still equals deficit spending for next year. He is very concerned about the General Fund. The Capital Fund balance will be a little over two million dollars at the end of this year if they go with the proposal. There is a \$108,000 in there before they made the change to the dump truck so you can add another \$122,000 to that leaving a balance of 2.15 or 2.3 somewhere in that ballpark. Some of that balance is reserved and having some direction you gave us on the Capital Fund we will give you copies of the official Capital Improvement Fund that was talked about at the very first budget presentation. Ryan did not bring that today because they are still working on improving that. That is not necessarily part of the budget process. When the code talks about what a budget is it does not include a Capital Improvement Plan. That is something as a Township or as a Board of Supervisors you have wanted to do. It is a good financial practice to help plan for the future but it is not necessarily included in the budget process. He will follow up on that issue.

Highway Fund – obviously some of the numbers will change by the change of the dump truck.

Sewer and Crossgate Funds – Pretty straight forward.

The bottom line if these goals are accomplished for next year will have about 4.4 million dollars in the bank. When you look across all the different funds it is really not a bad number.

Salary Figures – Do not have any comments on that. It is a supporting documentation on salary recommendations in the General Fund. Ask you guard that sheet with security. It has a lot of detail about each individual's salary figures. What is also on there are benefits like vacation, sick day payouts, etc. which is sensitive information so he asked that be guarded. Barry addressed the right to know issue and what is public information. Barry stated anything that has names on is not in terms of salary and benefits, however, what is public information is an annual salary or a rate for a position. In some cases it is a mute point because there is only finance director and one salary for finance director but the dissemination of that information or written or verbal needs to be explicit in the fashion it is finance director and it is salary finance director. Any association of a name, we are in violation the right to know.

Ryan stated the theme was "Hold The Line" and they tried to do that in the presentation especially the General Fund "Holding the Line on Expenditures" and even doing so you can see that Holding the Line is going to put them in deficit spending for next year. Mr. Bauder asked what the surprise was this year. Ryan stated they are looking a net income of \$313,000. The budget number was negative \$9,600. Ryan stated they performed pretty well. Barry stated they can show an overall number of what their budget is the revenues are and show them what their projection was and whether they were under that. Ryan stated the expenditures are straight forward it is the revenues that can be a little more volatile. He does not think they are inflating the revenues by an unreasonable amount if any. He is taking into account that a lot of the big revenue items can be extremely volatile. Even the real estate transfer tax can be. He is projecting reasonable numbers and if they come in with a \$313,000 budget overrun that is good but it could very easily have gone the other direction. Mr. Bauder asked if there was any idea how much real estate transfer was from new construction and what is from existing homes. Ryan stated they do not get a break down of that. Mr. May stated there is no transfer tax on new construction it is just on the conveyance of the deed from buyer to seller. Barry stated there are properties that are owned by people that are not built on that eventually get built on so there is no transfer tax. Mr. Bauder stated you know how much new construction is going on versus how

much went on last year or the year before. There is Parkfield and Manor Oaks and can they project how much or whether that will slow down. Barry said new construction is going to slow down based on some legitimate conversations with some of the projects. For instance, Manor Heights has the apartments and fee simple. They are debating if they want to start those fee simple houses. Ryan stated he thinks the real estate revenue projections are fair numbers and have had some good years financially. Lancaster County does not always perform the way the rest of the Country does. This year is shaping up to have a good year and grateful for that but by the same token if they had \$200,000 net loss because they missed projected revenues they would be having completely different conversations. Mr. May suggested they keep the front page and shred the rest of it.

Barry asked for direction on some issues one they have not proposed any additional personnel and the Chief had requested that. Chief requested an additional car and they have not done that. Chief has requested promotions and Barry sees merit in some promotions but they have not included that. Mr. Bauder asked how it would change the bottom line. Barry stated they are looking at \$4,000 or \$5,000 per promotion. Ryan stated two out of the three promotions you would be looking at around \$16,000 and if you did all three you would be around \$20,000. Mr. Bauder stated the big item was not adding the extra officer. Barry stated obviously you add a new employee you are assuming an entire new salary, benefits and whatever associate costs maybe as a result of that. Mr. Bauder stated under Capital Equipment under Minor Equipment does that include the copier for the police department. Ryan stated it does as well as \$30,000 laptops, \$7,000 copier, \$1,000 in chairs, \$2,300 in portable radio equipment, \$10,000 in tazurs. The Chief asked for bicycle and Mr. Bauder was looking for that number. Barry said they did not include it but if they wanted it included they would. Mr. Breneman brought up the phone that is still in the parks and Bill was going to check how much they were used. Barry stated he and Mike talked about eliminating them. Mr. Breneman asked if there is vandalism to the phone. Mike stated there is none that he was aware of unless it comes through on the phone bill. Mr. Bauder asked Chief why he wanted a bicycle. Chief advised they have three and he has expanded the bike patrol and he wants to expand it even more. They have a small, medium and large and he wants to get a medium that is the most used bike and that way he could have two on bikes. Mr. Bauder asked where they do the patrol. Chief stated he wants them in the high-density areas of the housing developments, Mountville Boro, strip mall and the parks. Chief advise they were very limited with the use of the bicycles and he believed they could be used 24 hours a day in nice weather. Before they could not use them except day shift and evening hours. One of the officers recently in Mountville rolled up on somebody smoking marijuana. You would never do that in a police car and they made an arrest. Mr. Bauder stated it is a low cost item for a pretty effective result. Mr. May and Mr. Bauder suggested the bicycle be put back into the budget. Mr. May stated it is healthier also. Chief would like to eventually have a wellness type program where they actually have some kind of small gym or workout area. Barry stating regarding promotions the Chief has suggested three and it is Barry's opinion and suggestion that they consider two. The Chief would like to see a sergeant for each 12-hour shift, which would be two, and an additional sergeant to work combination administrative and be a sergeant of the detectives department. It is Barry's recommendation they have sergeants for each of the 12 hour shifts and not for the third position. They need direction either none, one, two or three. Mr. Breneman asked for a synopsis of what their duties would be. Chief tested straight across the board as sergeants and that is what he would like it to be. The patrol sergeants will all receive the four patrol platoons. The A & C that is working day shift and midnights on 12-hour shift and then a B & D platoon that would actually off two days later come on. The sergeants for patrol would work 3:00 p.m. until 3:00 a.m. Between 2 and 11 at night is the busiest time anyway so there is an extra person out but also to provide supervision at night when they really need it when Chief is not here to help with questions or answers. They are already paying OIC rates. This will eliminate some of that. It is not really an increase of \$20,000 or \$24,000. That money is going out already. You are paying it in OIC rate already. Ryan

pointed out the OIC rate is different from the sergeants/detective rate. Mr. Breneman asked what the premium is for an OIC per hour. Barry stated it is different because it is applicable to everybody's salary. Ryan stated the difference between the OIC rate per year and the sergeant/detective rate is about \$8,000 for one person. Chief corrected it is \$4,000. Mr. Bauder asked what the sergeant would be doing that is different from the OIC position now. Chief stated there is not a lot of difference. The OIC are shift supervisors as they speak but they do not have a lot of authority. They do not do evaluations and that is something the Chief wants to bring back. There have not been evaluations here since 1999 on the officers. The Chief thinks they stopped because there were some problems with them. Mr. Bauder asked if they are honest evaluations. The Chief stated they could be if you have good people doing them. Mr. Bauder and Mr. May agreed there should be evaluations. Chief said OIC's are officers and they do not want to step on people's toes because they are equal rank and the next week they could be in a different platoon or different section and they are no longer the OIC. Chief stated to start the patrol sergeants would supervise the shifts and the officers there. They would also handle calls after the other officers have been on arrests or other incidents. They are not where they will not do anything but drive around. They will be on hand workers and will have some duties that take them off the street but the majority of the time they will be on the street. They will do evaluations, supervision of the officers and they will be assigned some different task to help the department along. Mr. Bauder asked about the other position. That position would be the Chief's right hand. Right now Chief stated he has nobody and he does not say it in a mean way. He really has no one to lean on. The current corporals are not effective. It would be an administrative sergeant that would be here during the day and help with some of the administrative task of the department and would not be on patrol. Chief stated he is not complaining but he needs help. One person cannot do it all. There use to be a detective sergeant and a patrol sergeant that were both day shift. He is not asking for two guys on day shift he is only asking for one. Mr. Bauder said you are essentially taking someone off the street to do this job. Chief said if you look at it that way but he looks at as in the past no. Before you had two on day shift and now there is no one. Until Corporal Zug left he was a corporal that was going it so that division is being replaced with a sergeant. It also allows a chain of command that they do not have now and also to have a second in command when the Chief is not there, oversee the detective division and to insure their cases are handled properly. Mr. Bauder asked if they have people who are capable of doing this and Chief stated they have been through the testing process. They had 15 people available, 13 took the written test, 8 passed the written test and 8 of them went for the oral interview and then 5 of those passed successfully. They have 5 good candidates. Mr. May stated right now the promotions have not been put in the budget and asked if he was correct. Barry stated that was correct. They originally were in the submission process but they have not included that. Mr. May stated he is going to suggest that they do. Mr. Bauder asked if it is a \$12,000 item to \$15,000. Mr. May stated the reason he is suggesting they do it is they are all well aware of problems they have had and this would go a long way in creating a chain of command and to addressing some of those problems. Mr. Bauder stated they need evaluations and he agrees with Mr. May. Mr. Breneman asked what Ryan thinks it will cost. Ryan stated he believes it will be somewhere around \$20,000 and the other point to remember and he did want to ask the Chief this the clothing allowance what was submitted as \$3,000 was brought down to \$1500 and he is not sure that is a very good number. That is the uniforms they pay out for the two detectives and the Chief. He believes they need to adjust that number. The question Ryan had for the Chief was if they promote more people will they then have to adjust that number for the clothing allowance as well. Mr. Breneman stated that is what he was getting at. The reason they recommended zero promotions/personnel was because when you strictly look at the financial numbers and the bottom line you need to pay for it somewhere. What they are looking at for next year is not a good year. Mr. Breneman asked the Chief in his mind which is more important. To have the sergeants or have an extra patrol officer. Chief stated they are equally important. Barry stated in his perspective in managing personnel he sees greater benefit

in overall fashion of having adequate supervision which will have hopefully a dramatic effect on conduct, productivity, etc. In his opinion if they have that element in place, then there is some theoretical conclusion that they be better at what they do and with the addition of laptops it might not be necessary as we sit here to day to have an additional officer which really is the huge cost in terms of dollars. Mr. Bauder asked if you had to find that money where would you go for it. Barry stated the question is are you adding or looking to them to cut. Mr. Bauder looked at the budget from 2003 it was \$43,000 all of it and now it is 5,800,000 that is a huge growth in four years. Ryan stated you could continue to dip into your reserve to pay for it, can say go to Mark's budget and take \$20,000 out of his and increase your revenue by \$20,000. What proposed in the way it is currently fashioned is what is going to have the least financial impact on the budget. Some are saying you may want to go with the promotions and we can make changes as you see fit. From a financial perspective the dollars are not there to make changes. Mr. Kreider stated contract time is getting close and he sees no reason to make any move at this point. It is not in the budget, we do not know how the contracts are going to come out at the end of negotiations and to add personnel or thing he sees is the more supervision the more you open up the door for more patrolman. It is a continual growing thing. Mr. Kreider believes it should stay the way it is. Ryan indicated what scares him is when you pick up the newspaper at this time of year and read about where other townships are. Obviously you know where the city is and the deficits they are facing. He feels it most financially prudent to propose to you what is going to put us in the best financial position. That may or may not be good from a political perspective, police, roads or parks and realize I can be looked at as the bad guy but I have to bring before you what is going to be the most prudent financial decision based on what we are looking at. Barry stated some things are just specs. The cost of electricity, gas, heating the building is what it is. He would appreciate since Ryan has been in this position he has taken some unpopular positions relative to the rest of the staff in terms he is looking at numbers and then it becomes a matter what I do as a manager and even more so what you do as a Board of Supervisors and that is determining the level of services we provide for the community. Whether leaf collection, police protection, parks and associated services. The ultimate dilemma is of those expenditures where are we getting the revenues to support those public services. Barry stated over the last several years even though they may not have cut everything they wanted to cut they have had that knife out to the point where if there are additional cuts in general they are starting to talk about possibly eliminating some services because some of those fixed costs can not be touched. Mr. Breneman stated they have done things to try to increase their efficiency in doing things better with the new leaf collector where maybe it will take fewer personnel to do that and put a new officer in place. Mr. Breneman would like to see those promotions because he thinks it would be very advantageous to get more coupled with the laptops, etc. he hopes that increased the efficiency and increases productivity. Mr. Bauder stated \$45,000 is budgeted for engineering for next year and are budgeting \$55,000 legal. Mr. Bauder asked how we are servicing our township with that \$100,000. There are items in this year like the SALDO that we will not have next year. Ryan pointed out a lot of money was spent on Wal-Mart fees. Mr. Bauder commented that was pretty much past and he was advised it is not nor is the trailer park. Barry stated they have to plan in the budget unless they do not want to do that. Both of those things are real exposures to us and are not a certainty and Wal-Mart in particular because it is in litigation. Mr. May referred to Mr. Kreider's comment that contract time is approaching and there will be a new contract but that aside it does not effect performance that is trying to be improved and enhance. So even though there are contract talks coming up, it does not address the supervision that we could get with these promotions. Mr. Breneman felt it could actually make the contract position easier to negotiate if they are happier and more efficient and everything goes we could be helping ourselves. Barry stated they have had great exposure in supervision because having a Chief working during the day and not having a rank supervision the remainder of the time the Chief is not here. The question is that the over riding factor or is it no taxes and no increases. Ryan stated we are not advertising the budget tomorrow so you have

2 ½ weeks before what we are planning to propose as the budget next meeting to consider, think about this issue and come to a decision. The prerogative is to have the budget meeting at our next scheduled December meeting. Barry advised from a public understanding and public relations standpoint that is the right time to do it. You have the right to call a special budget meeting. Mr. Bauder knows they like to keep big balances and every financial officer tries to. Ryan stated he thinks the balances are justified. Mr. Kreider said it sounds like he is the only one who feels the way he does. Mr. Herr indicated not necessarily. Mr. Kreider wants to know where they are going to get the money to pay for it. Come back to me in a couple of days and let me know that. Mr. Bauder asked what is going to be the improvement with a chain of command and realistic evaluations. What will be the improvement in the effectiveness of the police. Barry stated he would address the evaluation process and Chief will address the day-to-day operations. Barry can support having those positions in terms of evaluations and having shift authority to make decisions and overall management of that particular patrol as well as an expected and better discipline process because of having that position of rank as opposed to the current OIC. Mr. Bauder stated there is a Union and no matter how the guy is evaluated his salary is not going to be impacted. Mr. Bauder stated in his experience his salary and even his job depended on his evaluation. In a contract situation there is no penalty. What is the penalty for someone who is not performing? Barry looked at the performance standpoint of not so much can we discipline, fire, remove or whatever, he is looking at professional people will look at those evaluations openly and honestly and should change their production and performance. If we get the department to be more productive than what they do and get the level of performance where we would like to see it extends out in time our need to add the additional personnel. That is factored in with population changes, etc. If they are better with what they do, more efficient then they can extend out in time the growth of employees in the department. Bill Laudien asked a question of the Chief regarding the detective sergeant. I know the detectives have been saying for a while they are loaded up with cases. If one of those detectives would become the detective sergeant, and take on the administrative responsibilities in addition to the caseload would that necessitate the promotion of someone to detective. Chief stated Barry and he have talked about that. Chief said yes, actually the detective sergeant is going to carry a caseload but not a regular caseload but it will make it necessary to put someone lese in that position. He is looking at putting someone in there as a criminal investigator and seeing if they can do the job and after three or six months come back to the Board and ask to promote somebody. So the two patrol sergeants would continue to patrol on the street wouldn't affect that impact and have a supervisory role but the administrator detective position would necessitate maybe the removal of somebody from patrol as well as the potential promotion of a person. Barry stated that is one of his issues in terms of that third position is that they are taking someone out of patrol and that is his philosophical position. Chief advised until they had Justin back that person was not there anyway. Justin is not a new officer other than he is a new officer here. He is a replacement officer for Corporal Zug so we have not added to the department this year. We have actually just status quo it. Mr. Breneman stated with the addition of the laptops hopefully early in the year they should have more time on the street, is that correct. Chief stated they would have to come back occasionally. Chief referred to Mr. Bauders question on chaos is the department is not up to snuff and he thinks everybody knows that. It has gotten better since he has been here but still has a ways to go. As he sees it, this is one of the ways to get there. He is not whining he will do what they tell him to do and do it cheerfully but he is only one person and is asking for help. Mr. Breneman asked if there is two patrol sergeants that does lighten you load somewhat? Chief stated that is correct. The problem with the patrol sergeants is they start at 3 in the afternoon. They are not going to be able to perform some of the administrative task that Chief is asking about. He pointed out the detective/administrative sergeant acts as a liaison between the department and other investigative agencies, district attorney's office, county detectives, drug task force, children and youth, PSP just to name a few oversees major criminal investigation and as said earlier carry a reduced caseload. For internal investigations will assist him. He will do

them on sergeants and that person will do them on the officers. Assist with research and development of police policy and programs, assist in purchase of equipment and supplies and overall accountability of the budget. He is looking at this person to help him perform some of his jobs. They are not taking someone off the street per say that person has been off the street for about ten years. Mr. Breneman asked if it would be a compromise to do patrol sergeants and wait and see how things go and possibly the other in a year. Mr. Bauder stated that would be his opinion. He would like to delay the decision on the third position. Mr. May referred to General Fund under Executive Expenses the general expense category of \$40,000 where we are at \$28,000 right now for this year what is that. Ryan said it is handled the same as the other general expenses where they cannot put in a category we will throw in there. Gave an example the quarterly payment to be involved with the LIMC will go in there. Mr. May asked the feelings on the promotions to go with 2 or 3. Mr. Bauder stated his feeling is 2, Mr. Breneman stated he would compromise with 2, Mr. Herr stated he would go with 2 but comes back to what Mr. Kreider said. He appreciates Ryans's position wanting to maintain adequate balance and agrees with Mr. Kreider coming up with money, streetlight fund is a major hit on this and taking on a big obligation and he would much rather see them support the Chief in the growth of the department and making it efficient just can not support the streetlight fund over supporting what the Chief is trying to do in reforming that department. Mr. Herr stated they have said they are going to try to take the streetlight fund out earlier in the year but if they cannot do it they need to say we just cannot do it. There is other things that are more pressing. Mr. Kreider said as far as the streetlight business it is only one thing. Staff is still working on some things there as well as Mr. Kreider as to how they can reduce the streetlight cost. Mr. Herr understands that and is saying for this year at least until they know more things Ryan is getting hit with \$130,000 he had to come up with that was not in there. Mr. Herr asked Mr. Bauder what West Hempfield is doing with their streetlights. Mr. Bauder said they have a tax and almost every township has a streetlight tax. Mr. Bauder stated they have a fire hydrant tax and Bill stated he pays both a streetlight and fire hydrant tax. Mr. Bauder stated it is paid by front footage and Bill stated he has a corner property so he pays front footage for both of his front yards and he has a fire hydrant. Mr. Bauder stated they pay about 40 cents per foot for streetlight and their income is \$40,000 and their expenses are \$45,000. Mr. Kreider ask Mr. Herr what they should do with the streetlight and Mr. Herr stated leave it stay the way it is. Mr. Bauder stated the way it is they made a decision to put it back in the General Fund. Mr. Herr stated they said they would try a resolution is being prepared to act on. Barry stated you made a motion you would do so but you did not do it yet. Mr. May feels they should put it back in the general fund but explore how to handle this in the future by reducing the bill by maybe going to front foot assessment. Mr. Bauder stated they are paying about 2 – 3 times the commercial rate for those contracts. Ryan stated there is a contract but the rates are driven by PUC. Mr. Bauder stated if the lights could be metered they would have half the money. Mr. Kreider stated that is an extremely expensive way to go. Mr. Kreider stated we are within two years of battery technology that is going to support us float a bond put in our own streetlights, kick PP&L out and it will pay for itself in a short amount of time. Mr. Bauder questioned the cost to change over and Mr. Kreider stated in today's technology about \$5,000 a piece for a solar powered unit requiring no electricity. That is a guarantee of ten-year life on a battery. Mr. Bauder asked how many streetlights there are and Ryan advised 500. Barry simplified the general discussion and suggest philosophically you would like to put two sergeants on it is going to be incumbent upon him and that dominos down to Ryan and the senior staff to find the \$20,000 of there about in the overall budget to try to balance those revenues and expenditures. Mr. May questioned \$20,000 for two and Ryan advised it would be less for two. Barry stated adding people have an affect on several different parts of the budget. He would be more comfortable saying it is going to be \$20,000 than not. The stark realization is that anytime they add personnel they are not one time costs they are costs of a generation and of a lifetime whereas seminars are good training. We can cut back on some of those items. They are looking as they move forward as the facilities age they will continue

to put money aside in capital reserves they are going to start to see additional costs. Mr. Breneman stated as far as streetlights his position has always been they should still be charging for that service rather by footage. It is something those areas get that other areas do not get. Mr. Herr stated he has asked this question repeatedly in other municipalities and they have say their people pay it. It is just the way it is done. Mr. May stated he would like to eliminate half of them and Mr. Breneman agreed. Mr. Kreider stated he and Bill are going to be working on eliminating which is a small percentage. Mr. Kreider stated he would go with 2 promotions giving staff the challenge to see where they can come up with \$20,000 or whatever it will cost in budget savings. Ryan stated this budget does not address some major items that are coming up down the pike. We have been talking a lot about post retirement medical and he suggested at the last budget workshop that they hit that the first or second quarter of next year maybe to put actions in to fix it for the "09" budget but he wants that in the back of their minds that is a huge item and decision coming up. Secondly, the rails to trails project talked about. If that becomes a cost item huge dollars have to come from somewhere. Fire companies are asking for hundreds of thousands of dollars. Barry stated they have made additions in contributions percentage wise are reasonable. He does have a request from Mountville Fire Company to deal with a new vehicle for the first quarter of 2009 at the tune of \$600,000. He did not introduce anything additional on any fire services business because of this pending task force and see what results come from that. They still have funds out there in Capital Reserve that can be used if there is something that is necessary in the coming years but did not propose any additional commitments. Mr. Breneman believes when the task force is up and running there may be a moratorium on any new equipment until it is done. Mr. May pointed out Mountville is not in the task force but could be later.

Barry stated they are at the point Pat Harvey will be calling with his opinion on 12-hour shift memorandum of understanding. On confirmation from him Barry would like to schedule Supervisors meeting where you can vote to accept that memorandum of understanding or reject it. As it sits today, the Chief and I are going to recommend that you do enter into that memorandum of understanding. Time is of the essence in that. If he gets some sense they are willing to go in that direction for this one-year trail period he will try to get something set up very shortly maybe as early as the beginning of next week. Mr. May asked Mr. Bauder if he was the one who said the city is going away from 12 hours. Mr. May would like to know why they are going away from it. Barry thinks it was that consultant's opinion that the effectiveness and efficiencies of it was not realized. Mr. Bauder stated they also suggested reducing the number of sergeants. Barry said if they are in agreement and willing he will try to get something out as quickly as he can because he will have to advertise it but he would like to move on that from a decision standpoint or they will be in arbitration. Bottom line is if they do not do this right now they are in arbitration. Mr. Breneman commented there was a meeting on the 31st to name the at large position to the task force but could they do that at the same time. Millersville did name their appointees. Barry did not think they should do that because that means it will be in Millersville and they cannot hold their public meeting there. They could come back here. Mr. May asked if it is that critical between the 31st and November 7. Barry stated yes. Chief advised scheduling wise they need the decision. Barry must advertise the time so his performance would be to have it one-half hour before. Chief asked about architectural fees for study of expansion of the building and he did not see it in the budget. Barry advised he did not include it. Chief advised it is something that needs to be looked at and Mr. May agreed stating but not next year.

The budget work session was adjourned at 11:30 a.m.

Budget Work Session

Wednesday, October 3, 2007

Time: 8:30 A.M.

All Supervisors and required staff were present.

Mr. Strohecker followed up from the last meeting regarding post retirement medical and they are continuing to work on the subject as far as bring information to the Supervisors. He was able to finish up the survey that was consisted of talking with different townships in Lancaster County and also requested a PSATS discussion group respond with some of their answers. Mr. Strohecker asked the following questions: 1) Do you have post retirement medical coverage? 2) Do you offer it for anybody over the age of 65? 3) Are spouses covered on that insurance? The next step in the whole issue of post retirement medical is begin to put together some alternate post retirement medical plans and run the numbers for them so you can see the effect on the document provided to you at the last meeting. Mr. Bauder stated the people he contacted that do have coverage some charge a premium to the recipient. Mr. Strohecker advised there were not many he found that had reimbursement for the spouse. He had not included that because he had to have a cut off as to how many questions he was going to ask. Mr. Smith stated they could follow up after they get a more comprehensive list. Mr. Strohecker stated he is noticing that townships that have post retirement medical and townships that have medical insurance are beginning to move into the phase of having reimbursements by the employees including some police departments. Mr. Kreider asked if it is much work to indicate the population of the townships? Mr. Strohecker stated he could do that. Mr. Strohecker pointed out the closest township to what we offer is East Hempfield Township. They have it for the police and after the officer reaches the age of 65 they have their officer go out and purchase his own Medigap insurance and then they reimburse that police officer up to \$1600 a year for that insurance.

Mr. Smith made overview comments. It has been the practice to not deal with all the incidental items. Todd provided the Supervisors with a number of documents the first being line item budget request he has for them as a whole. It would be Mr. Smith's recommendation; they do not deal with those smaller expenses and look at the overview of personnel, vehicle and facility needs. The Supervisors agreed. Mr. Bauder questioned the clothing item stating reinstate. Mr. Bauder stated that was attempted to be removed but was not successful. Mr. Smith stated by way of grievance and settlement they agreed to it. It is stated as reinstated in the proposal this past budget year they did not have that line item, so they are indicating that line item needs to be reinserted into the budget process.

Chief Graeff referred to second page of line items and stated the first thing he is asking for is an increase in four hours for the part time clerk. Roughly with her wages it would be about a \$2100 increase not counting her and the other two clerks cost of living increases. Right now she is at 20 hours a week and they would like her hours to be increased to 24 hours a week. The reason is they are ten months behind in entering citations. She works two full days and half day and they propose to make it three full days. She is flexible so that if any of the other girls are out on a Tuesday she can come in

on a Tuesday instead of one of her scheduled days. Mr. May questioned the ten months behind and Chief Graeff stated that is entering them into the computer.

Chief Graeff is asking for the 21st officer to be reinstated back into the budget at an approximate cost of \$60,000. Salary for this year would be \$38,000 this year so probably \$39 something next year and the benefits, etc. He would like to see the Township add additional officers for the year 2009.

Reinstate line in the budget for Sergeant's salary and place appropriate amount for three sergeants that is approximately \$252,000 in that salary line and reduce either the corporal and detective or the police line by \$232,000. Roughly it will be about a \$20,000 increase dependent on who gets promoted. The oral interview for that promotion is October 18th.

Chief stated he is looking for the usual two replacement vehicles for patrol that from his understanding has been a past practice of trying to replace two vehicles every year. He is asking for a third vehicle. He is asking for two Ford Crown Victoria police packages about \$23,000 each plus the equipment and graphics and installation cost for another \$5,000. The third vehicle he is looking for is a Ford Escape 4Wheel drive to use by the administration, detectives, and all the community policing. It is approximately \$17,600 plus the cost of equipment, inside lights, radios, and etc. for approximately \$4400. The total of the vehicles \$78,000 outfitted. Mr. Breneman asked how many vehicles are in service now? Chief advised eight marked, four unmarked and a marked motorcycle and one on order. Chief stated actually nine right now. Mr. Smith clarified the administrative vehicle requested stating it is a police vehicle their senior management will use. Mr. Bauder asked how many vehicles are on patrol at one time? Chief stated they can have up to six but it does not happen. If everybody is working they can have five cars out but it does not happen often. Mr. Herr stated a good average would be to say there are four vehicles out most times. Chief Graeff stated one of the things he would like to do if they get the manpower is have a traffic unit dedicated to accident investigation and traffic enforcement. He would like to have an unmarked vehicle specified for the traffic unit that is decked out inside with a lot of lights. Mr. Smith stated regarding vehicles you are asking for three replacements and one additional are you proposing to dispose of the vehicles that are being replaced? Chief stated yes. Chief is looking to promote three sergeants and as explained he wants to eventually eliminate the corporal positions. He initially is going to look for two patrol sergeants and one administrative/detective sergeant. There would be detectives, detective/administrative sergeant, community police officer, and himself. There are quite a few non-patrol people and that is why he is increasing that extra vehicle with. Mr. May asked the approximate mileage on the vehicles getting replaced. Chief stated the one is 80,000 some. The Tahoe has roughly 110,00 miles. The other ones are around 80 – 90,000 miles. Mr. Smith stated until the new vehicles are road ready the vehicles could be 120,000 miles. Mr. Herr asked the Chief what the actual life of the vehicle? What mileage are the vehicles getting per year? Chief stated he honestly couldn't answer that question. Mr. Smith stated it would be close to 40,000. From the time it is put into service to the time it is taken out it does go over the first of the year that would average approximately 40,000 a year. Mr. Breneman stated the warranty could be lost the first year due to mileage warranty being three year/36,000 miles. Mr. Bauder stated this

needs to be looked at in terms of the other capital expenses. Mr. Smith stated they are not looking in work sessions for the Supervisors to make decisions.

Chief is requesting minor equipment as follows: ten tazers and the equipment that goes with it approximately \$10,000. Mr. Bauder asked the cost of each one? Chief Graeff stated this one shoots 25 feet and the cost for the tazer itself is about \$825 and then every officer must be trained and shot at least two cartridges with the cost of the cartridges \$18 each. Chief Graeff demonstrated the tazer. Mr. Bauder asked if in the experience of our police force have there been numerous occasions where a tazer would have been an advantage? Chief Graeff stated he cannot answer that now but an educated guess it has to be. The tazer will save us on liability from excessive force lawsuits and also should save on the injury of officers. Mr. Smith stated they have had over the number of years numerous times where officers have had to engage with either intoxicated or enraged individuals and resulted in significant time off injuries because they were wrestling to try to control an individual. From the standpoint of workmen's compensation, Mr. Smith stated he thinks it is an appropriate investment. Chief Graeff stated the tazer comes in the very low end of the use of force spectrum. Basically the officer's presence is one, verbal commands is two, the tazer and OC are three. That is before you even lay a hand on a person. With the tazer you are not touching anybody, so there is less chance of the officer or the person getting hurt. Chief Graeff described the handling and carrying of the tazer. A rechargeable battery powers the tazer. Chief Graeff stated the one he was demonstrating with has a tazer cam in it so as soon as it is turned on the camera is on. Everything that happens is recorded. That was not proposed due to the fact the video cam cost about \$400 more. Mr. Breneman questioned why they could not be shared and, therefore, would need less of them. Chief would like to see one for each officer eventually but he would like to get at least five this year so every officer out there would have one. Chief Graeff feels that like anything else if each officer is accountable for something it will last that much longer. Chief Graeff pointed out what looked like confetti but it is actually serial number of the cartridge which is to be recovered when you shoot somebody and put it with your report and you have a record of what cartridge was used. There is also a downloadable program that you actually download the information when it was shot, how long the burst was and assortment you print out and it goes with your report. If you ever have problems, you can say you shot the guy two times in a three second burst the first time and three second burst the second time. Mr. Kreider questioned if this would change the liability insurance? Mr. Smith stated yes it would change the insurance but does not know to what degree. Chief Graeff advised in his old department they had a hold on workmen's comp. Every year the increase went up prior to getting the tazers and after they got the tazers their workmen's comp held steady.

Minor office equipment: A new printer/copier – Looking at getting another copier to replace the one that broke this year and the cost is approximately \$7900. Four companies gave quotes and the one the office staff preferred was the Xerox Work Center 132 for the \$7900. They are looking at a color copier that is not that much more expensive than a black and white. Mr. Herr asked if this would be on State Contract? Chief Graeff stated it is and the price is a State Contract price and it is several thousand dollars cheaper than normal. Mr. May asked if anyone has studied the difference between leasing and buying? Chief Graeff stated actually it is about \$2000 more to lease

it. Mr. Stohecker asked if Chief had checked through the Lancaster Co-Op. Mr. Smith stated they could look at this in detail as opposed to discussing it now. Chief advised they do have a second copier but when that is broke down the second shift and midnight shift is unable to make copies due to the main office being closed at night. This copier is also a printer and they are looking at network it with the computers so they can use it as a printer, which will also save some costs with the printers. Mr. Kreider stated in his experience Xerox has not been a good player for him and asked that they look at other models. Chief Graeff advised that Barb use to work in a place of employment that handled copying so is very familiar with a copy machines more so than most people.

New Computer Systems a total of approximately \$5100 and office desk and chairs for about \$5000. They have some antiquated computer systems and one of things he would like to do is start upgrading computers before they break down. They have a computer in the sergeant's office now that is probably as old as some of the officers. He would like to get a couple each year instead of ten at one time. Mr. May asked if the computers are all networked. Chief stated yes except for the one that is the clean terminal that is a separate system. That computer has the database for the state to run driver's licenses. Mr. May questioned if the network would be affected with old and new computers on it. Chief Graeff gave an example stating he received a forwarded e-mail from Bill Laudien of a complaint that was received on the Manor e-mail system. It was a letter with several digital pictures attached. Chief looked at it an e-mailed the people back they would take care of it and e-mailed it to the officer in that district. He is in the office right beside the Chief and he said he would pull it up. Five minutes later the e-mail still had not come up on the officer's computer. Mr. Smith stated you must understand their system is not being routed through our server, which is almost instantaneous. They are going through the county site. Mr. Kreider asked how far behind the County database is such as when they investigate a crime that took place somewhere in another township, how many days go by before it is updated? Chief stated it all depends on the department and how quick they put their information in. Mr. Kreider asked how far the department is back on criminal things? Chief stated he couldn't give a good answer on that. At this time at least a week or more.

New shotguns and rifles, corporal radio equipment and new bicycle - The department has started getting AR15's. At this time they have two of them semi automatic weapons. Chief would like to get to the point where there is one in each of the patrol cars. Now the officers are not utilizing them, because other than a few of them they have not been trained on them. He would like to get one a year to get up to five and also new shotguns. Off. Gardner, who is the firearms officer, is requesting an increase in the line item for firearms and ammunition budget. He is requesting new shotguns and rifles. Corporal Radio Equipment -There is money set aside for the new change over but the problem is this has been going on for five years or longer. This is not going to happen this year and most likely not in 2008 so what they are being told if they need equipment they are going to have to buy it. He is not suggesting they buy a lot of brand new radios but they are to the point where their hand units are getting ratty and need to buy some new hand units to keep officers in communications with each other and the communication center. He suggests they buy a few hand units to hold them over next year and hopefully somewhere in 2008 or 2009 the new 800 system comes into effect. Bicycle – right now they have three bicycles; small, medium and large. They have six

bike officer's plus the Chief. Most of the officers ride the middle bicycle. If there is two out at the same time, they must go smaller or larger. Some of the bikes are seven plus years old. He is not asking to replace it but to add to it so they have another mid size bike. That would be approximately \$1,000. Ask about leaving the \$110,000 that is already in the capital line for new radios and the lap top computer money and add \$16,000 to it for the rest of the matching grant for DCED for the lap top computers. They only have \$20,000 set aside of that \$110,000 is set aside for computers technically they need \$32,000. Chief stated he called Ron Stern last week for an update. He returned his call said he has a meeting where their things will be brought up Oct. 16th. He is not promising anything but it looks good and he does not see why they should not get their lap tops. Wireless connection fees for the laptop computers – Looking at 11 computers and it is approximately \$60 a month for each computer so that is just shy of \$8,000. Mr. May asked who the service is for the laptops? Chief stated he cannot recall. Chief advised everyone uses the same it will be whomever the County uses. Chief advised there is two ways to go either a modem that is installed in the car at a cost of \$800-\$900 with an antenna or wireless card in the side of the computer and that is the cheaper way to go because right now they are giving them away you just have to pay for the service. Mr. Bauder questioned if there are dead spots? Chief stated Steve Snyder is in the process of barrowing a laptop computer from the County and he is going to do tests to see if there are dead spots. There will be some dead spots because of the terrain. The contract service budget is \$3000 that is already there plus the \$8,000 for a total of \$11,000. Mr. Bauder questioned the \$8,000 for wireless connection fees. If he buys a computer and gets the card all he does is pay the monthly fee. Mr. Bauder was advised that is the monthly fee.

He is requesting about \$7,000 to commission an office space study or architectural review of the police wing of the Township Building. Replace carpet in the secretaries' and Chief's office.

Mr. Bauder stated at Monday's night meeting a statement was made if we get one lawsuit, he forgot the exact statement, but liability issues were mentioned. He would rather those statements be in a public record, because if a plaintiff does charge them those statements can be used against them. That is why as a Supervisor he never sets up front and says an unsafe road, because if that is in a public record and someone gets killed on that road they are in trouble. Mr. May stated vicarious liability is a concept and he is not as concerned about that as saying we have an unsafe road.

Chief Graeff stated he is looking to expand the work place of the police department. They have outgrown the police wing of the Township Building and are going to have hard times getting people in offices for the promotions he is hoping to do. He would like to get a professional in to look at getting space by adding on or whatever the design may come up with. As the Township grows the department is going to grow and space needs to grow for office space, storage space, filing, etc. Mr. Kreider stated regional police is another issues that ties in with that. Mr. Kreider asked if there is anything going on right now? Mr. May advised no. Mr. Smith stated that is a concept that will always be in front of them. Right now nothing is being discussed by any of the communities that Mr. Smith is aware of.

Major Equipment Purchases – Brought up in conversation in Commission meetings and also touched on it the other night. He has talked to Mark Harris and he is

looking to jointly ask for speed alert, radar, speed and mobile messenger trailer. It is about \$18,000. They one Chief looked at has a four-line message board that can be utilized for road closed or road under construction with a date. It can be separated by taking the message board off the trailer and put on a hitch that comes with it and put on a back of a vehicle with a hitch and can park that there and have two separate entities. There are five components to it. Mr. Bauder questioned the alternatives that can be used for speeding. Chief advised they accutrack, vascar, and infra-red technology he can not think of the name of. Mr. Breneman advised at the last several Traffic Commissions people have complained regarding speeding in developments.

Backup generator to power the Township Building during a power outage. Chief had an e-mail with a rough estimate of \$50,000 that would generate enough power to do everything that goes on in this building including air, heat, computer and would be natural gas. That estimate does not include the natural gas tank or the hookup. That is just the generator and hooking generator up and the power grid. Chief strongly urges some type of back up system for the building in case of an emergency or power outage. Mr. May asked if it is not more important to have power to the police area. Mr. Smith stated there might not be huge savings by not doing the entire building. Chief asked if this building is designated as a emergency management center and if it is it needs a generator. Mr. Herr stated it would be needed at the maintenance building also. Mr. Breneman stated we should look if grant money would be available. Mr. Smith stated they would take a look at those things. Mr. Smith suggested as you look at the information in the sessions input to Ryan and himself as they scrunch these numbers would be beneficial them.

Mr. Breneman stated they need time to discuss the budget so that they can give some direction. Mr. Bauder stated regarding the capital budget he would like to see alternatives laid out with items included. Ryan and Barry would take everything presented as well as the Supervisors feed back to put together a better package for them to review. It was agreed that when the Supervisors have the whole picture they would like to have a meeting just for discussion. Mr. Kreider stated that Ryan is never too busy to discuss a budget issue with him and he appreciates that.

The next budget meeting is Wednesday, October 17th. Mr. Kreider stated he would like to request an executive session to discuss some things that has to do with personnel. Mr. May stated they could convene November 7th.

The budget session was adjourned.

Conditional Use Hearing
Manor Township Supervisors Meeting

Monday, October 15, 2007

7:00 PM

Chairman John May called the meeting to order at 7:00 PM in the Manor Middle School, 2950 Charlestown Road, Lancaster, PA. He led those in attendance in the pledge of allegiance to the flag. Mr. May introduced the board and roll call was taken.

Members present: John May, Jay Breneman, L. Allen Kreider and Richard Bauder.

Members absent: Allan Herr.

Mr. Kreider moved to approve the minutes from the August 14, 2007 Conditional Use Hearing as drafted. Mr. Breneman seconded the motion, which carried unanimously.

Mr. May stated that this Conditional Use Hearing, Case #07-0622, is for Wheatfield Developers, LLC and has been continued from August 14, 2007. Mr. May stated that the developer has had productive meetings with representatives in the neighborhood who are interested in the project and is hopeful of reaching an amicable solution in the rezoning proceeding. He stated there has been a request through Mr. James H. Thomas, on behalf of the applicant Wheatfield Developers, LLC, for an extension of the continuance that was requested and granted by the Board of Supervisors at the initial hearing.

Mr. James H. Thomas, on behalf of the applicant, explained that the first continuance was requested until Monday, October 15, 2007. He noted that at this time, Wheatfield Developers is requesting a general continuance of the restart of the hearing until such time as it will request, in writing, that the hearing resume. He stated the Applicant will waive any time requirements for commencement of the hearing or any time period for conducting the hearing so long as the continuance is in effect. He also stated that the Applicant shall pay any advertising costs that may occur from the continuance.

Mr. May made a motion to approve the request for the continuance in Case #07-0622 for Wheatfield Developers, LLC, with the agreement that the Applicant shall pay any costs incurred. Mr. Bauder seconded the motion, which carried unanimously.

There being no further business, Mr. Kreider made a motion to adjourn the meeting at 7:10 PM. Mr. May seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

November 7, 2007

Time: 7:30 P.M.

Chairman John May called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Dr, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken showing all Supervisors were present.

Members present: John May, Jay Breneman, L.Allen Kreider, Richard Bauder, and Allan Herr.

Staff present: Barry Smith, Mark Harris, Ryan Strohecker, Chief Graeff and Rita Young.

Visitors present: See Attached.

Minutes – Mr. Breneman made a motion to approve the minutes as drafted. Mr. Herr seconded the motion, which carried unanimously.

Bills – Mr. Kreider made a motion to approve payment of the bills as listed. Mr. Bauder seconded the motion, which carried unanimously.

Financial Report – Mr. Breneman made a motion to approve the Financial Report as presented. Mr. Kreider seconded the motion, which carried unanimously.

Solicitor's Report

Mr. Smith stated he had nothing new to report. Mr. May stated he did receive a call from Mr. Kenneff notifying him that the group against the landfill expansion filed a petition for Declaratory Judgment. He stated that in Mr. Kenneff's opinion there was no action for the Township to take at this time. Mr. Smith noted that the Solicitors are continuing to work on a number of ordinances that are being prepared and should be presented in the December or January meeting for consideration.

Business From the Floor

There was no business from the floor.

Old Business

Mr. Bauder stated that at last months meeting he had asked that we check into alternative health coverage plans. He feels there are two items that should be addressed. He would like to bring a broker in to discuss alternatives and a high deductible plan where the Township would cover the gap. Mr. Bauder made a motion that we direct Mr. Strohecker, finance director, to explore alternative health coverage and present a report on the findings. Mr. Kreider seconded the motion, which carried unanimously. Mr. Smith clarified that the discussion on health care, which Mr. Bauder referred to, took place at an advertised budget work session, not the Supervisors meeting.

New Business

SALDO – Harnish Brothers Lot Add-On Plan – Mr. Smith stated that Township Engineers have reviewed this request for a Lot Add-On Plan for the Harnish Brothers Tract. He also stated that the Manor Township Planning Commission has recommended approval of the Lot Add-On and the two waiver requests as listed. Mr. May stated the waiver request are for Section 404.A.1- requesting a waiver of the plan scale requirement to provide a fifty foot equal to one inch maximum scale plan and instead provide a one hundred foot equal to one inch scale plan, and for Section 403.6.E – Wetland Study requesting a waiver of the requirement to submit a wetland report since nothing will be constructed in the wet lands. Mr. Herr made a motion to approve the

waiver request for Section 404.A.1 – Plan Scale, seconded by Mr. Breneman. Motion carried unanimously. Mr. Bauder made a motion to approve the waiver request for Section 403.6.E – Wetland Study, seconded by Mr. Kreider. The motion carried unanimously. Mr. Breneman made a motion to approve the Lot-Add-On Plan with the conditions attached. Mr. Herr seconded the motion, which carried unanimously.

SALDO – Brekland Mr. May stated RGS Associates is requesting an indefinite extension of time relative to the Preliminary Plan for Subdivision Land Development Plan for the Hampilos Property. Mr. Smith stated the 90-day time frame will stop at this point and when they come in with a request to proceed, the clock will start where it was stopped. They do not get another 90 days to start over. Mr. Kreider made a motion to approve the request for time extension. Mr. Bauder seconded the motion. Mr. Bauder asked what the problem is with the property. Mr. Smith noted there are a number of issues with this property. He stated one is over ownership and rights, and RGS was not prepared to go ahead with designs at this point. The motion carried unanimously.

Proposed Zoning Text Amendment Section 441 Nursing, Rest or Retirement Homes – Mr. Smith noted that the Supervisors would have several options with the proposed text amendment that is presented tonight. He stated they could reject the petition or they could forward the petition to the MTPC and the LCPC for review and recommendations. Mr. Smith asked Mr. Miller, David Miller/Associates, Inc, if he would like to give a presentation for this request. Mr. Miller, representing landowner Fred Funk, noted that the proposed Text Amendment presented tonight is a request for modification to Section 441 of the Manor Township Zoning Ordinance, which governs nursing rest and retirement homes. He noted they are permitted in the Rural Zoning District by special exception. He noted the criteria, has lot coverage limited to 305 or 15,000. sq ft of acreage or whichever is less. He stated that the approximate 65 acres involved would not be able to meet the 30% lot coverage restriction because of the type of facility and the requirements that go with that. Mr. Miller stated they are requesting that the lot coverage number be increased and added that they have had a facilitator involved with studying the feasibility of doing this project on his property. Mr. Miller stated this would be the first step to start this project and if this request were granted than the applicant would have to come back to Manor Township Zoning Hearing Board with a request for a special exception and follow the process in the Manor Township Sub-Division and Land Development Ordinance. Mr. Kreider asked if any type of nursing facility of this size would have problems applying with the way our zoning ordinance is written and asked if our zoning is possibly out dated. Mr. Miller stated that the zoning is probably not written for the type of facility that is built today for this use. After some discussion, Mr. Kreider stated the whole area along there is zoned Rural and he feels it should be changed to Agricultural because he stated as long as it is zoned Rural, this type of thing can go in and he was not sure this is what we would want to happen all down through that area. Mr. Bauder agreed that some of the Rural area should be changed to Agricultural because there are a lot of farms there. Mr. Kreider asked if this request includes the small part of property owned by Mr. Funk and zoned Commercial. Mr. Miller stated no, it is not included in this request. Mr. Breneman made a motion to refer this request to the MTPC and the LCPC for review and recommendation. Mr. Herr seconded the motion, which carried unanimously.

2008 Budget Presentation – Mr. Strohecker presented the prepared 2008 Budget and stated that there have been four public workshop sessions to prepare this budget. Mr. Strohecker started with taxes, listing the top three being millage, transfer tax and earned income tax. He stated that there are no tax increases proposed for the 2008 budget and that these three taxes are the main income for the General Fund. He noted that the Supervisors have requested that the street light tax be

discontinued and that expense will be placed back into the General Fund where it previously was. Mr. Strohecker stated that Manor Township presently has two sewer systems and noted there will be no proposed increase in either one for the 2008 budget. Mr. Strohecker stated that Manor Township is debt free and the proposed budget for 2008 is a balanced budget. However, he stated that in order to have a balanced budget for 2008, funds need to be used from the reserves for the 2008 year. Mr. Strohecker stated that the projection for revenue for 2008 is slightly over \$4.6 million and that is a \$350,000 increase over 2007 but added there are no major changes in the increases. He noted they have added an additional fee for the SALDO reviews but are receiving a slight decrease in the revenue from building permits. Mr. Strohecker went over the breakdown of the revenues and listed the expenditures and purchases. He noted that the expenditures will reflect the streetlight expense, which will be \$130,000, liability insurance is decreasing while there is an increase in health insurance and the pension costs have gone down. Mr. Strohecker stated that out of the \$545,000 increase for next year the two main reasons are the streetlight cost and the increase in health insurance. Mr. Bauder asked how much of an increase there was for health insurance. Mr. Strohecker stated the increase from 2007 to 2008 is \$300,000. Mr. Smith stated this amount is not a dollar for dollar increase, but was a reflection of an adjustment for census and covering dependents. Mr. Strohecker stated there are no changes in employment for 2008 showing 38 full time employees, 2 part time and approximately 15 seasonal employees. Salary increase of 3.5% across the board, and there is a promotion in the 2008 budget for two sergeants in the police department. Mr. Strohecker went over the Capital Fund listing the revenue for 2008 at 1 million dollars from LCSWMA and \$65,000 interest in the bank account. He noted the 2008 expenditures are just under \$900,000 dollars and noted that the remaining balance will go into reserves. Mr. Strohecker highlighted the budget by departments and noted that the budget will be put on line if approved. Mr. Breneman thanked everyone for all the hard work on the budget this year.

Jim Huber, 113 Shannon Drive, asked if copies of the budget will be available. Mr. May stated yes, you may pick them up at the Township office.

Bonnie Miller, 113 Bent Tree Drive, asked who all is covered under the medical coverage besides the 38 full time employees. Mr. Strohecker stated we have retirees and their spouses covered. Ms Miller asked if anyone has ever explored self-insured programs. Mr. May stated we are already in that type of program. Ms. Miller asked what contribution the employees make to the insurance. Mr. Strohecker stated there is employee reimbursement along with deductibles and co-pays. After some discussion, Ms Miller asked what the total health care expense is. Mr. Strohecker stated the entire health care package budgeted for 2008 is \$700,000. Mr. Smith stated that because of the type program we are participating in for health insurance with multiple municipalities, we share in the risk along with rewards, so if the group does well in a year, we get significant reimbursements. Mr. Kreider stated that one thing that came out of the work sessions is the possibility of exploring health care through a large company rather than small groups like we are in now. Mr. Bauder stated that Mr. Strohecker compiled comparisons of other municipalities as part of the workshop sessions so we can compare issues. Mr. Bauder stated he was not in favor of insuring retirees and spouses, and not at all after Medicare eligibility. Ms Miller expressed concerns about the amount of money the Township pays for medical coverage with no reimbursement from the employee. Mr. Breneman stated that the non-uniform employees do pay a fee for medical monthly. Mr. Bauder stated he was not aware that they paid a monthly fee. Mr. Strohecker stated they pay \$10.00 monthly, a deductible per year and a co-pay to prescriptions. After some discussion, Mr. Breneman made a motion to adopt and advertise the proposed 2008 budget for Manor Township. Mr. Herr seconded the motion. Mr. Bauder stated that he is not happy

with the aggressive road widening items included in the budget. After some discussion, he stated he would like to spread out the planned work over the next two years. Mr. Smith stated this makes it difficult to prepare bids. Mr. Bauder stated he did not realize that Breneman Road was included in the widening and he must have missed that in the four work sessions. After some discussion, Mr. Bauder stated he would like to delay the widening on Miller Road. Mr. Breneman stated he is in favor of staying with what has been budgeted because we had worked all this out in the four work sessions. Mr. Herr stated that Mr. Harris had already postponed some other work this past year and also felt we should stay with the schedule that was already worked out. Mr. Harris stated that Breneman Road is actually scheduled to be completed in 2008 and not stretched out into 2009. He noted that there was a failure in the road that needs to be fixed and would be done at one time. It is not one listed for widening. Mr. Harris also stated that the main reason he feels they should stay with the 2008 budget schedule is because they have seen a spike in the cost of asphalt and to delay will mean significant added costs. Mr. Bauder disagreed and felt that to wait a year will save you money because you get another year of use out of the road before you have to pay to fix it even if it does cost more. Mr. Harris disagreed and stated they are trying to keep the roads from getting to a point where they have to use additional funds to rebuild a road that has been left go too long instead of maintaining the road. Mr. Bauder stated he is not questioning repaving the roads. Mr. Herr stated that if they continue to delay projects it will result in getting further behind in the schedule and he feels Mr. Harris has a good program to maintain our roads at this time. Mr. May stated it has been moved and seconded to advertise the budget as presented and post it and he called for a vote. Mr. Kreider asked if the State has increased the dollar value of the Liquid Fuel Tax that the Township receives. Mr. Harris stated that in the last two years they have updated the mileage of the Township and it does increase that amount. Mr. Strohecker stated that the detailed budget at the last workshop was less, but for tonight he did increase the revenue in the highway fund by \$50,000 because of more roads being added to their system in the update and not just an increase in what they give us. Mr. Herr stated that the State has not increased our amount for inflation but because we have updated our records in number of road miles that the township has. Mr. Harris added that the amount not only is calculated by road miles but also includes population. Mr. May stated that PSATS has been trying to get an increase in the Liquid Fuel Tax for years but has had no success. Mr. May called the question. The motion for adoption of the 2008 budget, after being moved and seconded, carried unanimously.

Agricultural Security Area Addition Richard and Shirley Falk Sr. Mr. Smith stated this is the second time this petition has been presented. It was presented in the September Supervisors Meeting but stipulation in law requires that it must come by certified mail and it did not. This time we have received this request by certified mail and Mr. Smith recommended approval. Mr. Herr asked when the 180-day process would start. Mr. Smith noted it would start at the time when we have received it by certified mail and not when the first request was received in September. Mr. Kreider made a motion to adopt this request from Richard and Shirley Falk Sr. for addition to the Agricultural Security Area and use the 180-day process. Mr. Breneman seconded the motion, which carried unanimously.

Act 14 Notification Little Conestoga Creek Restoration – Mr. May explained there has been a lot of degradation along the creek at the Conestoga Country Club golf course, mainly because there is no buffer of the stream in that area. He stated they have received a grant to help work on this problem, they will be working with DEP and this is notification that they will be doing so. Mr.

Breneman stated the work also is to be done at the Weimer property next to the golf course. After some discussion, Mr. Smith asked if the Supervisors would like to receive a copy of the work being done. The Supervisors agreed that they would like to receive that information.

Fireworks Ordinance Review – Mr. Smith stated that in October the Conestoga Country Club held an event where they did obtain a permit for a fireworks display. He noted that the Township received two complaints, along with some Supervisors, about the noise. The residents that complained stated they were not notified about the event and were alarmed at the noise. Joan Matterness, 213 Sutherland Road noted that she attended those fireworks and enjoyed them. Jerry Stoll, 1766 Colonial Manor Rd, complained that the fireworks were too loud and they were not notified that they were being held and the noise scared them. Mr. May stated that Mr. Kreider has suggested that we modify the fireworks ordinance. Mr. Kreider stated that we could modify the ordinance and have the permit request go before the Board of Supervisors for approval. He noted that they could require a 90-day time frame for the applicant to apply for the permit and that would give the Supervisors time to act on it and it would be reflected in the monthly minutes and this would take the place of notifying the public in any other manner or any advertisement. Ms Stoll still had a problem with how loud they were this past time. Mr. May asked the opinion of the Board. Mr. Smith stated that the Supervisors may limit the regulations however it is unlawful to prohibit firework displays and gave several suggestions on amending the ordinance. Mr. Breneman suggested they get some other information and have time to review it. After some discussion, Mr. Smith suggested that he and the staff prepare a draft ordinance as a place to start.

Correspondence

Mr. Smith stated there are three requests. Mr. Smith requested Rita Young attend the Tax Collection Guidance Seminar for a cost of \$75.00 to comply with tax certification. Mr. Smith noted a request from Mike Dickert, to attend the Sports Turf Managers Association Annual Conference & Exhibition. He stated that Mr. Dickert is a member of that organization and they will pay for his accommodations and airfare to the convention and the Township shall pay \$530 for the registration fees. The third request is from Chief Graeff requesting Cpl. Strock attend the statewide Crime Prevention Conference with the cost being \$30.00. Mr. Smith asked if there were any questions. Mr. Kreider asked Chief Graeff about the information provided for Cpl. Strock and if he would be staying overnight. Chief Graeff stated that Cpl. Strock will not be staying overnight and the only cost involved will be the \$30.00. Mr. Bauder made a motion to approve Rita Young attending the Tax Collection Guidance Seminar with expenses paid. Mr. Kreider seconded the motion, which carried unanimously. Mr. Bauder stated he has a problem approving the conference for the Sports Turf Managers Association noting Mr. Dickert attended four seminars last year and this is the second one for this year and he feels it is not necessary. Mr. Kreider agreed with Mr. Bauder noting he feels Mr. Dickert is well versed on turf management and sees no reason to go to this. Mr. Bauder stated he has compared this to other departments and also noted that this would be a four-day absence from work. Mr. May asked if there are any turf seminars closer. Mr. Smith stated yes, but this is the Annual Conference. Mr. Bauder made a motion approving Cpl. Strock to attend the seminar at State College with the necessary expenses paid. Mr. Breneman seconded the motion, which carried unanimously. Mr. May called for a motion to send Mr. Dickert to the Sports Turf Managers Association Annual Conference. No motion was made and the request died for lack of a motion. Mr. Breneman noted that there was information included with Cpl. Strock's request, that it looks like the department will be getting lap top computers.

Traffic Commission

Chief Graeff stated Traffic Commission Meeting was held Oct. 31, 2007 with all members present. He went over old business noting last month's complaint for Redwood Drive with a request for a speed check. Chief Graeff stated the study did not warrant any problem. He also noted a request for a Stop Sign, stating that Officer Gardner's traffic study indicates there should be a Stop Sign placed at Yorkshire Way at Hampden Drive but not making it a multi stop intersection. He noted that speed limit signs were installed on Forry Road and a traffic study was done on Sun Lane with a recommendation that a 35 MPH speed zone be established. Chief Graeff noted under new business there was a request from a resident on Owl Bridge Road about her unsafe entrance to her property. Chief stated he went out to the residence and recommended that she try to use her other entrance and recommended that a hidden driveway sign be placed at her driveway at 404 Owl Bridge Road. He stated there was a request for a "watch children" sign to be placed at 2146 West Ridge Drive. Chief Graeff stated there is already a sign at one end of the street but it is faded, so they will be replacing that and he recommended a "watch children" sign be placed at the other end of West Ridge Drive. Mr. Bauder made a motion to approve the Sun Lane speed limit, the stop sign at Hampden Drive, the Children at Play sign on West Ridge Drive and the hidden driveway sign on Owl Bridge Road. Mr. Kreider seconded the motion, which carried unanimously.

Police Report

Chief Graeff went over his report noting the number of arrests and accidents for the month along with a letter from Cpl. Strock about the Citizens Police Academy noting the citizens are really enjoying this program. He stated it is going very well and approx. 22 people are attending on a regular basis. Chief Graeff noted a letter he received from Mr. Brad Singer who was thanking the Officer that stopped him for a headlight that was out. The letter commended Officer Mark Burkholder for his professional manner.

Road Foreman's Report

Mr. Harris stated he has submitted his report and added that leaf collection has been light this year compared to this time last year. He went over the work schedule coming up and also stated that they are in the process of upgrading the signs in the Township. Mr. Kreider stated that he has been hearing good comments about the job that the road crew has been doing. He also stated that he did tell some residents that the Township is probably going to extend the leaf collection until most of the leaves are down. Mr. Harris noted the newsletter states that they usually conclude leaf collection the first full week of December. Mr. Harris stated that to extend leaf collection past that date puts them at risk for bad weather and not being prepared if it snows. Mr. Smith stated that they have discussed this issue this year but they are hoping they do not have to consider extending the collection because if we would have freezing rain while the leaf boxes are on the trucks, the crew would not be able to salt the roads and it takes hours to change the trucks over for that maintenance. Mr. May stated that the issue of the clear site triangle at Bender and Bender Mill Roads was brought to his attention again and it is still a problem. Mr. May stated he has asked the Solicitor if we can just go and cut the trees causing the problem. He was advised that we need more information before acting. Mr. Smith stated the thing is there really have not been any accidents due to this but if the Board wants Staff to pursue this they will. Mr. Smith noted that they could notify the property owner.

Parks and Grounds Report

Mr. Smith stated that Mr. Dickert has submitted his report. He noted that number 11 of the report list that the signs have been installed at the entrance to Springdale Farms Natural Area.

Assistance Managers Report

Mr. Smith stated there was no report for tonight.

Managers Report

Mr. Smith stated he does not have a written report for tonight but did want to mention two things. He stated that the Staff continues to review the 12-hour shift for the police department and has a scheduled call coming in Monday to look into some of the language for what could be deemed gray areas. He also stated that he needs direction to advertise for the auditors for 2007 and he would have Solicitor Goodman prepare that ordinance. Mr. Smith stated in the past they have used Hess & Hess and he recommended we use the same for the 2007 audit. Mr. Bauder questioned Mr. Smith, and asked if the auditor needs to be appointed at this time. He expressed concerns that the audit is more expensive than that of neighboring townships and he asked if we are able to advertise for other people to do the audit. Mr. Smith stated that there is a requirement that we advertised the specific firm that will be conducting the audit. Mr. Bauder asked when the audit is conducted. Mr. Smith stated they start in the beginning of the year. Mr. Strohecker stated they may come in the end of the year to get a few things done, but the bulk is done the second and third week in January. Mr. Bauder stated in his opinion he would like to see different auditors because when he served on the school board they wanted people to come in that did not know any names. Mr. May stated he would be open to that and he knows that the Conestoga Title Ins. Co. is required to have different auditors periodically but it can be a different individual in the same firm. Mr. Smith stated we already do that. Mr. Strohecker added that every two to three years, the firm does rotate the auditors that conduct the audit and if we would like to maintain the 30 plus years that we have been working with Hess and Hess, we could make that requirement. Mr. Bauder stated that West Hempfield's audit costs less than ours does. Mr. May stated that if we go to a new firm, initially it could cost more because they would have to set up to do it. Mr. Kreider asked Mr. Strohecker what he feels about the audit and if he feels it is an advantage to change or if we are being over charged. Mr. Kreider stated that he trusts Mr. Strohecker's opinion on this. Mr. Strohecker stated that he feels Hess & Hess does a very fine job for what they charge the Township, noting it is currently \$14,000 for the audit. He stated the services they provide are more than just the three weeks of the audit and extend throughout the year with questions on taxes, or whatever bookkeeping needs might be and there is no charge. He stated that as Supervisors, they need to recognize the purpose of the audit and that is to keep him and his department and the manager accountable over the finances. Mr. Strohecker stated that he appreciates Mr. Kreider asking his opinion, but he is asking an opinion for someone who is to keep him accountable. Mr. Smith noted that there are fewer audit firms available to do municipal audits because of the nature of municipal government. Mr. Kreider stated there are three appointed auditors in the Township and asked if they could work with who ever is conducting the auditor and look over their shoulder. Mr. Breneman agreed but was not sure the appointed auditors for the Township would be qualified or could take that time. Mr. Strohecker stated the auditors would probably not want people looking over their shoulders because they would not want to be answering questions, they come in do their job and leave. Mr. Bauder stated he needs more time because he is not prepared to speak about this tonight. After some discussion, Mr. Smith stated we must be aware of the time frames

and the deadline when we need to file the audit. Mr. Kreider asked if any of the township auditors have ever been invited in to look over the summery of the audit and questioned why we have them if they are not asked to do anything. He would like to have the township auditors be able to meet with the hired auditors and go over the audit. Mr. Smith stated this would not be a bad idea, but the Supervisors should keep in mind that if they schedule this there would be a fee to do this. Mr. Bauder stated that when he was on the school board the auditors would address the board on issues and he wants the auditors to be tough. Mr. Smith stated that if the Board wants a formal presentation that can be arranged but there is an added fee for all that. Mr. Kreider proposed that when the audit is complete, then we should have our elected auditors come in and ask questions as they review it. Mr. Herr asked what the three elected auditors presently do. Mr. Kreider stated that at this point they don't do anything because their job is to set the wage for a working Supervisor and we do not have that. Mr. Smith stated he is uncomfortable with the time elements at this point and recommended that they move forward with Hess & Hess for this year and make a commitment that alternative firms are provided for next year. Mr. Kreider and Mr. Bauder stated we were going to do that this past year and it did not get done. Mr. Bauder stated that he did not know that this was the time we needed to appoint the auditor and it caught him by surprise. Mr. Bauder made a motion to table appointing the auditors until the December meeting. Mr. Kreider seconded the motion, which carried unanimously.

Building Permit Report

Mr. Kreider read the building permit report. He listed amount of permits for the month and dollar values.

There being no further business, Mr. Kreider made a motion to adjourn the meeting at 9:10 PM, seconded by Mr. May. The motion carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

December 3, 2007

7:30 PM

Chairman John May called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, Jay Breneman, L.Allen Kreider, Allan Herr and Richard Bauder.

Staff present: Barry Smith, Bill Laudien, Ryan Strohecker, Mark Harris, Chief Graeff, Mike Dickert and Rita Young.

Visitors present: See attached.

Minutes – Mr. Kreider made a motion to approve the November 2, 2007 minutes as drafted. Mr. Breneman seconded the motion, which carried unanimously.

Mr. May introduced visitor, Bryan Cutler, Manor Township Representative from the 100th District, serving the Southern part of Manor Township. Mr. May thanked him for coming and stated that he has been reading about the good efforts has been doing for open and honest government and the Sunshine Act. Mr. Cutler stated he ran his campaign on openness and transparencies of government as well as being accessible to the people. He stated he has been visiting public meetings in his district to take time to talk to people and answer any questions. Mr. May thanked him for stopping by.

Bills - Mr. Breneman made a motion to approve the bills as listed for payment. Mr. Bauder seconded the motion, which carried unanimously.

Financial Report – Mr. May asked if there were any items to comment on. Mr. Smith stated no. Mr. Herr made a motion to approve the Financial Report as submitted. Mr. Kreider seconded the motion, which carried unanimously.

Solicitors Report – Mr. Smith stated no specific report but noted that the Solicitors have been busy as they continue to work on the appeal process and current application for Wal-Mart and also the drafting of a fireworks ordinance.

Business From the Floor

Harold Barley, 728 Walnut Hill Road, asked if anything new has materialized about repairing the bridge on Creek Road, and if the Supervisors have considered forming a committee to go into the County and present this to the new County Commissioners. Mr. Barley also stated that he feels the Supervisors need to stay unified on the issue as a Board. He expressed concerns that even though it is a small area, it serves a need for the Boys Club and it does help spread traffic out in that area. Mr. May agreed that with having three new Commissioners in the County, he is interested in seeing what their position will be on this issue.

John Gentile, 304 Stone Creek Road, expressed concerns about a situation that is taking place along the wetlands that boarder his property in Woods Edge Development. He gave the Supervisors pictures showing a substantial amount of white plastic bags filled with dog waste that are being thrown along the banks of the wetlands after someone is walking their dog and picking up after it. Mr. Gentile stated that he has tried to see who is doing this but has not had any success. He asked the Supervisors if the area could be posted for littering or what help they might give. Mr. Gentile stated that he has gone to the Homeowners Association but was told the area is Manor Township property. Mr. Bauder asked Mr. Dickert if there was any type of waste containers available in this location. Mr. Dickert stated there are trash barrels at the park area but not at this specific location. Mr. Smith stated the Township will look into this. Mr. Breneman asked if these

bags are the ones that are being provided by the Township for picking up dog litter. Mr. Dickert stated the Township bags are green and the ones being thrown here in the picture are white.

Bonnie Miller, 113 Bent Tree Drive, stated she has been a long time resident of Woods Edge and now has concerns about decisions that the Board has been making and will be making concerning other communities coming into Manor Township. She expressed concerns that if she brought a large group of people in with her to support an issue, then the Supervisors would change their opinion to go along with them. She felt this happened when the 20 residents changed the opinion of the Supervisors in their decision to change the zoning classification of Wheatfields. Ms Miller stated that Stone Mill is currently zoned High Density Flex and in her opinion, the plan that was presented at the last MTPC meeting was a horrible plan. She noted through independent investigations, she finds that this area can be changed to Medium Density, if we have discussions with the developer and if we have discussions with the Board. Ms Millers stated if necessary she can bring 50 plus people in for discussions. Ms. Miller informed the Supervisors that they can go before the Agricultural Preservation Board and discuss Stone Mill Road, and she noted that she is hoping they will do that and request relief on this. Ms Miller also noted that there are three farms in the lower part of the Township, near the Conestoga Creek, that are currently zoned Rural and she is requesting that before any problems occur there, the Board rezone these three farms to Agricultural Zoning.

Old Business

Mr. May noted that the Rails Trails is a project he has been working on and he has received six valuation maps from Norfolk Southern showing our area of what we are trying to convert to the rail trail. He also presented a map showing Norfolk Southern holdings from Columbia down to Safe Harbor. Mr. May stated he has found an appraiser who will appraise this and the bridge, because this is something that is needed. Mr. Smith added that he did talk to the appraiser and he has indicated that we should have an appraisal back sometime in 2008. He stated they will help us set up what our needs are and when that occurs, we will be able to set up another meeting with Norfolk Southern for discussions.

Mr. May stated there are vacancies that will be occurring on some of our Boards in 2008 and we currently have received one resume. Mr. Smith stated a press release has been issued and it should be in the paper by the end of this week to request any interested people. Mr. May noted that some of the Boards may need two people to serve. Mr. Smith noted that the press release is a general appeal for any volunteers who want to serve on any of our boards.

New Business

Ordinance 7-2007 Changing Two Tracts from Rural Zone to Low Density Residential Flex Zone - Petition by Wheatfield Developers Mr. Smith stated this project has been going on over a course of time and this ordinance explains the request to change the Zoning Map through the Wheatfield proposal of going from Rural Zoning to Low Density Residential Flex. Mr. Smith noted that the ordinance has been properly advertised. He stated that they have received comments from MTPC and the LCPC, and after being reviewed both Commissions recommended against the rezoning. Mr. Jim Thomas, on behalf of the applicant Wheatfield Developers, stated the owner is Laverne Horning and Developers are David Charles and Vic Kicera. Mr. Thomas reviewed the history on the 133 acre tract zoned Rural, and stated that it is in the Urban Growth Area and is served by public water and sewer. He stated in 2003-2004 a petition was presented to rezone to High Density for a plan with an active adult community of 333 units, it met with great opposition

and it was withdrawn. In 2005 a petition was filed to rezone it to High Density Residential Flex for a planned community for 371 units and again it was met with much opposition and the plan was withdrawn. In 2007 there were alternative proposals filed. One to rezone to Medium Density Flex which would have included 230 units and another proposal with conditional use for a mobile home park that would have been 499 units. Mr. Thomas stated that after discussions, the applicant requested that the conditional use proceedings for the mobile home park be put on hold and changed the request to low density flex. Now only single-family homes can be developed with a total of 220 – 230 homes. Mr. Thomas stated we now have a compromise for this site, after hearings and the assistance of Mr. Ott, who has been very helpful, along with Mr. Smith, there have been productive discussions. Mr. Thomas noted that three of the seven members of the MTPC voted, and the final vote was 2-1 on the issue of the density. The LCPC based their decision on density also. Mr. Thomas noted that the final decision for this property lies in the hands of the Supervisors and noted that this land, because of the topography will never support the high density that the County and the MTPC would like to see. Mr. Thomas stated that the Supervisors had encouraged the residents and the developers to talk and compromise and that is what has been accomplished. Mr. Thomas went over several areas they worked out and asked the Supervisors to support this plan and move on. He noted that if this is approved and goes through then the plan would be that the conditional use application for the mobile home park will be withdrawn. Mr. May stated he is sensitive to the fact that both LCPC and MTPC have voted against this rezoning, however he does know that the topography on this tract of land is different and even includes some flood plain. Mr. May stated that if we did not rezone to Low Density Flex and did Medium or High Density, would the developer still do this. Mr. Thomas stated that this plan stated tonight is the plan that Charles & Kicera will go forward with, so it really would not make a difference. Mr. Bauder stated that this is not the only development proposed in this area. He stated LASA has already committed to extend sewer into Letort Development and that will bring new homes to the Letort area. Mr. Bauder felt this is a fair compromise and stated we already have a lot of high density along RT 462, along with Manor Oaks and Eagle Heights. Mr. Bauder also expressed traffic concerns. Mr. May noted that the Regional Comprehensive Plan states that the Township must have enough land available to carry the increase in population, which he believes we do have. Mr. Bauder noted proposed developments that are coming and feels this area supports what was agreed upon between the neighbors and developers. Mr. Kreider agreed with Mr. Bauder and stated he feels this will suit the rural area and feels the way this was worked out is what it is all about. In Mr. Kreider's opinion, it is their job as Supervisors to try to make peace with the people in the community and not just please the people on the commissions. He felt this area is rural and high density would be too much of a change for the neighborhood. Mr. Kreider also agreed with Ms Miller and there are other areas in the Township that are currently zoned rural and should be rezoned to agricultural so we can avoid problems like this in the future. Mr. Herr stated that he values the LCPC and the MTPC opinions however he also appreciates the way both sides worked hard to come to an agreement and he can support this. Mr. Breneman agreed but noted his biggest concern is that he does not like going against the MTPC decision.

Chip Trautman, 120 Stable Drive, stated he is in favor of the low-density proposal and he feels it was a reasonable compromise. He noted that recently the MTPC did state that high density really was not appropriate for this area and that is even more reason not to go back to the possibility of a mobile home park being located there. He felt this will minimize the negative impact of development in the area and he is in favor of this proposal.

Jackie Gumpper, 1005 Hearthstone Road, stated that the developers are proposing to put 220 to 230 units in this area anyway and the reason to rezone is to give a few restrictions and security.

Mr. Bauder stated that rezoning the tract will protect the area if the developer would choose to sell the land now and the new owner could go back to more homes.

Mr. Kreider made a motion to rezone and amend the zoning map for the requested two tracts of land from (R) Rural Zone to (RL1) Low Density Residential Flex Zone. Mr. Bauder seconded the motion, which carried unanimously.

Ordinance 8-2007 Restated Amended Uniform Construction Code Appeals Board – Mr. Smith stated there are two entities that want to become part of the appeals Board and because of this, it is necessary to change the ordinance and amend the agreement. The proposal is to change the ordinance and then deal with the agreement. Mr. Smith noted that LIMC took care of all the advertising requirements and necessary issues and it is presented tonight for the Boards consideration. Mr. May stated the addition is Strasburg Borough and Columbia Borough. Mr. Kreider stated that the existing Board is in agreement. Mr. Breneman made a motion to adopt Ordinance # 8-2007, seconded by Mr. Bauder. The motion carried unanimously.

Restated Amended Agreement for Uniform Construction Code Appeals - Mr. Breneman made a motion to adopt the agreement for the Uniform Construction Code and authorize the Chairman and Mr. Smith, secretary, to sign the agreement. Mr. Herr seconded the motion, which carried unanimously.

SALDO - Mr. May stated that the next four items are SALDO items. He explained that when Sub Division plans are brought in and approved, the final plan will later need signed by the Chairman of the Board and the Planning Commission. He noted that since the responsible people may not always be available, there is authority available to have these signatures delegated to someone else in the office. After some discussion, Mr. Bauder made a motion to designate Mr. Smith as alternate signatory for Mr. May, Chairman of the Board with Mr. Laudien designated if Mr. Smith is not available and also named Mr. Ott to be designated as the alternate signatory for the Planning Commission with Mr. Laudien designated if Mr. Ott is not available. Mr. Kreider seconded the motion, which carried unanimously.

SALDO – Richard Rohrer Final Plan Action Item – Mr. Smith stated plans have been received for a final subdivision plan for Richard D. Rohrer located on Forrey Road. He stated it has been reviewed by MTPC with a recommendation that the Board conditionally approve the final subdivision plan based on compliance with a letter from Rettew Associates. Mr. Smith listed the requested modifications as follows: 1) Plan Scale - A request for a plan modification to be presented at a scale of 200 feet equal to one inch in order to fit the entire deed plot on one sheet instead of the required maximum scale of 50 feet equal to one inch for the deed plot and Rettew recommends approval 2) Wet Lands – A request for relief in the wet lands study with Rettew recommending this request be denied noting at a minimum a wet lands study needs to be provided for the disturbed area of the proposed lot. Also noted in the letter is that any future construction upon lot 1 and lot 2 will require an approved wet lands study 3) Request for a modification for Farm Land Separation Distance where Rettew concurred that this modification should be granted. Mr. Smith noted the remaining issues are included on the plan itself. 4) Storm Water Management – Rettew has listed 12 comments and Mr. Smith is recommending they approve this contingent upon all 12 conditions being met upon the engineer's review of the storm water plan. Andrew Collier, Strausser Surveying, stated that they have withdrawn the request for Modification Section 403.6.E – Wet Lands Study and are providing a letter from the Environmental consultant stating that he has determined that there are no wetlands at the site. He also noted that they are providing a

letter from Mr. Dave Lockard, SEO for Manor Township, stating an exemption is within reason. Mr. Collier noted they are asking the Board for written verification of approval exempting Mr. Rohrer from providing a DEP Module. After some discussion, Mr. Kreider made a motion to approve the request for modification of requirement of maximum scale of fifty feet equal to one inch. Mr. Herr seconded the motion, which carried unanimously. Mr. May stated that the request for modification of the wetland study has been withdrawn. Mr. Breneman made a motion to approve the modification request for Section 507.3B for the farmland separation distance. Mr. Herr seconded the motion, which carried unanimously.

SALDO – Millersville Fire Company Time Extension - Mr. Smith stated that the Millersville Fire Company has requested that the Manor Township Board of Supervisors grant a time extension until March 10, 2008 so they can review the plan for the 3000 Blue Rock Road project. He noted they are requesting this extension for added time to address comments raised by the Township review engineer. Mr. Bauder made a motion to grant the time extension for Millersville Fire Company until March 10, 2008. Mr. Herr seconded the motion, which carried unanimously.

SALDO – Connie Schnetzka Final Subdivision Plan - Mr. Smith stated this briefing item is the final subdivision plan for Connie Schnetzka located on the N side of Shultz Rd at Franklin Rd. It consists of: lot 1 containing 2.2 acres and the remaining land, lot 2, 3.17 acres. He noted both will have on lot water and septic with Rural zoning.

SALDO – George & Linda Syder Final Subdivision Plan - Mr. Smith stated this briefing item is for George & Linda Syder, 216 Ironstone Ridge Road, and is a 2.11 acre tract proposing 2 lots, being lot 1 containing 1.183 acres with existing dwelling and garage and lot 2 will be .94 acre. He stated both lots will have public sewer and water and are zoned Low Density Residential.

2008 Budget – Mr. Smith stated that the 2008 Budget has been properly advertised and has been available for review. He noted there have been previous work sessions and feels they have been very productive. Mr. Kreider thanked the Staff and all involved in the work sessions and agreed they have been very productive and he is comfortable with this 2008 Budget. Mr. Herr stated that each department has provided good projections for the next 5 to 10 years and this has been a big help in preparing the Budget. Mr. May asked if the amount to the public library has been increased over the years. Mr. Smith stated yes. Mr. Breneman made a motion to approve the 2008 Budget that has been presented. Mr. Herr seconded the motion. Mr. Bauder stated that he would like to see a comparison of the past year and this year. Mr. Smith stated they can make that available. Mr. Bauder stated he feels this give an appreciation of how things have increased, like health care. Mr. Jim Huber, 113 Shannon Drive, asked if a copy of the budget is available and if the comparisons were available in the work sessions. Mr. Smith stated yes the budget is available in the office. Mrs. Bonnie Miller, 113 Bent Tree Drive, commented on the projections that were made for the next 5 to 10 years for the budget. Mr. May stated it has been moved and seconded to adopt the 2008 Budget and called for the vote. The motion to pass the 2008 Budget carried unanimously with a 5-0 vote. Mr. Breneman stated there are two large items listed in the 2008 Budget. One is a tractor and one a dump truck. He noted that prices for 2008 will probably increase and if we would lock the prices in now for the equipment, and take delivery for 2008, we could save money. Mr. Harris stated they have done that in the past and feels it would be a good thing to do again, noting that he was going to recommend that in his report. After some discussion, Mr. May made a motion to issue letters of intent for both, the tractor and the dump truck, to be purchased with delivery for 2008. Mr. Breneman seconded the motion. Mr. Kreider asked if anyone looked into comparative prices on these purchases. Mr. Breneman noted these are state contracts prices. Mr. Harris stated yes, we have met with several vendors to compare everything

and at this time the best way for these items to be purchased is to go with the State contract. Mr. Herr explained several ways that the state purchases work and stated he would not vote on this motion because of a conflict of interest. After calling for the vote, the motion carried with a 4-0 vote noting that Mr. Herr abstained.

Street Light Tax – Mr. May stated that the Manor Township Street Light Tax is still on the books and has not been repealed. He noted that we do need to have a motion that would reflect not collecting the tax for 2008 or they would be in violation of their own ordinance. Mr. Bauder stated that this would mean the ordinance stays on the books, but we are not collecting it at this time. Mr. Smith stated that he felt this is the proper way to address this because the budget does not include the street light tax. He noted that the motion would omit it for a time frame and does not repeal the ordinance. Mr. May made a motion not to collect the Manor Township Street Light Tax for the period of January 1, 2008 thru December 31, 2008. Mr. Kreider seconded the motion, which carried unanimously.

Agreement of Sale – Mr. Smith stated this purchase is for the property located behind the Manor Township Maintenance Building, know as the KL Smith property. He stated that Township Code requirement is for two appraisals, one from the Township and one from the landowner. Both have done that and have agreed on a price of \$135,000 being an average of the two. Mr. May questioned the transfer tax for the sale of the property and if a Municipality is exempt from that tax. Mr. Smith stated he will make sure he checks into the transfer tax at settlement. Mr. Smith stated this is a valuable property for the Township to purchase because of storage. Mr. Bauder stated that the Township has already been using some of the property for years. Mr. Smith agreed and stated that there was an agreement worked out with the owner for use of that property. Mr. Herr made a motion to execute the agreement of sale for the KL Smith property for \$135,000. Mr. Breneman seconded the motion, which carried unanimously.

Promotions to Sergeant – Mr. May noted information from Chief Graeff for the promotion of two Sergeants. He stated that the Chief has provided the backgrounds, schooling and qualifications of the two top candidates for the positions. Mr. May asked Mr. Smith and Chief Graeff if they would like to address this. Mr. Smith stated he would like to address this, noting that there are no questions about the process or the qualifications of the applicants. He stated that at the past work session that was held on the police department the original request was for three sergeants and the Board determined that they would consider two promotions to patrol sergeants. Mr. Smith stated that the Chief has indicated his two recommendations and as the Manager of the Township, Mr. Smith stated it is his recommendation to approve the promotion of Officer Gundel effective January 1, 2008 and the seconded promotion for current Detective Jim Alexander, he is suggesting that they hold that promotion pending the replacement of him in the detective division. Mr. Smith noted that there are only two detectives, Jim being one, and the Chief has indicated that he has intentions of reassigning one of our patrolman to that position, however Mr. Smith stated that he would want Jim to be there for a period of time, until the Township is comfortable that the replacement is adequate. Mr. Smith noted that whether it would be a couple weeks or a couple months, it would be determined by the Chief's evaluation and the delay to sergeant would not be intended to say that Jim is not competent or worthy to be promoted to Sergeant of Patrol, it is a matter of using our resources. Mr. Bauder asked if they could just approve the two positions of sergeant and have a constraint on the time. Mr. Smith stated he would be uncomfortable with approving the position without approving an actual starting date and added that the positions of sergeants do exist, so you would not be creating new positions, just approving the people to fill those positions. Mr. Smith stated he is uncomfortable stating that Jim Alexander is promoted to

sergeant without a specific starting date and feels it is not prudent on the part of the Township to promote him to sergeant while he would continue to work in the detective division until we promote him to sergeant of the patrol division. Mr. Bauder asked Mr. Smith if he would want to hold off on the promotion for Detective Alexander but promote Officer Gundel. Mr. Smith stated yes until the Chief would get back to them assuring the detective unit is staffed. Mr. May made a motion to approve the promotion of Carolyn Gundel to the position of Sergeant, effective January 1, 2008. Mr. Bauder seconded the motion. Chief Graeff stated that he respectfully disagrees with Mr. Smith, as he had told him in their discussion earlier. Chief Graeff stated that the reason he disagrees is that he does not see where promotion of a detective has anything to do with this promotion of sergeant, and that even with Mr. Smith's explanation, he really disagrees with the analogy of it. Chief Graeff felt Detective Alexander could be promoted to sergeant whether he remains where he is for three weeks or three months noting if he left or retired, there would not be anyone in that event either. He stated in his opinion, you should not hold up one promotion for another promotion. Mr. Bauder asked if Detective Alexander would be performing both functions. Chief Graeff stated that part of this problem is that in the beginning he asked for three sergeants and the Board agreed on two. He explained that his plan had been for two patrol sergeants for 12 hour shifts and one detective sergeant for administration and detective work. The decision agreed upon by the Board was for two sergeants both on patrol, and he respectfully disagrees but accepts that decision, however they have not gone to 12 hour shifts and stated it does not seem like they will be doing that anytime soon because they have not received anything back from the attorney for improvements on the MOU. Chief Graeff explained that since the change in shifts is not taking place right now it would give time for training, however, Chief Graeff explained that he still feels the department needs to have one more patrol sergeant and one detective sergeant position. He is not asking that Detective Alexander be promoted to detective sergeant but he is asking to have two people promoted to sergeant, one will do patrol and one will do detective and then once the detective unit gets going, he will go to patrol. Mr. May asked if Chief Graeff wants both sergeants to be effective January 1, 2008. Chief Graeff stated yes. Mr. Bauder asked if Mr. Alexander will ultimately then be a uniformed officer and the Chief stated yes. Mr. Kreider stated that since we are not forced to make this move tonight, he would like 30 days to talk to Mr. Smith and discuss this discrepancy between Management and the Chief. Mr. May agreed. Mr. Bauder stated that if this promotion is delayed for Detective Alexander tonight, it will affect his salary and if he was anticipating this change for January 1, 2008, it may be a problem and he would like to avoid any problem. Mr. Breneman asked Chief Graeff if Detective Alexander would be able to be a patrol sergeant and make the transition with a new person. Chief Graeff stated that in his opinion Detective Alexander can do this and he actually feels this type of transition may be better. Mr. Bauder felt there should not be any delay because of the budget and a delay may also cause some antagonism. Mr. Smith stated that this is not an entitlement; it is a use of manpower as you deem it to be necessary. Mr. Herr expressed concerns with a possible void in the detective unit and being able to adequately cover the training. Chief again stated he feels it can work adding that there is going to be a transition period for anyone that gets promoted. Mr. Smith agreed but again stated that his position is that in the work sessions the promotion was for patrol sergeant and he sees it being a cleaner break once they are convinced that the detective division is adequately staffed. He stated at that point the transition is a clean break, you become a patrol sergeant and you are no longer involved in the detective division, just a difference of opinion in making this occur. Mr. Breneman noted that it was stated that there will be a 6 or 12 months probationary period and he would like to see that set at 12 months. Mr. May asked if we could address this at the January 7,

2008 meeting and make it retroactive to the 1st of January. Mr. Smith stated you could. Mr. Bauder stated he would consider promoting one and table the other if we could make it retroactive to the 1st of January. Mr. Breneman stated that the candidates have gone through the process and he disagrees with Mr. Smith that we should wait for Det. Alexander and he has a problem splitting the promotions. Mr. Herr agreed.

Joan Matterness, 213 Sutherland Road, stated that she was present at the meeting where they welcomed this new chief as a member of the police force and at that time the Board showed a great deal of confidence in his ability to perform in the position they appointed him to. She stated that she also attended the budget meeting where the Chief told the Board what he would like to do with his force, requesting three sergeants, what he felt was needed. She noted that even though he was not granted everything he asked for, he is now presenting what he can do with what was granted. She stated that in her opinion it is time to stand behind the Chief and show him the confidence they have in him by letting these promotions occur. Ms Matterness also stated that making one promotion and not the other will do nothing for moral in the department and she felt it would be very unfair to the other person in this position. She felt granting these promotions would be a good moral booster for the police force who in her opinion does a very good job for Manor Township.

Mr. May stated the motion on the floor, made by him, was to promote Officer Carolyn Gundel to Sergeant, effective January 1, 2008. Mr. Bauder seconded the motion. By vote, the motion carried unanimously.

Mr. Breneman made a motion to promote Jim Alexander to Sergeant effective January 1, 2008 and allow Chief Graeff to decide when the transition should occur as he feels the replacement for detective is ready. Mr. Laudien stated that he feels the Board should take into consideration that with the approval of this motion and the promotion there will be financial consequences. He stated that he would assume that the Police Union will take the position that once the promotion is granted then that is when Detective Alexander will receive his pay raise as a patrol sergeant which is substantially greater than his salary as a detective. Mr. Breneman stated that his motion is that the promotion for Det. Alexander will be effective January 1, 2008 and the Chief will determine when the duties are 100 % to patrol. Mr. Kreider stated that Mr. Laudien is making the point that the Police Union will say he gets the pay increase when he is promoted while he will still be active in the detective unit. Mr. Breneman stated he knows that and the motion is for the promotion to be January 1, 2008. Mr. Bauder stated that it had been included in the budget for January 1, 2008. Mr. Bauder seconded the motion to promote Jim Alexander to Sergeant effective January 1, 2008. The motion carried with a 4 – 1 vote, with Mr. Kreider voting no.

Mr. Breneman made a motion that there be a probationary period for both promotions of Sergeant for one year. Mr. Herr seconded the motion, which carried unanimously.

Letter of Credit – Penn Manor Mr. Smith stated they have received a request to release the Penn Manor Maintenance Building Letter of Credit. Mr. Smith stated they have met their obligations along with the time frame and he is recommending the Supervisors authorize the release of Penn Manor School District Letter of Credit Fulton Bank No. D003842. Mr. Bauder made a motion that Letter of Credit #D003842 be released for the Penn Manor School District. Mr. May seconded the motion, which carried unanimously.

Crossgates Phase VII Letter of Credit – Mr. May stated this is an Improvement Guarantee reduction for Crossgates Phase VII. He noted it is Fulton Bank Letter of Credit No D003971 currently for \$1,396,749.45. Mr. Smith stated that the applicant has completed the necessary items as listed and has requested a reduction of \$680,413.14 leaving a balance of \$716,336.31. Mr. Herr

made a motion to reduce the Letter of Credit for Penn Manor School District No.D003971, which leaves a balance of \$716,336.31. Mr. Breneman seconded the motion, which carried unanimously.

Humane League Fees – Mr. May stated that the charges for picking up dogs and taking them to the Humane League have increased greatly. He noted the fees, for the Township need to be changed to cover Township expenses, which do not at this time. After some discussion, Mr. Strohecker stated the fee at the Humane League is \$100 if we take the dog there and \$120 if they pick it up. Mr. Bauder asked how many dogs we handle. Mr. Strohecker stated there are approximately 40 to 45 dogs a year and Mr. Strohecker added that we also get charged when any Manor Township resident takes a dog to the Humane League. Mr. May made a motion to change our rates to be the same as the rates of the Humane League, seconded by Mr. Herr. The motion carried unanimously. Mr. Smith noted that this change in amount is simply to cover the costs we are being billed by the Humane League.

Drafting Ordinance for Care and Boarding Dogs at Large – Mr. May noted that this ordinance is for the care and boarding of dogs when a stray is picked up by police. Chief stated he has a sample ordinance that would basically allow us to get some of the Township loses back. He noted that right now they are getting a quarterly bill from the Humane League for \$1,000 to \$1500 and we are paying this. We want to be able to try to get some of this money back and the ordinance may help us do that. Mr. Smith stated the ordinance would also allow for a boarding fee and a license for the kennel. Chief stated that law only allows a charge of \$15.00 for the seizure of a dog, but we can get all reasonable expenses back with this. The Board agreed to forward this information to Tom Goodman to draft an ordinance. Mr. Herr suggested keeping the fee at the upper end of the scale so we don't have to change it any time soon. Chief Graeff also reminded the Board that any time a dog call comes in and that officer responds, it takes at least two hours that the officer's time.

Drafting a Noise Ordinance – Mr. Smith stated we have had communication from some residents about having a noise ordinance. He stated that we have some information, but for Staff to move forward they would like direction from the Board to state what they might want included in a noise ordinance. Mr. Breneman stated that in his opinion it should not just be a noise ordinance but an ordinance that includes noise along with nuisance things other than just noise, like barking dogs and radios. Mr. Breneman noted sample ordinances as a reference. Mr. May agreed and stated that the City has passed an ordinance that they might want to look at. Mr. Bauder had concerns with neighbors complaining about each other in high-density areas. He does not want to see our police being called to a lot of little things for no reason but he is not sure how you determine between things that need attention and normal noise like farming operations. Mr. Smith stated we do have to be specific if we do this and it will be difficult. After some discussion, Mr. May asked Chief Graeff if he has dealt with this. Chief Graeff stated he has and this type of thing can be good if crafted correctly but agrees with Mr. Smith that we need to be very careful to find the balance for it. The Board decided that it would be best to have Staff, Chief Graeff and the Solicitor draft something and present it to them for review so they would have a starting place.

Act 14 Notification Meadow Lane Dairy – Mr. May noted this is a notification for the Rohrer Dairy Farm informing the Township that they are applying for a General NPDES Permit for storm water discharges associated with construction.

Act 14 Notification Turkey Hill Dairy – The Township has received notification that Turkey Hill Dairy is applying for an application under the National Pollutant Discharge Elimination System (NPDES) to allow for the construction of a water supply pipeline.

Title 25 Notification Armstrong World Industries – Mr. May noted this is notification that Armstrong World Industries, Inc. has submitted an application to DEP for renewal of a State Only Operating Permit for the Corporate Campus in Lancaster, PA.

Correspondence

DCED Grant – Mr. Smith stated we have received notification from DCED that the agency has approved our grant application request in the amount of \$36,000 for the Police Technology Enhancement Project for the police computers. Mr. Smith noted that the notification indicates that they will make a press release within the next six weeks. Ted Gingrich asked how many computers this would be. Chief Graeff answered that it was for 11 computers.

PA Drug Education and Law Enforcement Grant Award for DARE - Mr. May acknowledged that they had received and signed the Dare Grant.

Traffic Commission Report

Chief Graeff reported signs approved at last months meeting were posted and there was a thank you letter from Susan Whitney for a driveway sign on Owl Bridge Road. He stated under new business there was a request from the O'Donoghues, for signs to be posted near the wetlands along Hershey Mill Road, because of trash and people pulling out the trees. Chief Graeff noted that Mr. Breneman was going to inquire what type of signs they would like. Mr. Breneman stated he did talk to O'Donoghues and informed them that the area has not been dedicated yet and Mr. Breneman also noted that the Manor Township Police did apprehend the person that was causing the speeding problem on Owl Bridge Road where the Whitney's requested the sign. Mr. Smith noted that requests for signs like the wet lands are actually for administrative and zoning as a regulatory sign decision and not the traffic commission.

Police Report

Chief Graeff noted information on the MA Com. Radio to keep the Supervisors updated and stated there may be people soliciting businesses in the Township for contributions to aid the Safety Programs they are planning for the Elementary Schools. He stated that he has submitted his monthly report and added that the officers have handled 15, 043 telephone and radio calls and 3525 complaints for a total number of incidents for the year at 18,568. He noted that the Dare Program is in progress again. Mr. Bauder asked about an article he saw in the newspaper stating vehicles being broken into. Chief Graeff stated that Gary Strock handles all press releases.

Road Foreman's Report

Mr. Harris stated his report has been submitted. He noted that leaf collection will be extended into the next week for one final collection and stated this past week they did collect 148 loads of leaves. He added that the leaf compost site will be open for drop off of leaves the week of the 17th.

Park & Grounds Maintenance Report

Mr. Dickert noted his report has been submitted and added that there has been an excessive amounts of cardboard being dumped off at the Manor Township Community Park collection site. He stated that during the months of December and January they will increase the pickup from twice a week to three times a week. Mr. Dickert stated that there has been a problem with other items being dumped off and this past week he has had to clean up kitchen cabinets, countertops and rolls of carpet. He noted that today there was a box of books and a refrigerator. Mr. May noted

that he did drop cardboard off and noticed the mess and stated that our maintenance people should not have to be cleaning up this type of thing. Mr. Bauder asked what the cost for this service is. Mr. Dickert stated it is \$240.a month. Mr. Bauder stated this is an expensive service and noted that when he has a pile of cardboard, he takes it to Columbia where he can dump it for nothing. Mr. Kreider stated that the Recycle Committee went to a lot of work to develop this program for residents and he thinks it is a good program. Mr. Bauder asked if there was a better way to do this. Mr. Dickert stated they have looked into having a weekend pickup but they don't pick up on weekends. After some discussion, all agreed this is a good program but not sure how to stop the abuse from the public. Mr. Laudien stated it is generally a good program and they hope this week is an isolated problem. John Gentile, 304 Stone Creek Road, stated he uses the program and noted a problem with people not breaking down the boxes also.

Assistant Managers Report

Mr. Laudien stated that the Park and Open Space Plan has moved from its data collection phase to some projection work in areas where they anticipate recreational needs hoping to complete that study by next summer. He noted that they are beginning preliminary work for the 2010 census.

Township Managers Report

Mr. Smith stated his report has been submitted. Mr. Smith stated that he wanted to inform the Supervisors that he has agreed to be an instructor at several PSATS classes and it is not in conflict with his work for the Township since all the classes are on Saturdays. Mr. May stated that is not a problem.

Building Permit Report

Mr. Kreider read the Building Permit Report stating there were 26 permits for the month of November with the year to date total at 391.

There being no further business, Mr. Breneman made a motion to adjourn the meeting at 9:45 PM. Mr. Bauder seconded the motion, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary
Rita J. Young

Manor Township Supervisors Meeting

December 7, 2007

Time 9:05 AM

Chairman John May called the meeting to order at 9:05 AM in the Manor Township Municipal Building, 950 West Fairway Drive. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: John May, Allan Herr and L. Allen Kreider.

Members absent: Jay Breneman and Richard Bauder.

Staff present: Barry Smith

Mr. May stated that this resolution is being passed in accordance with the purchase of land that is adjacent to the Manor Township Maintenance Building, 3577 Blue Rock Road, Lancaster, PA.

Mr. Smith stated that this is Resolution No. 19-2007. This resolution is accepting a deed in lieu of condemnation for property owned by Kathy L. McClune, F. Scott Smith, Debra Lynn Farmer and Susan S. Stoeckl. Mr. Smith noted that passing this resolution will also authorize him to have settlement and executed the necessary paperwork for the purchase. Mr. Smith stated that, this property was owned by KL Smith and he recommended adoption of this Ordinance #19-2007.

Mr. May made a motion to adopt Resolution #19-2007 accepting the deed in lieu of condemnation for property owned by Kathy L. McClune, F. Scott Smith, Debra Lynn Farmer and Susan S. Stoeckl and authorize Mr. Smith to execute the agreement of sale. Mr. Herr seconded the motion, which carried unanimously. Mr. Smith noted that he will take this to the Township Solicitor to execute the sale before December 31, 2007.

There being no further business, Mr. May made a motion to adjourn the meeting at 9:10 AM. Mr. Kreider seconded the meeting, which carried unanimously.

Respectfully submitted,

Barry Smith
Secretary – Treasurer

Recording secretary,
Rita J. Young

Planning Commission
01/08/07

DRAFT MINUTES Manor Township Planning Commission Minutes
Monday, January 8, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, January 8, 2007, at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag. Members Present: John Ahlfeld, Donald Witmer, Mary Glazier, James Henke, Beth Herr and Scott Haverstick. Member Absent: James Miller Visitors Present: Glenn & Rosemary Hess, 833 Central Manor Rd. Roy F. Enterline, 857 Central Manor Rd. Duane Hess, 175 Carol Dr. John May, 100 Red Fox Rd. Jim Huber, 113 Shannon Dr. Glen & Joyce Rohrer, 3392 Blue Rock Rd. Jim Harnish, 768 Central Manor Rd. Allen Kreider, 141 Supervisors Rd. Kenny Shertzer, Lancaster Elaine Jones, LNP Matthew J. Crème Jr., 212 N. Queen St. Dawn & Jenna Hess Mike Denlinger, 619 Donerville Rd. Bonnie Miller, 113 Bent Tree Dr. Korte Shearer, 809 Central Manor Rd. Jay Funk, 3591 Blue Rock Rd.

Public Comment There was no public comment.

Re-organization Mr. Ahlfeld stated the Board of Supervisors appointed Scott Haverstick for another four-year term. Mr. Haverstick made a motion to elect the current officers again. Beth Herr seconded the motion and the motion carried unanimously. The meeting dates are the second Monday of each month with the exception of October when the meeting will be the second Tuesday.

Minutes Ms. Herr made a motion to accept the minutes as presented. Mr. Witmer seconded the motion and the motion carried unanimously.

Old Business Rezoning Request J. Glenn Hess & Rosemary Hess for Property at 833 Central Manor Road & Roy F. & Evelyn A. Enterline at 857 Central Manor Road - Petition to rezone two tracts of property totaling approximately 9.3 acres located on Central Manor Road in Manor Township, Lancaster County, Pennsylvania from agricultural to local commercial. The Commission needs to review and submit comments to the Township Supervisors.

Zoning Ordinance Amendment - Amendment to provide for automobile, boat, trailer, truck, farm machinery, and mobile home service and repair facilities, including but not limited to auto mechanics, drive-thru lubrication services and tires, auto paint, brake muffler, transmission windshield, auto body, car radio and upholstery shops as a special exception use in the local Commission needs to review and submit comments to the Township Supervisors. Mr. Ahlfeld stated that a letter was received from Attorney Crème asking that action be taken on the petition to rezone but not act on the zoning ordinance amendment. Mr. Crème stated that the comments they have heard are all favorable to the rezoning but the use being asked to apply to that district is a little too broad. Mr. Crème stated they are asking the Commission to recommend to the Supervisors that the rezoning petition be granted and that would permit them to move ahead as scheduled and advertised for the 5th of February Supervisors Meeting. The Applicants will come back to the Planning Commission for further discussion on petition to amend to look at a differently described and defined use. Mr. Ahlfeld stated a letter was received from the LCPC with their recommendations. Mr. Ahlfeld felt the letter causes some confusion, because it indicates the decision for rezoning is contingent upon what is done with the text amendment. The letter suggest the best alternative is to consider revising the definition of farm related businesses, in which case, no rezoning would be required. If that type of text change is not going to be made, then they recommend rezoning but to be consistent with the changes that need to be made to the

Comprehensive Plan and Zoning Ordinance to expand the purpose of the Local Commercial District. Ms. Glazier raised the question if it makes sense to rezone the property to local commercial without looking at what local commercial uses are going to include. Ms. Glazier asked if the Commission could look at the local commercial zoning and make some recommendations tonight about what that district should include. Ms. Glazier stated that she feels more comfortable with the rezoning than changing what the agricultural district provides in terms of its uses. Mr. Ahlfeld asked for clarification as to what the applicants do on their property at the present time and what they want to do in the future. Mr. Crème stated that within the framework of the Township Ordinance there were two categories into which they could have gone. One was the use presented and the other was the use permitted in the Village District, which is an automobile service and repair facility. Both uses are subject to Section 407 criteria on how they can be established. The difference between the two uses is the scope of the use. It was the applicants feeling, that the automobile service and repair facilities is a little more narrow than what the Hesss propose to do, which is essentially provide a service that supports both farm uses and suburban uses. The petition presented is broader and captured all of the services that the Hesss supply but is broader than what the Hesss actually do. They do not do paint and bodywork. They do lubrication but do not do drive-thru lubrication. Mr. Crème addressed the suggestion of the Planning Commission that the Township look at this as a farm support businesses and avoid the need to rezone. Mr. Crème stated that he felt that approach is perhaps a lot broader than what is necessary for the Hesss and perhaps broader than what they would want to see the Township do. There is much more agriculturally zoned land than local commercial zoned land so the impact of that kind of decision would be much more pervasive in the Township and Mr. Crème stated that he feels that use is one that does require a great deal of analysis and understanding of what the current economic circumstances are for farmers in Manor Township. Mr. Crème stated that what is happening in places that are considering these type of operations as a farm support business in their Comprehensive Planning, is that it includes not only what the farmer might be able to do but who he may employ, how many employees, etc. Duane Hess described the services they now provide and what they would like to be able to do. The vehicles worked on could be working vehicles on a farm not necessarily farm equipment. They would continue to work on farm equipment. Mr. Crème stated that it may be better for them to create a third use that is somewhere between automobile service and repair facilities and the use they proposed that pick up some of the work vehicles. Mr. Crème stated that for this petitioner they are not proposing something that is going to change what they are doing but bring what they are doing into compliance with the Township Ordinance. It really is a combination type service for both the agricultural community and the suburban community. Ms. Glazier asked if it would not be sufficient to say that within the Local Commercial Zone, this Section 407 use does not include drive thru lubrications, etc. Mr. Crème stated that might be an approach to address the criteria in Section 407. Mr. Crème stated that the principle reason they are asking the Commission to defer is a procedural one. When something is presented to the Supervisors for enactment as legislation it needs to be advertised and processed in a particular way and both Mr. Goodman, the Township Solicitor, and myself are concerned that they cannot clearly define how far the Supervisors can go amending something that has been advertised before it violates the process. Mr. Haverstick asked if Mr. Crème had considered dividing the property and allowing the rezoning on only a portion of the property. Mr. Crème stated that it presents challenges. Mr. Crème stated that as a profession, they do not like split zoned lots; so in order to avoid having a single lot with different zonings, the alternative is to subdivide it along a proposed zoning line and that is not an

attractive proposition. Mr. Ahlfeld stated his concern is the future when the Hesss no longer own the property or live on it. Mr. Ahlfeld stated that they are enlarging the very small local commercial area to a size where it could accommodate a center with a bank, Turkey Hill, etc. and at some point down the road peoples ideas change and properties are sold. Ms. Glazier stated that when she drives in the area it looks commercial to her. Mr. Ahlfeld stated that he feels it is a wonderful preserved agriculture area. Mr. Crème stated that his clients were advised that the property was commercial and then it was rezoned to agriculture. Mr. Witmer asked if nine acres is out of line to be zoned local commercial setting where Central Manor is and with the storage facilities across the street. Mr. Witmer stated that he does not feel it is all-bad to have this commercial area. Mr. Henke asked if there is any case law that would allow a rezoning but before that occurs the owner would self impose a deed restriction either for the size of what they do or the area that the expansion can occur on with the rest of it being held in preservation state. Mr. Crème stated actually what they are doing is because of the absence of case law. The case law prevents contract zoning whereby the municipality tries to agree with property owner on certain things that become a condition of the rezoning but voluntarily and proactively deed restricting the property in anticipation of a favorable decision is something that is happening but in the absence of case law. Mr. Henke explained his thoughts regarding his question. Mr. Crème stated that the question is what is appropriate. Bonnie Miller, 113 Bent Tree Drive, asked if the letter from the county does not mean a specific use and why the Commission does not consider doing that and move on. Mr. Ahlfeld advised Ms. Miller that the LCPC letter suggested two possibilities with regard to text and explained what is before the Commission. Allen Kreider, 141 Supervisors Road, stated that he is speaking as a neighbor and commented that there are other garages that have been grandfathered in the general area. He does not see in the future gas stations because they depend on food sales and a Sheetz is not going to build in that area. Mr. Kreider stated that there are other garages in the area doing the same kind of work who will not be there forever and it seems to him, as a neighbor, that he prefers it be kept as it is now. Mr. Ahlfeld stated rezoning to local commercial would not accommodate what they want to do until the text of local commercial zoning is revised. Mr. Ahlfeld read the permitted uses and the uses through special exception in the local commercial zone. Mr. Haverstick stated that maybe the Commission should start with the things they do not want and that mainly seems to focus around a body shop. Mr. Crème stated that he has spoken to the Hesss and they think the best thing to do is allow them to come back to the Planning Commission in February with a more precise proposal on the petition to amend. Mr. Crème stated that he does like Ms. Glaziers suggestion of looking at Section 407 for the criteria and perhaps narrowing it up by the zoning district and then ask the Commission to consider the rezoning petition and the petition to amend at that time. Mr. Crème stated that they are requesting action be delayed until next meeting. There were no objections to delaying action.

Other Business Annual 2006 Report Mr. Ahlfeld stated Mr. Ott has provided a draft annual report that is a compilation of the minutes from last year with a summary of all the material they covered. Mr. Ott stated the Supervisors have been supplied with a copy of the report.

Correspondence Ms. Glazier stated there was an interesting article in the Township Planner regarding sign ordinances. A letter from the LCPC dated December 12, 2006 was received approving a 60-day waiver of time for the Peter J. Alecxih Plan. A letter from the LCPC dated December 12, 2006 was received that acknowledged unconditional preliminary plan approval for the Manor Boulevard Plan. A letter from the LCPC dated December 15, 2006 was received regarding the Hampilos Project stating that at their regularly scheduled meeting on July 10, 2006,

the Manor Township Planning Commission reviewed the latest proposal for the Hampilos Project. Proposal showed two proposed points of access onto Walnut Hill Road. Mr. Miller, from RGS Associates, was seeking the opinion from the Commission whether Walnut Hill Road was a local or a collector road. Commission considered various issues including speed limit and determined Walnut Hill Road is a local road and as such the design submitted would not require relief from the SDLDO for intersection separation. The LCPC supported the decision. A letter was received from Mark Stivers introducing himself to the Commission as their new liaison with the LCPC. Ms. Glazier reported that she received correspondence from the Borough of Columbia and was not sure what it was for. Mr. May stated that he contacted the Borough of Columbia and they are sending out a follow up on the correspondence.

Mr. Haverstick stated he appreciated Danny Whittles work and stated he has been a wonderful coordinator for the Manor Township Planning Commission. The Commission members agreed with Mr. Haverstick.

Mr. Ahlfeld stated that he expects the LIMC to get the final draft of the Regional Comprehensive Plan within the week and will be circulating it to Municipal Planning Commissions among others. Mr. Ahlfeld stated he would be asking the Township how many hard copies and CD copies are needs. Mr. Ahlfeld asked the Commission members to let Mr. Ott know what each member preferred for review.

Ms. Miller asked how the Comprehensive Plan was going. Mr. Ahlfeld stated that the consultants are finishing revisions to address the final comments that the Steering Committee presented. The final draft is expected electronically within the week and will be distributed to municipal elected officials, municipal planning commissions, contiguous municipalities, school districts and the County all of which must get copies. They will either have an opportunity to submit comments or each local planning commission will have a public meeting and each local governing body will have a public hearing. Ms. Miller asked approximately when it would be ready to go to be adopted. Mr. Ahlfeld explained the procedure that is followed before adoption takes place.

There being no further business the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

02/12/07

Manor Township Planning Commission Agenda

Monday, February 12, 2007 Time: 7:30 P.M.

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Public Comment

5. Approve Minutes of January 8, 2007 meeting

6. Old Business Rezoning Request J. Glenn Hess & Rosemary Hess for Property at 833 Central Manor Road & Roy F. & Evelyn A. Enterline at 857 Central Manor Road - Petition to rezone two tracts of property totaling approximately 9.3 acres located on Central Manor Road in Manor Township, Lancaster County, Pennsylvania from agricultural to local commercial. The Commission needs to review and submit comments to the Township Supervisors. Continued from the January meeting.

Zoning Ordinance Amendment - Amendment to provide for automobile, boat, trailer, truck, farm

machinery, and mobile home service and repair facilities, including but not limited to auto mechanics, drive-thru lubrication services and tires, auto paint, brake muffler, transmission windshield, auto body, car radio and upholstery shops as a special exception use in the Local Commercial zone of Manor Township, Lancaster County, Pennsylvania. The Commission needs to review and submit comments to the Township Supervisors. Continued from the January meeting.

7. New Business Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of Undeveloped land and equitable owner of a plus/minus 10 acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. The planning Commission will be briefed on this rezoning tonight.

Crossgates Phase VII Revised Final Plan & Three Meeting Waiver Request The purpose of the revised final plan is to add 858 acres of the Crossgates Golf Course, consisting mostly of a proposed pond, to the residential area of Crossgates Phase VII and to create a pedestrian easement over lots 46 through 59 as depicted on the previously recorded final plan for Crossgates Phase VII, recorded in Plan Book J-227, page 98. The new lot will be a designated Open Space lot. No new streets or other lot revisions are proposed. The applicant is requesting a three meeting delay waiver. The planning Commission needs to review and make recommendation to the LCPC and act on the waiver request.

Minor Subdivision Plan Norman & Verna Shertzer The property is located at 530 Habecker Church Road. The plan proposes to subdivide 1.18 acres of land from the parent tract in a flag lot configuration. The lot is served by on-lot water and septic and is contained on the subdivided lot. The property is located in the Agricultural (A) Zoning District. The Planning Commission needs to review this plan and make recommendations to the LCPC.

8. Other Business - Regional Comprehensive Plan Update Formal Planning Commission Public Meeting on March 12th. - Community Planning Workshop March 8, 15, 29 - Correspondence

9. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, February 12, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, February 12, 2007, at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag. Members Present: John Ahlfeld, Donald Witmer, Mary Glazier, James Henke, James Miller and Scott Haverstick. Member Absent: Beth Herr Visitors Present: See attached sign in sheet.

Public Comment There was no public comment.

Minutes Mr. Haverstick made a motion to approve the minutes as written. Mr. Witmer seconded the motion and the motion carried with Jim Miller abstaining.

Old Business Rezoning Request J. Glenn Hess & Rosemary Hess for Property at 833 Central Manor Road & Roy F. & Evelyn A. Enterline at 857 Central Manor Road - Petition to rezone two tracts of property totaling approximately 9.3 acres located on Central Manor Road in Manor Township, Lancaster County, Pennsylvania from agricultural to local commercial. The Commission needs to review and submit comments to the Township Supervisors. Continued from the January meeting. Zoning Ordinance Amendment - Amendment to provide for

automobile, boat, trailer, truck, farm machinery, and mobile home service and repair facilities including but not limited to auto mechanics, drive-thru lubrication services and tires, auto paint, brake muffler, transmission windshield, auto body, car radio and upholstery shops as a special exception use in the Local Commercial zone of Manor Township, Lancaster County, Pennsylvania. The Commission needs to review and submit comments to the Township Supervisors. This is continued from the January meeting. Mr. Crème stated they are present with two petitions. The petition to rezone is unchanged and Mr. Crème reviewed the revised petition to amend the zoning ordinance. Mr. Crème stated Section 407 of the Ordinance at this time addresses two levels of intensity when it comes to automobile service and repairs. They are suggesting that the automobile service and repair facility permitted in the general commercial zone is the more intense of the two. The automobile service and repair facility which is permitted in the Village zone is the lesser intense of the two and what they attempted to do is to slot an automobile repair use, a new use, in between the listed two uses that has a medium intensity use. It would be called limited automobile, trailer, truck and farm machinery service and repair facilities and would be permitted by special exception in the local commercial zone. It would be subject to all the same criteria of 2 through 10 of Section 407 but would be limited in the services that could be provided under this use. Mr. Crème listed the services that would be provided. Mr. Ahlfeld asked for the simplest and narrowest way to explain the activities that the applicant would like to be able to do. Mr. Crème stated he spoke with the petitioners regarding what they do and eliminated the things they do not do from the existing use of automobile, trailer, truck and farm machinery service and repair. Mr. Crème stated the things the petitioners do was left in the language and things they do not do or have no intention of every doing was eliminated such as paint and body work. Mr. Ahlfeld indicated the Commissioners had the Countys draft comments dated December 27th and asked Mr. Stivers if the comments still apply. Mr. Stivers stated yes. Mr. Stivers asked if the County would be presenting new comments on the proposal and Mr. Stivers indicated they would not. Mr. Haverstick stated he believes the entire Board wants to accommodate the Hesss in the business they are in now and is inclined to change the language an allow in its current zoning condition. Mr. Haverstick questioned if a state inspection facility should be addressed and there was agreement it was not necessary to be addressed separately. Ms. Glazier stated from her perspective it makes more sense to allow this middle range use and rezone the property to local commercial which is more compatible in general and not open up these uses in the agriculture zone. When zoning is looked at for the Township as a whole, then it should be considered. Ms. Glazier stated there is a small amount of land that is local commercial and a lot of land zoned agriculture. Mr. Ahlfeld preferred not to rezone and listed his reasons against the rezoning; one being some of the uses may not be appropriate in the area. Mr. Ahlfeld felt the clause regarding sale or repair of agricultural equipment could be expanded by changing the Ordinance to also include incidental repair of automobiles. He asked if that would not be a better approach. Mr. Witmer stated the petitioners business is more than incidental auto repair. Ms. Glazier stated the intersection of Central Manor Road and Rt. 999 is already commercial so it is taking the zone a little further. Ms. Glazier stated that it is the lesser of two evils by rezoning the tract. The Commission was advised that the Hesss could not obtain a state inspection license while zoned agriculture. Mr. Miller stated with respect to the way the Ordinance reads regarding farm related businesses, it states farm related business shall front on at least one collector or arterial and also front on at least one local road. The petitioners do not have frontage on two different roads. Ms. Glazier made a motion to recommend the Supervisors amend the Zoning Ordinance to provide in the local commercial

zone for special exception use of limited automobile repair as described in the petition and they also recommend they rezone the properties for which this request has been made. Mr. Miller seconded the motion. Mr. Ahlfeld asked Mr. Crème if this motion passes and the Supervisors take similar action, would he anticipate going to the zoning hearing board to ask for a special exception. Mr. Crème stated that the way it has been applied is if a use is in existence changing the Ordinance to allow it by special exception does not require the use to go to the zoning hearing board if nothing is changing with the use. If something would change or they wished to expand, then that would take it to the zoning hearing board. John May asked if seeking of a state inspection license constitute an expansion. Mr. Crème stated that is not prohibited by the Township Ordinance currently and he would suggest it is not an expansion because expansion if considered in terms of non-conforming use does not include an increase in the amount of business you do it involves an increase in the amount of building space that is occupied. Mr. Ahlfeld stated the motion carried four to two. New Business Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of undeveloped land and equitable owner of a plus/minus 10-acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. The planning Commission will be briefed on this rezoning tonight. John Thomas, 28 Penn Square, Lancaster, presented the rezoning petition on behalf of Laverne Horning who owns this tract of land. If the rezoning is granted, it will be developed by David Charles and Vic Kicera who are present this evening. The petition states Mr. Horning is the equitable owner of the ten acre parcel that is the house and the outbuildings. The property is zoned Rural and this request is to change it from Rural to High Density Residential Flex. The property is within the Urban Growth Boundary established by both the County and the Township. The property has access to public water from the City of Lancaster and has sufficient sewer capacity and reserve capacity for the development. The petitioners believe if the parcel were rezoned it would permit a development with a range of housing types and densities that would provide for a more marketable product. The Township Comprehensive Plan has the parcel in the Urban Holding area that is described as areas do to their location within the Urban Growth Boundary are anticipated to be developed in the future. Mr. Thomas read a section from the Comprehensive Plan regarding the zoning of these areas. Mr. Thomas stated the Smart Growth Coalition looked at this and recommended that this type of housing mix should be permitted within this area given the infrastructure that is there. Mr. Thomas stated Smart Growth initiative embraces the concept of higher density residential housing as a means of accommodating housing needs and also removes development pressure from agriculture zoned land. It is consistent with surrounding land uses in Millersville Borough and as a buffer around the area. It would remove development pressure from adjacent land, and would be an efficient use of land and is consistent with the goals adopted by the Manor Township Comprehensive Plan. A concept plan was given to the Commissioners for their information. Mr. Thomas stated that of the 129 acres plus/minus, roads would take up about 22 acres, alleys 1 ½ acres, residential area about 60 acres, stormwater management utilize several acres, utility easement and interior green space 3½ acres, and the exterior open space around the perimeter and largely to the east for open space. The total units this concept plan shows are 371. On a net acreage basis that is 6 dwelling units per acre and on a gross acreage basis it is 2.8 dwelling units per acre. Mr. Ahlfeld questioned the zoning that is

requested. It was verified the applicant is requesting high-density flex. Mr. Miller asked if it is rear load alleys in the townhouse area and he was advised that was correct. Mr. Miller asked if there would be garages and he was advised there would be garages. There was questions and general discussion regarding the conceptual drawing that was shown to the Commission. Mr. Ahlfeld advised the audience that the petitioners are showing how this tract could be used. If the tract is rezoned, it can be used anyway they want if it is permitted under the zoning ordinance. Mike Deptula, 126 Stable Drive, made a request for the citizens in the area against the rezoning of the Haverstick tract for permission to make a brief presentation in the March meeting. Mr. Deptual requested that any Planning Board Member who has a prior affiliation with the Wheatfield Developers or its individual members recuse themselves from any voting on this project to avoid conflicts of interest. Steven Shue, 127 Stable Drive, feels it is premature to talk about this rezoning until the Township has its own subdivision/land development ordinance. Mr. Shue also questioned who the owner of the owner of the property is. Mr. Shue listed the individuals that were on the records at the courthouse when he was there. Mr. Shue asked if the public could have a copy of the conceptual drawings given to the Commission and Mr. Kicera said no. Mr. Shue asked what contract zoning is and Mr. Ahlfeld stated he commented earlier and again explained. Ms. Glazier questioned why the drawings could not be seen. It was explained they can be seen but they would not be handing out copies to the public. Mr. Charles stated copy of the drawings handed out would be available at the Township Office for anyone to look at. Alex Grumbrecht , 117 Stable Drive, stated that he just moved into Stable Drive with his father to help take care of him and they had the opportunity to buy the house. They planned to enjoy their retirement in a beautiful community and hearing about what is proposed is something he never thought he would be faced with especially since this issue has been revisited so many different times. The last thing he wants to do is look out his front door and see 300-500 houses. Mr. Ahlfeld asked if the Commissioners were satisfied to postpone any action until the next meeting. Mr. Miller stated he would like to have the Countys comments before taking any action. Mr. Ahlfeld stated further action on this would be postponed until the March 12th meeting that will be held at the Manor Middle School. Howard Grumbrecht, 117 Stable Drive, stated he bought ground and built a house with the premise that farm would not be developed. He stated he would loose about \$12,000 on his property if there was a development. Mr. Grumbrecht asked whose word he should believe because he was told the land would never be developed or if it was developed in the same as the existing homes. Steve Himmelsbach, 123 Stable Drive, stated when he bought his land he was given a plot plan of future development from Mr. Haverstick and in it there was a stipulation they would have a certain amount of land. If 300 or 400 homes are built and the traffic is thrown onto Donerville Road which is one of the poorest roads in the County, then you will be doubling the approximately 250 homes that currently exist. If you are thinking of doubling you better have a good plan. Mr. Miller made a motion to table further discussion on this rezoning request until the March meeting. Mr. Henke seconded the motion and the motion carried unanimously.

Crossgates Phase VII Revised Final Plan & Three Meeting Waiver Request The purpose of the revised final plan is to add .858 acres of the Crossgates Golf Course, consisting mostly of a proposed pond, to the residential area of Crossgates Phase VII and to create a pedestrian easement over lots 46 through 59 as depicted on the previously recorded final plan for Crossgates Phase VII, recorded in Plan Book J-227, page 98. The new lot will be a designated Open Space lot. No new streets or other lot revisions are proposed. The applicant is requesting a three meeting delay waiver. The planning Commission needs to review and make

recommendation to the LCPC and act on the waiver request. Bill Murry, the developer, and Linda Michels with David Millers Associates presented the plan. Ms. Michels stated they had a very simple revised final plan. They had a small piece of Phase VII they would like to take a piece of land presently part of the golf course land and add it into the residential portion of Phase VII. There are no houses at this point in time and there is some infrastructure started. It will be added to the open space area of Phase VII and will be owned and maintained by the homeowners association. There is a pedestrian easement along the rear of the lots so there is access to the pond. At this time, the golf course has responsibility for maintaining the pond. Mr. Witmer questioned the liability for the pond. Mr. Murry explained the Homeowners Association carries liability insurance. Mr. Murry pointed out the open space areas in the development and explained the walking paths are through the open spaces so it takes people off the street. Mr. May questioned who would be maintaining the side of the pond on the golf course. Mr. Murry indicated the golf course would maintain everything up to the waters edge on the golf course side. Mr. Henke had questions on how the master homeowners association operates. Mr. Haverstick made a motion to approve the revised final plan and a waiver of the three meeting delay. Mr. Miller seconded the motion and the motion carried unanimously.

Minor Subdivision Plan Norman & Verna Shertzer The property is located at 530 Habecker Church Road. The plan proposes to subdivide 1.18 acres of land from the parent tract in a flag lot configuration. The lot is served by on-lot water and septic and is contained on the subdivided lot. The property is located in the Agricultural (A) Zoning District. The Planning Commission needs to review this plan and make recommendations to the LCPC. Mr. Black, a land surveyor, from Saxinger and Black presented the plan on behalf of Norman Shertzer. The purpose of this one lot subdivision plan is to subdivide a flag lot off the existing 68-acre farm that is currently being considered for agriculture preserve. Currently there are two homes on the parent tract. The main home is located in the middle of the property with several barns and garages and there is another existing home further to the west that would be contained in the one lot flag subdivision area. The flag lot has an existing driveway that leads to a single-family dwelling, garage, existing well and septic area. They would like to process the plan as a minor subdivision and use the non-buildable waiver request. The existing septic system is functioning properly and they are not planning any new building. The non-buildable waiver goes to DEP where they review and sign off on the plan. Mr. Miller made a motion to recommend to the LCPC approval of the Norman & Verna Shertzer Minor Subdivision Plan. Mr. Henke seconded the motion and the motion carried unanimously.

Other Business Regional Comprehensive Plan Update Formal Planning Commission Public meeting on March 12th Mr. Ahlfeld reported copies of the plan were before the Commission members. This plan has been delivered to all the neighboring municipalities, school district and LCPC that is about 35 entities in total for the 45-day review period required under the Municipalities Planning Code. At the same time it will go through the process of each of the 11 participating municipalities having their formal public meeting of the planning commission as required by the planning code and the official public hearing by the governing body as required by the planning code. The LIMC has recommended a schedule by which all the municipalities have the planning commission meetings and governing body hearings so that the adoptions can all take place possibly in early April. It is being proposed that the Planning Commission has its formal public hearing as part of its regular planning commission meeting on March 12th.

Community Planning Workshop March 8, 15 & 29 - Mr. Ahlfeld encouraged Planning Commission members, Supervisors and staff attends the workshop. Correspondence Letter dated

January 22 from the LCPC indicating conditional approval of the lot add-on plan for Walter E. Rebman, Jr.

Mr. Ahlfeld indicated it is anticipated the Wal-Mart submittal will be on the March agenda as well as the Haverstick farm tract rezoning, Growing Together Public Meeting and any other miscellaneous items and it is recommended that another date be picked in later March to either have a separate meeting or just recess the March 12th meeting until another date. Dates were given to the Commission members when the school will be available, and the members were asked to mark dates they would be available and return them to Bruce Ott. There was discussion regarding scheduling an extra meeting or handling the items during the regularly scheduled meeting. It was advised that a date be picked and if it is not needed it would be cancelled.

Mr. Miller announced the Government Study Group is meeting February 20 from 7 9:00 p.m. at the Columbia School District.

There being no further business the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

03/12/07

Manor Township Planning Commission Agenda

Monday, March 12, 2007 Time: 6:30 P.M. Location: Manor Middle School

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Public Comment
5. Approve Minutes of February 12, 2007 meeting
6. Old Business Public Meeting For Growing Together: A Comprehensive Plan for Central Lancaster County, PA.

Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of Undeveloped land and equitable owner of a plus/minus 10 acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. The planning Commission will be briefed on this rezoning tonight. This rezoning is a continuation from last months meeting.

7. New Business Preliminary Land Development Plan Wal-Mart Stores, Inc. Property The proposed preliminary land development plan on approximately 29.61 acres of land situated to the south of Columbia Avenue and along the east side of South Centerville Road. The site is served by public water and sewer. Wal-Mart proposes to develop on the tract a 99,935 square foot commercial retail facility permitted by right under the zoning ordinance. There will be one access drive from South Centerville Road. The property is zoned general commercial (GC). The Commission needs to review and make recommendations to the LCPC.

8. Other Business - Correspondence

9. Adjourn

DRAFT MINUTES

Manor Township Planning Commission Minutes

Monday, March 12, 2007 Time: 6:30 P.M.

The Manor Township Planning Commission met on Monday, March 12, 2007 at the Manor Middle School, 2950 Charlestown Road, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, Beth Herr, Scott Haverstick, James Henke, James Miller, Donald Witmer and Mary Glazier. Visitors Present: See attached sign in sheet.

Public Comment There was no public comment.

Minutes Mr. Ahlfeld stated there were two corrections. Mr. Haverstick was present at the meeting and on Page 3 the 2nd paragraph the zoning district should be high-density residential flex. Mr. Henke made a motion to accept the minutes with changes. Mr. Miller seconded the motion and the motion carried with Beth Herr abstaining.

Old Business Public Meeting For Growing Together: A Comprehensive Plan for Central Lancaster County, PA. Mr. Ahlfeld gave the background information and stated this project has been underway for the last five years. Mr. Ahlfeld stated during the process there have been many opportunities for the municipalities involved as well as individuals to give their comments. Revisions were made based on the comments received. The plan is completed and ready for adoption. There were no comments from the visitors regarding the plan. Mr. Haverstick made a motion to suggest the Supervisors adopt the plan and embrace it. Ms. Herr seconded the motion. Mr. Miller expressed concerns that if there were two comprehensive plans and there would be a conflict which comprehensive plan would take precedence. Mr. Miller stated he supported the adoption of the plan but was not sure about whether it was better with this plan as a stand alone plan or in conjunction with our current plan. Mr. Ahlfeld stated the Steering Committee developed the Growing Together Plan with the intent that it is consistent with the local plan. The resolution that is being circulated for the municipalities to act on is written so that if the municipalities existing plan does stay in place the resolution recognizes that the Growing Together Plan will become a component. There is not an original plan and the township plan. It is adopted as a component of the township plan so one does not supersede the other. John May stated he worked with Steering Committee and does not think there are many and very slight differences. Mr. May stated he is comfortable it works with the Township plan and any differences are practically non issues. Mary Glazier stated she agrees with Mr. Miller. She would like to know with a little more certainty if there are any inconsistencies or if anything will be lost from the current plan that we may want to keep. Mr. Miller had questions as to whether all eleven (11) municipalities must agree if one municipality would like to make a change. Mr. Miller stated he could see some changes to the land use plan portion of the document in the future. Mr. Ahlfeld stated at this point, if one municipality wants to make a change, the other municipalities will be notified in case they would also want to make the change. Mr. Ahlfeld stated there is a motion on the floor and seconded. The motion passed unanimously.

Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of undeveloped land and equitable owner of a plus/minus 10-acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. This rezoning is a continuation from last months meeting. Mr. Ahlfeld stated there were questions last month regarding a couple Planning Commission members recusing themselves from the discussion. Mr. Ahlfeld indicated he had a

letter from the Township Manager stating after consultation with the Township Solicitor the decision was that Mr. Henke should recuse himself because of business relations he has had in the past and he wishes to do so. The Solicitor did not believe Mr. Miller needed to recuse himself tonight. Mr. Thomas stated the petition is straightforward and he believed there were neighbors who wanted to make comments. Mr. Thomas stated they would listen to the comments and respond to those comments at the next meeting if the Planning Commission would be agreeable. Chip Trautman, 120 Stable Drive, stated he appreciated that Mr. Henke recused himself. Mr. Trautman made some general statements regarding ethics. Mr. Trautman made a request that the Planning Commission adopt a standard of ethics for its members. Steven Shue, 127 Stable Drive, stated at the last meeting in the minutes there was a sequence that is followed. When it comes to the Manor Township Planners, it then goes to the LCPC for recommendations and at the February meeting in the minutes Mr. Miller states he would like to have the County comments before taking any action. Mr. Miller stated what he meant was prior to the Commission making a recommendation, the Supervisors have the authority to make the decision; he personally likes to wait before the Commission makes their recommendation to have the recommendations from the County staff because they have more expertise in these areas. Mr. Shue asked what the maximum density would be allowed in high-density flex on a parcel that is 132 acres. Mr. Miller stated that he is not sure it is possible to answer that question. The zoning would have a maximum density but the actual figure would depend upon flood plain issues and other site requirements that Mr. Miller elaborated on. Mr. Shue gave a brief history of the ownership of the tract and his opinion on the rezoning petition. Mr. Witmer stated the farm was sold at public auction and anyone had the opportunity to purchase the farm. Mr. Shue asked why the developers wanted high-density flex instead of high density. Mr. Shue stated that he feels everything has to do with greed. Mr. Shue commented on the ownership of the farm and what he found at the Recorder of Deeds Office. Mr. Shue read from Page 44 of the 2002 Manor Township Comprehensive Plan. Mr. Witmer stated that the Planning Commission and the LCPCs idea is to get as much use and as nice a development as possible with the property and to try to conserve as much land as possible. Marian Rossi, 3135 Windon Avenue, stated that this rezoning issue speaks to the next issue that will be addressed about Wal-Mart. Ms. Rossi stated that Manor Township has grown very quickly and extensively. Ms. Rossi asked the Planning Commission if they had an idea how much density Manor Township can accept given the fact that the roadways are still farm country roadways which makes Manor Township a very beautiful area to live in. At what point do we stop building or at least slow down? Mr. Ahlfeld stated it is not possible to stop the building. The Township must plan what type of development is most appropriate at what places and what time. Ms. Rossi stated that traffic problems are very big. Ms. Rossi stated that you buy a home in Manor Township and you cannot rest in peace because there is always someone nipping at your heels to make your home worth less, the traffic worse, and possibly crime going up. Frantz Herr, 746 Hershey Mill Road, stated that he wanted to thank the Township Supervisors for making a record of these proceedings available on the Townships web site. It is a convenient way for citizens to keep informed. Mr. Herr stated that in 1999, at taxpayers expense, a Comprehensive Development Plan was commissioned and approved after careful consideration. The purpose of the plan was to strike a balance between the needs of various constituencies in the Township that requires give and take from all parties. The Township recognized at that time the importance of the agricultural industry and one of the main considerations of the development plan was to attempt to minimize the economic pressure of residential land development on the farms. The rural zoning of the property in question was

determined in keeping with that purpose and was known to the current buyers at the time of their purchase. Mr. Herr stated that he believed the Comprehensive Development Plan should remain as originally adopted. Mr. Herr read from a study done by the County in 2002 that looked at the cost of community services incurred by various land uses by executive summaries that indicated owners of farms, forest, and open lands pay more in local tax revenues than it cost local government to provide services to their properties. Residential land uses in contrast are a net drain on municipal coffers. It cost local governments more to provide services to homeowners than residential landowners pay in property taxes. Mr. Herr asked where the study is that shows that increase in the density of residential development reduces community service costs for community taxpayers. Mr. Herr stated that it does not exist. Mr. Herr stated that the change in zoning as requested would add to the burden of local service costs for each and everyone. Mr. Herr read from an article that was in the Lancaster New Era last Thursday regarding the school district. Mr. Herr also read a letter to the editor from a Manor Township resident. Mr. Herr stated that there is an economic cause and effect that will directly follow from the zoning decision made tonight.

Mr. Ahlfeld stated the petitioners would give a response to comments at the next meeting. New Business Preliminary Land Development Plan Wal-Mart Stores, Inc. Property The proposed preliminary land development plan on approximately 29.61 acres of land situated to the south of Columbia Avenue and along the east side of South Centerville Road. The site is served by public water and sewer. Wal-Mart proposes to develop on the tract a 99,935 square foot commercial retail facility permitted by right under the zoning ordinance. There will be one access drive from South Centerville Road. The property is zoned general commercial (GC). The Commission needs to review and make recommendations to the LCPC. Mr. Ahlfeld stated the plan was submitted to the County Planning Commission on February 9th and the LCPC has 90 days to act; therefore, the County must act by May 9th. Due to their scheduling, the County will be looking at the application on April 23rd. The Planning Commission needs to make any recommendations to the County before that date. Mr. Ahlfeld explained that this is only a preliminary plan and the Lancaster County Subdivision and Land Development Ordinance requires a preliminary plan and then a final plan. Marc Kaplin, the Attorney representing Wal-Mart Stores, Inc., the owner of the 29 acre parcel, presented the application. The Wal-Mart Stores has filed an application for preliminary land development approval with the Lancaster County Planning Commission. The proposed development is depicted on the preliminary land development plan filed with the LCPC. The proposed development is a single story 99,935 square foot store on a 29.61 acre lot located adjacent to South Centerville Road. The store will have both a retail component and a grocery component. There will be a four bay loading dock behind the northwest corner of the building. The property is located in the Townships (GC) General Commercial Zoning District and the proposed store is a use permitted by right in that district. The proposed store complies with all the area bulk and dimensional requirements of the zoning ordinance. Mr. Kaplin noted that while the zoning ordinance permits 70 percent impervious coverage only 34.7 percent of the lot is covered by impervious material in this application. The building and the parking area substantially exceed the minimum setbacks required. The proposed store will have 612 parking spaces that equates to an overall parking ratio of approximately 6.12 spaces per thousand square feet of gross building area. There is a screened and gated concrete trash compactor area located at the rear of the building. After the Township Zoning Officer and their engineer reviewed the plans, the Zoning Officer confirmed that the proposed development as depicted on the plans is generally in conformance with the zoning

ordinance and they are not required to obtain a variance, special exception or conditional use approval for this development. Mr. Ott asked that some additional notes be placed on the plan and they have agreed to do so. Mr. Kaplin provided a rendered plan basically using the landscaping plan included in the set of plans. There was also a rendering of the materials on all four elevations of the building provided. Jim Miller asked if Mr. Kaplin had any information about any proposed traffic improvements. Mr. Kaplin advised him that they submitted a traffic report to the LCPC. Mr. Kaplin stated that he was not aware a copy was not given to the Township; therefore, Mr. Kaplin left a copy with Mr. Ott provided by McMahon Associates. Mr. Kaplin stated that the traffic study requires safe and efficient ingress and egress to the development and requires an analysis of existing traffic conditions at designated intersections. Mr. Kaplin indicated that they had studied sixteen (16) intersections and have made recommendations with regards to current needs for improvements at those sixteen (16) intersections as required by the LCPC Subdivision and Land Development Ordinance. They have assumed in their traffic study that if those improvements were made, there would be additional improvements that would be recommended because of the Wal-Mart development. These would be off-site improvements and, therefore, cannot be required as a condition for the approval of the development. The applicant have identified two (2) additional improvements that would be required to be made in addition because of the effect of the proposed store assuming the other improvements recommended are made. The two improvements include a right turning lane at Columbia Avenue eastbound from the Centerville Road intersection and minor restriping and widening at Donerville Road and Columbia Avenue. Mr. Haverstick asked for information on the improvements for the 16 intersections. Mr. Kaplin stated that there is a long list of improvements and most of the improvements are on Centerville Road such as a five lane cross section of Centerville Road, the widening of the bridge over Route 30, Marietta Avenue intersection, and the Centerville Road on and off ramps to Route 30 are improvements the Township, East Hempfield and the County are well aware of. Mr. Haverstick asked if most of these improvements would be within a two-mile radius of the site. Mr. Kaplin indicated that the improvements would be in about a 1 ¼ mile radius. Mr. Miller stated that the Manor Township Zoning Ordinance has some traffic requirements as well as the Countys Ordinance. Mr. Miller asked if the Manor Township Ordinance impacts the Countys Ordinance to any great degree. Dr. Plourde stated that the County Ordinance requires a recommendation of the improvements for the off-site intersections. Manor Township requires mitigation back to some level of service and actually the Township Ordinance is less restrictive than the Countys criteria. Dr. Plourde explained some of the differences in the two ordinances. Mr. Kaplin stated that both the County and Township requirements only require recommendations of improvements and not the making of the improvements if they are off-site. Mr. Kaplin explained the meaning of on-site improvements. Mr. Miller stated essentially the study meets the requirements of both the Township and the Countys Ordinance. Mr. Kaplin stated that he believes that to be true. Mr. Miller stated that the last time the Planning Commission had the application, there were some non-required traffic improvements in the submittal from Wal-Mart and he asked if any of those improvements were included in this application. Mr. Kaplin stated no. Mary Glazier asked Mr. Kaplin to elaborate why the improvements were not included. Mr. Kaplin stated that this plan complies with the ordinances. Mr. Kaplin stated that over the years, they have tried to sit down with all of the agencies involved in the improvements and the agencies involved would be Manor Township, East Hempfield, the County and PennDot. Mr. Kaplin stated that he had two (2) letters that he had submitted to those agencies in 2004 and asked that all the agencies sit down

and come to a conclusion about a rational traffic conclusion plan for the area. The Board of Supervisors of Manor Township prohibited that meeting from taking place and so there has never been that dialogue. Mr. Kaplin continued by stating that in their second Zoning Hearing Board application, they studied twenty-eight (28) intersections at a cost of \$230,000. Mr. Kaplin stated that this application is a store less than half the size of the previous applications. Mr. Kaplin stated that they propose to comply with the ordinances and at this point there will be no more done than what they are required to do. Mr. Miller asked some questions on the landscape screening as well as the façade of the proposed structure. Mr. Kaplin stated that he had drawings of the landscaping and the façade of the proposed building. Mr. Ahlfeld questioned if there could be future development on this parcel. Mr. Kaplin stated that anything over 100,000 square feet would send them to the Zoning Hearing Board. Mr. Ahlfeld asked if it is possible that they could subdivide. Mr. Kaplin stated he did not know but assumed that it could be subdivided if they met the requirements. Mr. Ahlfeld questioned the stub drive at the southern boundary. Mr. Kaplin stated that was required by the LCPC Ordinance as part of the subdivision. Mr. Miller questioned whether the water line should be a loop system so there would be access off Centerville Road. Mr. Henke asked if Wal-Mart would consider access from Columbia Avenue. Mr. Kaplin stated that the Supervisors would need to change the zoning ordinance for Wal-Mart to have an access off Columbia Avenue. Mr. Miller asked if this would be a 24-hour store and Mr. Kaplin stated that he did not know the hours of operation. Mr. Miller asked if Wal-Mart built this facility would they at a later date try to expand the facility. Mr. Kaplin stated that could be a possibility. Mr. Miller had questions on the stormwater. Mr. Kaplin stated that they were required to do a conceptual stormwater plan. He explained the drawings suggested two points of discharge. Mr. Kaplin stated that they had just received the review letter from Buchart Horn and will be making corrections with regards to comments received from Buchart-Horn. Mr. Miller questioned the lighting and asked if the lighting plan designed attempted to meet the standards of the lighting within the planning community of the organization called Dark Skies. Mr. Kaplin stated that the proposed lighting meets the requirements of the zoning ordinance. Mr. Haverstick asked if there is a significant difference in revenue in a smaller square foot store versus a larger store. Mr. Kaplin stated he did not know. An individual from 2020 Chapel Forge Drive, talked about development and the effect it has on a traffic problems that already exist. Bonnie Miller, 113 Bent Tree Drive, pleaded with the Board to turn down this application and indicated her main concern was the traffic. Robert Walsh, 400 Stone Creek, stated that he is on the Board of the Woods Edge Homeowners Association and that he had delivered a letter to the Township Office expressing concerns and asked that the Wal-Mart Plan be denied. Mr. Walsh stated that he is deeply concerned about a single entrance and exit from the site. Mr. Kaplin replied that the single entrance is not by choice. Richard Bauder, responded to Mr. Kaplins comment regarding the Supervisors denying a meeting between the four parties involved regarding traffic. Mr. Bauder stated that they did not agree to a meeting because they felt it was premature to have any meeting prior to the Zoning Hearing Board decision. Doris Sisler, 316 Stone Creek Road, had questions on the stormwater discharge that was described. Also, she expressed concern with the cut through traffic that would be a result of the Wal-Mart through the Woods Edge Development. Mr. Sisler asked if there would be skylights in the store and Mr. Kaplin stated he did not know. Barbara Walsh, 400 Stone Creek Road, commented on the entrances. Tom Acker, 212 Post Oak Road, asked if the size and use of the building could be changed. Mr. Kaplin stated yes, if permitted under the zoning ordinance. Tina Peterson, 121 Townhouse Lane, stated that Charlestown Road floods when the creek overflows and expressed concern that the site would

dump more water into the creek. She also expressed concern with the increased traffic that the site would generate. She questioned the noise from the trash compactor and Mr. Kaplin stated that the trash compactor is inside the building. Scott West, 144 Swedesford Lane, asked the Commission to maintain the quality of life and asked how much of the costs will fall on the taxpayers. George Elko, 3126 Windon Avenue, had questions regarding proposed parking spaces and questions on the lighting. Mr. Elko asked if a traffic study showed the impact on bicycle traffic since Route 462 is recognized as part of a network of supported bicycle routes. Mr. Elko stated that the size of the store is 99,935 square feet but there was nothing showing if the dimensions are correct. Barry Smith stated that the Zoning Officer and the engineering firm reviewed and verified the size of the store. Mr. Ahlfeld asked if any sidewalks would be provided along Centerville Road. Mr. Kaplin pointed out that the sidewalk on the plan is within the site Joan Matterness, 213 Sutherland Road, pointed out the realities of the store and asked people to start showing up at the meetings to voice their opinions and be heard. Susan Smith stated she is an Attorney who represents F.A.I.D. and had represented several residents in previous Wal-Mart Applications. Ms. Smith listed items on the application that she feels are missing or not clear as well as items that do not meet the zoning ordinance. Ms. Smith encouraged the Commission members to read the Zoning Officers detailed comments to the County. Ms. Smith stated the plan before the Commission is not the exact same plan that was submitted to the County. Ms. Smith does not feel the application meets the zoning ordinance and Wal-Mart should be told to go back and rework the application. Mr. Kaplin stated that plans were submitted to the Zoning Officer. At the time the plans were submitted to the County, a set was also given to the Zoning Officer. Toby Korbin, 133 Langley Square, asked if there is a trailer park ordinance in Manor Township. Mr. Korbin asked if Mr. Kaplins plan makes arrangement for overnight parking. Jim Stauffer, 365 Weaver Road, advised residents to come out to the meetings. Mr. Stauffer stated that he listened to information about houses per acre that would require more infrastructure, bigger shopping centers, doctors, and more schools. Mr. Stauffer asked how you could have a general commercial zone on a Township road that prohibits trucks. Bonnie Miller talked about the area around Park City and how after the mall was built, it raised the flood plain elevation so that the homes in that area were now in a flood plain. Ms. Miller asked that this plan be denied so Post Oak Road, Norcross Road, and Stonemill Road will not be in a flood plain. Mr. Miller asked Dr. Plourde for a comparable number of trips if this were an office building of similar size. Dr. Plourde stated that he would rather not give any quotes at this time. Mr. Miller asked if he could have that information at the next meeting. Mr. Kaplin stated that there would be more trips at certain times with the Wal-Mart, but you do not get peak morning hour trips with a retail use that you would get with an office use. There are differences; some are better and some are worse. Patricia Hudson, 2714 Royal Road, stated that she agreed with Jim Henke regarding how can you have this store without another way in and out? Mr. Ahlfeld stated that no action would be taken tonight and the next meeting is scheduled for April 9th in this building at 6:30 p.m.

Other Business Correspondence Ms. Glazier stated she would report on correspondence at the next meeting.

There being no further business the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

04/09/07

Manor Township Planning Commission Agenda

Monday, April 9, 2007 Time: 6:30 P.M. Location: Manor Middle School

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Public Comment

5. Approve Minutes of March 12, 2007 Meeting

6. Old Business Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of Undeveloped land and equitable owner of a plus/minus 10 acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. This rezoning is a continuation from last months meeting.

Preliminary Land Development Plan Wal-Mart Stores, Inc. Property The proposed preliminary land development plan on approximately 29.61 acres of land situated to the south of Columbia Avenue and along the east side of South Centerville Road. The site is served by public water and sewer. Wal-Mart proposes to develop on the tract a 99,935 square foot commercial retail facility permitted by right under the zoning ordinance. There will be one access drive from South Centerville Road. The property is zoned general commercial (GC). The Commission needs to review and make recommendations to the LCPC. This is continued from last months meeting.

7. New Business Manor Township Subdivision & Land Development Ordinance - The Planning Commission needs to comment to the Township Board of Supervisors prior to the Manor Township Board of Supervisors public hearing scheduled for May 7th.

Final Land Development/Lot Add-On Plan for the Washington Boro UMC and Waiver of LCSDLDO Section 302 Preliminary Plan Processing and Waiver of the Three (3) Meeting Delay The property is located at 1965 Water Street, Washington Boro, PA. The project is to construct an all purpose facility in the rear of the property. The zoning district is Village (V). The Commission needs to review and make recommendations on the plan to the LCPC. Also, the Commission needs to make recommendation to the LCPC on the waiver request of the LCSDLDO Section 302 Preliminary Plan to allow the LDP to be considered as a final land development plan without going through a preliminary plan process. The Commission must consider a request to waiver the three meeting delay.

8. Other Business - Correspondence

9. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, April 9, 2007 Time: 6:30 P.M.

The Manor Township Planning Commission met on Monday, April 9, 2007 at the Manor Middle School, 2950 Charlestown Road, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Member Present: John Ahlfeld, Beth Herr, James Henke, James Miller, Donald Witmer and Mary Glazier Member Absent: Scott Haverstick Visitors Present: See Attached List

Public Comment There was no public comment.

Minutes Mr. Henke made a motion to approve the March 12, 2007 minutes as drafted. Mr.

Witmer seconded the motion and the motion carried unanimously.

Old Business Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. A letter was received from Attorney Thomas requesting postponement from further consideration until comments are received from the LCPC. This will be postponed until May 14th. Ms. Glazier asked if the people were prepared tonight and would want to give their presentation. Chip Trautman, 120 Stable Drive stated they were prepared but would wait until next month to give their presentation. There was a question if the meeting would be advertised. The audience was advised the agenda is in the Sunday Newspaper the Sunday before the meeting and it is on the Township Website as well as posted in the Township Office. The next scheduled meeting will be May 14 at the school at 7:30 p.m.

New Business Final Land Development/Lot Add-On Plan for the Washington Boro UMC and Waiver of LCSDLDO Section 302 Preliminary Plan Processing and Waiver of the Three (3) Meeting Delay The property is located at 1965 Water Street, Washington Boro, PA. The project is to construct an all purpose facility in the rear of the property. The zoning district is Village (V). The Commission needs to review and make recommendations on the plan to the LCPC. Also, the Commission needs to make recommendation to the LCPC on the waiver request of the LCSDLDO Section 302 Preliminary Plan to allow the LDP to be considered as a final land development plan without going through a preliminary plan process. The Commission must consider a waiver request of the three meeting delay. John Roche from Fisher Engineering presented the plan and representatives from the church were present to answer any questions. Mr. Fisher stated the plan represents a lot add-on of 6,000 to 7,000 square feet of land from an adjoining property owner for the addition of a multi-purpose room for the church and some parking lot improvements to enhance the site. The Commission saw the plan before and nothing has changed. They were asking for a waiver of the preliminary plan and waiver of the three meeting delay. Ms. Glazier made a motion to recommend waiver of the three meeting delay, waiver of the preliminary plan and recommend approval of the lot add on. Mr. Witmer seconded the motion and the motion carried unanimously.

Old Business Preliminary Land Development Plan Wal-Mart Stores, Inc. Property The proposed preliminary land development plan on approximately 29.61 acres of land situated to the south of Columbia Avenue and along the east side of South Centerville Road. Public water and sewer serve the site. Wal-Mart proposes to develop on the tract a 99,935 square foot commercial retail facility permitted by right under the zoning ordinance. There will be one access drive from South Centerville Road. The property is zoned general commercial (GC). The Commission needs to review and make recommendations to the LCPC. This is continued from last months meeting. Jim Henke reiterated his initial concern from last month regarding the single access drive and asked if there is anyway possible to facilitate a second entrance. Don Witmer stated he agreed with Jim Henkes concern regarding the one entrance onto a Township road. Mary Glazier concurred with the concern regarding a single access. She is also concerned with the overall impact regarding traffic. Ms. Glazier expressed concern regarding no improvements off-site as well as stormwater issues. She stated that more questioned were raised than answers provided. John Ahlfeld stated the LCPC must go by the Lancaster County Subdivision Ordinance and they do not have to recommend approval or disapproval but can express concerns and ask the County to take into consideration that the Commission does not feel that this site is appropriate for the use proposed for this tract of land. Mr. Ahlfeld stated last month the Board of Supervisors adopted a new Comprehensive Plan that shows this area as neighborhood commercial not

regional commercial. Mary Glazier stated she has serious concerns about the plan and wonders if they are proceeding backwards by having uses and then a plan. Mr. Ahlfeld stated there might be more appropriate zoning districts that are more compatible. Tom Acker, 212 Post Oak Road, stated he has lived and Manor Township for 30 years and has concerns. He stated he received a letter from the LCPC with the proposed agenda and Wal-Mart has a Columbia Avenue address; he asked how that is possible. He stated that he lives on Post Oak Road which has a 25mph speed limit and has intersecting crosswalks that children and seniors use. This area does not lend itself to a commercial access route. His concern is that by proposing a traffic signal at the Woods Edge development, traffic coming from various directions will use their streets to access Wal-Mart. Mr. Acker stated that he hopes the LCPC would look at the site before making any decisions. Chris Halteman, 324 Whitechapel Road, made comments on statements that were made by Mr. Kaplin at the last meeting and asked that the application be denied. Floris Sisler, 316 Stone Creek Road, expressed concerns regarding stormwater runoff, skylights, and RV parking. Gloria Hocking, 2234 Kimberly Road, stated concerns about how much taxpayers will have to pay for police and fire protection. She is also concerned with only one access to the store. Jim Huber, 113 Shannon Drive, indicated that he has been following the Wal-Mart applications for over ten years. Mr. Huber stated that questions were asked regarding the size of the store. In the past, Wal-Mart has added onto stores and increased their size. He stated that this store would have a negative impact on the community. George Elko, 3126 Windon Avenue, read Section 102 Purpose - from the Zoning Ordinance. Mr. Elko listed the problems he sees in this application according to Section 102. Joan Matterness, 213 Sutherland Road, referred to an article she had read in the newspaper that evening regarding the slipping suburbs and indicated that she had read the editorial in the Sunday Newspaper written by one of the Supervisors, Mr. Bauder. Ms. Matterness expressed concerns that there were no plans for improvements to South Centerville Road and encouraged everyone to be at the LCPC meeting. She also expressed concerns regarding stormwater runoff. Peter Stillwell, 101 Stone Creek Road, stated that his community is now zoned high density and stated that Mr. Murry had the proposed Wal-Mart site rezoned. Mr. Stillwell asked who will protect their community from a large retail store. Mr. Stillwell stated that he lives in a farmhouse and has problems with water in his basement now. He is concerned with more stormwater being put into the pond. He indicated that there is still question as to who owns the pond. Amber Schwebel, 204 Scarborough Lane, talked about the danger to the wetlands and the wildlife in the wetlands. Mr. Kaplin explained his reaction to a comment regarding the Columbia Avenue access stating that when the property was subdivided two years ago before Wal-Mart completed the purchase of the property from Mr. Murry, the Township and LCPC insisted there be an access to Columbia Avenue. It was put on the plan and Mr. Murry agreed not to allow his two out parcels to exit onto Columbia Avenue, but through the access that Wal-Mart would construct. The Zoning Hearing Board agreed with Mr. Huber and other people that because Wal-Mart did not own that property and only had an easement they could not use it. The reason the present plan only shows an access to Centerville Road reflects the decision the Zoning Hearing Board made. Mr. Kaplin stated after listening to the comments last month he went back to Wal-Mart. He stated that he did not know how it could be fixed but all the traffic is going off South Centerville Road. Mr. Kaplin stated if all the traffic was going to access from South Centerville Road, some of that traffic would probably go through Woods Edge; but it was the Woods Edge people and F.A.I.D. who pushed the position before the Zoning Hearing Board that the prior application should be turned down because all they had was an easement. After that, the Wal-Mart people said if the Township can fix it they will come off Columbia Avenue

and either have two entrances or one. The Zoning Hearing Board determined that they could not use the Columbia Avenue access. They are willing to come in from Columbia Avenue if the Township can work it out. This was communicated to Barry Smith and the Board of Supervisors. With regard to off-site improvements, Wal-Mart has offered multiple times with other applications to sit down with the public officials and try to work out the access and off site improvements issues. That suggestion was rejected. One of your Supervisors stated that the meeting was rejected because Wal-Mart was asking for a variance. Mr. Kaplin stated that they have never asked for a variance. They are willing to make a half-million dollar contribution for off-site improvements if they can work out the Columbia Avenue access with the Township. There was also a comment that this is the wrong place. This site was zoned for whatever reason for highway commercial per the Comprehensive Plan and Zoning. Mr. Kaplin also addressed the issue of stormwater stating when the property was subdivided, a very extensive stormwater management report was required to be prepared and approved by the Township Engineer. There were three alternatives and each one required a stormwater retention basin on the Wal-Mart property and that is what is shown. There was three possible ways for the water to be discharged so the water went to the creek and Mr. Kaplin reviewed the three alternative plans. Wal-Mart has attempted to deal with complaints regarding stormwater, deal with the access issue, and traffic issues. They are not willing to delay their application, because it is obvious the zoning will be changed; we are willing to work with the County, Township, PennDot, and East Hempfield Township to put the entrance off of Columbia Avenue if the people are willing to sit down with them and discuss how to make it possible. Mr. Miller asked if Dr. Plourde had the answer to the question he had asked last month regarding the traffic for that location if it was an office building of the same size. Mr. Kaplin provided the information stating generally speaking an office building has more traffic in the morning than a shopping center and gave figures regarding peak times. Barbara Wash, 400 Stone Creek Road, stated that Wal-Mart just went through the zoning hearing process. She stated that she believes they do not belong on this site. Kathy Sorg, 220 Post Oak Road, asked if Wal-Mart would be open late and have all night parking for RVs. Mr. Kaplin stated they would comply with local regulations. Mr. Miller stated that it is difficult not to empathize with everyone who does not want to see Wal-Mart. Mr. Miller indicated that he does not want to see Wal-Mart at that location. Mr. Miller stated he feels the zoning should have been changed at some point in time. Mr. Kaplin is correct that the law is on his side and the Commission is not free to decide that the laws in Manor Township do not apply equally to all landowners. Mr. Miller stated he does not want to see Wal-Mart at this location but they have a right to be there. The Zoning Officer determined that the rule of the Zoning Ordinance does apply and as such as a Planning Commission member he is not free to change that. Mr. Miller expressed concerns with only one access, lighting, and would like more feedback on any off-site improvement offers. Mr. Kaplin stated there are improvements that should be made at South Centerville Road and Columbia Avenue but right-of-way is need to make improvements and Wal-Mart is putting five hundred thousand (500,000) dollars on the table for wherever the group of public officials would want to spend it. There will be no condition put on the money that is offered. Mr. Miller had environmental concern regarding stormwater runoff. Mr. Kaplin asked Chad Mackey, from CEI Engineering in Arkansas, to explain the stormwater management design. Mr. Ahlfeld questioned the commitment to the architectural design that was presented. Mr. Kaplin stated that they are willing to agree that will be the architectural design. Mr. Witmer asked if there is a garden center. There is no garden center or tire lube express proposed for this store. Peter Stillwell asked there be a stipulation that the store will not be lighted all night. A

resident stated that Mr. Kaplin said that the store could be changed. Mr. Kaplin stated that he was being misquoted. He was asked if it is possible that Wal-Mart could expand and what he said was that to go above a 100,000 square foot store; Wal-Mart would need a special exception and have to go back to the Zoning Hearing Board. They can only do what the Zoning Ordinance permits. A resident questioned who would monitor the water separation that was talked about. Mr. Kaplin stated the same people who monitor the stormwater for any development in the County. A resident asked if the quality of life and character of neighborhood comes into play with the Planning Commission. Mr. Ahlfeld said that there are specific standards in the Lancaster County Subdivision Land Development Ordinance. George Poulin, 145 Swedesford Lane, stated that he feels that the Commission should have in writing from the Applicant the changes that have or will be made. Mr. Ahlfeld again explained the procedure and time frame for the application. A resident indicated that there were not many realities at the last meeting. They understand that because of the way it is zoned not much can be done. They have concerns with regards to the sign and stormwater runoff. Ginger Schwebel, 204 Scarborough Lane, stated that the traffic is a major problem and she agrees everything should be in writing. Peter Stillwell stated that the bridge over Route 30 needs to be widened. Pat Weidinger, 2025 Manor Ridge Drive, stated the original use for this parcel of land was going to be used for some other form of commercial use and not a Wal-Mart. What was proposed when the property was rezoned was something that would have fit in with the neighborhood. Sara Reinbred, 2725 Royal Road, asked what if Wal-Mart does not do what they promise regarding the water treatment and the façade of the building. Mr. Weidinger referred to the question regarding water run-off and asked who monitors it? He said DEP, if you can get DEP to come and enforce the regulations. Susan Smith spoke with regard to candor, commitment and compliance. She began with candor and stated commit to or at least indicate to the public the hours of operation. In terms of compliance, she mentioned at the last meeting there remained issues with compliance with the Zoning Ordinance. While it is a land development plan before the Commission, she hopes the Township will make sure there is compliance with the zoning ordinance. Regarding commitment, Wal-Mart says a lot of things. There is federal action taken against Wal-Mart in multiple state situations, because it committed to doing certain things and fails to do them. Jim Henke stated that the zoning allows Wal-Mart to build the store but Mr. Henke encourages the powers to be to sincerely consider additional dialogue regarding traffic improvements. Ms. Glazier is concerned with what was given to be reviewed is significantly different from what is suggested it could be. She stated that for her to feel comfortable in making any recommendations she would need to see written proposals for mitigation of the traffic plans and a notion of how to resolve the access drive issues. The proposals are inconsistent with Growing Together that has just been adopted and it is not compatible with the surrounding area. She stated that there are issues with the stormwater and there are stormwater failures in Manor Township now; to her knowledge no one has a clue as to how to address them. She would like to know that someone with the expertise that a multi-billion dollar multi-national corporation like Wal-Mart could afford to design and implement and assure them the system would work. Mr. Miller disagreed with Ms. Glaziers comment regarding numerous stormwater management failures. It has not been proven there are any failures. There are some concerns. In regards to stormwater, there are many areas in Manor Township that were developed areas that have absolutely no stormwater management. Park City itself has no stormwater management. Wilshire Hills has absolutely no stormwater management. Some of the problems are long-term existing problems. Mr. Miller talked further regarding stormwater management. John May, 100 Red Fox Road, said the Lancaster County Conservation District

gave four non-compliance letters regarding stormwater. Mr. Miller responded by saying that not being in compliance does not necessitate failure. Mr. Miller stated the Zoning Officer issued a compliance letter in regards to this plan and again Mr. Miller stated he is not a Zoning Officer and he relies on the Zoning Officer. Mr. Miller stated in regards to things in writing he does not feel it is important because the Commission has no authority to act; they only recommend to the LCPC. Mr. Miller proceeded to explain why he does not feel everything needs to be in writing. Mr. Miller made a motion to recommend to the LCPC approval of the Wal-Mart Land Development Plan for the site with the following suggestions for LCPC consideration for conditions to the plan. 1) Find a way to create a second entrance to the site and hopefully the Township Supervisors will be willing participate to facilitate that second entrance whatever it takes to do. 2) LCPC encourage in the review of the lighting plan that the standards of the Dark Sky Institute are taken into consideration and applied as appropriate to this site. 3) Attach the architectural rendering to the subdivision plan itself so that the renderings seen and acknowledge by Mr. Kaplin would be attached to the land development plan. 4) The offer of \$500,000 for off-site improvements offered by Wal-Mart be explored to its fullest extent and hopefully between the LCPC Staff and the Manor Township Supervisors can facilitate and figure out the best way to make use of that offer. Mr. Henke seconded the motion. Mr. Witmer asked if anything could be added about the hours of operation. Mr. Miller advised him that he does not know if there is any ordinance that restricts hours of operation on any businesses. Mr. Miller stated that he does not believe there is any legal basis in making that request. It was recommended that the LCPC explore the hours of operation with the Applicant as well as the hours for deliveries to the Wal-Mart store with an attempt to mitigate all the concerns by Manor Township residents regarding a store that would be opened all night. Mr. Bauder asked if Wal-Mart could be asked to request an extension of time so that the Manor Township Planning Commission would have more time to review and comment on the plan. Mr. Stillwell asked the Board if any of them have an affiliation with any company or any business that might actually benefit from construction in this area. No one on the Commission had any affiliation. Mr. Miller added to the motion that they recommend to the LCPC that the LCPC explore with Wal-Mart the hours of operation and deliveries to the store as well as requirements within our zoning ordinance. Mr. Kaplin stated that the LCPC could impose a condition and it would be up to Wal-Mart to decide if they want to argue about it. Mr. Henke seconded Mr. Millers addition to the motion. Mr. Ahlfeld stated that he was not inclined to support the motion. Mr. Ahlfeld called for the vote on the motion on the floor. The vote was 3-3 and the motion did not pass. Mr. Ahlfeld made a motion to convey to the LCPC the Manor Township Planning Commissions concerns that this is not appropriate development for this site. It is not in line with the new Township Comprehensive Plan that shows neighborhood commercial and not regional commercial development. Also, Mr. Ahlfeld wished for the LCPC to consider all concerns and comments by both the public and Planning Commission members including stormwater management as well as the other considerations given in the previous motion. Beth Herr seconded the motion. Ms. Glazier asked about the requesting of an extension of time. Mr. Ahlfeld advised the Commission that if the LCPC found it appropriate to ask for an extension of time from the Applicant to deal with the issues, that the Township Planning Commission would find it to be appropriate and support that time extension. Ms. Herr seconded the addition to the motion. Ms. Glazier stated that she felt that the LCPC does not have enough time to deal with the issues and make an intelligent decision. Mr. Kaplin stated for Wal-Mart to do something with regards to the access drive off of Columbia Avenue, the Manor Township Board of Supervisors need to act or agree to act or there is nothing Wal-Mart can do. Mr. Ahlfeld

again gave the motion to convey to LCPC that this proposal is not appropriate for the site in view of the Comprehensive Plan, consider all the public and Planning Commission members comments, and look at the five points Mr. Miller made in the previous motion: 1) Find a way to create a second entrance to the site and hopefully the Township Supervisors will be willing to participate to facilitate that second entrance whatever it takes to do it; 2) LCPC encourage in the review of the lighting plan that the standards of the Dark Sky Institute be taken into consideration and applied as appropriate to this site; 3) Attach the architectural renderings to the subdivision plan itself so that the renderings seen and acknowledged by Mr. Kaplan would be attached to the land development plan; 4) The offer of \$500,000 for off site improvements offered by Wal-Mart be explored to its fullest extent and hopefully between the LCPC Staff and The Manor Township Supervisors can facilitate and figure out the best way to make use of that offer; 5) The Planning Commission suggested that the LCPC explore the hours of operation for the store and for deliveries to the store with an attempt to mitigate all concerns by Manor Township residents regarding a store opened all night and the affect on the neighborhoods of Wilshire Hills and Woods Edge. And, if the LCPC asks for an extension of time from the applicant to deal with all of the issues that have been mentioned, the Planning Commission would find that to be appropriate and support it. Ms. Herr again seconded the motion and the motion carried unanimously.

Manor Township Subdivision & Land Development Ordinance - The Planning Commission needs to comment to the Township Board of Supervisors prior to the Manor Township Board of Supervisors public hearing scheduled for May 7th. Mr. Ahlfeld stated the Supervisors want to take action on May 7 on the copy of the Ordinance that was mailed. Mr. Ahlfeld stated that the Commission has two options. They can have a short discussion and take action tonight or recess the meeting and meet at another time to discuss this ordinance with the engineers and planners present to give an overview and answer any questions that the Commission might have. Mr. Bauder stated that he felt he could clarify the reasons for having our own Ordinance. One of the reasons is the amount of land and type of land dedicated for recreational open space by developers. Another item is amount of funds in lieu of a traffic study. The third item was that the Board of Supervisors wants to be the approving agency not the County because he feels that they can better represent the Township. Mr. Miller stated he does not feel things are clear and that is why they are asking for a presentation. The Commission needs to know the background and basis for the Ordinance. The Commission has not been briefed over the whole year that this has been going on. Mr. Miller stated that the Park and Open Space Plan are being done at this time. The proposed ordinance has recommendations regarding open space and he imagined that it is based upon what the Park and Open Space Plan has in it. After discussion it was decided that the Commission would recess the meeting and meet again on Monday, April 23, 2007 at 7:30 p.m. at the Manor Township Municipal Building to review the subdivision and land development ordinance. The next regularly scheduled meeting is Monday, May 14, 2007 at 7:30 p.m. in the Manor Middle School.

Mr. Ahlfeld stated that the meeting is recessed until 7:30 p.m. on April 23, 2007 at the Manor Township Municipal Building.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

04/23/07

This meeting is continued from the April 9th Planning Commission meeting. The Planning Commission will discuss the draft Subdivision Land Development Ordinance.

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, April 23, 2007 Time: 7:30 P.M. Continued From April 9, 2007

Mr. Ahlfeld opened the meeting with the Pledge of Allegiance to the Flag. Mr. Ahlfeld advised that tonight's session is a continuation of our previous April meeting and was scheduled to finish the agenda of that meeting that consists of discussing the proposed Manor Township Land Development and Subdivision Ordinance. Mr. Ahlfeld stated Barry Smith would make some comments and the consultants who worked on the ordinance were present.

Mr. Smith gave a brief background stating it has been more than a year since the Supervisors expressed a desire for the Township's own subdivision and land development ordinance. Mr. Smith stated they put together a team that included Mr. Ahlfeld, Jim Henke, Bill Laudien, Bruce Ott, Barry Smith, John May, and Dick Bauder. They met with the consultants, Rettew Associates, who led them through a neutral process of looking at the essential elements of an ordinance. There was feedback from the committee and based on that Jim Caldwell from Rettew prepared the articles for the ordinance. Present this evening is Jim Caldwell who was the principle on this project as well as Ron Beam, one of the owners of Rettew, and Mark Lauriello who is currently President of Rettew. They wanted to get as much feedback from the Planning Commission as possible on behalf of the Supervisors in order for them to make a formal and final decision on the ordinance. Mr. Ahlfeld noted they had a letter of comment from the LCPC and each member was given a copy this evening. Jim Miller asked for an overall guiding principle in regard to what was the genesis of the idea to do this, what were the basic fundamental principles that were brought to the specific sections included and what is different from this ordinance and the existing County Ordinance so they have some means to evaluate the changes and point out the changes to the Commission. Mr. Miller stated that the Commission has not had any commentary since this effort began until the draft was received in the mail. Mr. Bauder stated there has been three or four revisions, none of them major revisions, so the main body is pretty much the same as you see it with the exception of the dedicated land provision which was put in recently as a result of the Park and Recreation study that Bill Laudien had done. Mr. Bauder stated he hoped the Commission was updated on the revisions as they came along, because there were two members of the Commission on the Committee. Mr. Bauder stated this has been ongoing for about one year. Mr. Ahlfeld stated that the Committee met maybe two or three times but did not meet at all during the final phases of the project. Mr. Ahlfeld stated that it has been six to nine months since the committee met. The Committee was not involved in the final revisions of the ordinance. Mr. Miller asked what were the guiding principles that were talked about in the development of this ordinance. Mr. Bauder stated most of that discussion took place in the Committee. The Supervisors did not develop a set of principles; however, Mr. Bauder stated when he became Supervisor, he visited the surrounding townships and looked at their ordinances, specifically, the subdivision and land development ordinances. He also looked at how long the ordinances were in effect and what results were obtained from the ordinances. Mr. Bauder stated that he felt that the County Ordinance was not addressing the Township problems and the second reason was that he thinks that the representatives of the people should have the voice of approval and not an appointed body. Most of the discussions regarding issues took place in the Committee under the guidance of the consultant. Mr. Bauder stated that he does not believe the Supervisors put forth any list of principles. They expected to develop an ordinance that was similar to the townships that have the same demographics as Manor

Township has. Mr. Beam stated that in February of 2006, he and Jim Caldwell attended a meeting and was given some guidance in terms of issues they were to focus on. Barry Smith stated there was additional input in discussion with individual Supervisors as well as staff before they even got to the point of addressing the issue with Rettew. Having gone through a series of projects, one being Builders For the Bay, they were in the process of dealing with some of the Smart Growth concepts of the County and the Supervisors were interested in trying to develop those things into an ordinance that would be our own ordinance. There were some philosophical things that they wanted from a growth management standpoint and it was clear in discussion with the Board that a majority did see reason to have the Township be the entity that had the final say in the approval of a plan. Jim Caldwell stated at a meeting in January of last year, Mr. Ahlfeld laid a number of issues on the table that the Planning Commission had struggled with in the past and it was suggested then that they have a meeting with the Commission as a whole. Then the ordinance would be built upon and based on the input received at the Planning Commission meeting. The Committee talked about developing standards based on different areas of the Township as to whether it was in a growth area or a rural or agriculture area. There was extensive discussion regarding the following issues: curbs and sidewalks and where to require them, parking requirements, parks and greenway interconnectedness, uses of the 100 year floodplain, street standards, cul-de-sacs verses no cul-de-sacs, livable communities that are appropriate in the subdivision ordinance as opposed to more appropriate in the zoning ordinance, connectivity, efforts to loosen up design constraints in some rural areas, provisions for storage structures, farm business regulations, and alternatives to sketch plans all the way through the final plan. The consultant then presented some design standards to start with to the Committee. Scott Haverstick stated that this Board had taken the initiative relatively early on to suggest to the Supervisors that they consider going this direction. Mr. Miller stated that he was referring to the details of the ordinance and the fact that the Commission has not had any updates through the process. Mr. Bauder stated that their Chairman, John May, brought a document from Mount Joy regarding development (it was not a subdivision land development plan) and that is what initiated the discussion in pursuing our own SALDO. Scott Haverstick asked how this varies from other townships. Mr. Caldwell stated that this ordinance is different than any other one he has ever written and explained the differences and the process used to write the ordinance. Jim Miller stated that he believed there is a perception within the Community that having a SALDO will somehow allow them to more effectively manage their development and asked how effective in a philosophical sense is having a SALDO to managing that as opposed to the zoning ordinance and zoning classifications of ground with respect to controlling development. Mark Lauriello stated that he feels the SALDO gives more opportunity. It is not going to solve all the problems but when compared to a zoning ordinance, there is more flexibility to negotiate a little especially if waivers or modifications are required. There is still a set of rules to follow but waivers are not variances and they are less stringent legally to review and grant a waiver. Through that process, you can negotiate or maybe additional improvements can be included or design standards relaxed for something that is more beneficial to the Township in another area. It gives more control but not total control where you can slam the door on something you do not want. If they follow the rules and regulations, they still have to be granted the approval. Mr. Miller stated primarily the SALDO is a how to manual and zoning ordinance determines what a particular piece of ground is zoned, permitted uses and the design criteria that relate to this particular zoning type and the SALDO is essentially a how to manual for how you do land development and subdivision. Mr. Lauriello agreed with Mr. Miller. Mr. Miller stated it should

follow the Comprehensive plan and zoning ordinance and be the mechanism that allows those two documents to actually function. Mr. Lauriello stated it should allow for the implementation of the comprehensive plan and zoning. Mr. Ahlfeld stated comments regarding waivers having more flexibility than variances are good. Reading between the lines and things heard and seen, people think if we have a local ordinance, there is more ability to turn something down. Everybody needs to realize that if a plan meets all the provisions of an ordinance it has to be approved and it is very straightforward even in the State Planning Code that to turn down a plan you must explain what is wrong with it, what standards it does not meet and refer specifically to the passage in the ordinance that it does not comply with. Mr. Ahlfeld indicated he was at a meeting of the Coalition for Smart Growth's Education Committee and there was reference to a small committee that is developing what may become a sample subdivision and land development ordinance that municipalities maybe encouraged to adopt. Mr. Miller is on that committee. Mr. Ahlfeld asked Mr. Miller for information about the project as to what it is and what can be expected from it. Mr. Miller stated that the County heads the group and they are developing a model subdivision and land development ordinance. There are 16-18 municipalities that use the County's SALDO. The intent is that the County will also adopt this ordinance. There is standards for rural as opposed to urban and later an infill section will be added. It is unlikely that the municipalities will adopt the entire plan without some changes. Allen Kreider stated that his feeling is not why shouldn't we adopt the SALDO but the better question is why not? It affects more than just land, it affects a lot of people in our budgetary process namely one item, streetlights. It went from \$40,000 to \$112,000 in just a couple of years since he was Supervisor. Now the Township will have more control and be able to regulate some of these things. Mr. Kreider stated it is the only way to go and he cannot imagine why it would even be questioned. Mr. Ahlfeld stated some questions as to what role is seen for the Planning Commission in the future if this is adopted. There is a lot of technical information in the ordinance, things the Planning Commission members have neither the technical ability nor the time reviews. Reviewing these plans will probably require more engineering services than the Township is presently employing. Mr. Kreider stated that the developer would pay for the extra engineering so it is zero cost to the Township. Mr. Kreider does not see a down side to this. Bonnie Miller stated that she travels around the County and sees other townships operate. Why can't we have an engineer seated at the planning meetings like some municipalities to guide the appointed people? Mr. Ahlfeld stated that he would have no objections. Mr. Miller responded to Mr. Kreider's comment stating that Mr. Ahlfeld's comments was speaking to fees but the fact is the Township must be prepared for the huge additional work load on staff as well as retaining an engineering firm that will be needed to do much more work than just review the stormwater ordinance. Mr. Miller stated there would be much more work and Mr. Kreider indicated that it would not be known how much more work would be required until the Township gets there. Mr. Miller stated that the reality is there will be much more work so there probably should be some planning. Mr. Miller stated that he has the same question as Mr. Ahlfeld regarding the additional workload. Mr. Haverstick stated it will require more staff but the developers will be paying for it. Mr. Haverstick stated that he cannot see that the present staff will be able to accomplish what needs to be accomplished. Mr. Lauriello explained how the process is handled in West Hempfield Township and stated the process works very well. Mr. Smith advised the Commission that he has an idea for the implementation of this ordinance. He feels it is premature to say what the impact will be on the staff. There was further information given on the process; the questions that came up were the following: would the process change the meeting dates, when does the time start for

a submittal and if more than one meeting each month will be needed for the Supervisors. Mr. Caldwell proceeded to list specific details regarding the possible procedure for handling the application. Mr. Miller stated the process written in this ordinance contains a briefing session, and then a sketch plan is strongly encouraged, preliminary and then final plan. Mr. Ahlfeld stated it is his understanding the Planning Code prohibits requiring a sketch plan because the planning code says there can only be two required plans. Mr. Caldwell stated that the sketch plan is urged before any formal application to the Township. Mr. Ahlfeld said that is a basis for the developer to sit down with staff and talk about the proposal. If that becomes required, then that is one of the two plans that the code allows. Mr. Caldwell stated that the formal plan submission is when the clock starts ticking; the plan is submitted either as a preliminary or as a final plan depending on the criteria in the ordinance 15 days before the Planning Commission meeting. The plan then goes to the Planning Commission as a briefing item, goes through the review process which is over 30 days. The Township review may include two engineering reviews through the Township. By that time, you will have the County review back and the plan will be on the planning commission agenda. At the second planning commission meeting, if the plan is clean enough, you may feel comfortable at that meeting to recommend conditional approval to the Board of Supervisors at that point in time. There maybe some design issues that have not been fully addressed and the Planning Commission may not feel comfortable moving on at that point in time and may wait until the following meeting before moving the plan on to the Supervisors. A recommendation will be made to the Board of Supervisors and then it will move into their court for their actions. They may need to grant a time extension to the applicant. There are plans that make it through the 90 day period, but that is the exception rather than the rule. There maybe outstanding issues the applicant is not able to meet within the 90 days such as planning module approval, PennDot, E&S approval, letter of credit, etc. and the applicant may need to get an extension of time. Mr. Henke questioned making the applicant wait for a month until the next meeting if it is something minor and everything is in order. Bonnie Miller stated that she feels the Township does too much to accommodate. In our meetings, work is constantly being done that should have been done by the applicant before coming before the Commission or the Supervisors. Mr. Ahlfeld asked if Ms. Miller was referring to subdivision reviews and Ms. Miller stated yes. Mr. Ahlfeld stated that she has never seen the Commission do a subdivision review. Mr. Miller advised Ms. Miller that currently the Commission recommends and the County does all the work at the staff level. In this Commission, we do not have the benefit of anybodys review before action is taken. This Commission is the sounding board for the LCPC in the case of subdivision and land development and the Supervisors in the case of zoning change. Joan Matterness, who lives in Woods Edge, stated that she reviewed this ordinance and this reminds her of an eligibility document. This is a process where it tells somebody if you want to do something this is what you must do. She thinks it is good direction and there are some issues, but she believes this will make the Commissions job easier. There will be a staff person needed who is able to review the document to make sure it meets the criteria. Ms. Matterness questioned the meeting dates in regard to the time frame for the application. Steve Shue asked if the Commission waits from recommendation from the LCPC why at the last meeting was Wheatfield Developers on the agenda when they did not have the comments from the LCPC. Mr. Shue was advised tonights meeting was only for discussion of the subdivision and land development ordinance. Mr. Beam stated that at West Hempfield, they have moved briefing items to agenda items on smaller projects provided the applicant was aware of it and was available. Ms. Glazier asked how often a simple application like Jim Henke was talking about

occurs. Mr. Beam stated two times a year. Mr. Lauriello stated Manor Townships meeting schedule is good for this process and recommended not changing the dates. Mr. Caldwell stated he had marked up a calendar to show how a plan might flow through the process and give copies to the Commission. Mr. Ahlfeld stated he has concern with spending time on the process when he is sure that there are many specific details to talk about. He would suggest that if it is known that this ordinance will go into effect on a given date, prior to that date somebody prepare a flow chart of every step that needs to occur with various options branched off and with every step having a cross reference to the specific paragraph and section number of the ordinance. Mr. Miller stated that under the section for sketch plans under the first item Section 4-1 under General it states for major development or unusual circumstances what is the definition of a major development or an unusual circumstance? The following are the questions and comments on the specific details of the ordinance that the Planning Commission asked of the consultant:

Jim Miller Section 102 Item D sentence reads: to accommodate the townships fair share what is fair share? Jim Miller - Section 102 Item E second to last word indiscriminate development. What is the difference between discriminate and indiscriminate development? Mr. Haverstick - Section 511- Public Dedication of Park and Recreation Land asked if those ratios are fairly standard ratios. Comprehensive Park, Recreation and Open Space Plan describe them. Mr. Haverstick asked if there were legal limitations. Mr. Laudien explained that a new Park and Recreation Plan are being worked on. Mr. Laudien gave an explanation of the memo given to the Planning Commission from DMA Planning Group regarding mandatory dedication analysis. There was extensive discussion regarding parks. Mr. Henke asked why there is not a flat fee per lot associated with this Section 511. Mr. Henke stated that the formulas that are very standard in this ordinance are not fair at all. Mr. Henke stated that the cost for the parkland would be added onto the cost of homes sold. Mr. Henke gave some examples regarding the cost of parkland or in lieu of parkland. Mr. Bauder stated that the developers will know an amount of money will be required and the developer will pay less for the land. Mr. Henke questioned Mr. Bauders comment. Ms. Miller stated if you listen to what is going on in the County, by the year 2010 we are going to be market valued anyway. The resale of lower taxes will be a matter of time. Mr. Henke questioned the case of age-restricted communities with no kids who has a community center housing their own activity and really does not need a park. Mr. Caldwell stated that there are provisions for alternatives and referenced Section D Page 5-30. Beth Herr referred to Section 407.5 and asked how that section would be enforced. Does the Township have a listing of historic buildings and if not, why not? Mr. Ahlfeld asked who identifies if there is historic resource on the property. As referred to by Ms. Herr there is also the issue of a person demolishing a building on a property before the development begins. Mr. Miller stated under Item A it says historical features report shall be submitted with submittal of all subdivision and land development plans. Mr. Miller stated that many of the farms in Manor Township contain a historical place, so for every structure where there is a historical feature, a report associated with the land development on that farm is required. Ms. Glazier pointed out that it is not what it says. Mr. Miller also referred to Item E regarding historic views and asked what a historic view is? Mr. Ahlfeld made two comments on Paragraph A references to the Manor Township Comprehensive Plan or the LIMC Regional Plan. There is no distinction anymore. It is the Manor Township Comprehensive Plan. Secondly, structures identified by the Township Comprehensive Plan are not satisfactory. There are very few properties listed in the Comprehensive Plan. Jim Henke had questions regarding Section 407.4.C Wetland studies sites abbreviated report may be submitted. If there are no wetlands on the site, why print anything. A

general note on the plan would be sufficient. In Section 407.3 towards the end where it speaks to the contribution in lieu of preparation of studies. If an applicant believes that the preparation of a traffic study is not warranted, he may request the Board to waive the preparation of the study. Item #3 was read by Mr. Henke and asked if that was a traffic comment or sanitary sewer. It was decided it applied to sewer and needed to be looked at. Mr. Miller also had questions and comments on the above section. Mr. Miller pointed out Item 6 under Section E contribution in lieu of it references Section 408.3 and Mr. Miller stated that he did not have Section 408 in his book. Mr. Henke said consistency is talked about and in several places it says things are approved by the Township and approved at the sole discretion of the Board of Supervisors and it goes back to approved by the Township. These are different items. Mr. Ahlfeld said if you use different terms to relate to the same thing people would think you are trying to distinguish between two different things and you really mean the same. Mr. Ahlfeld had comments under the definitions stating, as a general principle, you should not use any definition that is different than the one in the Municipalities Planning Code. Mr. Ahlfeld did not check them all but found several where there are differences. Mr. Ahlfeld had comments on sidewalks on the bottom of Page 5, 11 Paragraph A which is a general discussion of what sidewalks should do and where they should be within urban and village growth areas and then in Section B sidewalks for outside growth areas and when you get to Section C, it says where required sidewalks shall be provided as follows. Mr. Ahlfeld stated that he assumes that refers back to Paragraph A which says they are always required within growth areas. It then sort of gets back to standard language which says they must be along both sides of the road and very specific provisions which sound like old fashion sidewalk requirements than Paragraph A implies. The paragraph talks about linkages and sidewalk layout shall be designed to provide convenient safe and direct access between various usages, which sounds creative, and Section C sounds very routine. Mr. Ahlfeld had a general question under greenways Section 533 & 534. The various park and greenways plans have different categories of greenways but in this section there is just a general reference to greenways and was it considered, if at all, the different categories of greenways get treated the same way and whether the same thing should be applicable to all of them. Mr. Miller questioned Page 3-4 Item E under Board of Supervisors Approval and Certification. Mr. Miller read, The Board would acknowledge satisfactory compliance with all conditions, if any, of the plan approval at a regularly scheduled public meeting. That is a general comment and then specifically under final plan it again talks about final plan certification. Mr. Millers questioned if the requirement that you get conditional final approval and then that plan must come back to the Planning Commission where there is certification that the conditions have been satisfied as well as the Board of Supervisors is necessary. All that we will be relying on is the engineersacknowledgement that the final conditions have been met. All the nuts and bolts occur at preliminary plan. There are no decisions to be made about the plan; his question is why does the plan come back to the Planning Commission for final plan certification when all they will do is listen to the engineer who will say that the applicant met all the conditions and then approve it. It is purely a staff review thing and Mr. Miller questioned the necessity for final plan certification as well as the Board of Supervisors if we are simply relying on staff to say everything is satisfactory. Section 407.1 regarding the water service feasibility report it talks about 400 gallons per day as the amount of usage per EDU. They are no longer DEP standards and Mr. Miller questioned if the old number was picked up? The next page 1A specific tract and ground water recharge is there a recharge from off site that should be taken into consideration? As a general rule, dont we want to be referring to DEP standards? Page IV-22 talks about

alternate on lot systems and they are not going to be approved unless you can prove another type cannot be used essentially. If DEP recognizes an alternate or experimental on site sewage system, wouldn't we want to approve what DEP is approving? Section 425.8 Traffic Requirements Does not seem to be any preclusion in the MPC to requiring areas outside the site boundaries from inclusion in a traffic study. Our engineer seems to indicate if that study indicates there could be some loss of service at some of those off site areas studied the improvements are required to be done.

Mr. May suggested the Commissions comments be written out and given to the consultants and staff so when you meet again they can proceed more quickly through the comments. Mr. Caldwell suggested the Committee get together again and review the comments and Mr. Smith agreed. Mr. Ahlfeld asked if it is the Supervisors intent to act on May 7th whether they have heard all the comments or recommendations. Mr. May stated he speaks for himself. He does not want to run rough shod over the Commissions ideas but he does want to adopt the ordinance as soon as possible. Mr. Smith stated it has been advertised with the intent to adopt it on May 7th. Mr. Ahlfeld stated he does not know if the Planning Commission intends to make a recommendation or not or just ask that the Board of Supervisors take all their comments into account before taking action. If that is all the Commission is going to say, we can submit our written comments and say tonight that we hope the Supervisors will take all our comments into account. Mr. Smith stated that the comments cannot be taken into account for May 7th. What has been advertised is what is needed to be acted upon. Ms. Glazier stated she would like to hear a response to the comments. It was decided the additional comments should be put in writing and forwarded to the Township Office by May 7th so that they can be mailed to the Commission by the May 14th meeting. Mr. Henke stated that he wants feedback from the Supervisors on what they just spent three hours on. He has no desire to spend additional time typing comments if he is not going to hear the Supervisors response. Mr. Smith stated based on this amount and variety of comments gathered tonight, it really would be appropriate for the Board to have a couple of options to make on May 7th. One would be to adopt the ordinance or not to adopt the ordinance. If it is not adopted, it is readvertised again in another format and must come back to the Planning Commission and the County. Mr. Smith will advise the Supervisors on the process to follow or the ordinance if challenged to that point, they would lose. Mr. Ahlfeld feels they should wait to see if the ordinance is adopted on May 7th before they do anything further. Mr. May stated, speaking for himself, he does not want to adopt an ordinance that talks about traffic impact fees in lieu of studies and referring to the sewer authority in the same paragraph. He does not believe anyone wants to adopt something that is wrong. Mr. Haverstick asked if this Board will be able to bring this to a vote understanding someone is going to have a problem with wordage or something in the document. Another month is not going to make this a perfect document. Are they willing to vote on it with it being less than a perfect document? Mr. May stated that he is not willing to adopt this ordinance on May 7th and would hope they can get back to the Commission by May 14th. Mr. Ahlfeld asked that all additional comments be submitted to the Township by May 7th and the Township will immediately get them to Rettew and hopefully be able to discuss them with the Commission on May 14th.

The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

05/14/07

The meeting location has been changed due to election activities at the Township Office
Manor Township Planning Commission Agenda

Monday, May 14, 2007 Time: 7:30 P.M. Location: Manor Middle School

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Public Comment

5. Approve Minutes of April 9 & 23, 2007 Meetings

6. Old Business Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition is for 132.637 plus/minus acres of land along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of Undeveloped land and equitable owner of a plus/minus 10 acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. This rezoning is a continuation from last months meeting at the request of the Applicant.

Manor Township Subdivision & Land Development Ordinance - The Planning Commission needs to comment to the Township Board of Supervisors. This item is continued from April 23rd meeting. Comments from the Planning Commission were due May 7th. Consultant to clarify and answer comments. Commission to give comments to the Board of Supervisors.

7. New Business Lot Add-On Plan for David L. Charles - The property is located at 300 Letort Road. The purpose of the plan is to add-on Tract 1 (34.797 acres) to Parcel A (2.127 acres) for agricultural purposes. No construction activity is proposed. The total lot area when completed will be 36.924 acres. The Commission needs to review and make comments to the LCPC.

An Ordinance amending the Official Zoning Ordinance of Manor Township, Lancaster County, Pennsylvania by (1) Implementing measures to protect valuable areas within the Townships commercial zones from sprawling development patterns associated with large-scale shopping centers; (2) Requiring multi-story development for large-scale shopping centers; (3) Requiring multi-story off street parking lots for large scale shopping centers; (4) Increasing required loading spaces sizes for shopping centers; (5) Clarifying the language of Section 401; and (6) Adjusting related sections to accomplish the preceding revisions. The Planning Commission needs to review and comment to the Board of Supervisors.

8. Other Business a. Correspondence

9. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, May 14, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, May 14, 2007 at the Manor Middle School, 2950 Charlestown Road, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Beth Herr, Scott Haverstick, Mary Glazier, Donald Witmer and James Miller Visitors Present: See attached list.

Public Comment Peter Stillwell, 98 Stone Creek Road, stated the LCPC voted 3-2 to approve the Wal-Mart Plan and Mr. Miller is on the LCPC. Mr. Stillwell feels Mr. Miller should have recused himself from the LCPC because he is a developer. Mr. Stillwell stated it was upsetting for the LCPC to vote when there is a nine member body and only five members were present.

Mr. Stillwell stated Mr. Miller is a citizen of Manor Township and should have voted against Wal-Mart. Tom Acker, 212 Post Oak Road, corrected Mr. Stillwell regarding the vote at the LCPC. Mr. Acker stated the vote was 3 to 1 and there were five members present. It was stated four members made a quorum. Mr. Acker stated it is discouraging for someone from Manor Township to vote for rather than oppose Wal-Mart and Mr. Miller not only voted for but made the motion at the LCPC. Mr. Miller's vote could have deadlocked the vote; Mr. Miller is not an advocate for the citizens of this Township. Minutes Mr. Witmer made a motion to approve the minutes from April 9 and 23, 2007. Mr. Henke seconded the motion and the motion carried with Mr. Haverstick abstaining.

Mr. Ahlfeld stated that they would take the lot add-on plan under New Business first, as long as the rest of the Commission was all right with adjusting the agenda.

Lot Add-On Plan for David L. Charles - The property is located at 300 Letort Road. The purpose of the plan is to add-on Tract 1 (34.797 acres) to Parcel A (2.127 acres) for agricultural purposes. No construction activity is proposed. The total lot area when completed will be 36.924 acres. The Commission needs to review and make comments to the LCPC. Jeff Burkhart from David Miller Associates presented the plan. Mr. Burkhart stated there were two tracts of land existing prior to previous relocation of lot line. The proposed lot would add 34-35 acres onto a 2 acre tract. The lot would be farmed and there would be no construction-taking place. Steve Shue, 127 Stable Drive, questioned how many acres were tillable. Mr. Burkhart stated he could only guess about half is tillable as some of the ground is in the floodplain. Mr. Henke made a motion to recommend to the LCPC approval of the David Charles Lot Add-on plan as presented. Beth Herr seconded the motion and the motion carried unanimously.

Old Business Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural to High Density Residential Flex (RH1) - The rezoning petition presented contains the tract of land which is 132.637 plus/minus acres along the eastern side of Donerville Rd. The petitioner is the legal owner of a 122.6 plus/minus acre tract of undeveloped land and equitable owner of a plus/minus 10 acre tract with a residence and outbuildings. Public water and sewer is available to serve the property. The property is bordered on the north and east by residential, south by scattered residential zoned Rural and to the west by farmland zoned Agricultural. This rezoning is a continuation from last month's meeting at the request of the Applicant. Chip Trautman, 120 Stable Drive, member of an organization named CHARR made a presentation. Mr. Henke recused himself from this agenda item as he had previously. Mr. Trautman requested that the Manor Township Planning Commission does not recommend approval of the rezoning request. Mr. Trautman's presentation covered the effects of high-density zoning, the history of this tract, sense of place and the environment. Jim Hall, 129 Swedesford Lane, continued with the presentation discussing inadequate infrastructure, constructively planned growth and the township and regional needs. Attorney Jim Thomas complemented Mr. Trautman and Mr. Hall on the presentation and stated he agrees and disagrees with the comments based on the Comprehensive Plan. Mr. Thomas stated the tract is within the established Urban Growth Boundary and within the Urban Holding area. Mr. Thomas read Page 6.23 and Page 6.9 from the Comprehensive Plan. Mr. Thomas stated this area has public services and infrastructure in place. There is adequate police and fire protection. There will be provisions for walking paths along the Little Conestoga Creek. Mr. Thomas indicated state wide initiatives support dense development. Mr. Thomas pointed out the alternative for this tract of land as listed in Section 202.4 is mobile home park that falls under conditional use and would have to be approved. Steven Shue presented a picture to the Commission regarding water run off on a piece of property on the

outskirts of Eagle Heights. Bonnie Miller, 113 Bent Tree Drive, stated Donerville Road and Route 999 are not a major arteries and infrastructure is needed to alleviate the problems before there is more development. Steve Himmelsbaugh, 123 Stable Drive, stated he lived along Donerville Road for 30 years and talked about the time it takes to pull from Donerville Road onto Rt. 999. There is no room for pedestrian and bicycles and high-density zoning is incompatible for the area. Frantz Herr, Hershey Mill Road, questioned the logic of putting high density next to farmland stating it alleviates pressure on farmland. Mr. Herr stated his farm is bordered by high density and in July he received letters from developers wanting to buy his land. Jackie Gumper went over the points made by the petitioners and made rebuttal statements. Ken Wenzel, 2170 Blue Rock Road, spoke about the existing traffic problems and the number of accidents stating the impact of high density would be horrific to the traffic in the area. Beth Herr said Mr. Thomas stated Red Rose would be happy to extend their services. She dealt with them in other areas and they are diminishing routes. Mr. Thomas stated Red Rose would service an area if they have riders and incentive. Bonnie Miller attended a meeting where it was indicated the lower income individuals take buses. They are installing trolleys in the city and she does not see bus routes coming to 999. Ms. Glazier stated she is ready to make a decision. There is nothing changed in this area that makes her believe the site could be developed. Jim Miller questioned the figures used in the presentation made by CHARR regarding the infrastructure, school, roads, etc. Mr. Miller stated the Penn Manor School District showed that from 1996 to 2006 they have the same amount of pupils. The Pennsylvania Department of Education estimates fewer students in the next ten years. Mr. Miller talked about the urban holding area and how the time will be chosen when development should occur. Mr. Miller stated he disagrees that high density is not compatible with the area. Vic Kicera from Wheatfield Developers stated they would be willing to make improvements to help the traffic situation. They tried to develop a plan that is sensitive to the neighboring development on Stable Drive. They looked at medium density but were told by the Supervisors if they use the ground they should consider high density. There is water and sewer available to the tract. They would be willing to plant a green buffer along the creek and possibly build a bridge over the creek to connect with Springdale Farm. Don Witmer asked the question, how fast do we want Manor Township to go from agriculture to residential? Mr. Witmer asked what the rush to rezone is. Studies show this area is prime farmland. Do you want to see all rooftops or farmland? Mary Glazier made a motion to recommend to the Supervisors that this tract not be rezoned. Beth Herr seconded the motion. Mr. Ahlfeld stated there are strong points on both sides but Mr. Witmer hit the real point. Mr. Ahlfeld stated it is a matter of timing and referenced the Comprehensive Plan. Mr. Ahlfeld stated the new SALDO determines the kind of growth and the zoning ordinance deals with land uses. Mr. Ahlfeld stated that the Growing Together Comprehensive Plan does show residential use for this land and it is in the Urban Growth Boundary. This should be and will be developed but he agreed that this is not the time. Mr. Ahlfeld called for the vote and the motion carried 5 to 1. Mr. Miller was the negative vote and Mr. Henke recused himself from voting.

Manor Township Subdivision & Land Development Ordinance - The Planning Commission needs to comment to the Township Board of Supervisors. This item is continued from April 23rd meeting. Comments from the Planning Commission were due by May 7th. The consultant will clarify and answer comments and the Commission will give their comments to the Board of Supervisors. Mr. Ahlfeld stated that the Township Supervisors have adopted the Ordinance since the last meeting. The members wondered if any discussion took place on the comments that were made. Mr. May stated Mr. Henkes comments were passed on the Jim Caldwell and there were

critical points. Mr. May pointed out that they can make amendments. Mr. Bauder talked about the SALDO and Park & Recreation Comprehensive Plan and that some municipalities use the Park and Recreation Plan for their open space. The SALDO should support the Parks and Recreation Plan. Mr. Bauder commented that if there is a disparity between the Growing Together Comprehensive Plan and Park and Recreation Plan done by David Miller Associates that we would amend the main body. Mr. Bauder stated he read the comments that were submitted from the Commission members but is not prepared to comment on them tonight. The Commission asked the Supervisors not to move ahead with any Ordinance revisions until they have further discussion and present all their comments. Mr. Haverstick stated that they asked the Supervisors specifically to be given time to discuss the Ordinance and give their comments. He asked what would be done with the comments that have been given to date. Mr. Bauder stated that Manor Township is the only Township in Pennsylvania with a population over 15,000 that do not have their own SALDO. Mr. Bauder indicated that the Commission is responsible for developing the SALDO but this did not happen and the Supervisors took the initiative. Mr. Miller stated that this was not true; the Commission asked for this Ordinance years ago and the governing body did not proceed. Mr. Haverstick stated over a year ago he had asked to have a SALDO and advised Mr. Bauder not to blame the Commission. He asked what it would have hurt to wait another month to have concrete and correct information. Mr. Bauder stated that he could not help it if the sub-committee containing two Planning Commission members did not keep the Planning Commission informed. Mr. Ahlfeld stated he and Mr. Henke were on the committee and they went to maybe three meetings and then they did not meet for a long period of time. Allen Kreider asked that the Planning Commission continue to work together and that he did not see any reason why the Planning Commission should stop giving comments. Mr. Kreider stated that he wants to hear more from the Commission and realizes that the SALDO will have to be amended. Bonnie Miller stated that she applauded the Supervisors for passing something. They got something done and it is a living document and can be changed. Steven Shue stated he went to many Supervisors meetings. He indicated there are four tools needed and listed them. One of the tools is the SALDO. Mr. Shue stated he asked about a SALDO at a meeting and Mr. Aichele stated that they are not doing one. Mr. Miller pointed out that the statement there was no SALDO is incorrect; we adopted the Countys SALDO. Mr. Miller stated he supported adopting our own SALDO but asked why was there such a rush to adopt it prior to the election? Mr. Miller stated that they were asked for comments and then the Supervisors did not wait for all the comments before they adopted the SALDO. Mr. May asked the Commission to work together. He asked that they consolidate all the comments into one sheet or give them individually. Mr. Miller asked when they would have the responses regarding their comments that have been given. There was discussion regarding when the response would be possible. Barry Smith stated that the priority at this time is getting the SALDO up and running. Mr. Smith stated that changes will need to be made to deal with the here and now. We want to minimize changes that need to be made and do not want to deal with changes on a month-to-month basis. Joan Matterness, 213 Sutherland Road, stated that the night the Supervisors voted on this Ordinance, only one set of comments from the Planning Commission members was in and Mr. Miller handed his in that night. She stated that the Commission was asked to get their comments in by May 7th. They had time to get their comments into the Supervisors. Ms. Matterness advised the Commission to make comments if they do not like how it reads. It was decided that the comments at the last meeting are in the minutes and would not be duplicated.

New Business An Ordinance amending the Official Zoning Ordinance of Manor Township,

Lancaster County, Pennsylvania by (1) Implementing measures to protect valuable areas within the Townships commercial zones from sprawling development patterns associated with large-scale shopping centers; (2) Requiring multi-story development for large-scale shopping centers; (3) Requiring multi-story off street parking lots for large scale shopping centers; (4) Increasing required loading spaces sizes for shopping centers; (5) Clarifying the language of Section 401; and (6) Adjusting related sections to accomplish the preceding revisions. The Planning Commission needs to review and the Commission can comment to the Board of Supervisors. Harry Roth presented the proposed amendment. Mr. Roth pointed out this applies to commercial zoning. The purpose of the amendment is to take a different approach to shopping centers with sprawling buildings and enormous parking lots. This amendment would apply to 75,000 square foot and greater buildings and would require those building to be two stories as well as the parking lot. It would be a more efficient use of a site. A 150,000 square foot building would require another story and would decrease lot coverage but increase setbacks. Mr. Ahlfeld asked if buildings over 150,000 square feet must be three stories. Mr. Ahlfeld stated that if they must be three stories, then that might limit creative architecture. You are making a three-story box instead of a one-story box. Mr. Miller questioned the point of the large setbacks. Mr. Miller stated that you are forcing things to be in a perfect size and on a perfect rectangular piece of land. Mr. Miller stated on a lot of seven acres you are making three acres in setback requirements. Mr. Miller questioned if the County SALDO traffic impact study is reiterating what is in our new SALDO. Mr. Miller stated that you couldnt have two different requirements. Mr. Henke questioned the requirement of one access drive. He asked why not consider two access points. The discussion on this amendment will be continued at next months meeting.

Correspondence Ms. Glazier stated that she had a letter from the LCPC indicating the Move In Storage Plan has expired. Ms. Glazier stated that she had a letter from the LCPC indicating approval of the preliminary plan with conditions for Wal-Mart.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

06/11/07

Manor Township Planning Commission Agenda

Monday, June 11, 2007 Time: 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Public Comment
5. Approve Minutes of May 14, 2007 Meeting
6. Old Business Manor Township Subdivision & Land Development Ordinance - The Planning Commission needs to comment to the Township Board of Supervisors. This item is continued from the May 14th meeting. The Commission may give any comments that they have to the Board of Supervisors.

An Ordinance amending the Official Zoning Ordinance of Manor Township, Lancaster County, Pennsylvania by (1) Implementing measures to protect valuable areas within the Townships commercial zones from sprawling development patterns associated with large-scale shopping centers (2) Requiring multi-story development for large-scale shopping centers; (3) Requiring

multi-story off street parking lots for large scale shopping centers; (4) Increasing required loading spaces sizes for shopping centers; (5) Clarifying the language of Section 401; and (6) Adjusting related sections to accomplish the preceding revisions. Discussion to continue from last months meeting. Any comment regarding the amendment will be passed onto the Board of Supervisors.

7. Other Business a. Correspondence

8. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, June 11, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, June 11, 2007 at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag. Members Present: John Ahlfeld, Beth Herr, Scott Haverstick, James Miller and Mary Glazier Members Absent: James Henke and Donald Witmer Visitors: Joan Matterness, 213 Sutherland Dr. Jim Huber, 113 Shannon Dr. Tom Acker, 212 Post Oak Rd Bonnie Miller, 113 Bent Tree Dr Sara Reinhold, 2725 Royal Rd Richard Bauder, 130 Sheep Ln Steve Shue, 127 Stable Dr Elaine Jones, LNP

Public Comment There was no public comment.

Minutes Mr. Haverstick made a motion to approve the minutes as written. Ms. Herr seconded the motion and the motion carried unanimously.

Old Business Manor Township Subdivision & Land Development Ordinance - The Planning Commission needs to comment to the Township Board of Supervisors. This item is continued from the May 14th meeting. The Commission may give any comments that they have to the Board of Supervisors. Mr. Ahlfeld stated the Supervisors have adopted a Township Subdivision/Land Development Ordinance. There were comments from Planning Commission members that were turned in as well as comments and questions from previous Planning Commission meetings. Mr. Caldwell from Rettew Associate is dividing the comments into two categories. One category is straightforward corrections and the other is questions of substance that may require some discussion. Mr. Caldwell expects to have the list before the Commission at the July meeting. Mr. Ahlfeld asked if there have been any plans submitted under the new ordinance. Mr. Ott advised the Commission that one plan was submitted but it was drawn up under the County Ordinance and was returned to the applicant.

An Ordinance amending the Official Zoning Ordinance of Manor Township, Lancaster County, Pennsylvania by (1) Implementing measures to protect valuable areas within the Townships commercial zones from sprawling development patterns associated with large-scale shopping centers (2) Requiring multi-story development for large-scale shopping centers; (3) Requiring multi-story off street parking lots for large scale shopping centers; (4) Increasing required loading spaces sizes for shopping centers; (5) Clarifying the language of Section 401; and (6) Adjusting related sections to accomplish the preceding revisions. Discussion to continue from last months meeting. Any comment regarding the amendment will be passed onto the Board of Supervisors. Mr. Ahlfeld stated it is his understanding the Township Supervisors intend to act on the amendment at their July 2nd meeting and an advertisement appeared in todays paper and will appear in next Mondays papers. The last meeting concluded during a discussion after a presentation made by Harry Roth. Mr. Roth made a presentation for the Commission stating this was characterized as permitting greater heights and technically that is not necessarily the case. The Township already provides for greater heights. This ordinance will compel greater building

heights when you meet various thresholds. Then developers would be required to move into multi-story design. The cut off used for a single story building provided for a large-scale grocery store. Mr. Roth's presentation included up to 75,000 square foot single story uses that use 5.5 acres and relatively high lot coverage with minimum setbacks. Over 75,000 to 150,000 sq. ft. requires a two story building, a minimum two story parking garage that has a lot area of 6 acres and lot coverage 70%. Over 150,000 sq. ft. requires a three-story building and parking garage reducing lot area to 8 acres and lot coverage 65%. Mr. Roth stated there are more municipalities looking into this type of development. Mr. Haverstick had questions on the area needed for parking. Mr. Haverstick commented that the area needed for parking far exceeds the ordinance. Mr. Roth advised a developer could go up or down. They do not have to only go up. Ms. Herr asked how you convince builders to do this. Mr. Roth advised the Commission that if developers are given an option they would not build up but this type of ordinance would not leave them with any other option. Mr. Roth stated in his opinion the municipalities with the weakest regulations would end up being preyed upon. Ms. Glazier asked what other municipalities have adopted this ordinance? Mr. Roth stated Upper Leacock is the only one that has adopted the ordinance. It is within a proposed ordinance for East Lampeter and West Earl as part of the Conestoga Valley region and before Rapho Township in the form of an amendment. Ms. Glazier stated that she feels in terms of the setbacks, factors are determined by what is around the tract. The requirements would be different for an area zoned residential than from other comparable zoned tracts. You would not need to increase the setbacks if it is adjacent to similar uses. What would be the justification for huge setbacks? If this is about conserving land, then let's conserve it. Mr. Roth stated the trend is to manage stormwater underground so that could play into how use is made of subterranean features. Mr. Ahlfeld asked if there is a loophole where someone could subdivide a series of commercial lots along a road frontage each of which is sized to take 49,000 square feet of commercial. They would sell them off and individuals could build on the lots one by one and in effect have a shopping center that has avoided this standard. Mr. Roth stated when a number is put on a piece of paper it becomes a target. Depending upon the motivation, people will adjust around that target. Mr. Roth stated that they picked numbers that were practical. Mr. Ahlfeld asked Mr. Roth if he had thought anymore about the percentage of the floor area that is required on each level may limit the creativity and the design? Mr. Roth stated that he had incorporated some changes in other ordinances to deal with that; however, there would be abuses of the Ordinance if the Ordinance were too flexible. Mr. Miller stated at the County meeting today they recommended that the Township does not adopt this Ordinance. Mr. Roth stated they met with the County staff a month ago, and their position has been that now that you have adopted the Growing Together Plan, they want you to make all the changes to the zoning ordinance to reflect the new Comprehensive Plan. In meeting with them, the Township Supervisors and Staff, the Supervisors felt that they did not want to wait to incorporate this approach. It was pointed out that the zoning rewrite could take at a minimum months and probably years and they did not want to wait that long. Mr. Miller asked if Buchart and Horn has reviewed this. Mr. Ott stated that they would only review for stormwater. Mr. Miller asked if there is a new firm that is our engineer/planning consultant. Mr. Ott stated he believed Rettew would be doing the reviews. Mr. Miller asked if Rettew has been asked to comment and Mr. Ott stated he did not know. Joan Matterness, 213 Sutherland Road, asked why Rettew should review and comment. Mr. Miller stated that it is a change to the zoning ordinance and if we are engaging a professional to advise us and be our consultant for the subdivision/land development process then this is very much a part of that. Mr. Miller stated it would be normal to ask the consultant to

review this just the same as we would ask them to review a plan. Ms. Matterness stated she believed the Township rules and regulations would drive much of this. That is why she asked by Rettew would be involved in making a decision like this. Ms. Matterness also asked the reasons the County Planning Commission turned this down? Mr. Miller stated several reasons were listed and some was just language. Ms. Matterness stated language is dealt with on a lot of things because of bureaucratic standards of local, state and federal government. Language is not a critical thing but has to be resolved. Mr. Miller advised language is extremely critical. Mr. Miller stated basically the cart is before the horse. Our Zoning Ordinance is not consistent with our Comprehensive Plan. The County says there needs to be consistency with the planning documents which are no longer in sync with one another. Ms. Glazier asked if the inconsistency was because of the adoption of the Regional Comprehensive Plan and Mr. Miller stated yes. Ms. Glazier would like to receive the Countys comments in advance of the agenda items requiring comments. Ms. Glazier stated that she does not believe it is the end of the world if the ordinance is or is not adopted at the next Supervisors meeting. She stated that she feels that over and over again they are presented with something and asked to give an opinion on it where other people may have provided input but the Commission has not had a chance to absorb the comments. Ms. Glazier would like to know if the County has substantial concerns of the details of this proposed amendment or whether it is just a matter of saying lets look at the whole thing. Ms. Glazier agrees for other reasons they have been presented with a variety of proposals to amend the zoning ordinance for different reasons and she thinks it is time to look at the zoning ordinance and really reevaluate it and make some what maybe significant changes. Mr. Miller stated that he thinks they are referencing the planning issue. They need to bring the present zoning in consistency with the comprehensive plan. The Comprehensive Plan does not call for any new general commercial areas in Manor Township but they call for local commercial. Mr. Miller questioned if the Comprehensive Plan does not recommend any general commercial areas, why amend the ordinance as it affects general commercial. Why are you not changing your general commercial zone to local commercial; that is what the comprehensive plan is saying? Mr. Miller thinks they should have the Supervisors consider changing the zoning on the general commercial pieces to local commercial which make more sense to be consistent with the comprehensive plan. Bonnie Miller stated that at the last Supervisors meeting they suggested something about zoning. Ms. Matterness stated at the end of the meeting the Supervisors made some type of change to the local zoning. She is not sure what. Mr. Bauder stated they made some comments but did not take any action. Mr. Ahlfeld asked what the comments were. Mr. Bauder stated one comment was regarding the mobile home use in the rural district. They want to see if they can alter that by moving it into some other municipality and they asked the administration to look at that. The other issue was the PRD and asked the manager to look at it and see if they could make any changes that would comply with the Comprehensive Plan and the SALDO. Mr. Ahlfeld asked if there has been any talk of rezoning the general commercial area to either local commercial or commercial business. Mr. Bauder stated he had discussed that personally with several of the Supervisors. Mr. Bauder stated it should be done. There was discussion on the amount of general commercial property in the Township. Mr. Miller stated it is incumbent on planners, whatever you are proposing to change, that you should apply the change to the areas that will be most effected by the change. There are two sites and those two sites should be evaluated within the context of this ordinance to know whether or not you could even do anything with those pieces of ground after the ordinance is enacted. Ms. Miller stated she thought that there was three pieces of general commercial zoned land. Mr. Ahlfeld stated you

should not use the term Wal-Mart site, because even the triangle that leads to S. Centerville Road is only partly Wal-Mart. When talking about that area, we are talking about everything that is zoned general commercial in that area. Ms. Miller stated she was at the meeting called by the Supervisors and listened to the gentlemen from the Chesapeake Bay Foundation. He gave information on stripping and developing it. The more trees, shrubs, grass that can be preserved will ultimately help control stormwater management. Ms. Miller asked the Commission to drive to other areas and look at the concepts like the Crossings proposed in Manheim Township. It is houses on top of offices on top of shopping. We have the opportunity to be a leader and bring something new to the County. Mr. Roth stated that they are not there to defeat legitimate attempts at meeting the future and to the extent not to eliminate general commercial zoning in Manor Township they will get a standing ovation from everybody in Manor Township. You do not necessarily want to rezone every piece of property that is zoned general commercial to local commercial. You will want to look at the scale and configuration of those parcels and develop what is a true local commercial zone. This is where the Supervisors decided that they did not want to wait to make all those decisions that will take a year or more and they wanted some protection in place with the current zoning while the new zoning is being developed. This is a question of timing. Ms. Glazier asked if some of these properties were local commercial would these issues in terms of threshold and size still apply. Don't you care if you conserve land in local commercial you only care if it is zoned general commercial. Mr. Roth stated that is not necessarily true. The local commercial zone does not facilitate large uses. It has very small retail uses. Ms. Glazier stated should this be written as just a general commercial application? Mr. Roth stated that they feel that is where the Township is most vulnerable. Mr. Roth stated that he was commissioned to write an ordinance that protects the Township from large-scale uses. Mr. Miller stated that he voiced his concerns about the huge setbacks. At the first threshold of 75,000 square feet at the minimum lot size, 40% of the lot was consumed by setbacks. It is promoted as a means to conserve land but becomes land consumptive. Mr. Miller stated that there have never been incentives, so they do not know if they would work. Mr. Roth stated that the only way to have incentives in multi-story design is to increase lot coverage. The only way to give a developer more is to allow them to develop more and the only way to do that in a commercial/industrial setting is to increase the lot coverage. Mr. Miller questioned the height that would be needed in a parking garage and if a three story parking garage could be built with the height restriction that is in place. Immo Sulyok stated in looking at should you delay considering of an amendment like this which it seems the Township is in rather dire need of until you look at updating a Comprehensive Plan, an applicant came before this body and suggested a very simple amendment to the zoning ordinance only requiring a change in definition. The Commission's response to that request was we do not want to consider any changes whatsoever until they are completed with the comprehensive plan. When the comprehensive plan is completed, then we will look at any and all zoning ordinances. Despite that response to that applicant within weeks the Township chose to, in fact, to adopt an amendment to the zoning ordinance even though the comprehensive plan was not yet completed that was far more complex. It was an amendment that replaced an entire section of the zoning ordinance that dealt with the industrial district that dealt specifically with accommodating your largest industrial neighbor. Where there is a will in the Township to accomplish changes in the zoning ordinance, you have found a way to do it. The proposal before you is just as critical as the only that was adopted to satisfy the needs of Armstrong at the time. Mr. Haverstick made a motion to recommend the Supervisors adopt the zoning amendment. Ms. Herr seconded the motion.

Bonnie Miller asked the Planning Commission to have a vision and this will help tremendously. Steve Shue, 127 Stable Drive, asked what the height is the fire company can accommodate. Mr. Bauder stated that was discussed when the height in the general commercial zone was changed to 70 feet. Mr. Miller stated that any commercial buildings must have sprinkler systems. Mr. Miller stated that he stands by that as written this is not a good ordinance. There are parts of this that do not function well and essentially applies to one site. If they are concerned about one site, why not simply change the zoning of that tract. Ms. Glazier questioned the amount of remaining land on the site that is not part of Wal-Mart. Mr. Ahlfeld stated the Wal-Mart parcel is 60-70% of the total parcel. It was not known the amount of the remaining land. Tom Acker, 212 Post Oak Rd., stated that the residents concern is that they put something in place to try to get a handle on that particular parcel of land and how it will be developed. This is a step in that direction. If it needs to be changed or the zoning needs to be changed at a later date so be it. This will give the Township Supervisors something to work with in the interim until the zoning can be changed. There was informal discussion at the last Supervisors meeting that once you look at zoning changes on these parcels anything can be considered for adoption including residential. There is always concern regarding the limited amount of commercial space in Manor Township, but if you look at that as part of the Comprehensive Plan not all of the townships address every particular zoning need. With being adjacent to East and West Hempfield Townships and Mountville Borough, perhaps some of this commercial necessity can be absorbed in those townships. We have absorbed some commercial necessity that adjacent townships do not address. We are asking that something be put in place that gives better measure of control right now and if necessary to change the zoning at a later time it can be addressed at that time. Ms. Glazier asked if it is this or nothing. Mr. Ahlfeld explained that the Supervisors have advertised this particular language for action on July 2nd so they are either going to approve it or not. If they do not approve it, they can do something else. Susan Smith stated that the cover letter expressed a position by your Board of Supervisors that they recognize their ultimate goal is to develop a zoning ordinance that is consistent with the newly adopted plan. Mr. Miller stated that the fact again if it is advertised it means if there is any changes at all to the ordinance then it would have to be readvertised with the new language, is that correct? Mr. Ahlfeld stated that was the solicitors position on the subdivision ordinance. Ms. Glazier stated this process is screwed up. She is very sympathetic to what is wanted but does not like being put in a position of saying take it or leave it, this or nothing. This is what was advertised. Ms. Glazier stated she had not read the letter from the County and must rely on Mr. Miller to relay the Countys comments. She thinks there are things that could be improved. She is not opposed to the ordinance but feels she has been backed into a corner where its do it or not. She is willing to give comments and feedback and it is up to the Township Supervisors to decide if they want to adopt it or not. She does not really care. Mr. Miller stated that they had provided some comments previously and nothing was changed essentially. What that says to me he said is that we are happy to hear your comments but we are not going to change anything. It has been advertised. Ms. Glazier stated a month ago they talked about the fact that this does prescribe more setback then they feel is needed. She thinks it should be changed to accommodate that. Mr. Miller stated that one of the Countys comments was the Ordinance does not have a maximum size for shopping centers and suggesting that should be in it. They are also suggesting design guide lines are needed to address considerable issues of community character specifically the façade issues that may arise with the new Ordinance. Mr. Miller stated another comment is there is only one access drive in this Ordinance. We asked that question regarding the Wal-Mart plan why? That does not make any

sense. We gave comments in the past to the County about one access drive and they made it a condition of that plan that there be a second access. We now come in with an Ordinance that only allows one access. We have not changed anything in response to the comments that seem to make good planning sense. It must be readvertised if any changes are made. Ms. Glazier stated maybe it should not be advertised until the comments are back. This is the second time this has happened. Mr. Miller and Mr. Ahlfeld agreed. Mr. Haverstick stated there is a pattern. Ms. Smith stated they met with the Planning Commission and said sit down with us let talk about your concerns. Ms. Smith stated she does not know what is in the letter but that was not discussed at that meeting. They talked about confusion with the access because they want to encourage developments to share access. They were concerned as written it would preclude that from happening across the property line. The amendment was changed to clearly state that there would be an opportunity to allow that shared access to function. We talked about setbacks and they did not seem to have an issue with them in the meeting. Ms. Smith said what they came back with was they do not like tweaking the ordinance when they want them to adopt a new ordinance. Ms. Matterness asked if Ms. Smith was talking about the LCPC. Mr. Ahlfeld asked Mr. Miller if he had a letter from the LCPC. Mr. Miller stated it is not really a letter. It is labeled draft that was in his packet he received. Mr. Ott stated the Township does not get the draft. Mr. Haverstick stated this is not right but better than nothing and for whatever reasons things are really getting twisted around and are not happening sequentially the way they should. Mr. Haverstick stated he agrees with what the Supervisors are trying to do but the flow is not right and once again they are asked to suggest to the Supervisors to approve this document when it is not right and they know it is not right. Mr. Haverstick stated that he believes they must approve it now. Mr. Bauder stated just because it is advertised does not mean they must pass it. In this case, if the Commission feels strongly about the issues, then recommend to the Supervisors they do not adopt it and they will take it into consideration. Mr. Bauder stated that they could always readvertise the Ordinance; it is not a big deal. Mr. Haverstick feels it can be changed after the fact and does not necessarily have a problem with that. His point is again just as with the SALDO it seems things are not happening sequentially the way they should. Mr. Bauder stated he agrees. It would be better if all the points were brought to bear and then they took action. Ms. Matterness stated that she is concerned Mr. Miller brings things from the LCPC because he is privy to them, since he is on the Planning Commission. He brings things no one else is going to see other than Jim Miller. Ms. Matterness stated that even Mr. Ott stated the official letter might not be what you have, because you are on the Planning Commission. Mr. Ahlfeld stated he is not arguing a case but the other side to that is the Planning Code provides a certain length of time for the County Planning Commission to comment and for the Township Planning Commission to comment. It is the same time. It does not call for a sequence for the County to comment to the Township Planning Commission who then comments to the Supervisors. According to the law the Supervisors hear from both planning commissions mesh those two sets of comments which maybe the same or different and make their decision. Ms. Matterness suggested maybe the dates need to be changed when the Planning Commission meets. Maybe there is some changes that need to be made as far as to the timing of when things come from the County so that would work out with the Supervisors. Ms. Glazier stated the timing is driven by when the Supervisors advertise their plans to make a decision. Mr. Roth stated this was unusual circumstance. The Supervisors were anxious to advertise this Ordinance because it becomes what is called pending. It means this is not adopted yet but the Supervisors have the ability to enforce it when any new application comes through the door. Until they advertise it, they do not have that ability. The Ordinance for

the most part is in effect so the Commission has time and the Supervisors do not necessarily have to act at its next meeting in order to have the protection of the current proposal. That is the reason it was advertised. Ms. Glazier stated what Mr. Roth just said is different than they were told that the Supervisors need to vote it up or down on July 2 or readvertise. Mr. Roth stated that has not changed. That is the current case law that applies throughout this Commonwealth and it is difficult on every municipality. Mr. Roth stated time is spent reviewing and the minute anything is changed it imposes a whole new review process, cost more time, and takes more resources. In this case, there is the luxury of not necessarily having the gun to our head with any time frame, because it is pending and can make reasonable progress toward adoption. Mr. Haverstick stated that law allows for a great deal of transparency. He does not see that as being particularly erroneous. If boards could change wording without public notice, what could happen? Ms. Glazier stated that if they were to make recommendations and the Supervisors were to make some changes based on those recommendations, they would then readvertise the changes and they could vote on it in August. Ms. Glazier stated that she does not think that is the end of the world. Ms. Matterness stated that was part of the conversation at the Supervisors Meeting. They do want your comments. They do rely on the planning board. Mr. Ahlfeld called for the vote on the motion on the floor. The motion passed 3-2 with Mr. Miller and Ms. Glazier voting no. Ms. Glazier stated the concept of the ordinance is agreeable but there is specific issues like the façade and setback that she encourages the Supervisors to consider and they review the comments and take them into account and not hesitate to make modifications and maybe the person responsible for drafting this could begin to address some of those issues with concrete suggestions. Ms. Glazier stated she thinks the zoning ordinance does need to be looked at. Is it up to the Supervisors to decide the zoning ordinance needs to be looked at, or should we make a recommendation that this process be started? Mr. Miller stated it is incumbent the documents be consistent. Mr. Miller stated the question is what document should be made consistent with what document. Ms. Glazier stated what would be helpful is a spreadsheet that identifies the points of conflict. Ms. Glazier stated she would suggest someone provide that information. Mr. Ahlfeld asked if Mr. Miller had any examples of inconsistency. Mr. Miller stated the traffic ordinance in the SALDO is inconsistent with the zoning ordinance. The Comprehensive Plan is not consistent with our Zoning Ordinance any longer in more than one instance. Mr. Miller stated the plan from the Builders of the Bay has many design criteria that is inconsistent with both the Townships SALDO and Zoning Ordinance. Mr. Miller stated our Future Land Use Map does not match our zoning at this time. Ms. Herr asked if this is the job of the staff or the staff and the Supervisors and the Planning Commission. How does this all come together? Mr. Miller stated their roll is to advise the Supervisors for all the documents. Mr. Miller stated in the past the work has come through the Commission and recommended to the Supervisors for adoption. Mr. Miller stated when they are inconsistent they may find themselves with less control than they think they have because of the inconsistencies. Someone may be able to take advantage of the inconsistencies in the ordinances to promote a decision that is contrary to what their thought is or what they hope to see happen. Mr. Bauder stated what Mr. Miller stated is true but there is a lot of change happening right now. The new stormwater ordinance that is going to be required by the state is much different and it will impact the subdivision/land development ordinance. In the seminars Mr. Bauder attended it was indicated the comprehensive plan has the least weight. The most weight is the zoning ordinance and the subdivision ordinance. Mr. Bauder stated there are a number of changes that need to be made to comply. Do they want them all to be bundled into one session/document rather than piece meal? Ms. Glazier stated as she said before they need

information about where the inconsistencies are. Mr. Haverstick stated somebody should put it all together and say here are the problems. Mr. Bauder stated the Commission should comment to the Supervisors and the Commission stated they just did. Ms. Glazier stated there were a number of issues with the SALDO and there was going to be feedback to them from Rettew about how these would be modified. Mr. Ahlfeld stated they would get a report next month. Mr. Miller stated the Comprehensive Plan adopted has rather significant guidance for changes with respect to density/intensity of things that are going to occur and the differences between our rural and urban areas and that whole concept has changed. It is not simply the inconsistencies but the new direction that the Comprehensive Plan has dictated. Mr. Miller stated he is not sure a municipality is free to not follow their own philosophies that they just outlined in a Comprehensive Plan. Susan Smith stated the Municipalities Planning Code actually has a provision that says the Comprehensive Plan does not have legal weight. It is a statutory provision. The courts describe it as a recommended regulatory document only. It can be inconsistent with your ordinances and does not from a legal prospective mean anything. The MPC was changed with respect to regional planning to afford a single benefit to having consistency between a regional plan or your comprehensive plan with a regional plan and ordinance. It affects the fair share argument. If you have a regional plan, comprehensive municipal plan and a zoning ordinance that are consistent with one another than you get the benefit as a municipality to say we can push off certain uses because they are provided for somewhere else. From a developers prospect, the other benefit if you have consistency is when a developer applicant goes to the Dept. of Transportation or Dept. of Environmental Protection for a permit or approval, if the municipalities plans and ordinances are in sink than your comments given for or against that project are given much greater consideration than if your ordinances in place are out of sync. Another benefit, you are in a better position to secure grants and loans for planning projects if there is consistency. Until a particular section of the MPC is changed, you cannot rely on your Comprehensive Plan to give legal weight to a decision. Mr. Ahlfeld stated considering they are now in a regional process they have to be working with other municipalities in making sure what the various municipalities do is consistent with each other. You can not zone out a certain use on the theory that an adjacent municipality is going to provide for it without having an agreement with them that they are not going to zone it out also. You get into what is called in Intergovernmental Cooperation Implementation Agreement where the municipalities agree to work consistently. The zoning ordinance cannot be changed over night. It is a major process and the LIMC Steering Committee has talked about this issue. They have decided than rather than try to come up with something kind of a sample-zoning ordinance that all the municipalities would adopt they take a piece at a time. The highest priority has been to look at language that will facilitate and encourage the kind of development they would like to see in the growth opportunity areas where there is more compact mixed-use development. Mr. Miller stated he thinks as a Township we should do what we say we want to do. There may not be a legal basis for enforcement to the goals and philosophies that are stated in the Comprehensive Plan but from a creditability point of view as a municipality we should be implementing the plan. Immo Sulyok stated that one of the brightest examples of the benefits of regionalization is the Solid Waste Program in Lancaster County. This happened many years ago when regionalization is not something most municipalities considered. All 60 municipalities in Lancaster County adopted a solid waste management plan where the benefit of adoption allowed individual municipalities not to individually have to provide for one of the more offensive type land uses. By virtue of cooperation municipalities have a level of protection that Ms. Smith had spoken of.

Ms. Miller stated Manor Oaks had a section to be geared to have a convenience store for that development and this Board allowed that developer to come back in and put an additional 15 or 20 town homes, she feels that community was let down. They bought into a concept they would have some kind of commercial there. Mr. Ahlfeld they do not like to see that change. It was a permitted use and they were able to change it. Ms. Glazier stated look at the businesses that have failed between there and where you go to get a quart of milk. It was not going to fly economically for 20 more years anyway. Ms. Matterness asked for clarification on the agenda regarding the SALDO. She questioned the comments and whether there were more. She was advised the Commission is waiting for a reply from Rettew regarding the comments and it will be on next months agenda.

Correspondence Ms. Glazier listed the correspondence she had received from the LCPC. A letter dated May 30, 2007 giving final plan approval to the Washington Boro United Methodist Church with conditions. A letter dated May 22, 2007 giving approval of the Minor Subdivision Plan for Norma and Verna Shertzer with conditions. A memo dated April 3, 2007 on the Maryland Base Realignment and Closure Report/Impact on Lancaster County stated between 2009 and 2015 as the base realignment process goes forward, Hartford County will anticipate 6,533 new households and Cecil County 1,995 new households. There is some thought that there may be some spill over into Lancaster County as far north as Manor Township. A letter dated March 27, 2007 giving final plan approval of the Owl Bridge Road Final Subdivision Plan for Timothy J. Naumann & Daniel J. Naumann with conditions. A letter dated March 27, 2007 giving Final Plan approval to Crossgates Phase VII with conditions. A letter dated February 13, 2007 regarding the Landings at Eagle Heights reinstating the plan and approved a sixty-day waiver of the time period provided to meet all conditions of approval. At the last meeting Ms. Glazier read a letter from the LCPC regarding the Move In Storage having expired. Mr. Ott stated that the tract next to them is the tract that they wanted to develop; it is that plan that is expired. Mr. Ott advised the Commission members to keep their plans after the meeting next month so they have them for the following month.

There being no further business the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

07/09/07

Manor Township Planning Commission Agenda

Monday, July 9, 2007 Time: 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Public Comment
5. Approve Minutes of June 11, 2007 Meeting
6. Old Business Manor Township Subdivision & Land Development Ordinance - This item is continued from the June 11th meeting. The Consultant has separated comments and can address any questions from the Commission. The Commission can make comments to the Township Board of Supervisors.
7. New Business Briefing Item Plan #07-001-A Peace of Mind Self-Storage Lot 2B.1 Charlestown Road Sketch Plan & Waiver Requests- Architecture & Engineering Innovations,

Jonathan Kloppmann Consultant. Gary Price, developer. Construct an outdoor storage area. Rezoning Petition Wheatfield Developers, LLC - Rezoning Petition for Amendment to the Manor Township Zoning Ordinance From Rural (R) to Medium Density Residential (RM) - The rezoning petition is for 132 plus/minus acres of land along the eastern side of Donerville Rd, west of Letort Road. Public water and sewer is available to serve the property. The Commission needs to review the petition and make comments and recommendations to the Board of Supervisors.

Conditional Use Application Wheatfield Developers, LLC - The conditional use application is for 132 acres plus/minus of land on the east side of Donerville Rd, west of Letort Road. The applicant is proposing a mobile home park. There is public water and sewer available to the site. The Commission needs to make any comments or recommendations to the Board of Supervisors prior to the hearing process.

8. Other Business - Correspondence

9. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, July 9, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, June 11, 2007 at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Beth Herr, James Miller, Donald Witmer and Mary Glazier Member Absent: Scott Haverstick Visitors Present: See Attached List

Public Comment There was no public comment.

Minutes Ms. Herr made a motion to accept the minutes as received. Mr. Miller seconded the motion and the motion carried four in favor and Mr. Witmer and Mr. Henke abstaining.

Mr. Ahlfeld advised they would move the discussion on the Subdivision & Land Development Ordinance to the end of the meeting and proceed with new business.

New Business Briefing Item Plan #07-001-A-Peace of Mind Self-Storage Lot 2B.1

Charlestown Road Sketch Plan & Waiver Requests Bob Illo representing Gary Price, who is proposing to purchase the property the plan shows the use for, presented the plan. The owner of Lot #1 is proposing to purchase Lot #2B.1 which is about one-quarter of Lot #2. Both lots have had a certain amount of development. Lot #1 was approved for development of self-storage units and is currently being operated by Peace of Mind Storage. All the buildings have been built with the exception of four buildings. Adjacent to the indoor storage would be a proposed area for outdoor storage of recreational vehicles that would be surrounded by a fence and under the control of Peace of Mind Storage. Currently, Peace of Mind Storage does not own that tract and is negotiating for its purchase from Risk Associates. Inside the storage areas, there are paved areas that serve as access to the actual storage area. The vehicles would be stored on a permeable surface using a mat runner to protect the wheels from sinking into the ground to maximize the impermeable area of the site. The vehicles stored at the facility could be of any size from a motorcycle to a motor home. The request is for several waivers 1) proceed directly to final plan 2) waiver for existing features within 200 and Rettew responded to that request in the negative and 3) waive the traffic evaluation study given there are less than 100 vehicle trips per day and it was recommended a fee in lieu of the study to be provided. They requested some clarifications as well and referred to a letter of review from Rettew Associates dated June 27, 2007. Clarification was requested for Section 505 regarding parking lot and Rettew stated they did not consider it a parking lot. Clarification regarding a solid visual barrier was given. Currently there is a fence 8

high for the storage facility and a request was made to continue that method of screening. Rettew had suggested low level screening in addition to the fencing and they wanted clarification on that. They questioned the effectiveness of a low level barrier in front of a solid barrier. Rettew provided eight comments under subdivision and land development review. The comments were regarding the access drive and access agreement would have to be submitted, in case wetland study be completed, stormwater management study to be completed, lighting would be necessary if it were to be offered after dark, the applicant provide two separate means of egress for emergency service providers, final plan cost estimate with security, truck entrance provided, and tie bar shall be shown between the parent tract and the tract to be added to the parent tract. Mark Lauriello from Rettew Associates was present on behalf of Manor Township and went over procedural matters since this is the first plan presented under Manor Townships new Subdivision & Land Development Ordinance. Jim Miller asked Mr. Lauriello regarding the waiver of the traffic evaluation study how is the fee in lieu of determined. Mr. Lauriello stated it is typically handled as negotiation of staff as per recommendation to the Supervisors. The dollar amount could be anything from zero to a higher amount for basically contributions into a transportation improvement fund or fund that would then fund traffic improvements in the surrounding region. Mr. Miller asked Mr. May if that is what they would do is set up a traffic improvement fund so that any of these fees will be dedicated to that fund. Mr. May stated that they would have to. Mr. May advised that the funds cannot be used for any other purpose than just for traffic. Mr. Miller questioned the basis to determine the fee and he was advised that is not known at this time. Mr. Miller asked that the schedule be shared with the Commission when it is set up. Mr. Miller felt motion detection lights should be installed so that if somebody does access the facility at night the lights come on. Mr. Witmer questioned the gating access to the outside storage. Mr. Witmer stated that he feels the outside storage should be gated to prevent possible vandalism. Mr. Witmer was advised that the owner is undecided but there could be more than one control gate. Mr. Illo stated there is currently lighting that stays on all night for security. Mr. Witmer stated that he feels that the security for the open storage is more important than the enclosed storage units. Mr. Miller had questions on the proposed paving. Mr. Ahlfeld asked if they are limiting storage to motor vehicles such as RVs and specific things or can anybody store anything they want outside. Mr. Illo advised him that typically it would be wheeled vehicles only. It would not be open to people to off load something that cannot be wheeled away. Ms. Glazier asked if there is currently an 8 fence all the way around the property or just along the back. Mr. Illo stated the fence is just along the back. Ms. Glazier questioned the present screening. Mr. Henke also had questions on the fencing. Mr. Ahlfeld stated that they would not be acting on the total plan tonight. This was an optional submission to submit the sketch plan for the Commission to see. The only thing acted on tonight would be the waiver requests. Joan Matterness, 213 Sutherland Road, expressed concerns regarding the U Haul trucks parked on the site and feels it detracts from the property as well as the surrounding area. Mr. Ahlfeld asked if there was any problem related to zoning or previous plan approval not recognizing that was going to be part of the use. Mr. Smith advised from a zoning standpoint it has been reviewed by the zoning officer. He must make a determination whether that is a land use or part of the use of this business if it is being used for the purposes of those who are tenants to come in and go out as opposed to being a stand along U Haul business. Ms. Glazier stated she does not recall the U Haul rental being presented as part of the original plan. Bonnie Miller, 113 Bent Tree Drive, asked if it was not possible to request the developer to plan some sort of arborvitae that is very inexpensive because this is going to look like a parking lot. Mr. Ahlfeld advised that another factor to consider is this lot is

one-quarter of Lot #2. If the other three-quarters of the lot is developed, that will hide this storage area. Dave Charles, 26 Millersville Road, asked if this is a lot add-on plan for Lot 1 or is this actually a subdivision process for Lot 2 into smaller lots. Mr. Henke made a motion to recommend the preliminary plan be waived and allow the applicant to go directly to the final plan submittal. Ms. Herr seconded the motion and the motion carried unanimously. Mr. Henke made a motion to make recommendation that the existing features plan show the additional 200 overlap be provided. It is recommended that the County's GIS information is available and can be incorporated so he recommend and agree with Rettew's recommendation to deny that particular modification. Ms. Glazier seconded the motion and the motion carried unanimously. Mr. Henke recommended that the traffic evaluation study be recommended for approval of a waiver of that study as long as the staff negotiates an acceptable contribution in lieu of doing the traffic study. Ms. Herr seconded the motion and the motion carried unanimously. Rezoning Petition Wheatfield Developers, LLC - Jim Thomas was present on behalf of Wheatfield Developers. Mr. Thomas made several general comments that also related to the Conditional Use Application on the agenda. Mr. Thomas stated the role of the Commission is outlined in the Section 704.2.4 of the Zoning Ordinance that is for the Planning Commission to review and make comments. The Commission role where there is conditional use application is defined in Section 705.5 that is simply an opportunity to submit recommendations. Both applications would be before the Board of Supervisors who would be the decision makers. Mr. Thomas represents Wheatfield Developers and David Charles and Vic Kicera who are the representatives of the developer are present this evening. There are several different things tonight. 1) The Growing Together has been adopted. 2) The Township has its own Subdivision & Land Development Ordinance. Mr. Thomas stated Growing Together by its language is the official policy document for Manor Township so he encouraged the Commission in looking at the applications to consider the official policy document that has been adopted. Growing Together has four key directions and listed them stating the second key direction is that future growth issues should be addressed as follows; future growth should occur primarily within designated growth areas. This is a designated growth area. Future growth should occur in the form of integrated mixed-use development but unfortunately the zoning ordinance does not permit mixed-use development. Future growth should be encouraged in growth opportunity areas. The two growth opportunity areas in Manor Township are the Shertzer Farm behind John Herr's Market and the Wilbur Martin Farm on Charlestown Road. Growing Together describes the following four characteristics of a growth opportunity area: 1) larger than 40 acres, 2) bordered by existing development, 3) serviced by major roads, 4) and served by or accessible to public water and sewer. This land is larger than 40 acres, is bordered by existing development, served by major roads and has public water and sewer. It is also in an Urban Holding Area. In the official policy document of Manor Township, you projected that in the next 23 years there are going to be 2373 new households. Growing Together concludes that there is enough land within the designated growth areas to accommodate this growth if target densities are met. The target density is 6.5 dwelling units per gross acre. The document also says that each participating municipality should have an average gross density for new development and redevelopment in the range of 6.5 - 12 dwelling units per acre with the expectation that the municipalities of a more urban nature would be higher in that range. If the Township would adopt this medium density plan, it would be 1.79 dwelling units per unit which is less than 1/3 of the lowest target range. If the conditional use mobile home park or manufactured housing park would be built it is 3.7 per acre just over one-half of the lowest target range. Mr. Thomas challenged the Commission to follow their policy

and not to be ashamed of it. Mr. Thomas stated that people who do not believe could be educated by good development. There are areas of good development with this kind of density and people can be shown those areas. There are creative transitions from existing development to more dense development and you can utilize natural amenities and there is built infrastructure in place. Mr. Thomas asked that the Commission does not concern themselves with the market. The economics is the developers headache. They have heard on the high-density request that it is not needed now. Parkfield has about 180 units remaining to sell, Eagle Heights has 8, the Eshleman Farm 300 400 and Fairsted was approved for over a 1,000 but it is dead. Right now there are less than 25% of the projected needs out there being absorbed into the market 2 or 3 a month. Mr. Thomas stated public water and sewer are there. The Millersville Fire Company Review Committee is reviewing the plans. There is no indication that the Fire Company has any problem with this development. LEMSA operates an advanced life support unit on East Charlotte Street 24 hours a day seven days a week. Penn Manors student population has declined between 2000 and 2007. There is the potential for public transportation. There are natural amenities such as creeks, walking trails, and open space by the creek. There are development issues and may be traffic issues but they are development issues that can be fixed by the developer. Many times municipal problems get solved by developers. There is a problem with water and sewer to the west of this property in Perth Hills and Letort Manor and this developer is willing to try to arrange for the extension of sewer and distribution of water in that area through existing right-of-ways that go west through the Barley Farm. Mr. Thomas advised the medium density plan would involve approximately 230 dwelling units. This is a concept plan and there would probably be a few more semi-detached but there would clearly be single-family homes on the perimeter with the homes on Stable Drive. The assessed value of the new homes that would go on the north side would probably 150 200% of the assessed values of the homes existing there now. There would be 1.79 dwelling units per acre and there is public water and sewer. The lots would exceed the minimum lots in the residential medium density. If the zoning would be approved, Wheatfield Developers would be a developer who anticipates probably 2-3 units per month being absorbed by the market. The developer has tried three times to develop houses but if that is not possible there is a permitted use a use by right with conditional approval in the Township for manufactured housing or a mobile home park. That plan is before the Commission and is also a concept plan. The maximum number of units would be 499. There would probably be fewer to account for possibly a larger distribution of doublewide homes. Wheatfield Developers would not be the developer of this project. There are two or three developers who are ready to move and begin the project almost immediately. This is a doable and project and is permitted by the Zoning Ordinance. In the application, each specific criteria was addressed under Article 4 of the Zoning Ordinance. Mr. Thomas also addressed the general criteria in the Zoning Ordinance and one of the things that will be heard is that this will change the neighborhood. In a conditional use proceeding, a proposed use is consistent as a conditional use because it is permitted. The Subdivision & Land Development Ordinance has a section on mobile home parks and it really incorporates the Zoning Ordinance and the plan meets or exceeds all of those specific criteria as well. Mr. Miller had questions on the logistics. Mr. Miller wondered what the logistics are of two different applications and two different potential approvals in front of the Supervisors. Mr. Thomas stated the petition to rezone is an appeal to the legislative arm of the Township and the Supervisors may hold a hearing or they do not have to hold a hearing. The timing issue is solely at the mercy of the Board of Supervisors. The conditional use on the other hand requires a hearing within 60 days of the application. They are prepared to begin hearings either August 9th

or 16th and are prepared to go forward and seek that approval. Mr. Thomas stated after the last meeting the developer attempted, because he felt there was some interest in the neighbors in talking about a lower density and invited participation, and was told they are really not interested in doing that. If there is any interest in that, the developer would be willing to discuss it, but in terms of timing there is going to be a hearing on the conditional use, the applicant is fully prepared to go through with that and if approved develop it in accordance with the conditional use. Mr. Miller asked assuming there is not a hearing on the rezoning request the conditional use process will continue and Mr. Thomas stated yes. Mr. Miller asked assuming that reaches some conclusion then the rezoning request could be moved and Mr. Thomas stated yes. Mr. Thomas stated there would come a point of no return. Mr. Miller asked the official date of the application. Mr. Miller asked if this was the Commissions sole opportunity to comment on the conditional use part of the plan. Mr. Thomas stated he anticipated 3 or 4 nights of hearings. Mr. Thomas stated in his experience the Boards like to get recommendations before the hearings begin. Mr. Smith stated the application was accepted at the Township Office and received on June 22, 2007. The hearing must be started within 60 days. Mr. Smith stated the Manor Middle School would be available on August 9, 14 and 16 and if the applicant agrees it would be the Townships position the hearing would be held on one of those three days because of logistics. Mr. Miller stated they have no feedback because neither Rettew nor Staff has reviewed it yet. Mr. Smith stated the only feedback from Staff is that the Applicant has provided an application and they have addressed every section they are required to. Accuracy will be determined through a hearing process. Mr. Lauriello advised at this point it is up to the Township whether or not they want a review from Rettew. At this time, it has not been submitted to Rettew for a review. Mr. Thomas stated at the last Supervisors meeting they took action to retain special council to represent the Board in its adjudicative role and hired another lawyer to represent the Staff in terms of representing the ordinances and doing staff review at the hearing process so that the Township will be represented as a party at the hearing to make sure the Ordinance gets upheld. Mr. Smith stated the Commission has the opportunity as a Planning Commission to schedule subsequent meetings requesting further analysis from Staff as well as from consultant if you believe that is the level you wish to go to as a Planning Commission. However, that must be accomplished in a defined time frame. Mr. Miller stated personally as a Commission member he would like direction from Staff, or consultant, or the Supervisors as to what do you want from us. Mr. Lauriello stated ideally the Commission would make a recommendation to the Board of Supervisors before they are required to make their decision. It is at your discretion to request any information you think is necessary for you to make an informed decision. Mr. Smith stated it would not be in the format the Supervisors will go through for conditional use. Mr. Smith advised Staff would provide as much guidance as possible relative to zoning and conditional use process. Mr. Miller stated personally he would not like to see a mobile home park in that location. Mr. Witmer commented they keep talking about affordable housing. Mr. Miller stated he had a different style in mind. Mr. Miller commented if they are giving up a farm this big and nice to get 1.8 per gross acre is ridiculously low. The goal in the Comprehensive Plan is 6 ½ units per gross acre. Today they are achieving 4 units per gross acre. Mr. Miller commented the Zoning Ordinance needs to be changed to be in accordance with the comprehensive plan to make the comprehensive plan work. At some point in the not too distant future, that process should begin. Ms. Glazier stated that is one of her concerns in terms of looking at rezoning tracts of land. Ms. Glazier commented this is the time for the Township to look at the whole Township zoning and then make rational decisions based on that. Mr. Ahlfeld stated looking at the plan there is no question this tract is

going to be developed in the foreseeable future. He felt it was reasonable to recommend against the rezoning previously and probably of all the land within the Urban Growth Area this could arguably be the lowest priority for development based on its location. Obviously, it looks like something is going to move ahead and it may be time to look at the other extreme and see the best way for it to be developed when it is developed. The LIMC intent is to move ahead and create a land use advisory board which will be an entity to help implement the plan and the highest priority for that group is to develop zoning provisions that will encourage and facilitate the kind of development we would like to see in the growth opportunity areas and elsewhere it can be accommodated. Ms. Glazier stated the developer talked about water and sewer problems in Letort Manor and Perth Hills and how they maybe able to help that situatuion. They appreciate that but there is the issue of the inadequacy of the roads and how you handle the traffic that either of these plans would generate. Ms. Glazier stated that she feels the roads are a very serious impediment to any development that would happen on that tract now and thinks it is inappropriate to rezone it without addressing the problem. Vic Kicera, 2838 Kissel Hill Road, Lititz, a representative of Wheatfield Developers asked what would change anytime in the near future on any of those roads without a developer coming in and making some improvements. There is nothing out there that would change anything and five years from now they would be in the same position they are in now. Mr. Miller made general comments regarding the site. Ms. Glazier had comments regarding the type of density around the tract, the timing, discussion regarding the type of land use, roads, and nothing had been given to the Commission showing what would be done to improve the roads. Mr. Kicera indicated because it is on the outskirts of the UGB, agriculture across the street, lower density to the north, and high density to the east is the reason why they are presenting this much-reduced plan. We understand the justification that medium density may be more suitable to this site than high density because of the lesser impacts it would have on the area. We were more than willing to try to work with the neighbors. We reached out to talk with them and were told that unless the lots were in the neighborhood of 1 ½ to 2-acres, the neighbors would not consider talking to them and only then if it did not attach to Stable Drive. John May, 100 Red Fox Road, asked what the density was per acre at Manor Oaks and Springdale Farms. No one really knew the density. Chip Trautman, 120 Stable Drive, respectfully requested any Planning Commission member that has had prior business dealings with Wheatfield Developer, David Charles or any other developer involved in the project to please rescue them from the issue at this time due to the appearance of a conflict of interest. Mr. Trautman also respectfully requested to make a presentation next month that will address the many concerns of the citizens regarding the rezoning of the Haverstick tract to higher density or permitting a trailer park to be built. Mr. Miller stated it is not a matter of permitting it to be built because it is a permitted use. If you meet the conditions, it is approved. Mr. Ahlfeld advised them that Mr. Henke intended to rescue himself from any action on these two items on the agenda. Mr. Miller stated as far as he was concerned there was a ruling last time and he feels it still pertains. There is no conflict of interest. Steven Shue, 127 Stable Drive, expressed his feelings of unhappiness with the application. Connie Jackson, 348 W. Charlotte Street, stated she loves the neighborhood and would love to see the same thing on the other side of the creek. Ms. Jackson stated when they were looking at property 15 years ago they did look in Manor Oaks and was told at the time it was going to be all single families. Over time she can see what happens when zoning gets approved the developers can change their mind and there is nothing you can do to stop it. When people buy properties and are told one thing it is hard to live next to the same property when things change later. Ms. Jackson stated development is going to happen

but why hasn't Donerville Road been fixed in the last five to ten years. It is a problem now and development is going to happen. What does the Township need to do to get that road widened? If we expect development to happen, we need to fix the roads first. Bonnie Miller, 113 Bent Tree Drive, states that she participates fully with the County and the Township. She is in business and development is going to happen. Manor Township has worked hard in electing Supervisors to speak for them, Supervisors who have foresight, in turn picked people like you to sit on the panels to have a vision of what the Township will look like, the developing has to slow down until the infrastructure catches up. If it does not, we will not have the police, roadways, and the shopping. The SALDO was just adopted. Ms. Miller asked everyone to stay strong and listen to the community and abide by the codes. Don Weidman, 930 Donerville Road, advised that the noise from motorcycles, large trucks and cars off of Letort Road and Donerville Road is horrendous. Mr. Weidman stated he has lived at his property for 40 years and the noise has increased about 2,000%. He stated he would also say that about 4 or 5 years ago they missed a beautiful opportunity to have a retirement village in the area that was going to be developed. The people opposed that because it was prime farmland and because of the wildlife situation. Mr. Weidman stated before Shadowstone was even developed he hunted up and down that creek bed and in those fields and he would ask those people What do you think your houses are built on today? They are built on prime farmland such as what we are talking about right now. Mr. Weidman stated he would oppose having a mobile home park there, simply because of the noise that is going to create or the people that will live there. That creates a problem for him. Low or minimum density housing in that tract, would be fine with him. He does not see how they can keep developers from building there, even though he opposes it on both sides of the fence. Brian Liddick, 1267 Manor Blvd., asked if the developer would consider bringing in a low-density plan. Steve Himmelsbach, 123 Stable Drive, stated he supported Mr. Shue. Mr. Himmelsbach referred to his original plot plan and what he was told when he purchased his home. Mr. Himmelsbach commented that Donerville Road must be improved before the tract is rezoned. Mr. Himmelsbach stated he is not opposed to low-density zoning. Mr. Miller stated as a point of reference the minimum lot size for a low-density development is 3 units per acre and this plan is 1.8 units per acre so it is one-third plus larger than the minimum size for low-density zone. Mr. Miller stated this plan might have a classification of medium density but the reality of the density with respect to low or medium it is a low-density development. It was pointed out that there is no way to know that is what would be built. Jacquie Gumper, 1005 Hearthstone Road, stated that what the neighbors are concerned with is not the plan that has been presented over the last several years but it is the unknown. She stated they must look at worst case scenario to protect their sense of place and that is why some of the neighbors are saying the plan is fine but there is no guarantee. There was discussion on having a third party involved that would enforce something was done in a certain way. Mr. Kicera stated that he had advised them that they would be willing to put an easement onto a third party and had mentioned it numerous times in meetings both publicly and behind closed doors. Ms. Miller talked about Manor Oaks and what people were told when they purchased their homes and Mr. Miller responded to her comments. Mr. Lauriello advised the people that Manor Township has some fairly recent history with deed restriction or third party agreement when Earl Hess came in with Oak Ridge Commons commercial portion the Township agreed to rezone that but prior to agreeing to that Mr. Hess placed deed restrictions on that property to guarantee the mix that the Township wanted. Mr. Thomas advised if deed restrictions are put on they can be taken off and that is why you would want a third party for enforcement. Gloria Shue, 127 Stable Drive, challenged the builders since

this plan is close to something that could be agreeable and could put the whole issue to rest, she challenges them to come back with low density. Mr. Miller stated he would encourage the Supervisors to do whatever they can to not have a mobile home park built on this tract. Ms. Glazier does not think they should be rezoning property piece meal. She thinks there is a way to approach this and they should go forward. In the meantime between developers, residents and staff, it could be talked about what to allow the developer to go forward with some kind of development while not disturbing the existing character of the neighborhood. That may mean the opportunity to do something with more density but in a creative way that would be acceptable would be lost. Ms. Glazier made a motion to not make a recommendation to rezone at this time. Ms. Herr seconded the motion and the motion carried 4 to 1 with Jim Henke abstaining. Mr. Shue stated the citizens in the area are willing to talk to the developer. Mr. Miller made a motion to encourage the Supervisors to do everything in their power to see that a mobile home park is not built on this site. Ms. Herr seconded the motion. Ms. Glazier pointed out it is in the ordinance and it is permitted. Mr. Witmer stated again they are making classes and should they be making classes. They are saying a mobile home park is not good enough but a \$500,000 house is good enough. Mr. Witmer stated he does not specifically want a mobile home park, but we cant be prejudice. This has to do with land use not do we want a man who makes \$100,000 a year or a guy who makes \$20,000. Ms. Herr stated consideration needs to be made for the people already living there. They have already invested \$500,000 for their property. Ms. Herr stated property values decrease if you have something of lesser value next to them. Mr. Witmer stated that you are saying what kind of people you want to move in there. Ms. Glazier stated there is an issue why is that property zoned Rural or why in a Rural zone do we permit that type of development at that density. Why is it in there? Ms. Glazier stated she feels they have work to do on the zoning ordinance itself, because that is a legal use and she agrees with Mr. Witmer there are class issued associated with this. The same density but not in mobile homes might fly differently and she thinks there is a stigma and a stereotype associated with it. It may be deserved or it may not be deserved but why would that be a permitted use. Maybe that should not be allowed in that particular area. Ms. Miller stated the word mobile needs to be reworded to manufactured housing. It is a popular thing today. People cannot afford those stick houses. Mr. Ahlfeld advised they must use the language in the Zoning Ordinance. Mike Deptula, 126 Stable Drive, stated the issue is density not the class of people. When you start throwing in arguments about who might live there you are being disingenuous to your coworkers on the Planning Commission and the citizens. Mr. Smith stated the reference to mobile home park is right out of the MPC. The new Subdivision & Land Development Ordinance was based on the MPC language and they struggled with that language. If the legislature would change the MPC they would use then the appropriate language. The end analysis was they needed to be consistent with the MPC in terminologies. Mr. Ahlfeld stated if you look at the details in the Municipalities Planning Code you will see it calls and defines a mobile home park is not your typical subdivision that happens to be filled with manufactured homes. It is a park where the units are on individual lots that are rented by definition the units can be moved so it is not like a subdivision of manufactured homes. Mr. Bauder stated he was disappointed in the decision made by the Planning Commission that did nothing in regards to a recommendation. He would like to hear a recommendation from the Planning Commission on this issue. Mr. Ahlfeld asked for clarification whether Mr. Bauder was talking about the rezoning or mobile home park. Mr. Bauder stated he was referring to the rezoning. Mr. May stated Mr. Trautman wanted to make a presentation and if they have this meeting next month before the Conditional Use Hearing starts maybe a recommendation could

be made at that time. He agreed they would like to get some recommendation. You have already acted on that tonight. There is a way to do it at your next meeting if you wish. Mr. Miller stated perhaps next month there will be some dialogue between the developers and the residents over the next month, thoughts coming from the Supervisors, and/or counsel, consultant, staff over the next month that gives the Planning Commission a little better sense of where they might go with this petition. Mr. Witmer asked if what Mr. Miller was saying is if the developer and neighbors comes to an agreement, then the Planning Commission can agree also. Mr. Miller stated he was not saying that. Mr. Smith stated that they would have an opportunity to revisit it. Dave Charles said they have never had recommendation from anybody as far as direct correlation to what Planning Commission and Supervisors want on the tract. One group says one thing and another group says another thing. The group in the back did not want anything until tonight. This was the first Mr. Charles heard they were willing to even talk about something other than two acre lots. Mr. Charles stated that the request is for medium density but this is a low-density plan. The maximum you can get is 1.7 units when you take your streets and your stormwater area out of the lot. Mr. Charles stated he heard the comment this is disrespectful to the neighbors and he challenges anybody to show him how this plan disrespects them as a neighbor. Mr. Charles described the size lots that are proposed on the plan. Ms. Glazier asked if it is the mobile home park aspect or the density aspect that is the problem. The members gave their various opinions and there was discussion. Mr. Ahlfeld called for the vote on the motion on the floor. The motion passed 3 2 with Jim Henke abstaining. There was discussion of the need to redo the Zoning Ordinance. Mr. Smith stated plans would continue to come in. As much as no one wants to hear it if they chose to go the route of redo the Zoning Ordinance, it may mean subsequent meetings outside the realm of the regular meetings. Mr. Ahlfeld asked if they wanted to plan now to have an interim session between now and the next regular meeting with nothing on the agenda except general discussion. Mr. Miller stated comments on this issue are much broader than this site which is they now have a new Comprehensive Plan and it does not match up with the Zoning Ordinance. There needs to be a rewrite of the Zoning Ordinance to enable the Comprehensive Plan to function and work. There was discussion on the procedure that would be involved to rewrite the Zoning Ordinance. Mr. May stated the Supervisors have talked about the need to make sure both documents agree. He suggested a consultant be used to expedite the process. It was decided the agenda item regarding the Subdivision and Land Development Ordinance be discussed at a meeting scheduled for that item only. There is a meeting date set for Monday, July 23 at 7:30 p.m.

Correspondence Ms. Glazier reported she had received a letter dated July 5, 2007 from the LCPC approving the lot add-on plan for David L. Charles with conditions. Mr. Ahlfeld asked if everyone received notice of the LCPCs July 17th session on Form Based Zoning.

There being no further business the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Mary Glazier Secretary

Evelyn Rineer Recording Secretary

Planning Commission

07/23/07

The purpose of this meeting is to discuss the SALDO. Please note the unusual meeting location.

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, July 23, 2007 Time: 7:30 P.M.

Mr. Ahlfeld stated tonight was a continuation from the July 9th Planning Commission meeting

and was for the purpose of going over the response from Rettew to comments made by Planning Commission members regarding the Subdivision and Land Development Ordinance.

Members present: John Ahlfeld, James Henke, Scott Haverstick, James Miller and Donald Witmer
Members Absent: Mary Glazier and Beth Herr
Visitors Present: Mark Lauriello, John May, Dick Bauder and Allen Kreider

Mr. Lauriello stated the June 29th memo summarizes the technical comments received from the Planning Commission members and is what they would be discussing tonight. The following sections had questions or comments from the Planning Commission: Section 407.1 The section refers to designing on-lot sewage systems. The question was why the number 400 gallons per day is being used? The amount in question is for designing a site for consumptive water use. Mr. Lauriello advised the 400 gallons per day is a DEP number and is probably on the high side. When you design an on-lot septic, system you want to be on the high side. Mr. Lauriello stated it is a conservative number. There was also a question on the 315 gallons per day ground water withdrawal being a high rate. It was pointed out the DEP number is 262.5 and it was requested the 315 number be decreased to 262.5 gpd. Mr. Lauriello advised there might be situations where the applicant is able to justify a lower withdraw rate and could request a modification. There was extensive discussion on this section. Mr. Lauriello advised the number could be reduced if the Township was comfortable with it. The Planning Commission was satisfied with 262.5 gpd and the language if the applicant could provide information showing reduction in usage then a waiver would be considered. Section 502.5 Reconstruction of Existing Streets There was a typing error and it will be revised. Section 508.1.A Utility Easement Widths It was recommended the easement width be reduced from thirty (30) feet to twenty (20) feet. There was discussion on utility easements and the responsibility of maintenance of utility easement as well as stormwater basins. The Planning Commission agreed the easement should be changed from thirty to twenty feet. Section 502.1.O Permeable Pavements It was recommended that permeable pavement sidewalks be permitted within the street right-of-way. After discussion, Mr. Lauriello stated they would revise the section of the Ordinance to permit permeable sidewalks within the street right-of-way. Mr. Miller suggested a period be placed after the word wells and delete the last clause. Section 502.5 Reconstruction of Perimeter Streets - Mr. Miller stated the Ordinance states reconstruct which means tear out or redo and if nothing is wrong with the street why reconstruct. It was suggested language be added that will give the option to reconstruct the roadway or improve the roadway to the current street construction standards of the Ordinance. Section 502.6 Construction Standards Suggests that pavement sections be revised to provide pavement sections designed for each type of roadway. The example was a local street typically does not have the volume of traffic that a collector or arterial street has, which would allow for a smaller paving section. Rettew will come up with alternatives for this section. Section 511 Public Dedication of Park & Recreation Land - It is suggested that the park and recreation land dedication requirements are in conflict with the Comprehensive Plan. Rettew will hold off at this time since the Park and Recreation Open Space Plan is being redone. It was suggested Growing Together, the Park & Recreation Open Space and the Subdivision and Land Development Ordinance be consistent in required acres for parks and recreation needs and it be conveyed to David Miller Associates who is working on the Park and Recreation Open Space Plan at this time. The Planning Commission felt it would be beneficial to have a joint meeting with the Park and Recreation Board. Regarding the fee in lieu of park and open space, it was suggested a flat fee per lot should be considered. Section 705.D.1.a.1 The definition of heavy duty road is not defined in the Ordinance. Revisions will be made. Section 705.E Additional Inspections There

was concern whether or not this is permitting the Township to perform inspections on facilities not under the jurisdiction of the Township. Changes will be made to that section. Appendix A-48 The typical curb section is showing the sidewalk adjacent and abutting the curb. In the previous street detail, there is a beauty strips shown adjacent to the curb. Rettew advised they would add the required grass strip on the curbing detail. Section 509.7 Mr. Henke had questions on repairing wetland boundary. Section 407.2.G Mr. Miller commented on why we would not approve anything that DEP approves. Mr. Miller stated we are not determining if this is appropriate or inappropriate. Mr. Miller feels this section should say the requirements of DEP must be met.

John May thanked the Planning Commission on behalf of the Supervisors and stated they appreciated their hard work.

Mr. Witmer commented on the last Planning Commission meeting with regards to the Rezoning and the Conditional Use Application. Mr. Witmer pointed out that there is a possibility of several tracts coming before the Planning Commission in the future.

There was a unanimous decision to set a separate date from the regular Planning Commission meeting to continue working with the Subdivision and Land Development Ordinance.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Evelyn Rineer Recording Secretary

Planning Commission

09/10/07

DRAFT

Manor Township Planning Commission Minutes

Monday, September 10, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, September 10, 2007 at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag. Members Present: John Ahlfeld, James Miller, Donald Witmer, Mary Glazier, James Henke, Beth Herr and Scott Haverstick. Visitors Present: John S. May, 100 Red Fox Rd Kate Wertz, 1010 Flagstone Ct. Jim Huber, 113 Shannon Dr Linda & Tom Strauss, 351 S. Duke St. Bonnie Miller, 113 Bent Tree Dr Joan Matterness, 213 Sutherland Rd Steven Black, Saxinger & Black Mark Lauriello, Rettew Associates Al Kreider, 141 Supervisors Rd Craig Williams, Strausser Surveying Elaine Jones, LNP

Public Comment There was no public comment.

Minutes Mr. Miller made a motion to approve the August minutes. Mr. Witmer seconded the motion and the motion carried with Mary Glazier and Beth Herr abstaining.

Old Business Action Item Plan #07-002-A Glenn Rohrer Centerline Separation/Lot Add-On Plan Craig Williams representing Strausser Surveying & Engineering and Glenn Rohrer presented the plan. Mr. Williams advised the Commission that this plan is a centerline separation and lot add-on plan. This plan has not changed from the last time the Planning Commission saw the plan. Mr. Williams explained the plan to the Planning Commission. Mr. Williams stated that they would do what is in the Township Engineers review letter and that the applicant was asking for an approval recommendation on the condition that they meet the requirements of the letter. There will also be a non-building declaration DEP form to be completed. Dave Lockard has not signed the form to date. Mr. Henke made a motion to recommend approval of the plan to the Township Board of Supervisors for the Centerline Separation/Lot Add-on Plan for the Glenn

Rohrer project subject to the satisfaction of the Dave Lockard non-building waiver and approval of the modification for existing features. Mr. Haverstick seconded the motion and the motion carried unanimously.

Action Item Plan #07-003-A-Final Subdivision Plan for Richard D. Rohrer Craig Williams stated that the Applicant approached the Agricultural Preservation Board and the Board turned down the Applicants original request. The Board preferred a different configuration than the one provided by the Applicant. Mr. Williams stated the plan he had was not the final version and he was not asking for a recommendation on the plan this evening. Mr. Williams explained the different configuration that the Agricultural Preservation Board preferred. There was a problem with sight distance on the area agreed upon by Mr. Rohrer and Agricultural Preservation Board. The applicant will be asking the Manor Township Traffic Commission to request an ordinance that incorporates the traffic study done by the Township approximately 1-½ years ago. The applicant would like the road to be posted with a 35mph speed limit and that will allow for the driveway in the location shown on the lot. Mr. Williams stated that he would be granting the Board of Supervisors an additional 60 days to process this plan. Mr. Witmer asked what the size of the lot was and Mr. Williams stated that they would like to make it a one-acre lot. Mr. Williams stated that the SALDO has a requirement that states that you must locate a non-farm dwelling at least 100 away from any agricultural land. This lot is surrounded by agriculture and the only way to meet the distance requirement is to make the lot large. The spirit of the ordinance is to preserve farmland. The applicant has discussed this and it appears there will be no problem to keep this about a one-acre lot. The width of the lot will be kept the width of a field line that is there presently. Dave Lockard will need to do some soil testing. Mr. Haverstick questioned if the lot configuration being shown is the proposed lot. Mr. Williams stated that the sight distance work was done just this afternoon and pointed out the location of the driveway. Ms. Glazier asked the name of the road and Mr. Williams advised her that it is Forrey Road. Mr. Williams stated the traffic study indicated 42 cars a day use this road. Mr. Henke questioned the radius shown on the plan. Mr. Henke asked if zoning relief would be required to meet the 100 buffer. Mr. Lauriello advised the Commission that the requirement is in the SALDO. Mr. Miller asked why the requirement is in the SALDO and not in the Zoning Ordinance. Mr. Williams advised the Commission that this tract had a house on it at one time that was hit by a vehicle and it was demolished. Because there was a house, there is no need for sewage planning, but there is still the need for perk tests. The applicant will make a request for the Township to write a letter stating that they concur that there is no requirement for sewage planning in the form of a module and a supporting letter from Dave Lockard. Those letters will be forwarded to DEP. There was no action required on this plan this evening.

Action Item Plan #07-004-A Lot Add-On Plan for Nelson R. & Janet Habecker - Steven Black, Land Surveyor, with Saxinger & Black presented the plan. The applicants live at 350 Habecker Church Road, which is about 250 east of Forrey Road. The Habeckers plan to do a simple lot add-on. They are not planning on doing any construction or earth moving activity. They would like to add onto their existing single family dwelling by adding 35 to the west and 35 to the south bringing the lot area to about .8 acre. The current dwelling has on lot septic and water. The only comment outstanding is the perk and probe testing. A probe was performed approximately two weeks ago. Mr. Black pointed out that the existing septic system is not currently on the applicants property. This add-on puts the existing septic system on the new lot line and it helps the existing dwelling with the side yard setback. Mr. Haverstick asked when the lot was initially created. Mr. Black advised him that it possibly was created in the 1960s. Mr. Lauriello stated the

comments in the September 7th letter are straightforward and recommends conditional approval based on the letter. Ms. Glazier indicated she had a letter from LCPC regarding this plan with comments. The LCPC recommends approval and offered three comments and recommendations. The comments were that the property is in Clean and Green, the property is within an area characterized by karst geology hazards and the lot size may not be realistic due to high nitrate levels. Mr. Black stated that due to the fact that the lot size is being increased makes the situation better and since there are no additional flows being added, he stated that he feels it is not necessary to do the planning module. Mr. Black advised the Commission that a 35 lineal foot piece of land on each side is being taken off and was recently put into agricultural preserve. Mr. Ahlfeld asked if the comments from the engineer have been addressed. Mr. Black stated the only outstanding comment to be fulfilled is the results of the perk tests. Mr. Miller made a motion to recommend approval to the Township Supervisors for the Habecker lot add-on plan subject to satisfying the conditions in the engineers review letter. Ms. Glazier seconded the motion and the motion carried unanimously.

Mr. Ahlfeld stated that the Commission members were given this evening a copy of the draft ordinance regarding the rezoning of the Haverstick tract from Rural to Medium Density Residential. The Supervisors at their meeting last week asked the Solicitor to prepare this draft ordinance and submit it to the LCPC and the Township Planning Commission for comments. Since it was commented previously that the Commission would like to have County comments before taking action, the Commission will take action at their next meeting. Bonnie Miller, 113 Bent Tree Drive, stated that she attended a meeting where it was her understanding that the Township does not have to submit to the County. The Township can make the decision and the Countys comments are not necessary. She asked why the Township is going to the County now. Ms. Miller was advised that the Township is required by law before the Supervisors act on an amendment to the zoning ordinance that both the County Planning Commission and the Township Planning Commission must be given the opportunity to comment. Ms. Miller stated that she was told the County can hear it but their comments do not mean anything regarding the action taken by the municipality. Mr. Ahlfeld stated what was probably meant was the LCPC just makes recommendations and that the Township may or may not follow the recommendations but they must have an opportunity to make comments. The County does not have to comment but it must be submitted to them.

New Business Briefing Item Plan #07-005-A-Lot Add-On Plan for Harnish Brothers Tract - Mr. Lauriello stated the property is located at the corner of Central Manor Road and Blue Rock Road (Rt. 999). Mr. Lauriello advised the Commission that there are several tracts involved and pointed out the tracts and advised the Commission on what Harnish Brothers wished to do. Mr. Lauriello stated that they are eliminating lot lines and creating a lot around the farm dwelling. There is actually a decrease of one lot. Mr. Ahlfeld questioned why this plan is called a lot add-on plan if it is creating a new lot. Mr. Lauriello advised Mr. Ahlfeld that it is adjusting lot lines not changing any recorded subdivision plans. Mr. Lauriello advised the Commission that they are actually taking three deeds and making two deeds. Briefing Item Plan #07-006-A-Preliminary Subdivision Plan for Brekland & Modification Requests Mr. Lauriello advised the Commission that this is a 33 lot subdivision with frontage on Letort Road but is not proposing any access to Letort Road. There are two access points off of Walnut Hill Road. There is 33 single family detached dwellings proposed. Walnut Hill and Letort Road are state roads. They are requesting a waiver for improvements on Letort Road. There are extensive comments in the review letter. Mr. Lauriello advised the Commission that the ownership of the tract is in question

and that it is recommended that the ownership issue be forwarded to the Township Solicitor to look at and advise on. The process needs to continue so that the applicant is not given deemed approval. The stormwater discharge point is an issue and was commented on in the initial review letter. The applicant may or may not be ready for action at the next meeting depending on how the Applicant works through the comments. Mr. Henke asked if the Township is looking into the ownership. Mr. Lauriello stated that the Solicitor needs to give a recommendation as to how they should proceed. Mr. Miller stated the Attorney for the Hampilos was at the LCPC meeting today and asked that the County not comment on the plan because of the question on the ownership of the tract. Mr. Miller stated that the County took action on the recommendation simply because they are only a recommendation agency. Mr. Miller asked what the functional classification of Walnut Hill Road is according to the Ordinance. Mr. Ott advised him that it is in the Zoning Ordinance under Section 316. Mr. Miller stated Walnut Hill Road is considered a local road. Mr. Miller questioned the speed limit. Ms. Glazier has a concern regarding the road. She stated that she feels that if the road is widened, there should be an adequate shoulder for bike riders. Correspondence Ms. Glazier stated she had the following letters from the LCPC: Letter dated July 24, 2007 recommending approval with comments and recommendations regarding the Richard Rohrer Final Subdivision Plan. Letter dated July 24, 2007 recommending approval of the Wilmer D. Rohrer Inc. Centerline Separation/ Lot Add Plan. Letter dated July 30 scheduling for review the Lot Add-on Plan for Nelson and Janet Habecker on August 27, 2007. Letter dated August 15 scheduling for review the Lot Add-on Plan for the Harnish Brothers on September 10, 2007. Letter dated August 17 scheduling for review the Preliminary Subdivision Plan for Brekland on September 10, 2007.

There being no further business the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission Work Session

09/25/07

This is to review revisions to SALDO.

DRAFT MINUTES Manor Township Planning Commission Minutes

Tuesday, September 25, 2007 Time: 7:30 P.M.

Mr. Ahlfeld advised tonight's meeting was for the purpose of working on the comments regarding the Subdivision/Land Development Ordinance.

Mr. Caldwell stated the memo of July 20, 2007 was the written comments received from Jim Miller and Jim Henke and the Planning Commission meeting where this was discussed. The comments were broke out in technical issues and philosophical issues. The technical issues have been pretty much worked through and Rettews response has been handed out this evening for the Commission to review. Mr. Caldwell stated that they would start with Mr. Henkes comments. 1) Section 303 - Briefing Item Mr. Caldwell stated the briefing item is the first time the plan is presented to the Planning Commission and to the Supervisors. There is not intended to be any action at that time. The County review is being done within that first 30 day window, the initial engineering review in house is being completed and perhaps when the Planning Commission sees it for action at its second presentation, one or two revisions have been completed, issues have been addressed, you have County comments to look at, and provided there is no significant outstanding design issues, the plan can be moved through the Planning Commission with some level of approval. Mr. Henkes point is you do not need to do that and Mr. Caldwell asked for the

Commissioners thoughts. Mr. Miller had questions on the procedure and expressed comments regarding a briefing session on simple applications. Ms. Glazier pointed out that the application is advertised as a briefing item and asked if that could be a problem if the plan was moved to an action item. There was clarification as to when the timing started on an application. The Commission was in agreement to eliminate the briefing session basically and rewrite the section so the Commission can take action on the first presentation if they wish to. Mr. Caldwell stated that there is language that is a safety valve that states the Planning Commission will not move the plan on until they feel it is ready for action by the Board of Supervisors. Mr. Miller asked for an explanation on final plan certification. The Commission asked for a wording change such as that the staff would obtain the appropriate signatures of the Planning Commission and Supervisor officers.

2) Section 502.10 Design Standard 200 separation distance of intersection on local streets. Mr. Henke asked why 200 versus 150? Mr. Caldwell stated the distance is for opposing left turn maneuvers and is primarily why you need the greater distance. Mr. Miller pointed out that in the entire roadway standards speed limits are missed. No matter what type road is talked about there are the same basic standards. Certain types of roads would need more separation distance. Mr. Caldwell stated that this is a minimum standard. Mr. Caldwell stated he would take a look at the 200 indicated for separation distance. Mr. Caldwell asked if 150 works, is there a problem lowering it. It was agreed to lower it from 200 if it works.

3) Section 511 Park & Rec Fee Mr. Caldwell stated that this issue has been addressed. There is revised information based on the information provided. Mr. Henke used the example of an age related community for his argument. There was discussion on the use of private and public park facilities by residents. Mr. Henke asked if there would be a flat fee and Mr. Caldwell stated yes. Mr. Caldwell asked the Commission about fees for age-restricted community being exempt; the Commission was pretty much against the idea. The Commission on the whole felt that communities need to contribute as per the Ordinance because the whole Township benefits. Mr. Henkes last comment in that section was the requirement for usable land. The Ordinance puts restrictions on the amount of undevelopable land that may be dedicated and also has some prohibitions on what can be located on such land. Mr. Caldwell pointed out you cannot donate your stormwater basin as parkland. Mr. Caldwell stated that he does not necessarily have a problem with a stormwater management facility being located on the parkland as opposed to being the parkland. Mr. Miller stated the philosophy behind park and open space is that open areas are going to be maintained for the enjoyment of the community not necessarily active but some passive. Mr. Miller pointed out the stormwater basin would be part of the open space. Mr. Miller believes open space needs to be defined. Mr. Caldwell asked if this is something to be revisited after the Park & Recreation Plan is completed. The general feeling was to revisit this after the plan is formally adopted. Mr. Ahlfeld stated that he has asked that the Planning Commission be brought up to date as to what is happening with the Park & Recreation Plan.

4) Waiver Application Currently, it is in the Ordinance that a waiver request needs to be accompanied by the application that is in the Ordinance. Mr. Henke stated that the cover letter prepared usually lists the waivers being asked for. Mr. Henke felt that to retype the appendices was redundant.

5) Mr. Henke stated that he had issue with Rettew being the Municipal Engineer and representing private developers while representing the Municipality. There was a difference of opinion within the Commission. Mr. Caldwell stated that he would take their concerns to his superiors.

Jim Millers Comments Section 102.D What is fair share of growth? Mr. Caldwell stated that fair share growth is provided for in the Comprehensive Plan. Section 102.E Discriminate Growth Does the Comprehensive Plan define discriminate growth. Mr. Caldwell stated that he couldnt answer

that. The Commission agreed to eliminate end of tag line. Section 202, Page II-3 Density Gross or Net Mr. Caldwell stated it does not specifically say but it refers to net density because it excludes public right-of-ways. Mr. Ahlfeld asked if it would not exclude a publicly accessible easement along a waterway for example. Mr. Caldwell stated that he would have to look at the public exterior right-of-way to answer that. Mr. Miller stated gross and net consistently gets mixed up and gave examples. Mr. Ahlfeld asked if it would work to define gross density and net density and then use one term or the other. Mr. Miller agreed with that. Section 202, Page II-4 Farm The minimum acreage for a farm is lower than the County recommendation for effective Ag zoning. Mr. Caldwell stated at this time it agrees with the Zoning Ordinance and until the Zoning Ordinance changes he would not recommend a change. The in-house definitions are consistent and that is important. Mr. Miller stated the Countys standards have risen. Section 202, Page II-7 On-Site Storm Water Management, it was agreed that 50% reduction needs to be included. Mr. Ahlfeld asked how much greater is significant? Mr. Caldwell stated not greater. Section 202, Page II-8 Open Space Mr. Caldwell stated the definition of open space implies that it is not being built upon either by buildings or paving. Mr. Haverstick asked what the phrase open to the sky means. Mr. Caldwell stated there is nothing above it. The term open space is used on Page V-30 Paragraph C-2 the last line uses the term open space land. Mr. Caldwell stated he will search out open space and see where it is used and make sure it is not problematic anywhere. Section 303 This was already covered. Section 306.B.1 The last section of a phased project shall include at least 25% of the total units for final plan Mr. Caldwell stated that is an MPC requirement. Section 306.D Signing mylars Discussed earlier and addressed. Section 402 Mr. Miller stated that this tied into another section and we already addressed this and can be moved past this item. Section 403.4.U This is the same as Section 306.1. Section 407.1.A This section deals with the water feasibility - It was addressed somewhat in some of the initial comments. Mr. Caldwell stated that regarding public water, it is a matter of them giving notice that they have capacity and the designs are approved. Mr. Miller thinks it should be made clearer without all the verbage. Regarding Extenders Agreement reimbursement, Mr. Caldwell stated that it is not something that can go into a subdivision ordinance. That is between the developer, municipality, and/or the water service provider. Section 407.1.F Groundwater Studies Mr. Caldwell asked if that section is okay. Mr. Miller stated that he did not know anything about it. Mr. Caldwell explained the section. Mr. Caldwell stated that the previous number was 315 gallons; that number has been reduced to 262.5 gallon as well as allowing for cisterns or other water holding devices. It is to be shown that there is sufficient water on the tract to service your use and not impact any adjoining existing uses or potential existing adjoining uses. Mr. Caldwell explained this sentence. Mr. Caldwell stated that they are not predicting the use but how far is the impact including the limits of the draw down in the water table. Does it stop at the property line? If a ten-foot draw down is shown in the water table on your property, then that is negative impact on your property. The next work session with begin with Section 407.2 of Mr. Millers comments. The next work session will be at 6:30 p.m. on October 9, 2007 before the regularly scheduled Planning Commission meeting.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission Work Session

10/09/07

Continue discussion on SALDO Revisions

DRAFT MINUTES Manor Township Planning Commission Minutes

Tuesday, October 9, 2007 Time: 6:30 P.M.

Mr. Ahlfeld advised the Commission that this was a continuation of the work session for the Subdivision/Land Development Ordinance. Mr. Caldwell asked that the Commission members go through their handouts, jot down their comments in the margins, hand them back to him and we would look at them. Mr. Caldwell stated that they have no new handouts this evening but had just managed to get a copy of the Countys Ordinance. Mr. Miller stated he wanted to go back to something from the last time. He had a comment about the 25% number, which was said to be an MPC requirement. Mr. Miller asked the Lancaster County Solicitor if the 25% is an MPC requirement and they stated it is not. Mr. Miller stated he would like to go back to that at a later time. Mr. Caldwell stated that the Commission had stopped with Rettews memo dated July 20 at Section 407.1.F. which deals with water service feasibility requirements in the Ordinance on Page IV-17. Mr. Millers question is does these requirements match the 537 Plan and DEP regulations? Primarily, this section deals with ground water, which was somewhat addressed in terms of the number 315 gallons. To state definitively that only the area of a site will be used to calculate the recharge does not take into consideration any off-site recharge possibilities. Mr. Caldwell stated that is correct. The idea is to look at the water you are taking out of your tract to be recharged by water that goes back into your tract. It is based on modeling but ground water science is not an exact and does not follow property lines. However, they can relatively accurately predict that given an amount of open space pervious area will allow in a given geological formation in a given year will allow a certain amount of water to maintain the water table. They keep it defined to the property boundaries so you can not use the recharge on a neighbors property and the adjoining neighbors property or two or three properties down the line to balance your withdraw. Mr. Miller questioned if this matched the 537 Plan. Mr. Caldwell stated that he does know if the 537 Plan or DEP addresses the ground water recharge balancing requirements. The 315 gallons per day was hashed out several sessions ago. It is going to be reduced to 262.5 gallons per day. Section 407.2 is Sewer Service Feasibility Report. Mr. Miller raises the same comments. The uses within the growth area for public infrastructures proposed should be connected. There are small uses where extensions are not reasonable and does give you the ability to say ultimately that this use will need to be connected to public water to public sewer but it does not rise to the level requiring someone to extend that water line, sewer line, etc. Mr. Miller asked how that determination is made. Mr. Caldwell stated there is flow limit of 400 gallons per day that is an established benchmark. The other thing you consider is that it is a given distance. It is up to the Commissions discretion. Section 407.2.G. is sewer feasibility where we talk about the types of disposal systems. Agreed that pretty much anything the SEO can write a permit for should be allowed. If it is an experimental system, he ends up permitting it. The SEO still has the option of additional review and safeguards such as operations and maintenance agreements fall back if that system would not work correctly. DEP will sometime require you to have another type of system. Mr. Miller stated that he does not think they want the liability of making a determination that a system is okay. DEP determines if they are permitted, alternate or experimental, but the ultimate responsibility for sewage disposal rests with the Township. Mr. Caldwell asked if the idea of going by distance and units is more appealing than by flow. What are your thoughts? Mr. Henke stated that he has seen it by distance to the connection point and to what level and even then there needs to be some level of forgiveness if it warrants. Mr. Caldwell asked if there was ever an issue where you wanted someone to hook up and they did not want to hood up. He was

advised that there was a time that happened but it had to do with where the lateral was located and not because he did not want to hook up. Mr. Miller had a question on Section 407.3.C.1.a., which deals with the extent of the study. Typically what happens is the applicant traffic engineer submits a proposed scope of the traffic study with a basic description based on the ITE. You may say we agree but also want an additional intersection studied. If they do not agree, they have the right to appeal. There is a process for appeals. The appeal process is outlined in the MPC. Every determination made can be appealed. Mr. Miller had a question regarding Section 407.3.C.3. on Page IV-24. His question is should there be a certain year? That is typically tied to the same years of schedule of development that the developer is proposing. Mr. Henke asked what happens if you projected a five-year build out and the market is soft. Mr. Caldwell stated that it is a comparison of the project with and without the traffic. The five-year without development is based on the established growth figure for the area. Mr. Miller questioned the last sentence and stated he did not understand that sentence. Mr. Caldwell stated that they could change the wording to say the proposed schedule. Continuing, Mr. Millers had a question on Section 407.3.C.4 Peak Periods. The comment is that it should be determined from an engineering point of view. It is based on the peaks shown in the ITE Trip Generation and also on the peaks that are determined from the traffic study. The reason it states it needs to be justified and documented to the satisfaction of the Township, is so you could not askew your results. Mr. Haverstick asked if there is case law. Mr. May stated that each case stands on its own as you look at the facts of the case, not what was done in another case five or ten years ago. You open yourself up if you make decisions that have no basis like sound engineering and experience. Mr. Miller stated that he probably misread the section. Mr. Caldwell stated that it is based on the results of the study and the proposed use. Mr. Miller had a question on the intent of Section 407.3.C.8. Is it not to require off site improvements? The language states you have to identify off site improvements and provide cost estimates, sources of funding, timing and likelihood of implementation. It requires the developer to provide certain things, but it does not require that they must do that. Mr. Miller questioned the last sentence in No.8. Mr. Haverstick stated that he feels the confusion comes from the last sentence in No. 8. Mr. Caldwell stated that the intent is that they know the project is on the books but this project is not going to cure the impact from your project. Mr. Miller stated that he feels information is duplicated that they already have and are already aware of. Mr. Haverstick stated that the time period must be a factor. Mr. Miller stated that some of the information is redundant, but he is not saying a traffic study does not need to be done. Mr. Miller stated that he feels there needs to be a Township wide traffic study in the growth area done, and then they would know when they build the next 500 homes, that this intersection is going to be severely impacted. Mr. Miller stated that you are saying this is not specifically requiring construction of required improvements. Mr. Caldwell stated that identified improvements might be a better term than required improvements. It is the improvements that are required to maintain the levels of service. Continuing in Section 407.3.D, Mr. Millers stated that he feels making someone pay money to the Township for something they do not need to do is foolish. It requires an agreement between the developer and the Township stating that they are giving this much money in lieu of traffic study and it is to be used for x, y and x and can even put a time limit on it. If the Township does not use it for this use or within this period of time they want it back. It is stated in Section E.3. Mr. Miller stated that public comments have been made that they want to make developers to pay for improvements. Mr. Haverstick stated that there are future costs generated by development and undetermined at the point of the project. Mr. Miller stated that is why a traffic impact fee is needed. Ms. Glazier asked how long it would take to implement such

a fee as Mr. Miller is suggesting. Mr. Miller stated that it is a process and it is expensive. Ms. Glazier stated that in the meantime, is this so detrimental to the Ordinance that you would want to get rid of it? Ms. Glazier stated that from the perspective of the residents who experience inconveniences as a result of off site impacts from development and because the MPC does not allow the Township to collect from developers for of site impacts is not fair either. Mr. Bauder stated on Hershey Mill Road the Township paid for all the improvements except the curbing. All the improvements on that road were driven by the development yet the Township paid for widening and paving that road. There is a case where the system failed. Mr. Bauder stated that some guidelines are needed to be in place to prevent that from happening. Mr. Miller again pointed out to the traffic impact study and how that would prevent such from happening. Mr. Bauder stated that the funds in lieu of a traffic impact study should be directed towards some specific thing. Mr. Miller stated that he is questioning the whole practice of this section and not only because of the fact that they are trying to find a way to do fair share cost sharing. Ms. Glazier asked if the Commission agreed, they could recommend to the Supervisors that they look into this issue and then hope to see that it is implemented. Mr. Henke questioned if an authority is needed if a municipality is going to implement a traffic impact ordinance? Mr. Henke stated that there was an article in this past months PSATS. Ms. Glazier read the sentence stating that in addition, Townships must appoint an impact fee advisory committee.

The Work Session was continued until Monday, November 12 at 6:30 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

10/09/07

Manor Township Planning Commission Agenda

Tuesday, October 9, 2007 Time: 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Public Comment
5. Approve the Minutes from September 10, 2007
6. Old Business Ordinance to Rezone Wheatfield Developers, LLC - Rezoning Ordinance for Amendment to the Manor Township Zoning Ordinance From Rural (R) to Low Density ResidentialFlex (RL1) - The rezoning petition is for 132 plus/minus acres of land along the eastern side of Donerville Rd, west of Letort Road. Public water and sewer is available to serve the property. The Commission needs to review the ordinance and make comments and recommendations to the Board of Supervisors.

Action Item Plan #07-003-A- Final Subdivision Plan for Richard D. Rohrer - Strausser Surveying & Engineering, Inc. Craig A. Williams, Consultant. Property owner Richard D. Rohrer. Property location is Forry Road to the east, Central Manor Road to the west and Habecker Church Road to the south. The owner is subdividing off 1.028-acre lot for a proposed dwelling. Postponed action last month.

Action Item Plan #07-005-A Lot Add-On Plan for the Harnish Brothers Tract - Diehm & Sons, Inc., Jeffrey Bowlby, Consultant. Property owners are John Henry, Judy K., James M & Lois E. Harnish. Property is located 3734 Blue Rock Road, Washington Boro, PA. Request modifications Sec. 403.6.E Wetland Study and Section 403.1.A Plan Scale. The combined lots

will be a total of 49.84 acres.

Action Item Plan #07-006-A Preliminary Subdivision Plan for Brekland & Modification Requests - RGS Associates, Consultant K. Craig Smith. Property owner is Christ Hampilos. Property location is 128 Letort Rd. Property frontage on Letort and Walnut Hill Rds. Plan proposes 33 lots with access provided at two points along Walnut Hill Rd. Property zoned Medium Density Residential (RM). Request of modifications of Section 502.14.H.1 & 502.14.H.4 Cul-de-sac & Dead End Streets; 502.5.B.1 reconstruction of existing Streets; 509.B.2 Street Trees.

7. Other Business - Correspondence

8. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Tuesday, October 9, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Tuesday, October 9, 2007, at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Mr. Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Scott Haverstick, James Miller, Donald Witmer and Mary Glazier Member Absent: Beth Herr Visitors Present: Al Kreider, 141 Supervisors Rd John May, 100 Red Fox Rd Jim Huber, 113 Shannon Dr Jeff Bowlby, Diehm & Sons, Inc. Jim Thomas, 28 Penn Square Steven Shue, Lancaster Elaine Jones, Lancaster Newspapers Bob Haverstick, Millersville Vic Kicera, Wheatfield Developers Richard Bauder, Township Supervisor

Public Comment There was no public comment.

Minutes Mr. Miller made a motion to approve the minutes as presented. Mr. Henke seconded the motion and the motion carried unanimously.

Old Business Ordinance to Rezone Wheatfield Developers, LLC Mr. Ahlfeld stated there has been a request made to the County Planning Commission to review the proposal and give comments. No comments have been received to date and Mr. Ahlfeld suggested they might not want to take action this evening. Mr. Thomas stated that he believes they are in a position where there is a general agreement among the various interests who spoke to the Township on this issue. The initial request was for medium density and then was revised to low-density flex. One of the issues that concerned many of the neighbors was the possibility of other than single-family homes in the development. After meeting with the County, engineers, representatives from the Supervisors and the neighbors, the developer agreed to the restrictions of the low density flex provisions, which now by ordinance only permits single family homes. The flex provisions provide for some smaller lot sizes where there is public water and sewer and permits a little more density, but given the large part of this tract that cannot be developed because of natural constraints, the dwelling units per acre are going to be quite low. To that extent, it is not as consistent with Growing Together as what we would like it to be, but it is a compromise. They believe that they know what the County Planning comments will be. They will encourage the applicant to seek density here, but Mr. Thomas also believes that they will recognize that this is a compromise of people with seriously held interests and because of that they are asking the Planning Commission to recommend this to the Board of Supervisors so that this matter can be drawn to somewhat of a conclusion. Mr. Thomas asked the Commission to take action tonight without waiting for the County comments. Ms. Glazier asked what the number of dwelling units would be under the low-density flex zoning. Mr. Kicera advised her that the previous sketch

showed 230 units and in all likelihood it will be close to that same number. On the previous plan, there were just under half of the lots that were already at the low-density flex size. The difference in what is being proposed to the medium density zoning is the length of the lot frontage which is an 80 foot frontage for the medium density zoning verses a 90 foot frontage for the low density flex. There is not a tremendous difference from what was on the previous sketch and what is allowed in the low density flex zoning. There could be a variance up or down of 10 to 15 lots. Mr. Kicera advised the Commission that low density restricts houses to single family dwellings only, which is what they were willing to build, but to make everyone more comfortable they were fine with the low density zoning. Mr. Haverstick asked when they could anticipate hearing comments from the County. Mr. Miller advised hi that it was scheduled for October 22nd. Mr. Haverstick pointed out that the Supervisors would have comments at their next meeting and they may go ahead and make a decision without their comments. Mr. Haverstick stated that he would not be upset if that happened as the Commission has had ample opportunity to make comments. Mr. Ott stated there might be timing issues. Mr. Ott stated that he believes the property owner must notified thirty days in advance of any rezoning that the Board is going to consider. There may be some time sensitive issues that would not allow the Supervisors to act in November. Mr. Miller stated that he felt that it is appropriate to receive County comments before making a recommendation. He agreed with Mr. Haverstick that this has been going on long enough. If it is the will of the Commission to make a recommendation, he would vote yes or no to whatever that motion is. Ms. Glazier questioned if the Supervisors are planning to act on this at the November meeting even if the Commission has not made a recommendation? Mr. May stated that they would have this Commissions recommendation and County Planning Commission recommendations. Ms. Glazier pointed out that they may not have this Commissions recommendation. Ms. Glazier stated that if the Supervisors are not making a decision in November that she would prefer they wait for the LCPC comments and Mr. Ahlfeld agreed. Ms. Glazier stated that she feels they should follow the procedure set up and that is to wait for County comments. Mr. Miller asked Mr. Thomas if he had received the official Township notification. Mr. Thomas stated he did not know. It was his understanding that the Ordinance was advertised. Tom Goodman sent Mr. Thomas the draft ordinance several weeks ago. Mr. Thomas stated that he did not know if the property has been posted. Mr. Ott advised him that the property has not been posted and he has not been given notification that the ordinance has been advertised. There was discussion on the timing required. Mr. Haverstick asked if the Supervisors anticipate holding the hearing and acting the same night? Mr. Haverstick stated that the Supervisors can go ahead and adopt the ordinance without their comments and it is a possibility that they could do that if they decide not to make a recommendation. Mr. Bauder stated he did not think they would do that. Mr. Bauder stated that would be a break from protocol. Mr. Miller pointed out that they had done that in the past. Ms. Glazier stated to avoid the Commission becoming upset she thinks the Supervisors will correctly wait until they have the County comments and their comments. Mr. Kicera stated what led to the time expectation of action was when they met with Mr. May, Mr. Kreider, and the neighbors and came to an agreement of low density flex, there was dates discussed at that time about potentially having action and the November meeting date was announced. Mr. May asked that Mr. Ott talk to Tom Goodman regarding the 30-day notice. Mr. Miller asked if the applicant could waive the 30 days. Mr. Thomas stated the time period is not an MPC or Second Class Township Code requirement but he checked the Township Ordinance. Mr. Thomas read from Section 703.2 regarding public notice. Mr. Haverstick stated that he was inclined to take action tonight. He believes it has been

beat to death and all of them are uncomfortable for different reasons on the whole project. Ms. Glazier stated that if it is their practice to wait for County comments she does not feel as capable of intuiting what the County is going to say. We may know what the County comment on density is going to be, but there may be other points they may want to consider. She suggested that they have the County comments and then proceed the way they would normally act. Mr. Haverstick made a motion that they consider discussion on the aforementioned ordinance with the anticipation of making a decision tonight. Mr. Miller seconded the motion. The motion carried 3 2 with one abstention. Mr. Ahlfeld noted that all the comments they have ever heard from the residents in the area are basically that they did not want to see any development and no rezoning. Maybe some residents are prepared to make comments to the contrary tonight since this meeting was held. The plan shows this as being appropriate for residential development and a higher density would be desirable; it is a shame to see it developed at this low density which means eventually the use of more farmland. Mr. Miller stated that he agrees with Mr. Ahlfeld, but he would say the objection to the rezoning was more of a timing issue than an objection to the rezoning. The argument was now is not the time. Mr. Miller talked about the designated growth area in 1991 and the TND Ordinance. Mr. Miller stated that this is a waste of a very precious resource and he has been in support of this being higher density since it was proposed. Ms. Glazier concurred and stated that if the Township looks in a more broad way at some of the other things discussed, such as traffic, then the future would hold the possibility for a better use of this land. Probably the land would be used at a higher density but with less constrain placed on the site by the specific mickey mouse requirements of the ordinance in place now. Ms. Glazier stated that she felt reluctant to support the rezoning. She stated that a better job could be done if fundamental changes were made to the zoning ordinance. Mr. Haverstick stated that he agrees with what is being discussed. Mr. Haverstick stated that unfortunately there is another use for this property that creates another set of problems. This is not a free will situation. The Township is being forced into making a decision that they may have preferred not to make. Ms. Glazier stated that she is not prepared to vote for something she does not feel is correct just because of a threat of something someone assumes might be worse. Mr. Miller stated that he felt they are in a situation where planning is taking a backseat to political considerations. Mr. Miller stated that he does mean politics at the Supervisors level. Planning needs to be absent of political considerations to be most effective. Otherwise, we find ourselves acquiescing to small groups of people because it happens to be in our neighborhood and that small group is vocal and we make a decision based largely upon those kinds of comments not taking into consideration the other 19,000 residents in the Township and what is in the best interest of Manor Township. The political pressures that have come to bare are from a very small segment of a much focused area for very personal reasons as opposed to the best interest of the Township. The Township found themselves with a gun to their heads to some extent when other considerations trumped good planning. There was a high-density proposal at first that was very innovative and it was shot down. Ms. Glazier stated that she did not agree that the first proposal was desirable. Mr. Ahlfeld stated that they had talked about a mixed use with perhaps some neighborhood commercial. This could be rezoned to R3 and if the landowners wanted to develop it at a low density they can. Mr. Miller asked what a TND Ordinance would look like on a tract like this. Mr. Kicera stated their first proposal was probably an effort in that direction. Mr. Kicera stated that he did not think that you would ever find commercial use on that property feasible for a shop owner. There is not enough traffic there or south and west to support commercial use. John May stated he would love to see a mixed use at the location. Look what happened at Manor Oaks. No one wanted to open

up a shop, grocery store or beauty salon and eventually the developer asked to build townhouses. Mr. May stated Mr. Thomas accurately summarized the meeting that was held between Mr. Kicera, Mr. Thomas, Mr. Kreider, himself and some neighbors. Mr. Miller stated he applauded the efforts of the individuals who met. He had encouraged everyone to find a resolution. Allen Kreider stated the residents and developer came together in a very orderly fashion and even though it was only a small percentage of the people who attended the meeting, they were speaking for many others. Mr. Kreider stated that he thinks the resolution between the two was a compromise on both sides. Mr. Kreider stated they must take a good look at the zoning and urban growth areas and possibly make some plans as to how they want them developed before the developers get involved. They need to guide the developers instead of the developers guiding them. It is their responsibility to set the agenda for how they want to see the Township developed. Mr. Miller made a motion to recommend to the Manor Township Supervisors not to rezone this ground RL1 Flex. Mr. Witmer seconded the motion. Mr. Miller stated for the record that he feels this should be zoned higher density zoning and, in fact, wasting extremely valuable resource. Mr. Miller stated that he believes this is a waste of ground and supports higher density and saving farmland in the future. Ms. Glazier reiterates that she thinks they should not make a recommendation until they have the County comments. Ms. Glazier stated that she is abstaining from voting on this on the grounds that she thinks they should be waiting until they have the County comments to make a recommendation. Mr. Ahlfeld called for the vote. The motion passed 2-1 with Mr. Ahlfeld, Ms. Glazier and Mr. Henke abstaining. Mr. May stated a vote was taken on whether to discuss and make a decision tonight so he did not understand how someone could abstain. Mr. Miller stated that was a 3 to 2 vote and 2 abstained on that motion. Mr. Bauder asked what they were going to present to the County for comments. Ms. Glazier pointed out the County would be providing comments to the Supervisors that they would get a copy of by their next meeting. Mr. Bauder asked if they would be providing comments on RL1 Flex and he was advised that was correct. Mr. Haverstick stated this tract has been one of the most difficult decisions with the entire Commission. Ms. Glazier stated that she believes they need to look at what the Zoning Ordinance allows and how they can provide for a better use of the land they are going to develop. She stated that she does not see commercial in the area. Ms. Glazier stated they need to look at more creative ways to allow people to use land that should be higher density and not scare people into thinking it is going to be terrible. The traffic problems must also be addressed. Mr. Haverstick stated there is another option to the developer on this property by conditional use and that gives them no control. Mr. Haverstick and Ms. Glazier agreed that the option for a mobile home park under conditional uses needs to be removed. Mr. Haverstick stated that is not to indicate that the project that is permissible is necessarily a problem, because he is not sure it is. In terms of them having some kind of control in this project, they no longer have any control. Mr. Thomas thanked the Commissioners and stated they have always been thoughtful of their discussions against some serious personalized opposition to the extent they remained thoughtful and reasoned in their approaches. Mr. Thomas informed the Commission there is a book out titled The Last Harvest that he is reading and finds interesting; it promotes TND development. Mr. Miller gave some information on TND development that is occurring in East Hempfield Township. Mr. Ahlfeld indicated that they must look at all the tracts of land undeveloped but within the Urban Growth Boundary and think about their ultimate patterns of development. Action Item Plan #07-003 A Final Subdivision Plan for Richard D. Rohrer - Mr. Ahlfeld stated that it is his understanding an extension of time has been requested and granted. There would be no action taken this evening. Action Items Plan #07-005 A Lot Add-On Plan

for the Harnish Brothers Jeffrey Bowlby from Diehm & Sons, Inc. presented the plan. This project is located at the intersection of Blue Rock Road and Central Manor Road. Jim and John Harnish along with their wives consist of the Harnish Brothers. They do farming together and bought properties under Harnish Brothers. Currently, they own Lot #1 which is 29 acres and their father owns the adjoining lots. Mr. Bowlby described the situation involving the lots stating Parcel B is 2.17 acres and is owned by the father but was not transferred. The father has one deed, Parcel B, and the second deed is Lot #3 of Parcel A which is one tract. The father wants to sell Parcel B and Parcel A and join it into Lot #1, owned by his sons to make it one large farming tract. There is an existing house and garage and they want to keep that lot as small as possible with the septic system and replacement system it came to 1.14 acres. They have the County comments and their second review from Rettew. They are requesting two waivers 1) plan scale at a 100 scale and 2) the wetland study. There is no construction planned. Rettew has recommended both the waivers be approved and they have three comments 1) Manor Township be provided with compatible drawing, 2) sign all the certificates, and 3) safe sight distance for Lot #1 that is the existing tract and driveway. Mr. Bowlby stated that when they set the pins they will also get the safe sight distance. Mr. Witmer had questions on the sight distance and asked why sight distance is needed for a lot add-on plan when nothing is being done with that property? Mr. Miller pointed out that this was discussed when going through the SALDO. Mr. Caldwell stated that if a deficient driveway comes up, it is determined why it is deficient. Sometimes it can be corrected. Now it is more a matter of notice when something comes in and they want to do something with the farm that is going to generate more truck traffic that the driveway is then possibly corrected. Mr. Miller pointed out that would be a land development plan and a different issue. Mr. Caldwell stated through this process there are many driveways corrected or improved. Mr. Witmer feels identifying problem driveways creates problems and some of the rules kill common sense projects. Mr. Haverstick stated if that were the case, then the driveway would be left as is, but if there is a problem this presents the possibility of correcting it. Ms. Glazier pointed out that the applicant can still go ahead and add the property on; that does not change what he is trying to do but it does give you an opportunity to fix something that otherwise would not be addressed. Mr. Henke asked if in any of the research was there any wellhead protection associated with that well. Mr. Bowlby stated that there was none that he was aware of. Mr. Miller made a motion to recommend to the Township Supervisors the approval of the Harnish Brothers Lot Add-On Plan and recommend that they grant the two waiver requests with the second request that they not require a fee in lieu of a wetland study. Mr. Henke seconded the motion and the motion carried unanimously. Action Item Plan #07-006 A Preliminary Subdivision Plan for Brekland & Modification Requests Mr. Ahlfeld stated no action will be taken tonight. Mr. Caldwell stated that there are still design issues that need to be addressed. Mr. Haverstick asked if the ownership issue has been settled and Mr. Caldwell stated it has not. Mr. Ahlfeld advised the Commission that a Planning Module has been added to the agenda. Mr. Ott stated it is a typical DEP Module for Stonemill Estates. Mr. Ott will sign the module on behalf of the Planning Commission if instructed by them to do so. Mr. Ott was instructed to sign the module.

Correspondence Ms. Glazier had copies of notices that were received by the Lancaster County Planning Commission such as the sewer module pertaining to Brekland. There was a memo on the Aberdeen Proving Ground BRAC Impact dated September 28, 2007.

Mr. Haverstick talked about the bridge on S. Creek Road that has been closed by the County approximately seven months ago. He indicated that the Supervisors have been sending a mixed

message to the County as to whether or not they actually think it should be repaired. In their entirety they signed a letter suggesting the County act on it and then two of the Supervisors, within their right, under their own letterhead the following week sent a letter to the County saying not to bother it was a waste of money. It was discussed at the last Supervisors meeting. Mr. Haverstick stated as a Planning Commission member, it concerns him when they begin to let infrastructure deteriorate and do not actively pursue the repair and or replacement of that infrastructure. He would like very much as a body to recommend to the Supervisors that they put as much pressure as possible on the County Commissioners to make that bridge useable. He feels it is a bad and dangerous precedent to start letting those kind of infrastructure deteriorate. Mr. Miller asked if he would have the same comment regarding the bridge near Charlestown Park that two engineering firms have determined to be deficient but the Supervisors claimed they looked at and, therefore, it is not deficient. Mr. Haverstick stated this bridge is closed and affecting residents in that area. Ms. Glazier stated in addition to the residents the Boys and Girls Club own property in that area that they use for summer camp. There is quite a lot of traffic generated especially in the summer for the camp. The Club has concerns about the loss of that bridge on a permanent basis and it was indicated people are moving the signs and driving over the bridge anyway. Mr. Haverstick stated it is becoming a dumping ground on the one end where people are parking. Ms. Glazier stated that the impact is not just on the residents in the area. The justification is that not that many people live there but actually many people use it that do not live in the area. Mr. Haverstick would like to make a motion that they as a Board encourage the Supervisors to take as much positive action as possible to affect either repair or replacement of this bridge. Mr. Witmer seconded the motion. Mr. Haverstick stated it has funneled traffic on Creek Road, which is one of the one and a half lane country roads in the Township. Mr. Haverstick indicated that the bridge may or may not be fixed but they need to apply pressure on the County to at least keep it on the front burner. Mr. Haverstick stated that he is concerned with the position taken of not to worry about it. Ms. Glazier stated she did not feel that sentiment was based on careful assessment of the situation. Mr. Haverstick stated that two Supervisors made a point of saying that they had made further examination and had driven to the site. Mr. Ahlfeld called for the vote. The vote passed 4-2.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Planning Commission

11/12/07

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, November 12, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, November 12, 2007 at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA 17603. Mr. Ahlfeld introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Henke, Beth Herr and Scott Haverstick. Members

Absent: Donald Witmer, Mary Glazier and James Miller Visitors Present: John S. May, 100 Red Fox Rd Al Kreider, 141 Supervisors Rd Craig Williams, Strausser Surveying Guy Eshelman, 289 Donerville Rd Ted Gingrich, 110 Bent Tree Dr Bill & Phyllis Boyd, 28 S. Duke St Tom & Linda Strauss, 357 S. Duke St. Bonnie Miller, 113 Bent Tree Dr Jim Huber, 113 Shannon Dr Joan

Matterness, 213 Sutherland Rd Richard Bauder, 130 Sheep Ln Jim Stauffer, 365 Weaver Rd Gary Greenslide, 120 Letort Rd John Karayel, P.E., Stonemill Estates Public Comment There was no public comment.

Minutes The minutes from the October 9th regular meeting has been submitted for approval as well as September 23rd and October 9th work session minutes. Mr. Haverstick made a motion to approve the minutes as written. Mr. Henke stated that there was one correction to the October 9th work session minutes. On the first page about halfway down the sentence should read Mr. Caldwell stated that he does not&&. the word not was missing in the sentence. Mr. Henke seconded the motion and the motion carried with Beth Herr abstaining.

Old Business Action Item Plan #07-003-A-Final Subdivision Plan for Richard D. Rohrer - Craig Williams from Strausser Surveying Engineers stated that the tract is roughly 71 acres and is located at the intersection of Central Manor Road, Habecker Church Road and Forrey Road. The applicant is proposing to subdivide off a lot located in the northeast corner. Years ago, in the northwest corner of the lot, there was a second home on this tract that was destroyed when a vehicle accident demolished the house and it was not rebuilt. There was a septic system on the lot; in talking to DEP, they were informed since there was a system already existing that it still counts as a system. The only thing needed is a letter from the Sewage Enforcement Officer that he concurs with DEP. Lot #1 Block A is approximately a one acre tract; there have been several hurdles regarding this tract. The road was not posted, so a speed study was completed and the road was posted with a 35mph speed sign. The lot is located in the far northeast corner of this tract. The Agricultural Preservation Board requested that the lot be in that area where it is the least disruptive to farming. The lot has been perked and probed because we needed to establish the fact that the sewage system could be placed there even though planning is not required. There is a review letter regarding this subject. The proposal is to build a dwelling on the one acre lot and gain access from Forrey Road, perform the other improvements such as a well, and do the required stormwater work. There are a number of items in the review letter pertaining to the stormwater section and the applicant will comply with these comments. There is a request for three modifications: 1) Plan scale, which was recommended for approval by the Engineer, 2) the requirement to provide a wetland study which was recommended not to be approved by the Township Engineer. The applicant felt that a wetlands study was not necessary because the site is a quarter of a mile away from the nearest stream and the site is at the top of a hill; there are two ridges and a ravine between them and no land on the property remains wet on a regular basis. 3) One part of the Ordinance states that the goal of agricultural zoning is to preserve farmland and another section states that you must keep at least a 100 foot separation distance between a proposed dwelling and any neighboring farmed land. Those two statements are in conflict for this plan because the goal is to keep the lot as small as possible so that the applicant can preserve as much farmland as possible. The well will be located so there is no overlap but when you have a lot with this amount of lot frontage there is no way to comply with the setbacks and still build a house. The Township Engineers recommended approval of that waiver. Mr. Haverstick questioned the location of the prior dwelling and asked if it was deeded separately. He was advised it was a second dwelling on the same deed. Mr. Lauriello went over their letter of review indicating what recommendations the Township Engineer had made on the modifications. Mr. Henke asked if an easement was needed for the 100-foot radius from the well. Mr. Williams stated that it is an easement against highly concentrated sewage of human waste or septic system. Mr. Williams stated that he has tried to get into the habit of keeping wells on the parent tract whenever possible. Ted Gingrich, 110 Bent Tree Drive asked what roads border the parcel. Mr.

Henke made a recommendation that the plan as presented be conditionally approved based on the November 9th Township Engineers letter including the acceptance or denial of the waivers as outlined in that Engineers letter. Beth Herr seconded the motion and the motion carried unanimously. Action Item-Plan #07-006-A-Preliminary Subdivision Plan for Brekland & Modification Requests - Mr. Ahlfeld stated that they had a letter from RGS Associates requesting an extension of time.

New Business Zoning Ordinance Amendment Floodplain & PRD The Supervisors would like to remove the requirements in the Zoning Ordinance pertaining to the 500-year floodplain. FEMA and other organizations only require regulations of the 100-year floodplain. When the 500-year floodplain is used, it consumes a lot more land area that is basically rendered unusable for many purposes. There is no regulatory requirement to have the 500-year floodplain. Mr. Ahlfeld asked if there was any flood in recent memory hit the 500-year floodplain mark. No one knew of any flood that hit that mark. Allen Kreider requested that the Solicitor to research if there was any flood that was in the 500-year floodplain but he has not heard anything back. A major problem is that a farmer cannot put a roadside stand in if a stream is close by. That situation exists in one area at this time. Mr. Kreider stated that if he understands it correctly, the 500-year floodplain is a vertical problem more than horizontal. Mr. Kreider believes that this was adopted in 1979 and he sees no reason for it. Mr. Haverstick questioned how floodplain levels are ascertained. Mr. Lauriello stated there is two steps 1) determine the run off grade and 2) the contours of the land determine how much water is coming down, how wide it is spread out and how high does it get. Mr. Haverstick had questions how something qualifies for a 500-year storm and Mr. Lauriello briefly described how it is determined. Mr. Henke made a motion to recommend to the Board of Supervisors to adopt the revision to deleting the 500-year floodplain within the floodplain zone and furthering his motion to provide the Board of Supervisors with the approval power provisions within the PRD in lieu of the Township Planning Commission. Mr. Haverstick seconded the motion and the motion carried unanimously. Briefing Item Plan #07-007-A Final Subdivision Plan for George & Linda Syder Mr. Lauriello stated that this is a one lot subdivision on Ironstone Ridge Road. There is an existing dwelling and the overall tract is 2.1 acres. They are carving a tract off basically in the front of the existing home for a new house. The remaining land will be a flag lot. Briefing Item Plan #07-008-A Final Subdivision Plan for Connie Schnetzka Mr. Lauriello indicated that this is 5.8 acres located at the corner of Franklin Road and Shultz Road. This 5.8 acre tract is being divided into two tracts that will have on lot well and septic. There were questions if one of these lots would be built on by Ms. Schnetzka and Mr. Ott stated he did not know. Briefing Item Plan #07-009-A Final Land Development Plan for 3000 Blue Rock Road Mr. Lauriello advised the Commission that this was a land development plan for the Millersville Fire Company on a 6.4 acre tract. It is going to be a substation for the Millersville Fire Company. Mr. Lauriello pointed out that this plan shows the 500 and 100-year flood plain. There will be a driveway connecting to Rt. 999. The Commission was advised that there is an existing driveway there. Mr. Haverstick questioned if there is an issue with the site distance regarding the driveway. Mr. Lauriello stated that a Penn Dot permit will be needed and that the site distance is marginal. Final Subdivision & Land Development Plan for Stonemill Estates Mr. Ahlfeld advised the Commission that this plan is still being reviewed under the County Subdivision/Land Development Ordinance. Jason Lang with Heritage Building Group and John Karayel from Langan Engineering made the presentation. This was formerly known as the Eshelman tract and the Commission made a recommendation to the LCPC in June or July of last year for preliminary plan approval. It

received preliminary plan approval from the County August 28th along with approval of modification for the block length being around 200 feet for two streets. During the past year, they recently received approval on the traffic impact study from Penn Dot, generated drawings for the Donerville Road access as well Stonemill Road extension and those two plan sets have been submitted to Penn Dot. They received a review letter and subsequently met with Penn Dot to clarify some issues and as of the end of October those plans have been resubmitted to Penn Dot for approval. They have been working with LASA and have eliminated all the pump stations on the site and now everything is gravity flow. They have upgrades to do to the existing LASA/Armstrong interceptor that have been designed and submitted and they are currently working with LASA to decommission an off site pump station that will be taken cross country through an existing easement to hook up on Habecker Church Road. They have submitted plans to the Conservation District and received comments and as of the end of October they have been resubmitted plans to the Conservation District to address those comments. A plan submission was made to the Township as well as to the LCPC. Ted Gringrich expressed concern regarding the water supplied to the development due to the fact that the Woods Edge Development has low water pressure. He would like to see the applicant have a connector other than through the Woods Edge Development. Mr. Lang stated that the plans have been resubmitted to Lancaster City Water. He does not believe that issue was brought up in the initial review but Mr. Lang stated that he would take the recommendation up with them when he received comments on the revised final plans. Bonnie Miller, 113 Bent Tree Drive, indicated that the homes in Sutherland have low water pressure. Mr. Murry informed them that the pipes are installed to code and to increase water pressure the homeowner can install their own pump within the home. Ms. Miller was concerned whether the pumping station should have to be upgraded if there was development on other tracts. Mr. Henke asked what the existing pressure was in Sutherland. No one knew what the pressure was. Jim Stauffer, 365 Weaver Road, asked if there had been any comments back from the Lancaster City Water Authority. He has spoke to the Water Authority and he was informed that there are water pressure issues. Mr. Stauffer stated that he understood that the Authority was going to require some type of relooping to have higher water pressure. Mr. Karayel stated that they have submitted their revised plans to the City of Lancaster but have not to date heard back. Bonnie Miller stated that Eagle Heights had to install a water tower and she hoped she would not see a water tank going in between Weaver and Stonemill Road one day to solve this problem. Ted Gingrich had a concern that this water system for this development is a dead end system; there are no loops other than through the Woods Edge Development. Scott Haverstick asked if it is the water providers responsibility to provide adequate pressure and what is the standard for that pressure. Mr. Lauriello advised him that it is regulated under PUC and it is the water providers issue and not a Township issue. Mr. Huber pointed out that Donerville is spelled wrong on the plans. Mr. Stauffer asked how large is the sewer line coming down Donerville Road going north. He was advised that the line is an 8-inch pipe and that there is a 12-inch pipe through Habecker Church Road. Mr. Lauriello asked where the stormwater discharge points were located. He was advised that there are four basins. Mr. Lauriello asked where the basins discharge into. After being advised of where the basins discharge, he indicated that he did not feel that they were good areas for discharge. Mr. Henke stated that the farm to the south is preserved where Stonemill Road comes through and he asked if that issue regarding the preserved farm had been resolved. He was advised that issue is not resolved because their Penn Dot plans were not approved. The applicant stated that they do not want to approach the Agricultural Preserve Board until they have Penn Dot approval. Mr. Henke asked if there has

been any conversation with the Agricultural Preservation Board and he was advised no. There was discussion on the issue of the extension of Stonemill Road through a preserved farm. Mr. Henke asked if there is permission to release the water on the preserved farm or is there a defined channel there. Mr. Henke was advised that there is a defined channel there. Mr. Henke was also advised that there is no easement off site. John May stated that Mr. Lauriello expressed concern about the level spreader as a means of stormwater discharge and asked Mr. Lauriello to explain his position. Mr. Lauriello stated that the level spreader is usually a problem for the downstream property owner and in these cases, farmers downstream must deal with area being wet three times longer than it is today. Mr. Bauder asked if the Township Engineer approved the plan. Mr. Bauder was advised the Township Engineer reviewed the plans and made recommendations and comments. The letter the applicant sent October 15th was a response to those comments. Mr. Bauder stated he, John May, and Barry Smith met with the developer and there was an agreement they wanted the open space to be in one location and the developer pretty much agreed to that. Mr. Bauder stated that he sees the open space is divided on the plan. Mr. Karayel pointed out the open space areas and stated that the open space would be passive recreation and there would be sidewalks to get to the open spaces. The Homeowners Association will maintain the open space if the Township does not take it over. Mr. Karayel advised them that they did a plan that entertained the idea of a single open space area, came back to the Commission for their comments and suggestions and the Commission at that time wanted to go back to this type of configuration. After that, they had a meeting at the LCPC who also wanted to see this type of layout and maximize the density of the project; that was the number one concern at the LCPC. Mr. Bauder asked what types of barriers were proposed for the open space. There was none proposed. Joan Matterness, 213 Sutherland Road, expressed concern with speeding on Stonemill Road if it is kept as a fairly straight street when it is extended. Mr. Haverstick stated that he understands the concern. Mr. Ahlfeld advised that if it was not brought up in the preliminary plan it is not fair to bring it up now. Mr. Henke asked if the project is in phases and he was advised it would be phased. Mr. Henke asked if Stonemill Road was in the first phase and he was advised that it was. Mr. Gingrich stated that he sees a problem with the development connected to St. Georges Drive in that it will be used as a thoroughfare to get to Columbia Avenue. Mr. Stauffer stated that he was at a meeting where it was indicated if Stonemill Road could not be extended, there would be a payoff to the Township for road improvements. It would seem while in the planning stages, that road could be moved anticipating that the road will not be able to be extended because of the agricultural preservation issue. When Phase I is completed, the Township will be stuck with Stonemill Road never being extended. There is not a good history of taking preserved farmland for road improvements. The road could be moved to the north and still work. Mr. Ahlfeld asked where the boundary of the preserved farmland is. There was discussion on the possibility of changing the location of the road in order to avoid going through the preserved farmland. Mr. Henke stated that he had concerns regarding the stormwater discharge through the farmers field without the easement or a defined channel. He also had concerns with the access issue; to Mr. Henke, the access issue is a large stumbling block for this plan. If the Agricultural Preservation Board says no to the connection, then the applicant must go back to square one and that changes the design. Mr. Lang stated that is why there is the provision for a monetary donation for road improvements elsewhere. Bonnie Miller stated that they welcome neighborhoods and they know that this tract will be developed eventually. As homeowners in the area, we do not want future problems. The homeowners would like to have problems corrected before the development begins. She stated that she feels this development is

not creative or beautiful, the open spaces will be clumps of land that will retain water and has concerns that Stonemill Road will become a racetrack from Stonemill Road to Donerville Road. Mr. Ahlfeld stated that the Commission expressed concerns regarding the plan at the preliminary stage and changed the zoning to accommodate something they felt would be better. Mr. Haverstick agreed that this is not what they thought they would be looking at from the beginning and Beth Herr concurred with Mr. Haverstick's comment. Guy Eshelman, Donerville Road, stated that he was zoned medium density for about 20-30 years and at the rezoning meeting it was shoved through quickly to high density. That was not Mr. Eshelman's desire, but it was pushed through underneath the table so to speak. It was then realized that a mistake had been made and a sign was put up and the Supervisors voted on it again to push it to high density. Mr. Eshelman stated that it was not his doing to crowd everything together but that he was forced into that and now there is a problem. If the road is changed at the intersection of Donerville Road, the property on the other side of the road is also in agricultural preserve so you could not go through there. That corner should be a T instead of an L with another road coming off several hundred feet from it because it is a bad intersection the way it is. Mr. Ahlfeld asked for clarification on what Mr. Eshelman was recommending in regards to the intersection. Mr. Henke asked if there are any future plans for Stonemill Road to go further west. Mr. Henke was advised that there were no further plans to extend Stonemill Road. Mr. Henke stated that he would like to see the preservation issue resolved before any approval is granted. Mr. Henke asked if Mr. Eshelman if he retains the remaining 14-acre farmstead. Mr. Eshelman stated that he retains the 14 acre farmstead. Mr. Haverstick pointed out the real problem is getting preservation waivers and if that could be accomplished everything would be fine. Mr. Lang stated that they had discussed these things with the LCPC before but he was unable to recall what their condition on their preliminary approval was. Mr. Stauffer reviewed the issues with Stonemill Road extension stating that he sees the option of having one road from Donerville Road by bringing the road straight through the center of the tract and joining it to Stonemill Road; this road would have more curves which would slow traffic down, alleviate the problem with the preservation issue, and would allow you to bring artery roads off that for future growth. Mr. Gingrich had questions regarding the portions of land that are in agricultural preserve. Mr. Henke stated that he feels that if they can negotiate and get Stonemill Road to come through first and foremost, that is the biggest long range planning that needs to occur on this project. To hit a roadblock and stop because of the preservation issue is a dead end to the project. It needs to go through whether it is where it is shown or to the north. Mr. Lang advised the Commission that as part of their review with Penn Dot, they specifically asked them to restrict any further access onto Donerville Road on Mr. Eshelman's property. Mr. Henke pointed out that is beyond what is shown assuming this connection would happen. Mr. Haverstick stated that it is incumbent upon the developer to figure out how to resolve the issue with the Stonemill Road extension. He stated that the Commission is stating that Stonemill Road needs to go through to Donerville Road. Mr. May hoped any comments made to the LCPC would say that Stonemill Road has to go through. Mr. Henke made a recommendation to LCPC that the Final Plan for Stonemill Estates be recommended for final approval conditioned and contingent upon Stonemill Road being extended through and connected directly to Donerville Road. The stormwater management review is conditioned on the downstream property either agreeing to the release of the stormwater out of all four basins or some sort of mechanism that gets that water into an easement or defined channel as the stormwater engineer would see fit. Also that the City of Lancaster Water Authority recognize the residents concern of the lack of water pressure in this area and if there is some way to increase

that whether by a looping system or some other mechanism that be considered. Beth Herr seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 9:10 p.m.

Respectfully submitted

Evelyn Rineer Recording Secretary

Planning Commission SALDO Work Session

11/12/07

Manor Township Planning Commission Agenda

Monday, November 12, 2007 Time: 7:30 P.M.

1. Call To Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Public Comment

5. Approve the Minutes from October 9, 2007 Approve the Minutes from Work Sessions September 23 & October 9

6. Old Business Action Item Plan #07-003-A- Final Subdivision Plan for Richard D. Rohrer - Strausser Surveying & Engineering, Inc. Craig A. Williams, Consultant. Property owner Richard D. Rohrer. Property location is Forry Road to the east, Central Manor Road to the west and Habecker Church Road to the south. The owner is subdividing off 1.028-acre lot for a proposed dwelling. Action was postponed last month.

Action Item Plan #07-006-A Preliminary Subdivision Plan for Brekland & Modification Requests - RGS Associates, Consultant K. Craig Smith. Property owner is Christ Hampilos. Property location is 128 Letort Rd. Property frontage on Letort and Walnut Hill Rds. Plan proposes 33 lots with access provided at two points along Walnut Hill Rd. Property zoned Medium Density Residential (RM). Request of modifications of Section 502.14.H.1 & 502.14.H.4 Cul-de-sac & Dead End Streets; 502.5.B.1 reconstruction of existing Streets; 509.B.2 Street Trees. Action was postponed from last months meeting.

7. New Business Zoning Ordinance Amendment Floodplain & PRD - An ordinance amending the Manor Township Code of Ordinances, Chapter 27, Zoning, by deleting all references concerning the 500-year flood within the Floodplain Zone (RP), and by providing that within the PRD provisions of the Zoning Ordinance, the Supervisors approve the plan rather than the Township Planning Commission. The Commission needs to review and comment to the Board of Supervisors.

Briefing Item Plan #07-007-A Final Subdivision Plan for George & Linda Syder - Property located at 216 Ironstone Ridge Road, Lancaster, PA. Total lot area is 2.11 acres. Lot 1 will contain 1.18 acres and existing dwelling and garage. Lot 2 will contain .94 acres. Both lots will have public sewer and water. The property is zoned (RL) Low Density Residential.

Briefing Item Plan #07-008-A Final Subdivision Plan for Connie Schnetzka - Property located on north side of Shultz Road at Franklin Road. Creating Lot #1 containing 2.2 acres. The remaining land is Lot #2 containing 3.17 acres. Both lots have on lot water and septic. The property is zoned Rural.

Briefing Item Plan #07-009-A Final Land Development Plan for 3000 Blue Rock Road - Property located at 3000 Blue Rock Road, Millersville, PA. Lot acreage is 6.4 acres. Lot will have on lot septic. Property to be developed for the Millersville Fire Company. The property is zone (RL1) Low Density Residential Flex. Modification Requests: Section 502.11.A Curbing & Section 502.12 Sidewalks.

Final Subdivision & Land Development Plan for Stonemill Estates - (This plan is under LCSDLDO) Heritage Building Group (HGB) is submitting a final plan for a residential subdivision on the property located on the east side of Donerville Road, south of Weaver Road, adjacent to the existing Woods Edge development. There are a total of 332 units, including 213 single-family lots and 119 townhouse lots. The proposed development is located within the Lancaster Urban Growth Boundary as well as the Manor Township RH1 High Density Residential Flex Zone. Access is currently proposed to the development via three locations; a proposed access onto Donerville Road, and the connection to the Woods Edge Development via St. Georges Drive and Stonemill Road. The plan also indicate an extension of Stonemill Road through to Donerville Road. The Commission needs to review and make comments to the LCPC.

8. Other Business - Correspondence

9. Adjourn

Work Session Minutes Manor Township Planning Commission Minutes

Monday, November 12, 2007 Time: 6:30 P.M.

Mr. Ahlfeld advised the Commission that this was a continuation of the work session for the Subdivision/Land Development Ordinance. John Ahlfeld, Jim Henke and Scott Haverstick were present for the work session. Dan Kauffman from Rettew continued with the July 20th memo Page 4. Section 407.5.E Mr. Miller questioned if it would apply to all additions as well as farm buildings and if not farm buildings why. Mr. Kauffman indicated that the section in the Ordinance currently states that it only applies to new subdivisions or land developments. Do you want to make this a recommendation or a requirement of the Ordinance? Mr. Lauriello indicated that this pertains to the whole Section 407.5 which deals with historic preservation. There was discussion on the number of the historic sites in the Township, how to go about determining the number of sites and who would be qualified to determine if the site is historical. The Planning Commission stated that they felt that there should be an inclusive list of properties. Mr. Ahlfeld stated that if they are interested in protecting historic structures, they should re-define what this applies to and have it broader than those on the National Register. Mr. Haverstick stated that he felt that the section needs to be inclusive rather than exclusive regarding historic sites. Mr. Lauriello asked if the Commission was stating any site that is proposed for subdivision or land development would have to come in with a qualified report that documents the historic significance of the property. Mr. Ahlfeld indicated that is not necessarily what he said. Mr. Ahlfeld stated that he feels they need to know how many sites of historic significance there are located in the Township. Allen Kreider suggested that they refer to the Mennonite Society for information on the historic sites. The Commission asked that the consultant provide them with several options to look at regarding this section. Section 502.1.B & 502.2.A of the Ordinance talks about private streets and the dedication of the streets. Mr. Miller stated in his letter that it seems that this section of the Ordinance should be under the private street section. The first sentence states all streets shall be offered for dedication. Mr. Kauffman stated that can be moved under the general requirements of streets Section 502.1 and that should clear up any confusion. Mr. Lauriello stated that the way it should be written is that all private streets need to be designed to public street standards. Section 502.7.A of the Ordinance has to do with the street cross sections, curb-to-curb dimensions, etc. Manor Townships Ordinance basically had subdivision streets and other streets 34 feet curb-to-curb dimensions and that is what was proposed in the current Ordinance that was adopted. There is a table with a speed limit for a given certain number of cars. Mr. Lauriello indicated that if you took the table and took a minor cul-de-sac with very little traffic, did not have additional widths for bicycles in the street or horse

and buggies, eliminated that component of what was given but did have parking on both sides of the street; the street dimension would go to 32 feet. In certain situations in a cul-de-sac you would be changing the dimensions from 34 feet to 32 feet. You could eliminate the tables and just propose the 32 feet width on a short cul-de-sac. It was decided to skip this section until a later date. Section 502.9.C of the Ordinance refers to base drains for streets. Mr. Henke asked if there is anything in the Ordinance that doubles the base drains. Mr. Kauffman advised him that there is and referred to Section 502.9.C. which requires base drains for streets with 2% or less slope. Mr. Henke asked if it was possible to indicate that if the site does not warrant it, can we make it more of a field call or judgment call for the review engineer during installation. Mr. Kauffman stated that he felt that Mr. Miller was talking more about an existing situation where he has seen roads break up over time because they did not have base drains. Those roads probably did not have good stormwater management. A good guideline to go by is 2% slope or less and they certainly could put that in. Mr. Lauriello stated that right now it requires it in certain situations that are 2% or less slope but Mr. Miller would like to expand it. It was decided to skip this section at this time. Section 502.9.E. & 502.9.F. of the Ordinance talks about street intersections. Currently the Ordinance requires that where a side street comes in, there be a leveling at that intersection for a minimum of 125 feet at a 4% slope. The County requires where the through street is greater than 7% slope, there needs to be a leveling area within 75 feet of the intersection. The leveling area is to have a 4% slope for 40 feet instead of 125 feet. Mr. Henke stated that he is familiar with the Countys requirements and he stated that he felt that it works fine from a development standpoint. Mr. Lauriello stated that he felt that the Countys Ordinance for this section is fine and Mr. Henke agreed.

The work session was closed at 7:30 p.m. and another session will be scheduled at a later date.

Respectfully submitted,

Evelyn Rineer Recording Secretary

Planning Commission

12/10/07

Manor Township Planning Commission Agenda

Monday, December 10, 2007 Time: 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Public Comment
5. Approve the Minutes from November 12, 2007 Approve the Minutes from Work Session November 12, 2007
6. Old Business Action Item Plan #07-006-A Preliminary Subdivision Plan for Brekland & Modification Requests - RGS Associates, Consultant K. Craig Smith. Property owner is Christ Hampilos. Property is location at 128 Letort Rd. There is property frontage on Letort and Walnut

Hill Roads. Plan proposes 33 lots with access provided at two points along Walnut Hill Rd. Action was postponed from last month at the request of the applicant. The Board of Supervisors granted an indefinite time extension. No further action is necessary tonight.

Action Item Plan #07-007-A Final Subdivision Plan for George & Linda Syder - Property located at 216 Ironstone Ridge Road, Lancaster, PA. Total lot area is 2.11 acres. Lot 1 will contain 1.18 acres and existing dwelling and garage. Lot 2 will contain .94 acres. Both lots will have public sewer and water. The property is zoned (RL) Low Density Residential. Modification Requests includes the following: Section 309 Stormwater Management, Section 404.2.K Landscape Plan, and Section 502.5, 502.11, 502.12 Reconstruction of Perimeter Streets. The Commission needs to make recommendations to the Board of Supervisors.

Action Item Plan #07-008-A Final Subdivision Plan for Connie Schnetzka - Property located on north side of Shultz Road at Franklin Road. Creating Lot #1 containing 2.2 acres. The remaining land is Lot #2 containing 3.17 acres. Both lots have on lot water and septic. The property is zoned Rural. The Commission needs to make recommendations to the Board of Supervisors.

Planning Module for Connie Schnetzka - Planning Commission needs to fill out Planning Commission Section 4A. Mr. Ott has filled out Section 4A and can sign module for Commission as directed.

Action Item Plan #07-009-A Final Land Development Plan for 3000 Blue Rock Road - Property located at 3000 Blue Rock Road, Millersville, PA. Lot acreage is 6.4 acres. Lot will have on lot septic. Property to be developed for the Millersville Fire Company. The property is zone (RL1) Low Density Residential Flex. Modification Requests: Section 502.11.A Curbing & Section 502.12 Sidewalks. The applicant has requested a time extension until March 10, 2008 to review this plan.

7. New Business Zoning Ordinance Amendment Text Amendment to Section 441 Add the following to Section 441 When a subject property adjoins and has access to a Collector or Arterial road as identified on the Official Zoning Map, and is able to be served by public water and sewer service, and contains a minimum of 60 contiguous acres, the following standards shall apply in lieu of all other standards: 1) The maximum overall density allowed is 6.5 independent living units per acres, exclusive of personal care and nursing care facilities. All levels of care provided shall be licensed by the Commonwealth of Pennsylvania. 2) No more than 50 percent of the subject property may be covered with building, paving and loading areas and/or other impervious material. The Commission needs to make recommendations to the Board of Supervisors.

Briefing Item Plan #07-010A Revised Final Subdivision Plan for Stephen & Deana Shuman Property located on the north and south sides of (T-579) Indian Marker Road east of Highville Road (T-402). Total acreage is 21.3. The plan joins Lot 1 to Lot 2 and Lot 3 is conveyed from Lot 2. Lots will have on lots septic and water. Property is zoned Agricultural (A).

8. Other Business - Correspondence

9. Adjourn

DRAFT MINUTES Manor Township Planning Commission Minutes

Monday, December 10, 2007 Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, December 10, 2007, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA 17603. Mr. Ahlfeld introduced the Planning Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Ahlfeld, James Miller, Donald Witmer, Mary Glazier, James Henke, Beth Herr and Scott Haverstick Visitors Present: Jim Huber, 113 Shannon Drive Stan Jarmelenko, Hoover Engineering Jeff Burkhart, David Miller Assoc. David Miller, 1076 Centerville Rd. Mark Huber, 1076 Centerville Rd Michael Sheaffer, 233 Post Oak Rd Fred Funk, 306 S. Duke St. Douglas Molter, 1321 Valley Rd. Al Kreider, 141 Supervisors Rd John Vozzella, 1022 Shadowstone Dr John Hog, 963 Skyline Dr. Scott Walls, LCPC John May, 100 Red Fox Rd.

Public Comment There was no public comment.

Minutes Jim Henke made a motion to approve the minutes from the November 12 work session. Mr. Haverstick seconded the motion and the motion carried with four abstentions. Mr. Haverstick made a motion to approve the minutes as written for the regular session of November 12, 2007. Mr. Henke seconded the motion and the motion carried with three abstentions.

Old Business Action Item Plan #07-006-A-Preliminary Subdivision Plan for Brekland & Modification Requests - Mr. Ahlfeld advised the Board of Supervisors granted an indefinite time extension and the applicant is not looking for action tonight.

Action Item Plan #07-007-A Final Subdivision Plan for George & Linda Syder - Stan Jarmelenko from Hoover Engineering presented the plan stating that they are proposing a two lot subdivision. The present lot is a single-family residential lot consisting of 2.1 acres. They are proposing to cut the lot in half creating a 1.1-acre lot with the existing dwelling unit and accessory buildings and a proposed .9-acre new building lot. The present lot is serviced by on lot septic and well. They are proposing public utilities for the subdivision plan. Jim Caldwell stated there is a unique issue with this plan in that the Township apparently was working to straighten this section of road at one time. The existing right-of-way is a considerable distance. Mr. Caldwell raised the question during the staff review if it is the Townships intention to complete this project. Mr. Caldwell advised the Commission that due to the development in the area he is not sure the project could be done. The right-of-way raises issues in terms of setbacks, driveway locations, clear sight triangle, etc. Deeds were written according to the realignment of Ironstone Ridge Road. Mr. Caldwell advised the Commission that there are numerous questions and they do not have answers for the questions to date. Mr. Ahlfeld stated that he feels the right-of-way should be investigated. Mr. Henke questioned if it continues down hill to the next property and does it tie back in. Mr. Jarmelenko advised him that it continues onto the next property. There

was discussion on the waiver for the sidewalk. After discussion, it was decided that action could be taken. Jim Miller made a motion with respect to stormwater management waiver that they support the engineers recommendation and deny the waiver request. Jim Henke seconded the motion and the motion carried unanimously. Jim Miller made a motion to recommend to the Board of Supervisors support of the consultants recommendation on the landscape plan. Jim Henke seconded the motion and the motion carried unanimously. Jim Miller made a motion to recommend to the Board of Supervisors that they waive the requirement to reconstruct Ironstone Ridge Road to its centerline including the curb and sidewalk. Jim Henke seconded the motion and the motion carried unanimously. Jim Henke made a motion to recommend that the George & Linda Syder plan be conditionally approved based on the satisfying the December 6, 2007 engineers letter with the clarification of the Board of Supervisors determining what they want to do with the right-of-way as shown on the plans. Jim Miller seconded the motion and the motion carried unanimously.

Action Item-Plan #07-008-A Final Subdivision Plan for Connie Schnetzka Jeff Burkhart from David Miller Associates presented the plan. Mr. Burkhart stated that they received a letter from Rettew Associates as well as a letter from the LCPC. Mr. Burkhart assumes the Township has a letter from the Lancaster County Conservation District indicating they looked at and approved this plan. This is a two-lot subdivision of a roughly 5.6 acre tract. The smallest lot would be 2.2 acres and the remaining land would be 3.5 acres in size. The property is located on north side of Shultz Road at Franklin Road. Mr. Burkhart stated that in the ordinance are criteria that allow them not to have to do stormwater management if certain things apply. The criteria that apply are that the lots are being altered away from Shultz Road and it is roughly at the high spot of Shultz Road. Essentially, all of the stormwater drainage from these sites would run back through the property downhill towards the adjoining farmland but it is actually running through a span of trees. This lot meets the criteria of the stormwater ordinance and the Township Engineer agrees with that thinking. If they discharge water and keep the developed area below a certain criteria, the Ordinance allows them to not do stormwater; in this case it will be 10,000 square feet of impervious coverage per lot. There is no real cause for concern for stormwater management. Mr. Burkhart advised the Commission that they have started taking care of some of the Township Engineers suggestions. Most of the suggestions were changes in plan notes and clarifications. There is an offer for dedication of the additional 8 ½ feet of right-of-way along both roads. The additional 8 ½ feet will be set aside in the event either the Township or the State ever decides they need to come through there to do something in that area. They have the proper driveway separation per the zoning regulations and the perk and probe tests were okay. Jim Henke recommended a motion that the Connie Schnetzka final subdivision plan be conditionally approved based on the December 7 letter from Rettew. Don Witmer seconded the motion and the motion carried unanimously.

Planning Module for Connie Schnetzka Mr. Ott signs the planning module and it was on the agenda for the Planning Commissions information.

Action Item-Plan #07-009-A Final Land Development Plan for 3000 Blue Rock Road The applicant has requested an extension of time and is not looking for any action tonight.

New Business Zoning Ordinance Amendment Text Amendment to Section 441 Mr. Ahlfeld

advised the Commission that they had a letter from Solicitor Tom Goodman with an attachment of an Ordinance by which this amendment would be adopted. Dave Miller from David Miller Associates was present with a request of Fred Funk. Mr. Funk was present along with Doug Molter, who is the CEO of Homestead Village, and John and Barry Hogan of Hogan and Herr. Dave Miller handed out a book stating it contained two pieces of information and what they are requesting tonight is in the back of the book in the appendix that is the actual technical zoning request before the Commission. The beginning of the book is an explanation of the concept of the project that Mr. Funk is looking at and the project team would like to build. Mr. Miller stated in the Rural Zoning District, Nursing, Rest and Retirement Homes are permitted by special exception and the special exception can be granted when the terms listed in Section 441 are met. The text of the rural district states in the specific item of lot coverage that it shall be 15% of the lot or 15,000 square feet, whichever is less unless otherwise stated in the Ordinance; however, Section 441 does not address this issue. They believe that the Ordinance contemplated a different type of facility at a time when they could have been a converted farmhouse or something of that nature. Today, although we believe that nursing, rest and retirement homes are a good fit, they are entirely different entities. They are highly regulated. With the nature of the facility, it is not possible to build it on 15,000 square feet of total hard surface coverage. The levels of care, services required and just the scale of the industry precludes that. Recognizing there are concerns within the rural district to keep the nature of the land uses in that district appropriate they added what they believe are appropriate safe guards to the text. What their modification to the zoning text would do is pick up items under Section 441 as it exists and add several more lines to that that would address some things that they feel that land use controls would be appropriate for this type of facility in today's version of a nursing, rest and retirement home. It should be located next to an arterial or collector road, should have the ability to have public sewer and water, and have a minimum tract size of about 60 acres. Section 441 really does not address density but addresses residents on the property and the applicant believes in this type of a facility that the more common way to do this is through density and they referenced the same density figure for the independent living units that the County is recommending in general for housing. The applicant is asking for the total lot coverage figure to be raised to 50% which is still a relatively low number. It allows for a lot of open space and keeps the site impact relative to other levels of land use and lot coverage in the Township relatively low. They feel that this is limiting the locations where this type of project could occur only to those they think are suitable. The applicant has included a map that was GIS searched in the Township based on access to utilities, tract size and the rural zoning district to look for places where, if this change were to be made as requested, the requirements could also apply. David Miller stated that they found three locations this could apply to. Jim Miller pointed out that one of the locations they indicated, Wheatfield site, has been rezoned so it would not be included in the three applicable sites. Mr. Miller stated even though zoned Rural, this would no longer be rural zoning when a project such as this occurs. Even if it is called rural zoning, it is in fact going to become an urban developed piece by definition. Mr. Miller feels it should not be limited to 6.5 units per acre if on an arterial road. If the Township is going to give up a farm, why would we not want more density than the averages they are supposed to achieve. Dave Miller stated in this type of development density is a different concept than in a market rate housing project. This project would develop in response to a care facility. The reason they are using the 6.5 per acre on the housing portion was to try to create better equity or visualization of the land use control that is on it. What is in the Ordinance now addresses this as total number of residents per acre. Converting this to a density figure that is

workable was more understandable in this form of project rather than a giant bed care facility or something like that. 6.5 units per acre in the independent living area are adequate and the character they wish to maintain in the project is doable at 6.5 units to the acre. Jim Miller stated the 50% coverage requires that half the tract remain as open space so you are already taking a farm and cutting it in half in terms what its development potential would be. Dave Miller stated in this type of facility the mix of the type of housing units is in response to the levels of care that are offered and the demand. That is really what will drive the finished product in terms of the mix of units and, therefore, the density. Jim Miller felt height becomes a limiting factor in projects such as this. Dave Miller stated the central building is considered to be a multi level building. He stated that he feels they are not far enough along to specifically identify a height limitation but it would make sense to look at that. There was discussion on height and what other townships have done with height restrictions. Jim Miller felt that the height should be part of the Ordinance change. John Ahlfeld had questions to make some clarification on what the proposal is. Mr. Ahlfeld stated the Ordinance states they are adding subsection E and Section 441 in the Zoning Ordinance does not have A, B,C, and D. Mr. Ott stated the Code of Ordinances may have letters in it versus numbers but he is not sure. Mr. Ahlfeld read the end of the first paragraph the following standards shall apply in lieu of all other standards he presumes that means all other standards in Section 441 not all other standards in the Zoning Ordinance. Dave Miller stated that he believes that means all other standards regulating the same items in the Ordinance. Mr. Ahlfeld asked if this is intended to supercede anything else that might apply anywhere in the Ordinance or just in Section 441. He was advised just in Section 441 and Mr. Ahlfeld advised the applicant that needs to be clarified in the language. Regarding density of 6.5 per acre, Mr. Ahlfeld asked if they are taking the entire tract for the acreage and all the units except the ones in the nursing facility building. Dave Miller advised him that the independent living units which would be the free standing single semi-attached units that are throughout the project would be governed by that. The personal care facilities that accompany and to a certain extent serve those individuals are not included in that density. Mr. Ahlfeld questioned when calculating the density do you use the total acreage or do they subtract some of the acreage. Dave Miller advised him that the total acreage is used. Mr. Ahlfeld questioned if the farm market would remain and he was advised Mr. Funk was interested in continuing the market. The concept is to retain the house and the barn. They are part of the concept but not part of this request. Jim Miller asked if a homeowners association would maintain the pervious areas. The independent living units would be sold as condominiums so it would be a condominium association. Jim Miller asked if this would be some sort of age-restricted community. Mr. Miller was advised this would be assigned as a 55 and older community. Mr. Hogan advised the Commission that the conceptual design of this project is condo ownership but it is not life estate ownership. In condo ownership, Mr. Hogan talked about equity that can be transferred to heirs. Mr. Hogan listed the changes that have occurred in the assisted living concept. Ms. Herr asked if there are any other projects like this in Lancaster County. Mr. Hogan advised her that this is a fairly new concept. Mr. Hogan advised the Commission that this concept would become the norm rather than the exception. Ms. Herr had questions regarding what amenities would be provided. Jim Miller stated if there is a 50% cap on the impervious coverage than the 50% that remains as pervious is common open space since there is no fee simple ownership, therefore, everyone has access to rest of the site and Mr. Hogan advised him that was correct. Mr. Hogan stated that when he did a feasibility study, he wanted to make sure it was something compatible with the existing environment. The open space will not simply be open fields. There are a lot of amenities that are associated with

this type of concept that they believe are vital to what they consider what the aging in place experience should be. Mr. Haverstick asked if this would be in phases and Mr. Hogan advised yes. Mr. Haverstick stated whether addressing this particular site or other sites he is leery of making a blanket change. Mr. Haverstick stated that he feels the height issue must also be addressed. Mr. Hogan stated that they would be happy to add an increase in height to the request. Ms. Glazier questioned how they came up with the figure of a 60 acre minimum. Ms. Glazier was advised Homestead Village was used as a model. The unit count, size and shape in the concept are very similar to what Homestead Village is now and that village is 60 acres. There is a physical aspect of it and what it takes economically to run the facility and the 60 acres was appropriate and what works for this site. Ms. Glazier questioned how many tracts would be involved if it would be 50 acres and she was advised that they had not done any research with that acreage. Ms. Glazier stated that she feels it would be beneficial for them to know how many tracts would be involved between 50 and 60 acres. Ms. Glazier stated that she feels that it provides a kind of transition between the densely populated borough and college and then what is on the other side which is quite different. Mr. Hogan stated it allows you to make a good transition from the higher density in the borough out into the rural and ultimately to the agriculture area. It is an edge concept facility in that you need to be on the edge of a populated area for many reasons. Mr. Haverstick stated that he does not believe there would be many 50-acre tracts in the rural zone because they would not have the road access nor sewer and water. Mr. Ahlfeld pointed out that tracts could be combined to make the 60-acre tract. Mr. Miller pointed out that there is very little zoned rural area outside of the designated growth area that has available sewer and water and that becomes the constraint over those areas. Mr. Miller indicated Dave Miller's reference to the edge is today's edge but the growth areas are not fixed and firm and are intended to move and at some point that edge moves out farther. If we are going to give up a farm, we need to make the most use of that as we can. Ms. Glazier stated that she is not talking about the density but the type of use. Barry Hogan advised 50% coverage does not equate to 50% open space. The 50% open space typically would be when you have set 30 acres of land aside in common ownership for recreational both passive and active use. When you talk about 50% impervious coverage that still leaves all yard areas that are peculiar to the individual lifestyles as well as landscape areas you would find in any subdivision. The 50% impervious coverage is a number we picked as we talked our way through it to be able to achieve higher densities and at the same time preserve a reasonable lifestyle for the people who will live there. Regarding the comment about 6.5 units per acre you have lifestyle facilities that are going to have residents in them that do not equate to dwelling units per acre. In this type of community, 6.5 dwelling units per acre are going to equate to a higher population than it would in a traditional subdivision. Mr. Miller stated that is assuming you have that higher care facility but not all of these types of projects may be the same and that is where the 6.5 cap becomes a deterrent to achieving what you want to. Mr. Hogan stated pertaining to coverage, density and units per acre and the criteria pertaining to acreage is the job of the Planning Commission. The applicant stated that they have a proposal before the Commission with a concept that they believe is viable and could be an asset to the community but to what degree you may want to amend it or pass it on to the Board of Supervisors may not necessarily be as the applicant has proposed it. The intent of the Ordinance is to provide nursing, health care and retirement facilities so that in itself it is going to use a fairly large chunk of that land. Mr. Haverstick asked if the medical facilities are restricted to the residents. Mr. Hogan stated that in the commercial area you might have doctor and dentist offices. Mr. Haverstick stated that he was referring to the health care facilities on campus and if

it would be opens to non-residents of the community. Mr. Molter stated that they are picturing a full service retirement community that first would serve the residents but would offer facilities for all the residents of Manor Township at various levels. Jim Miller stated that he would like to see language added that speaks to removing the 35 height constraint. He would also like to see the 6.5 number removed because that would be a limiting factor to what can be put on the site. Ms. Glazier asked if the definition in the Ordinance covered the 55 and over independent living facility. Mr. Ahlfeld stated that is the reason for the invisible corridors that connect all the units that was mentioned. Mr. Hogan stated when the Ordinance was written, there was a perception of what a retirement community is. What happened in the meantime is the group called The Baby Boomers, are redefining what a retirement community is. What they are building is what the individuals who are aging are demanding. Ms. Glazier said that her question is directed to the Planning Commission in that does the definition in the Ordinance cover what they are anticipating putting on this site and does this need to be reworded. The applicants stated that they felt that they could work within the definition in the Ordinance. People today are looking for a place to move where they can spend the rest of their life. Almost everybody as they age in place, start to need the services as defined in the Ordinance. Someone could read the definition that you need all those services when you move in but Mr. Hogan stated that he felt that it can be read more broadly that you are creating a retirement home where those services are available for people to use when needed. It was pointed out that the health care facilities make it part of the retirement community and without that they are just dwellings. Ms. Glazier referred to Section 441.2 and stated that section refers to a minimum lot area of (1) one acre provided that no more than 32 residents, patient or resident guest will be permitted per acre of lot area. Ms. Glazier questioned that if they were talking about multiple floors, would they need to be concerned with that section. Mr. Glazier was advised that within the walls of the building, the facility is regulated by building codes or some other type of requirements so that is in the hands of someone else once you have that building on the site. Mr. Haverstick asked if there were any objections to bumping up the units per acre as opposed to eliminating it. Mr. Miller did not feel there needed to be a cap. The site constraint would be the amount of impervious you can have. If you can design a community that works in the market place, why do you have to hit 6.5 units? Mr. Ott suggested it could be set as a minimum. Jim Miller made a motion to recommend to the Board of Supervisors a rewrite of the proposed ordinance changes to Section 441 that would change under the original proposal E-E.1 by removing the first sentence leaving, the second sentence in tact, leaving Part 2 as it is and adding a third section that would increase the maximum height of the buildings to 70 feet. Mr. Haverstick seconded the motion. Add to the motion that at the end of Paragraph E adds the words in Section 441. Mr. Ahlfeld called for the vote. The motion passed 6-1 with Don Witmer opposing the motion.

Briefing Item-Plan #07-010A-Revised Final Subdivision Plan for Stephen & Deana Shuman - Jim Caldwell stated this is a 21 acre tract at the intersection of Indian Marker Road and Highville Road. Existing lot #1 was created under the Countys Ordinance. The remaining land contained the buildings. They now want to take the remaining lands and attach it to the sons house and create a 2-acre lot. It is a revised final plan and they did ask for two modifications 1) Plan Scale and 2) Stormwater Management. Stormwater management is not necessary because it does not meet the threshold and there is no new construction planned. Rettew has completed their first review and there is no significant issues identified during the first review. Mr. Haverstick questioned if you can keep redoing the lots. Mr. Ott stated they took the lines off and is basically

resubdividing. Mr. Ott stated that they could change the lot lines as often as they want to. Mr. Witmer questioned if the 2-acre lot had to meet any criteria. Mr. Caldwell stated they had to do a replacement perk. In terms of ground water analysis, no they did not have to do that because they demonstrated that when they did the first subdivision that the land can support the two uses. Jim Miller made a motion they recommend that the Supervisors approve this final plan subject to Rettews review letter. Mr. Miller recommended waiving the plan scale 403.1A. Don Witmer seconded the motion and the motion carried unanimously.

Other Business Correspondence Ms. Glazier stated that everyone probably already saw the correspondence she had. Mr. Glazier indicated she had an invitation to a PSATS Conference that will be held May 11-14, 2008. Ms. Glazier reported that she had an invitation to the Assembly South Central Assembly 10th Anniversary Summit on January 31 to February 1, 2008. There were several pieces of correspondence from the LCPC that has been seen by the Commission. Copies were given to the Recording Secretary.

Mr. Haverstick indicated this was Jim Millers last meeting as a member and stated Mr. Millers presence on the Commission has been very helpful to him. Mr. Haverstick stated that they did not always agree but Mr. Miller was always prepared and thoughtful. Mr. Haverstick stated that personally it has been a pleasure being on the Board with Mr. Miller. Mr. Haverstick stated Mr. Miller has integrity. Mr. Miller stated he has been on the Board 17 or 18 years and it has been to his credit to be able to serve on the Board. Mr. Miller advised the Commission that when he first began on the Commission, Manor Township was the best-run municipality in the County and today he feels it is the exact opposite. Mr. Miller challenged the Commission to see that good government does occur in Manor Township. Mr. Miller hoped there would be a replacement with some planning experience which he feels is necessary since the Township has their own SALDO. Mr. Ahlfeld also thanked Mr. Miller for his time and expertise over the years.

Mr. Ahlfeld stated that they were given a draft from Mr. Ott of the annual report for the Planning Commission to look at and give comments. Mr. Ahlfeld suggested some of the paragraphs might be more readable if where there is list of plans in paragraph form might be numbered lists or something that stands out. Mr. Ahlfeld stated there is an invitation from the Conservancy to an event this Wednesday, December 12, 2007, where 3,500 acres along the lower Susquehanna River are going to be protected.

There being no further business the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Mary Glazier Secretary

Recording Secretary Evelyn Rineer

Zoning Hearing Board
01/03/07

Zoning Hearing Board Agenda

Wednesday, January 3, 2007 Time: 7:00 P.M.

1. Introduction of Board Members
2. Pledge of Allegiance to the Flag
3. Approve Minutes of October 4, 2006 Meeting
4. Re-organization Meeting A. Appointment to the Zoning Hearing Board by Township Supervisors B. Election of Officers Chairperson Vice Chairperson Secretary C. Set Meeting Dates D. Selection of solicitor for the Zoning Hearing Board for the year 2007.
5. New Business Case #1-07 The application of Timothy J. Naumann & Daniel J. Naumann property located adjacent to Red Bud Drive and Owl Bridge Road, Millersville, PA, Account No. 410-63520-0-0000. The application is requesting a variance of Section 202.5.2.C Minimum 500 feet separation distance for a proposed driveway from an adjacent driveway. The proposed driveway intersecting Red Bud Drive is located within 500 feet of an adjacent drive. The property is located in the Rural Zoning District.
6. Adjourn

DRAFT MINUTES Zoning Hearing Board Minutes

Wednesday, January 3, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, January 3, 2007 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Chairman Allan Granger called the meeting to order.

Members Present: Allan Granger, Walt Schlemmer and Barbara Douglas Township Officials Present: Bruce R. Ott and James R. McManus Visitors Present: Mike Saxinger, Saxinger and Black, Inc. Mike Dombach, 135 Owl Bridge Road Michelle Keller, 60 Red Bud Drive John May, 100 Red Fox Road, Millersville

Mr. Granger introduced the Board Members, Zoning Officer, Solicitor, Court Reporter and Recording Secretary.

Minutes Mr. Granger stated copies of the draft minutes for October 4, 2006 were sent to the members and posted in the Township Office for review. There were no additions or corrections and the minutes stand approved as submitted.

Re-organization Mr. Granger was re-appointed by the Board of Supervisors for another three-

year term. Barbara Douglas nominated Allan Granger as Chairman. Walt Schlemmer seconded the nomination. Walt Schlemmer nominated Barbara Douglas as Secretary. Allan Granger seconded the nomination. Barbara Douglas nominated Walt Schlemmer as Vice-Chairman. Allan Granger seconded the nomination. The meeting dates were set for the first Wednesday of the month when necessary. Any change in the date will be advertised. Barbara Douglas made a motion to re-appoint Jim McManus as solicitor. Walt Schlemmer seconded the motion and the motion carried unanimously. Mr. Granger stated during the last few years, due to the caseload, the Board looked to Mr. McManus for direction and guidance numerous times.

Mr. Granger stated the Board has not met for several months and the last action rendered was a decision in the Wal-Mart Application. Mr. McManus indicated that although the Board denied the decision the Township filed an appeal regarding res judicata. The Board ruled the principles of res judicata did not apply. Although the application was similar it was not identical, therefore, Wal-Mart had a right to come in with a new application. Mr. McManus stated that the Township filed a brief stating their position and Wal-Mart filed a brief. Mr. Schlemmer made a motion to have Mr. McManus file a brief defending the Boards decision in the Wal-Mart case. Ms. Douglas seconded the motion and the motion carried unanimously.

New Business Case #1-07 The application of Timothy J. Naumann & Daniel J. Naumann property located adjacent to Red Bud Drive and Owl Bridge Road, Millersville, PA, Account No. 410-63520-0-0000. The application is requesting a variance of Section 202.5.2.C Minimum 500 feet separation distance for a proposed driveway from an adjacent driveway. The proposed driveway intersecting Red Bud Drive is located within 500 feet of an adjacent drive. The property is located in the Rural Zoning District. Mr. Granger turned the meeting over to Mr. McManus. Mr. McManus asked if there was anyone present who was interested in the application. Michelle Keller, 60 Red Bud Drive and Mike Dombach, 135 Owl Bridge Road, stated they lived near the property and were interested in the application. Bruce Ott, Zoning Officer, was sworn in by the Court Reporter. Mr. Ott stated as Zoning Officer he received the application and notification of the subject matter was published in the Lancaster Newspapers on December 20 and 27th, 2006. Mr. Ott presented proof of publication. Mr. McManus stated that the application contained the application, letter to the Zoning Hearing Board dated December 12, 2006 from Saxinger and Black, a fax from Saxinger and Black dated December 13 listing adjoining property owners, a diagram and the following copies of deeds: Deed recorded August 1, 2005 from Robert I. Martin, Jr. and Jane L. Martin to Daniel J. Naumann and Timothy J. Naumann, deed recorded December 1, 1972 Aaron H. Herr and Anna M. Herr to Richard L. Sweigart and Doris L. Sweigart, deed recorded April 5, 2973 between Richard L. Sweigart and Doris L. Sweigart and C. Charles Shertzer and Helen R. Shertzer, deed recorded July 9,10, 1968 between Aaron H. Herr and Anna M. Herr and Wendall Diffendall and Jo Ann M. Diffendall, and the deed between Aarona Herr and Anna M. Herr to John E. King and Lulu M. King with recording information Record Book L, Volume 43, page 493. Also attached is site plan prepared by Saxinger and Black titled Zoning Special Exception Naumann Hall Builders Job No. 05 271 03 dated April 19, 2006. Mr. Ott stated the time, date, place, and subject matter were posted on the property on Owl Bridge Road and Red Bud Lane on December 16, 2006. Notice was posted in the Township Office on December 15, 2006. The application was marked Exhibit #1 and the proof of publication was marked Exhibit #2. Mr. McManus advised Mr. Saxinger that any drawings he presented should be referred to as 1A, 1B, etc. Mike Saxinger from Saxinger and

Black Inc., was sworn in by the Court Reporter. Mr. Saxinger stated that the tract of ground is owned by Timothy and Daniel Naumann and consist of 16 acres. The tract borders Owl Bridge Road and, a private right-of-way belonging to PP&L for power lines and Red Bud Drive. Mr. Saxinger stated Exhibit #1A that was submitted with the application was revised January 3, 2007. Mr. Saxinger stated that his clients are requesting a variance of Section 202.5.2.C for the proposed driveway location onto Red Bud Drive as shown on the diagram. The variance request is based on the following as it relates to Section 605.4. The unique topographic conditions limit the possible access points onto Red Bud Drive. Also, there is not enough frontage along Owl Bridge Road to permit two separate driveways to serve two lots. The Rural District regulations and the nitrate conditions that dictate the minimum lot size of 4.6 acres only permit the parent tract to be subdivided into two lots. Based on Section 202.5.2.C., the only feasible way the lot can be subdivided and be within the strict conformity of the Zoning Ordinance is to provide shared driveways, in what case, the driveway accessing the eastern portion of the site would be traversing underneath existing PP&L power lines. The parent tract consisting of approximately 15.7 acres existed before Section 202.5.2.C. of the Manor Township Zoning Ordinance was created. The parent tract had deeded rights to access Red Bud Drive. Section 202.5.2.C. and the topography virtually eliminate the possibility of accessing Red Bud Drive and create a hardship for the owners. The existing topography eliminates the possibility of accessing the lot from Red Bud Drive at a point that is 500 from the adjoining lots driveway location. Additionally, there is not enough road frontage along Owl Bridge Road to permit two individual driveway entrances. The variance, if authorized, will not alter the character of the neighborhood, nor will it impair the development of any adjacent properties. Red Bud Drive could not be extended in the future due to the proposed lot configuration and the fact that Lot No. 1 could not be further subdivided due to Section 202.5.2.B. of the Ordinance stating that one lot must be at least 40% of the contiguous land area shall remain in singular ownership. Due to the existing topography, the variance, if approved, will offer the minimum relief and will represent the least modification possible to feasibly access Red Bud Drive from the parcel. The proposed driveway location will minimize site disturbance and allows the driveway to be constructed in a location where the existing slopes are less steep. There is no impact within the Manor Township Floodplain Zone. The proposed driveway will be located approximately 220 from the next adjoining driveway. Approximately 20 of woodland shall remain to help provide a buffer from the proposed driveway and the adjoining property line. Ms. Keller had questions on the proposed driveway. Mr. Dombach corrected Mr. Saxingers statement regarding Red Bud Drive is off of Sun Lane and said Red Bud Drive is off of Walnut Hill Road. Mr. Dombach was also concerned with the water runoff. Mr. Saxinger stated that there would be a pipe in the driveway and water would flow through the pipe. There would not be any change in the natural flow of the water. Ms. Douglas questioned the location of the driveway in relation to George Splains property. Mr. Granger had questions on the road right-of-way. Mr. Granger asked if there was any discussion regarding the turning radius for snowplows and Mr. Saxinger stated there was no discussion. Mr. Granger had concerns regarding the driveway interfering with the flow of water. Mr. Saxinger stated that the driveway would not interfere with the water flow. Mr. Granger asked if there would be any future subdivision and Mr. Saxinger stated that no further subdivision is allowed. John May, 100 Red Fox Road, had questions regarding the street dedication for Red Bud Drive. Mr. May asked if there was a deed available showing dedication of Red Bud Drive and he was advised no one knew if a deed was available. Mr. May felt there should be area available for snowplow and maintenance vehicle turnings. Mr. McManus asked that the Board be supplied with a letter from

the owners giving Mr. Saxinger authority to represent them. Mr. McManus verified that the distance dedicated of 1161 feet was from Walnut Hill Road and not Sun Lane. Mr. McManus verified that the proposed driveway was 220 feet from the nearest driveway located immediately east. Mr. McManus asked if there was any driveway on the north side within 500 and Mr. Saxinger stated yes. Mr. McManus asked if the 500-foot requirement applies on the same side of the road and Mr. Saxinger stated that was correct. Mr. McManus asked if the sewer and water was on site and Mr. Saxinger stated yes. Mr. McManus asked if a hardship occurs due to the trees and is further complicated by the location of a utility right-of-way that transverses the tract. Mr. Saxinger stated that is true. Mr. McManus asked if they are restricted from certain usage because of the utility and Mr. Saxinger stated that is correct. Mr. McManus asked if it is fair to say that the tract can not reasonably be developed without an exception being made to the distance between driveways and Mr. Saxinger stated that is correct. Mr. McManus questioned Mr. Ott on the minimum lot size. Mr. Ott stated for every five acres you are allowed one lot and that would depend on nitrates. Mr. McManus asked if the proposed lots conform to zoning regulations and Mr. Ott stated they do conform. Ms. Keller asked if it is prohibited to place a driveway under utility lines. Ms. Saxinger stated it is not prohibited but certain things, like septic systems that would cause problems if they were driven over, would not be allowed. Mr. McManus asked Mr. Saxinger if he wished to reference any of the deeds submitted with the Application for purposes of testimony and Mr. Saxinger stated yes. Ms. Douglas made a motion to close testimony, make a decision at the February 7th meeting and, in the meantime, a signed paper be received that the owners approved of Mr. Saxinger representing them this evening. Mr. Schlemmer seconded the motion and the motion carried unanimously.

Hearing was adjourned at 7:50 p.m.

Respectfully submitted,

Barbara Douglas Secretary

Recording Secretary Evelyn Rineer
Zoning Hearing Board (as needed)
02/07/07

Zoning Hearing Board Agenda

Wednesday, February 7, 2007 Time: 7:00 P.M.

1. Introduction of Board Members
2. Pledge of Allegiance to the Flag
3. Approve Minutes of January 3, 2007 Meeting
4. Old Business Case #1-07 The application of Timothy J. Naumann & Daniel J. Naumann property located adjacent to Red Bud Drive and Owl Bridge Road, Millersville, PA, Account No. 410-63520-0-0000. The application is requesting a variance of Section 202.5.2.C Minimum 500

feet separation distance for a proposed driveway from an adjacent driveway. The proposed driveway intersecting Red Bud Drive is located within 500 feet of an adjacent drive. The property is located in the Rural Zoning District. A decision will be rendered.

5. Adjourn

Draft Minutes Zoning Hearing Board Minutes

Wednesday, February 7, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, February 7, 2007 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Chairman Allan Granger called the meeting to order.

Members Present: Allan Granger, Walt Schlemmer and Barbara Douglas Township Officials Present: Bruce R. Ott and James R. McManus Visitors Present: Roger Lehman, 2885 Charlestown Rd. Michelle Keller, 60 Red Bud Drive Tim Naumann, 14 Pennington Ct.

Minutes Mr. Granger stated the copies of the draft minutes were posted. There were no additions or corrections and the minutes stand approved as submitted.

Old Business Case #1-07 The application of Timothy J. Naumann & Daniel J. Naumann property located adjacent to Red Bud Drive and Owl Bridge Road, Millersville, PA, Account No. 410-63520-0-0000. The application is requesting a variance of Section 202.5.2.C Minimum 500 feet separation distance for a proposed driveway from an adjacent driveway. The proposed driveway intersecting Red Bud Drive is located within 500 feet of an adjacent drive. The property is located in the Rural Zoning District. A decision will be rendered. Mr. Granger stated the testimony was closed at the last hearing and Mr. McManus contacted each member individually and drafted a decision that they would discuss at this time. Ms. Douglas made a motion the application of Timothy J. Naumann and Daniel J. Naumann, for a variance to the provisions of Section 202.5.2.C. of the Manor Township Zoning Ordinance to reduce to 220 feet the separation distance between the driveway from proposed Lot 1 intersecting Red Bud Drive and the nearest driveway east of the tract having access onto Red Bud Drive to enable the subdivision of a tract of land containing approximately 15.6 acres with frontage along Red Bud Drive and Owl Bridge Road, tax map parcel no. 5H-6-16, Account No. 410635200000., is granted. The approval of the aforesaid variance is subject to the following conditions: 1) The reduction of a minimum separation distance between driveways intersection Red Bud Drive shall be in accordance with the plan entitled Zoning Exhibit for Naumann Hall Builders, prepared by Saxinger and Black, Inc. Landscape Architects Land Surveyors, Dwg. No. 1, dated 4-19-06, Exhibit No. 1-A, submitted 1-03-07. 2) Applicants shall at all times comply with and adhere to said plan and all other evidence presented to the Board by Applicant or on their behalf at the hearing held on January 3, 2007. 3) Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicants their successors in interest and assigns. Mr. Schlemmer seconded

the motion and the motion carried unanimously.

Mr. Granger stated a letter was received from Stacey L. Morgan on behalf of Roger Lehman requesting a one year extension of time to complete the work permitted at the property pursuant to the Zoning Decision rendered in case 12-05. Mr. Granger asked Mr. Lehman what percentage of work is completed. Mr. Lehman stated there is approximately 25% of the work completed or less at this point. Mr. Granger asked if Mr. Lehman felt the work will be completed within the next year and Mr. Lehman stated that is his anticipation at this point. Ms. Douglas made a motion on behalf of Mr. Lehman's request for a one year extension to complete the work he has started be granted. Mr. Schlemmer seconded the motion and the motion carried unanimously.

There being no further business the hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Barbara Douglas Secretary

Recording Secretary Evelyn Rineer

Zoning Hearing Board

07/05/07

Zoning Hearing Board Agenda

Thursday, July 5, 2007 Time: 7:00 P.M.

1. Introduction of Board Members
2. Pledge of Allegiance to the Flag
3. Approve Minutes of February 7, 2007 meeting.
4. New Business Case #2-07 - The application of James R. & Rebecca G. Knapp property located at 40 Penn Street, Washington Boro, PA. The applicant is requesting a dimensional variance of Sec. 216.5.2 side yard setback and Sec. 216.5.3 rear yard setback. Also the applicant is requesting a special exception of Sec. 504.2 Non-conforming structures. The applicant wishes to expand an existing accessory use structure on the property. The property is located in the Village (V) zoning district.
5. Adjourn

DRAFT MINUTES Zoning Hearing Board Minutes

Thursday, July 5, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Thursday, July 5, 2007 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Chairman Allan

Granger called the meeting to order.

Members Present: Allan Granger, Walt Schlemmer and Barbara Douglas Township Officials
Present: Bruce R. Ott and James R. McManus Visitors Present: Allen Kreider, 141 Supervisors
Rd Jim Knapp, 40 Penn St.

Minutes Mr. Granger stated the copies of the draft minutes were posted. There were no additions or corrections and the minutes stand approved as submitted.

New Business Case #2-07 - The application of James R. & Rebecca G. Knapp property located at 40 Penn Street, Washington Boro, PA. The applicant is requesting a dimensional variance of Sec. 216.5.2 side yard setback and Sec. 216.5.3 rear yard setback. Also, the applicant is requesting a special exception of Sec. 504.2 Non-conforming structures. The applicant wishes to expand an existing accessory use structure on the property. The property is located in the Village (V) zoning district. Mr. Granger turned the meeting over to Mr. Mc Manus. Mr. McManus requested that Mr. Ott be sworn in. Mr. Ott stated that he is employed as the Zoning Officer for Manor Township and he receives applications that comes before the Zoning Hearing Board of Manor Township and noted he did receive Application #2-07. Mr. Ott stated the date, time, place and subject matter of this meeting was published in the Lancaster Newspapers on June 20 & 27, 2007. The property was posted on Penn Street and the side street with the time, date, place and subject matter on June 15. A notice of the date, time, place and subject matter was posted in the lobby of the Township Office on June 15. Mr. Ott provided proof of publication. Mr. McManus stated the application consisted of two sheets, both of which are numbered Application #2-07. One is a variance sheet and the second sheet is a special exception. Proof of publication was marked Exhibit #1. The application was marked Exhibit #2. A narrative attached to the application was marked Exhibit #2A. A series of four sheets 11 ½x 14 appended to the application were marked Exhibits #3, 4, 5 & 6. The plot plan titled Additions was marked Exhibit #7. For the record, Exhibit #3 is titled Barn Addition subtitled Non-permeable surfaces, Exhibit #4 is titled Barn Addition Plot and Elevations, Exhibit #5 is titled Barn Addition Sectional Drawings, and Exhibit #6 is titled Barn Addition South Elevation. Mr. McManus stated the application submitted seeks a special exception in accordance with the provisions of Section 504.2 and variances for two of the side yard requirements. Mr. McManus asked Mr. Knapp if he was James R. Knapp Sr. and Mr. Knapp stated yes. Mr. McManus stated the owners of the property are James R. & Rebecca G. Knapp and asked Mr. Knapp if that was his wife. Mr. Knapp stated she was his wife. Mr. McManus asked if there was any objection to amending the application title to James R. Knapp Sr. and Rebecca G. Knapp since they are both owners of the property. Mr. Knapp had no objections. Mr. McManus asked the application be amended to show that both the husband and wife are the applicants. Mr. McManus requested Mr. Knapp explain to the Board what he was asking for. Mr. Knapp indicated what they are looking to do is to expand an existing accessory use structure on their property. The existing structure is a pre 1900s barn located on the north end of their primarily residential property. Mr. Knapp stated that they would like to add an addition onto the barn that is over area that currently exists as a driveway and was previously a temporary awning like structure. In talking with the Zoning Officer, the areas of concern were that the existing barn is taller than 15; that means the building needs to be 15off the rear property line. The actual distance that the barn is off the rear property line is 3. There is 3 between the barn and what is know as Alley O which separates the two properties. The setback

on the side of what is known as Second Street is also only 3 and the side yard setback needs to be 5. Mr. Knapp stated that they would like to increase the size of the barn one story and the square footage is less than half of the existing barn. They are asking to expand this barn that is non-conforming and to continue along the east edge of the barn. The barn will not encroach anymore into the roadway area but continue along the same edge of the barn that presently exists. It will not encroach any further on the Miller residence that is to the left of the Knapp property, onto Second Street or onto Alley O. It would be a simple pole barn construction attached onto the side of the barn. Mr. Schlemmer asked if the house is the same distance from the street and Mr. Knapp stated it is about 1 ½ further off of Second Street than where the barn is located. Mr. Schlemmer asked what the use of the building would be and Mr. Knapp replied for residential storage such as vehicles, a boat and lawn equipment. Mr. Knapp stated he is a volunteer fireman and in the winter when he gets a call, his vehicle is out in the weather and has snow and/or ice on it. He is unable to presently put his truck into the barn because of the height of the truck. Mr. McManus asked what the height of the existing barn was and Mr. Knapp replied 23 and 3 1/2 to the peak. Mr. McManus questioned the applicant if the addition was being added vertically and Mr. Knapp stated the height of the proposed addition would be 12- 9 11/16 and a width of 13- 6 which included the overhang shown on Exhibit #4. Mr. McManus asked if the existing barn is a non-conforming barn with respect to its rear yard and side yard setbacks and Mr. Knapp replied yes. Mr. McManus stated that he believed that there was no necessity to view a variance to the rear yard setback because it presently exists and is not going to be affected in anyway. It appears the only thing before the Board is the side yard setback. The extension will be at a height of 12- 9 11/16 and Mr. Knapp stated that is correct. Mr. McManus stated the dimensions on the exhibits show a side yard bordering Second Street and asked if the distances are measured from the curb line, the cartway of Second Street, or is it an actual right-of-way line. Mr. Knapp advised the Board that the distances are measured from the cartway. Mr. McManus asked if Mr. Knapp knew the right-of-way of Second Street. Mr. Knapp stated that according to his deed, the property starts from the corner of the streets. The entire property is laid out by the actual streets. Mr. Knapp stated that in talking to Mr. Ott, he knows the current right-of-way of a street if enacted today would be 33 ½. There is not 33 ½ between Mr. Knapp's house and Mr. Frey's house. Mr. McManus asked Mr. Ott if it is his belief that the right-of-way is co-terminus with the cartway or does he have no idea where the right-of-way is. Mr. Ott stated without a surveyor telling him he has no idea where the right-of-way is. Mr. Knapp stated he knows the road width between Alley O and Penn Street is narrower than the road width between his property in the rear and Mr. Frey's property in the rear. Mr. McManus stated it appears they are looking at a matter of two (2) feet and Mr. Knapp stated that was correct. Mr. McManus asked if there would be a reason why that extension could not be offset by 2. Mr. McManus stated Exhibit #4 shows a future garage bay in this addition, and asked if Mr. Knapp agreed to build that addition but set it back 2 additional feet and still be able to use it for garage purposes. Mr. Knapp indicated there are two reasons he does not want to do that: 1) Because of the existing driveway and walk, it would be very shallow in depth. Currently his truck if pulled in to the existing area, the tail end of the truck is flush with the existing sidewalk. In shortening that area by 2 feet, it would cause Mr. Knapp to park back in further, which, in turn, would cause more work to be done to the interior. Mr. Knapp stated that he was going to leave the driveway and walk in place. 2) Just for the aesthetics of the building, Mr. Knapp stated that he would like to continue the existing barn line along Second Street. Mr. Knapp stated that he believes that in creating the setback he is not really creating any undo hardship to the Township due to the fact that the existing barn is already at that same level and

the road would not be able to be widened without removing part of the structure. Mr. McManus asked if the proposed addition would be enclosed and Mr. Knapp stated yes. Mr. McManus asked if there would be a block foundation for the proposed addition and Mr. Knapp advised him that it is a pole barn structure with a stone floor. Mr. McManus stated as proposed the addition will be 60in length and Mr. Knapp stated yes. Mr. McManus asked if Mr. Knapp agreed that he could park two vehicles easily as shown in Exhibit #5 in a space of 58. Mr. Knapp stated the sidewalk actually sets about 4 5higher than the driveway. Mr. McManus stated if the sidewalk was not inside the pole barn addition did Mr. Knapp agree he could park two vehicles in 58that would remain. Mr. Knapp stated if he did not have the sidewalk it would change where his doorway is located which would come off the existing sidewalk. If his truck was parked there it would be in the way of the door and an offset would have to be created for the door. Mr. McManus asked the length of Mr. Knapps truck and Mr. Knapp stated it was a standard pickup truck and he had no idea. Mr. McManus asked the distance between the walkway and the front of the building? Mr. Knapp advised approximately 24. Mr. McManus stated Exhibit #5 appears to be another parking space in that same addition but to the western part of the tract and Mr. Knapp stated that was correct. Mr. McManus asked if that was large enough for the truck. Mr. Knapp stated it would be but he would be coming out onto the grass on that side. Mr. McManus questioned where Mr. Knapp would be coming out with the vehicle shown on Exhibit #5. Mr. Knapp stated that is a proposed parking spot. Currently his Grandfather lives with them and with Mr. Knapps wife they have three vehicles so they would not be primary parking areas. Mr. McManus stated there would be three bays along the front and asked if there is one truck in each of the bays? Mr. Knapp stated there would be a truck, station wagon and a blazer. Mr. McManus asked if the station wagon would fit in the new addition portion and not encroach upon the walkway. Mr. Knapp stated yes but his truck would not fit in either of the two existing bays because of height. Mr. Schlemmer asked if there was a door into the existing barn where the walkway is and Mr. Knapp stated yes. Mr. Knapp stated another reason for going through this entire process is if he understands the zoning correctly, because this is a non-conforming structure he can only increase it by 50%. However, if Mr. Knapp offsets this into a separate building he can build three times the size of the building. Mr. Knapp stated that what he is trying to do is maintain the aesthetics of the barn and the layout of the property in regards to how it has been for the last hundred years. Mr. McManus asked what the size of Mr. Knapps lot was. Mr. Knapp stated that the lot is 13,200.22 square feet. Mr. McManus asked if there was public water and sewer. Mr. Knapp advised Mr. McManus that he has public sewer but on lot water. Mr. McManus asked if there any utilities connected to the existing or proposed barn extension. Mr. Knapp stated there is a 50amp service that comes into the building as an auxiliary service off the house. There will be no sewer or water to the structure. Mr. McManus asked what percentage of the lot s covered by buildings. Mr. Knapp advised Mr. McManus that 42.15% is covered. Mr. McManus asked if that exists or includes the proposed addition. Mr. Knapp advised Mr. McManus that it includes the proposed addition. Mr. Knapp advised Mr. McManus that they are increasing lot coverage by 755 square feet but that he does not know what the percentage increase is. Mr. McManus asked Mr. Knapp to tell the Board what the hardship is if he was required to set the addition back 5and not 3. Mr. Knapp stated that first of all the barn exists and Second Street at the time of construction of the barn was much smaller. At that time, the barn would have been well within any type of setbacks. To increase the barn along the existing line is not encroaching anymore into the roadway or the cartway and to have the increased setback, changes the building aesthetically and causes additional problems with getting the vehicle in

there. Mr. McManus asked what the length of the vehicle was and Mr. Knapp did not know. Mr. McManus asked the make of the vehicle and Mr. Knapp advised him that it was a Ford F150 extended cab truck with a six foot bed and a camper hitch that sets another 1 ½ out the back. Mr. Granger stated he wanted to go over a few of the things as far as the non-conforming use to have it in the record. Mr. Granger went over Section 504.2 requirements to verify all of those were in line. Mr. McManus asked Mr. Ott if it is his interpretation that the barn is an accessory use on that tract and is non-conforming with respect to its use or just dimensions. Mr. Ott stated it is just the structure setback dimensions. It has nothing to do with the use. Mr. McManus stated the barn is conforming with respect to use so in terms of expansion you would only evaluate the right to expand if that barn were not otherwise allowed in that district. Mr. Ott stated the way he interprets Section 504.2.3 it is a non-conforming structure and 50% expansion of that structure is the maximum allowable expansion. Mr. McManus asked if Mr. Ott agrees it is only non-conforming with respect to its location on the lot and not its use and Mr. Ott agreed. Mr. McManus read 504.2.3 into the record The total of all such expansions or alterations of use shall not exceed an additional fifty (50%) percent of the area of those buildings or structures as they existed on the date on which such buildings or structures first became nonconformities. The applicant shall furnish conclusive evidence as to the extent of the nonconformity when it was created. Mr. McManus asked if this section also requires conformity to setbacks and Mr. Ott stated yes. Mr. McManus stated that even if this section would be interpreted the determination would have to be two fold that this was a non-conforming use of a structure constituting use of the land and that it could expand if it were non-conforming but it could not expand and violate a setback regulation of the district. Mr. Ott stated he is not sure he reads it that way. Mr. Granger referred to Section 504.2.2. Mr. McManus stated a structure can be non-conforming by virtue of its use or location. A building can be non-conforming by virtue its location or its use. The 50% expansion that has been generally handed down through the courts when they say you cannot close out a use if it is not conforming relates to non-conforming uses. You have a commercial building in a residential zone but it predates zoning the courts have said you have to give it some reasonable expansion, therefore, zoning ordinances allow some 25 some 50% and that expansion would say something like 50% so long as you do not violate any other setbacks. Mr. McManus stated that seems to be close to what this section is saying, otherwise, to allow by special exception an encroachment into a required yard ventures into variance territory. Mr. McManus gave an example stating assume this was not a 12 extension because the principle building is 3 instead of 5. Assume that the expansion wanted to go the entire length of that lot for another 75; clearly the meaning of the Ordinance would not be that you are allowed to extend along an existing encroachment of the setback just because you already encroached. There are some limitations on that. That section is confusing as to the meaning whether it should be a variance or a special exception. Mr. Granger asked Mr. Ott what the Township maps show for the right-of-way for Second Street. Mr. Ott stated he is not sure there are any road maps for Second Street and he had not looked for any. Mr. Granger stated there seems to be a change in the width from Mr. Knapps property to the property behind it. Mr. Granger questioned the September 1990 date used and Mr. Ott advised that is the date the Ordinance was adopted. Mr. Knapp advised Mr. Granger that the setback on the County GIS page shows the road width coming to the front edge of the barn and not back into it. Mr. Granger stated in other words it shows the barn is built right to the property line and Mr. Knapp stated to the right-of-way. Mr. Granger stated there is zero setback and Mr. Knapp stated yes. Mr. Knapp stated the problem with the deed to the property is that the property is deeded as the corner of Second Street and Rt. 999 to the corner of Rt. 999

along 80 measurement and it uses those roadways as the boundaries. However, Rt. 999 has been significantly increased because they have lost numerous trees in the front of the house over the years and Second Street has been increased when they changed the culvert in the late 70s. That area has consistently moved closer to the existing structures as those roads have been widened. Mr. Schlemmer questioned if you have a structure that was built in the early 1900s and was built when that was a cartway the fact it is a non-conforming structure under the new ordinance does not the law state it was there prior to making the rules. Mr. McManus stated you could not do anything to the existing structure. To the extent it does not comply with zoning by virtue of its use, height or its dimensional orientation there is nothing that can be done about that. It has a right to continue. The issue here is what right if any does it have to expand and it seems that no matter what section you look at it has the right to expand but can not increase greater dimensional non-conformity. Mr. Schlemmer asked that the special exception versus variance be explained. Mr. McManus stated if the Board took the position that yes you can expand this but you must setback 5 and not 3. Mr. McManus stated that he believes what Mr. Knapp is saying is let me bring it back closer to the road and to do that he needs a variance of 2. Mr. Schlemmer asked where the special exception comes into play and Mr. McManus stated that Mr. Ott read in Section 504.2 and it appears the drafters of the ordinance borrowed the language from Section 504.2 that is the traditional non-conforming use language with respect to uses and then simply said lets make it apply to structures as well. The question is what is a nonconforming structure? Could it be that you have a building and buildings defined by the ordinance as having a roof and containing a use? A structure may not necessarily have a roof but it can also contain a use or be in a configuration that the use of that structure is non-conforming and Mr. McManus stated he believes that is what this means. It is the use of the structure that is non-conforming not the structure itself. Mr. McManus stated that is how he interprets that. Mr. Granger had questions on the setbacks since the building could be located on the property line. Mr. McManus stated they are guessing at the location of the property line. The evidence at the hearing is suggesting that it is the street line. There is nothing of record that shows anything different. Mr. Schlemmer asked if they ruled the building should go back 2 and then find out the right-of-way is really at the building line then basically they were in error in their thinking. Mr. McManus stated that you could say it must be set back 5 from the right-of-way of Second Street. Mr. Schlemmer stated that could be in the middle of Mr. Knapps barn. Mr. Knapp stated his grandparents owned this property ever since he was born and he remembers growing up that Second Street was a single lane road. Mr. Knapp stated that he does know that if that setback would have changed if this were discussed prior to the road being widened, but Mr. Knapp stated that by expanding this structure he is in no way infracting on anything the Township would do here as far as widening the road. The road is to the widest point it could possibly be without tearing down existing buildings. Mr. Knapp asked that this be taken into consideration when considering the variance. Mr. McManus asked if it is Mr. Knapps testimony that the road is 3 from the barn and Mr. Knapp stated correct. Ms. Douglas made a motion that the testimony be closed and the application taken under consideration and a decision rendered on August 1st meeting at 7:00 p.m. in this building. Mr. Schlemmer seconded the motion and the motion carried. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Barbara Douglas Secretary

Zoning Hearing Board (as needed)
08/01/07

DRAFT MINUTES

Zoning Hearing Board Minutes

Wednesday, August 1, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, August 1, 2007 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Chairman Allan Granger called the meeting to order.

Members Present: Allan Granger, Walter Schlemmer and Barbara Douglas Township Officials Present: William Laudien and James R. McManus Visitors Present: Elizabeth & Peter ODonoghue, 388 Hershey Mill Road John May, 100 Red Fox Road James R. Knapp, 40 Penn Street Darryl L. Sensenig, 363 Hershey Mill Road Bonnie Miller, 113 Bent Tree Dr Matt Hodges, 332 Rohrer Road Minutes Mr. Granger stated the copies of the draft minutes were posted. There were no additions or corrections and the minutes stand approved as submitted.

Old Business Case #2-07 - The application of James R. & Rebecca G. Knapp property located at 40 Penn Street, Washington Boro, PA. The applicant is requesting a dimensional variance of Sec. 216.5.2 side yard setback and Sec. 216.5.3 rear yard setback. Also the applicant is requesting a special exception of Sec. 504.2 Non-conforming structures. The applicant wishes to expand an existing accessory use structure on the property. The property is located in the Village (V) zoning district. The Board will render a decision. Mr. Granger stated that the testimony was closed at the last meeting and Mr. McManus contacted each Board member independently and drafted a decision that they would discuss at this time. After discussion, Ms. Douglas made a motion based upon the foregoing, the application of James R. Knapp, Sr. and Rebecca G. Knapp, for a special exception pursuant to the provisions of Section 504.2 of the Manor Township Zoning Ordinance is hereby denied. Based upon the foregoing the application of James R. Knapp, Sr. and Rebecca G. Knapp, for a variance to the provisions of Section 216.5.2 of the Manor Township Zoning Ordinance to reduce to 3 feet the side yard from the proposed addition to an existing barn to Second Street on Applicants Lot located at 40 Penn Street, Washington Boro, Pennsylvania 17582, Account No. 4102266900000, is hereby granted. The approval of the aforesaid variance is subject to the following conditions: 1) The reduction of minimum side yard from Second Street shall be in accordance with the plans entitled 40 Penn Street, Washington Boro, Barn Addition, Exhibit Nos. 3, 4, 5 and 6, submitted 7-05-07. 2) Applicants shall at all times comply with and adhere to said plans and all other evidence presented to the Board by Applicants or on their behalf at the hearing held on July 5, 2007. 3) Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicants, their successors in interest and assigns. Mr. McManus advised the Applicant that the Decision found that there was no need for a variance to the rear yard setback requirement because it did not affect the existing barn structure. The Decision to deny the special exception was based upon the fact that as proposed it would have been an encroachment into required yard by an addition of another 12 ½ feet so there

would be an additional encroachment into a required yard. The variance was granted to that same element of the application. The Board found that it was a minor deviation from the standards and it was not adverse to the public welfare. Mr. Schlemmer seconded the motion and the motion carried unanimously.

New Business Case #3-07 The application of Peter & Elizabeth ODonoghue, 388 Hershey Mill Road, Mountville, PA. The applicant is requesting a variance of Section 203.7.2A Front Yard Setback No accessory structure shall be located in a front yard in Low Density Residential (RL) Zoning District and Section 205.5 Design Standards Accessory Uses not permitted in the front yard in the High Density Residential (RH) Zoning District. The applicant wishes to build a detached garage within the front yard of the property. The property is located within both the High Density Residential (RH) and Low Density Residential (RL) Zoning Districts. Mr. Granger turned the hearing over to Mr. McManus. Mr. McManus asked if the applicants were present and if council represented them. The Applicants were present and advised they would represent themselves. Mr. McManus asked that the Assistant Zoning Officer be sworn in. William Laudien stated he is employed as the Assistant Township Manager as well as the Assistant Zoning Officer. Mr. Laudien indicated he received for processing Application #7-03 the applicants being Peter and Elizabeth ODonoghue. Mr. Laudien advised Bruce Ott submitted the time, date, place and subject matter of this hearing to the Lancaster Newspapers. Mr. Laudien provided proof of publication. Mr. McManus indicated the publication was in the Lancaster Newspapers on July 18 and 25, 2007. Mr. Laudien verified that Mr. Ott posted the property with the time, date, place and subject matter. Mr. Laudien did not know the dates the property was posted. Mr. Laudien stated the time, date, place and subject matter was posted in the lobby of the Township Office. The Application was marked Exhibit #1 and Proof of Publication was marked Exhibit #2. Mr. McManus stated numerous photographs and other diagrams would be marked when presented by the Applicant. Mr. McManus asked if there was any questions regarding the manner by which the hearing has been offered for public advertisement in the newspapers, post of the property or posting of the notice in the Township Office. Mr. McManus stated he saw no response. Peter E. and Elizabeth ODonoghue were sworn in by the Court Reporter. Mr. ODonoghue had a drawing that he used to show his property and the roads his property bordered. Mr. ODonoghue believes that they have a unique situation of circumstances. Mr. ODonoghue pointed out on his drawing the abandoned section of Hershey Mill Road that ran through the property with property on both sides of the road. Mr. Shearer who was the previous owner of the property granted the Township access through the property to build a new Hershey Mill Road, therefore, what was considered the front yard has now been extended. The field that was on the other side of the road is now considered the front yard. They wanted to create a historical agriculture setting and maintain that. In return for the Township getting access to the property to build the new road they erected sheds for the owner. They were not required use for the ODonoghue's but they were used for agriculture setting for sheep. They want to maintain the agriculture appearance but do not presently have animals in the sheds. This proposed structure will be used for a garage and having the appearance of a barn is to accommodate the setting and view in this area. They are in the floodplain but will not be building anywhere close to the floodplain. They have stormwater issues, which are currently being looked into by the Township, and they expect those to be resolved. They have a spring coming from the house that goes into a pond. They do not want to interfere with anything in that area because that is also used for their geothermal heating and cooling of the house. Their mailbox was on Hershey Mill Road but is now located on Rohrer

Road. The opening of the proposed structure will not face either road. They have made efforts to restore this property to its original intent. Mr. ODonoghue indicated they had taken down several buildings. Mr. ODonoghue referred to pictures that were marked Exhibit #3 Photos 1-6 and Exhibit #4 Photos 7-12. Exhibit #4 Photograph 12 reflects the outline of property showing to the front of the property it is much developed but to the rear it is agricultural. Originally this property was agricultural and it is their desire to maintain that setting in this situation. Exhibit #3 Photo 1 shows the current and now abandoned Hershey Mill Road and how the property was situated. Exhibit #3 Photo 2 shows the entrance into the property. Photo 5 & 6 shows the recent issues they have had with flooding which limits their development and direction of buildings. Exhibit #4 Photo 7 & 8 submitted to give indication of the restoration work they have done with the property. Photos 9 & 10 are just to give a contrast to the changes from what was once agriculture to high-density development. Photo 11 is to show the sheds that were erected for the previous owner, Mr. Shearer, when he allowed the road to enter his field. The shed on the left was taken down. The garage will be set well in from the road 57 from Rohrer Road and 72 from Hershey Mill Road and about 30 from the dwelling. These measurements were shown on a drawing that was marked Exhibit #5. The floor plans of the proposed structure was marked Exhibit #6. A two page black and white print out with a yellow marker indicating applicants property was marked Exhibit #7 that Mr. McManus stated appeared to be a flood insurance rate map the scale of which is unknown. Exhibit #8 is a colored print captioned Rohrer Road Floodplain Study Project #07-01104-003 prepared by Rettew. Mr. McManus stated one of the indicators on Exhibit #8 shows an approximate upstream limit of 100-year backwater. Mr. ODonoghue stated Exhibit #8 shows the buildings and an existing structure along Rohrer Road. Mr. ODonoghue stated they had contacted the neighbors who signed a statement that they had no issues with the building of this structure and received letters from two Supervisors giving their views. Mr. McManus stated there were two additional sheets not referred to in the packet. One sheet appears to be a tax parcel map that is written in by hand and it was marked Exhibit #9 referred to as a Location Map. Mr. McManus had what appeared to be a computer-generated image of a proposed garage structure in relationship to the existing house marked Exhibit #10. Mr. McManus stated Exhibit #9 appears to be a board that the witness has been referring to throughout his testimony that appears to be a form of erasable chalk material with colored crayon like magic markers. The teal colored sheet 8 1/2 x 11 captioned Flood Hazard for ODonoghue and on the sheet appears to be a checkered area in yellow that was marked Exhibit #11. Mr. ODonoghue gave an explanation of Exhibit #11. Matt Hodges who is a neighbor of the ODonoghues gave some comments on Exhibit #11. Exhibit #12 shows surrounding properties with the names of individuals presumably the owners of adjoining properties. Mr. ODonoghue indicated he had a summary of the comments he made as well as signatures from neighbors and letters from two Supervisors. Mr. McManus stated what is offered as Exhibit #13 includes a single sheet outlining witness testimony, a stapled series of sheets with various signatures on that at the bottom of the Notice to the Citizens of Manor Township published notice a statement that neighbors signed they do not object to the Applicants request and finally stapled together are two individual letters to the attention of the Zoning Hearing Board. The first letter is under an unsigned signature line of Richard C. Bauder, a Township Supervisor, and the second letter also unsigned under the signature line of L. Allen Kreider, Supervisor of Manor Township. Mr. McManus stated although they identify themselves as Supervisors he sees nothing in either letter that states their support of this application reflects the official action of the Board of Supervisors. Mr. Schlemmer stated he was not clear regarding the driveway. He had questions and asked if

there was a way of correlating the sketch to the information provided in writing. Mr. ODonoghue explained the driveway. Mr. Schlemmer also questioned the location of the abandoned road. Ms. Douglas asked where it is shown on the plan the area the floodplain comes to on the property. Mr. ODonoghue referred to the map done by Rettew stating the property is in the floodplain but the dwelling is not. Mr. Schlemmer questioned what the building was close to the floodplain. Ms. Douglas asked what the building was in Photo #5. Mr. ODonoghue stated that is the existing barn. Mr. Schlemmer referred to Exhibit #8 asking whether a spot on the exhibit was the pond. Mr. ODonoghue explained the location of the pond and Ms. ODonoghue stated the pond did not show up very well because there were so many trees around it. Mr. Granger stated on the application for a variance Item #2 Additional Requirements says A scaled site plan with sufficient detail and accuracy to depict the nature of the request, and reflect its relationship with adjoining properties, and their improvements. Mr. Granger asked if the Applicant had a scaled plan to present to the Board. Mr. Granger also read Item 3. Mr. ODonoghue did not have a scaled site plan to present. Mr. Granger asked with the addition of the tract that was on the other side of Hershey Mill Road is the property deeded as one property or two properties. Mr. ODonoghue stated it is one property. Mr. Granger questioned the statement that the rear of the property is agriculture. Mr. ODonoghue stated it is not zoned agriculture at this time. Mr. Granger asked if Exhibit #5 is the only drawing of the proposed garage that he assumes is not to scale. Mr. Granger stated the floodplain has not been transferred onto a scaled drawing of the property and asked if that was correct. Mr. ODonoghue stated they are in the process of getting a permit for an extension and in light of that all required information for floodplain submission has been submitted to the Township. Ms. Douglas asked how large the property is and Mr. ODonoghue advised it is four acres. Ms. Douglas asked why the entrance on Rohrer Road would not be used and put the garage to the right of the house? Mr. ODonoghue stated that is actually the front of the house. Mr. McManus referred to Exhibit #8 stating the colored Floodplain study by Rettew contains a scaled legend and it is graphically represented not depicted in feet per inch and asked the Applicant to use it as a guide to answer some questions. Mr. McManus stated Exhibit #5 shows the dimensions of the proposed three bay detached garage to be 32x 24 and asked if that is correct. Mr. ODonoghue stated yes. Mr. McManus stated looking at Exhibit #8 the portion of the property outside what has been designated approximate upstream limit of 100 year backwater it shows super imposed the abandoned road that use to form one corner of the property and you can identify on this print your house and Mr. ODonoghue stated yes. Mr. McManus stated it is oriented north and south much like the exhibit you are referring to. Mr. McManus stated using that scale as a guide and moving to what you refer to as the front of your house and staying outside of the floodplain isnt it fair to say there is more than enough room to place a three bay garage of the dimensions you requested? Mr. ODonoghue stated if you are saying is there enough room outside of the floodplain to erect building a garage of the dimension and not encroaching on the floodplain yes. Mr. McManus asked if it also would not be in the front yard of the property. Mr. ODonoghue stated technically there is room in the rear; however, it changes the whole dynamics of their intentions. Mr. McManus referred to the exhibit on the easel and asked if the area that would behind the front yard of the house to the east of the house and outside the floodplain is there enough room for a detached garage? Mr. McManus when they presented information showing the floodplain they also had superimposed on their tract, Mr. McManus question isnt it fair to say that you can locate the garage of the size you propose in accordance with the zoning regulation on your property outside the floodplain and not within the front yard of the tract? Mr. Schlemmer asked if the front of the house is defined as the front door

or the part that faces the road. Mr. McManus advised Mr. Schlemmer how the front yards are defined in the Zoning Ordinance. Mr. ODonoghue stated it is possible there is room but recent stormwater has come up to an area he pointed out on the exhibit. If it is not in the floodplain it is close enough to it. Mr. McManus asked if it is fair to say the Applicant has not shown the Board with any degree of graphic certainty the limits of the stormwater problem area or the limits of the 100-year flood plain with respect to the contours and the improvements on your property. Mr. McManus stated testimony was given there is a hardship exist because they wish to maintain the historic feature of the renovation and Mr. ODonoghue stated that was correct. Mr. Granger asked if the Applicant understood what the front yard is. Mr. McManus stated Page 26 of the Zoning Ordinance under definitions defines yard and also includes a diagram. Elizabeth ODonoghue stated when they proposed to put the garage up they had no idea it would not be permissible to build a detached garage but they could build an attached garage. They do not want an attached garage because they do not want to change the character of the house. They did not prepare site plans because they did not understand this would be an issue. They gave the floodplain plans they have. They are trying to do what is most appropriate for the neighborhood and the property. Ms. ODonoghue pointed out an area on the exhibit that she stated is always wet. Ms. ODonoghue explained to put the garage in an area she pointed out on the exhibit they would have to take out at least one area and all the stormwater from the high density housing for about one mile comes through the one storm drain. To put anything there, in her opinion is not common sense. The area they proposed to place the garage looks more symmetrical with the barn and other structures she pointed out. Ms. ODonoghue pointed out the proposed structure is back from both roads and she stated neighbors made comments if they are putting up a garage they know they will not sell the property for high density housing. The neighbors want them to keep their property looking like a farmhouse. She addressed the comment regarding the driveway on Rohrer Road and stated it is very difficult to pull out of that driveway. There is a dip there and the pipe is clogged. They are concerned about stormwater and that is one of the reasons they are going to the expense of taking out the abandoned road. She apologized they do not have a more specific site plan. They felt they had prepared what was needed. Matt Hodges, 332 Rohrer Road, was sworn in. Mr. Hodges stated he was testifying on behalf of the ODonoghues and everything they talked about was true and accurate. He bought his property about six months prior to the ODonoghues and looking out his front window he was looking at broken down refrigerator, trash heaps and dilapidated barns. They have gone to great pains to restore the property and he has a beautiful view. He has seen the flooding first hand. The location they have chosen in his opinion is perfect. The setbacks are far enough it will enhance the look and/or the value. Anywhere else could potentially be in a floodplain, because of the mass amount of water coming down from those high-density houses. Mr. Hodges stated he has been a home inspector for 17 years and has inspected 1,000 homes a year and he has the ability to comment on residential structures. He feels the variance should be granted. Darryl Sensenig, 363 Hershey Mill Road, testimony was affirmative. Mr. Sensenig questioned what is the front yard and pointed out his property on the drawing questioned what his front yard would be. Mr. McManus stated the Zoning Ordinance identifies front yards and this is a different situation because of the abandoned road. Mr. McManus stated even in the example Mr. Sensenig gave Old Hershey Mill Road abandoned still represented the same yard orientation as the present Hershey Mill Road with respect to the ODonoghue property. It only moved that road further away from the house. Mr. Sensenig stated he had no objection to the ODonoghues putting something in their front yard. Mr. McManus stated to the Applicants that they are asking the Board to grant variance relief and have shown by

a series of plans some of the site characteristics and where you would like to locate this garage. Do you believe your plans are accurate enough if this Board were to say yes to you that the Zoning Officer could come out and measure from Hershey Mill Road and Rohrer Road to see that you locate that building just where you say on this plan. Mr. ODonoghue stated they have outlined on the property where they would like it to be. Ms. ODonoghue stated he could measure from the side of the house, Rohrer Road and Hershey Mill Road. Mr. McManus asked if the measurements are from the right-of-way or the roadway centerline. Ms. ODonoghue stated it was from the edge of the road. Mr. McManus asked if the Applicant knew where the right-of-way was. John May, 100 Red Fox Road, was sworn in. Mr. May stated he is offering his comments as a citizen and not as a Supervisor. Mr. May stated he is familiar with the area having gone out over the past year and half looking at the stormwater situation with the development surrounding the ODonoghues. He is quite familiar with their land. He understands there must be definitions in the Zoning Ordinance for front yards. If there was ever property that does not have a front yard, this is it as far as he is concerned. He believes where they have it located the garage would be the best place. It is a shame if we are so tied up with the Zoning Ordinance that a variance cannot be granted because of the definition of a front yard. He has walked every corner of the property. The ODonoghues have a property that as far as Mr. May is concerned from looking at it does not have a front yard. Where they have the proposed structure indicated, is probably the best place esthetically and to preserve the character of the land. Mr. Schlemmer asked Mr. May as a citizen, if he feels the Zoning Ordinance should not request a scaled drawing for the determination whether a variance should be granted? Mr. May stated the standards must be maintained. Maybe they can continue and do that. Ms. ODonoghue stated she does not know what is wanted in a scaled drawing. She feels they have presented things. Ms. Douglas showed the Applicants an example of a scaled drawing and explained what a scaled drawing is. Bonnie Miller, 113 Bent Tree Drive, was sworn in. Ms. Miller is a realtor and has sold several homes in Parkfield who paid premium price to look out at the ODonoghue property. Ms. Miller stated the Applicant couldnt subdivide their land so they have taken an extreme expense to put a driveway off Hershey Mill Road that would make common sense to go into a garage. The road that was abandoned should have been taken care of by the Township and she feels they are going to take care of that road and a lot of the expense. Ms. Miller stated maybe they do not have a scaled drawing but they will be applying to build the building and, therefore, will have all necessary forms needed. The setback from the roads is quite a distance and the garage is going to accent what people have paid to look at. A lot of citizens do not realize that they have to understand and translate these codes. Believe it or not Manor Township has some codes and ordinances that need updated. She believes that they need to construct this before wintertime and can come to Bruce with the proper plans that they will need for a building permit and measurements she feels it would be an advantage to all the people that paid to look at this piece of property. Ms. ODonoghue stated they were told if this were attached to the house there would be no problem. The only problem is because it is detached. She does not understand why they must pay an additional couple thousand dollars because they are trying to actually increase the value of their property by having something appropriate. Mr. McManus stated what is at issue is a Zoning Ordinance that says the following: It identifies front yards and maybe to some people it does not identify them properly but it does identify them. It says that certain buildings in different zoning districts have to be setback a minimum distance from the front yard, side yard or rear yard. That minimum distance for example is 40so you must set it back at least 40from the road that identifies the front yard. This Ordinance goes further. Assume you have a four-acre tract and you

choose to set your building not at 40 but at 100. By definition the distance between your building and street is now front yard. Not the minimum front yard but the actual front yard. Manor Township has an Ordinance that this Board did not write. It is charged with interpreting it. This Ordinance says that in these zoning districts you may not have an accessory building in a front yard. This Board cannot rewrite the Zoning Ordinance and you seek a variance and there are standards for the issuance of a variance. A hardship has been well defined by case law as to the burden to sustain a variance and that is what the Board is struggling with in this application. Not because it is an ordinance they wrote but because it is an ordinance they have to interpret. Ms. ODonoghue pointed out that a shed was built by the Township in what appears according to the Ordinance would be their front yard. The Township relocation of the road gave the Applicant a front yard. Before the road relocation took place, the portion that is now their front yard was pasture. Ms. Douglas stated before she makes a motion she asked the Board if they would be interested in seeing a scaled drawing. Mr. Granger stated he could not make a decision without a scaled drawing. Ms. Schlemmer asked if Ms. Douglas would be comfortable making a decision without a scaled drawing. Ms. Douglas stated she wants to be fair to the Applicant stating that they cannot require the Applicants to present a scaled drawing but the Board has some questions and concerns. Mr. McManus stated it is fair to say a scaled drawing of the precision the Board is accustomed to seeing is not an inexpensive matter. That is up to the Applicants whether they wish to continue this hearing and come back with what they believe is a scaled drawing sufficient to show what is happening on this site with respect to floodplain, stormwater, dimension, side yard, rights-of-way, etc., that more clearly sets forth existing conditions and what you propose. It does not address the issue that still remains before the Board, whether you have precision plans or very general plans and that is whether you are entitled to have an accessory building in a front yard. It is up to the Applicants to request a continuance and prepare a drawing, but it is no guarantee the Board will grant the Application because those issues still remain as to whether or not you satisfy variance requirements so that you may put an accessory building in a front yard. Mr. Sensenig asked who initiated this inquiry. Mr. Sensenig was advised the Applicant initiated it. Mr. Sensenig asked if it is a variance. By definition they are struggling with the front yard. Mr. Schlemmer stated they are not struggling with the front yard. The front yard is defined as facing the road. This lot has two roads and there is two front yards on that piece of property that is defined in the Zoning Ordinance. Bonnie Miller suggested that the Board provide the variance with conditions so that construction can begin and Bruce Ott can approve the plans and the builder can provide what is necessary because the fact is there is a building in the front yard that was built by the Township when the road was relocated or possibly change the mailing address to Rohrer Road and make that the front yard rather than Hershey Mill Road. Mr. Schlemmer stated it is his understanding what Mr. McManus said it would be a benefit to the Board if they had a scaled drawing and they could consider that as part of the package to make their final decision. Mr. McManus stated it is up to the Applicant to request a continuance. Mr. & Mrs. ODonoghue requested the matter be continued and hearing remain open until the next scheduled meeting on September 5th. Mr. McManus stated September 5th this hearing will be continued and the ODonoghues will have the opportunity to present testimony if they wish and the time period for the Board to render its decision will begin from September 5th. Ms. Douglas made a motion to continue this matter at the request of the Applicant for further testimony to take place on September 5 at 7:00 p.m. in this room. Mr. Schlemmer seconded the motion and the motion carried unanimously.

The hearing was adjourned at 8:45 p.m.

Respectfully submitted,

Barbara M. Douglas Secretary

Evelyn Rineer Recording Secretary

Zoning Hearing Board (as needed)

09/05/07

DRAFT Zoning Hearing Board Minutes

Wednesday, September 5, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, September 5, 2007 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Chairman Allan Granger called the meeting to order.

Members Present: Allan Granger, Walter Schlemmer and Barbara Douglas Township Officials Present: Bruce Ott and James R. McManus Visitors Present: Larry D. Brown, 405 Stehman Church Rd. Darcy Pollock, 401 Stehman Church Rd. Richard Bauder, Sheep Ln.

Minutes Mr. Granger stated the copies of the draft minutes were posted. There were no additions or corrections and the minutes stand approved as submitted.

Old Business Case #3-07 The application of Peter & Elizabeth ODonoghue, 388 Hershey Mill Road, Mountville, PA. The applicant is requesting a variance of Section 203.7.2A Front Yard Setback No accessory structure shall be located in a front yard in Low Density Residential (RL) Zoning District and Section 205.5 Design Standards Accessory Uses not permitted in the front yard in the High Density Residential (RH) Zoning District. The applicant wishes to build a detached garage within the front yard of the property. The property is located within both the High Density Residential (RH) and Low Density Residential (RL) Zoning Districts. The applicant has asked in a letter to withdraw the application. Mr. Granger stated the Board has received a copy of the request to withdraw the application. Mr. McManus asked that the letter of withdrawal be marked Exhibit #14. Mr. Granger read the letter from Peter and Elizabeth ODonoghue, 388 Hershey Mill Road, Mountville, PA 17554 dated October 6, 2007. The letter is to Bruce Ott the Zoning Officer of Manor Township, 950 W. Fairway Drive, Lancaster, PA regarding Variance Application for the Attached Building. Dear Bruce, at this present time we have decided to withdraw our variance application. I trust this is sufficient to notify the Zoning Committee. Should you require any further information, please call me at 519-4962 work or 285-0688 at home. Best Regards, Peter ODonoghue and also signed by Elizabeth ODonoghue. Mr. McManus asked Mr. Ott if the letter was delivered personally to him. Mr. Ott stated it was on his desk so he would say it was delivered to the office. Mr. McManus asked Mr. Ott if the letter is under signature of one of the applicants and Mr. Ott stated yes. Mr. McManus asked Mr. Ott if he recognized the signature as being that of one of the applicants and Mr. Ott stated yes. Mr. McManus asked which of the applicants and Mr. Ott stated Peter ODonoghue. Mr. Granger

stated the date of the letter is August 6, 2007 instead of October 6th.

New Business Case #4-07 - The application of Larry & Terri Brown, 405 Stehman Church Road, Millersville, PA 17551. The applicant is requesting a special exception of Section 201.3.3 in accordance with Section 433 Home Occupations. The applicant wishes to operate a beauty salon on the property. The property is in the Agricultural (A) Zoning District. Mr. Granger turned the hearing over to Mr. McManus. Mr. McManus requested that Mr. Ott be sworn in. Bruce Ott stated he is employed as the Zoning Officer of Manor Township and in that capacity receives applications of special exception before the Zoning Hearing Board. Mr. Ott received the application before the Zoning Board this evening indexed at #4-07. Mr. Ott advised the time, date, place and subject matter was advertised in the morning and evening Lancaster Newspapers on August 22 and 29. Mr. Ott advised the Board that the property was posted with the date, time, place and subject matter on August 17th with a sign at the driveway entrance that is available for public view from the roadway. A notice of the time, date, place and subject matter was posted August 17th in the office lobby of the Township Building. Mr. McManus stated an application has been submitted with attachments. The application consisting of four pages including a list of surrounding properties was marked Exhibit #1; a floor plan which was marked Exhibit #1A; a description of the property boundaries was marked Exhibit #1B; a print of an aerial photo of the property and its surrounding area was marked Exhibit #1C; another aerial photo that seems to be of a smaller scale was marked Exhibit #1D; dimension drawing of two buildings one labeled large storage barn and the other carriage house was marked Exhibit #1E; drawing containing some dimensions and some calculated areas appears to indicate the square footage of various floors of the building was marked Exhibit #1F; prints of three photographs was marked Exhibit #1G; three photographs #1H; prints of three photographs #1I; copy of a license issued by the Bureau of Professional Occupational Affairs for a Barbers License was marked Exhibit #1J; a not to scale drawing of what appears to be parking spaces and certain portions of driveway was marked Exhibit #1K; Proof of publication was marked Exhibit #2. Mr. McManus asked who was present on behalf of the Applicants. Larry Brown stated he was the only one present and that his wife was unable to be there. Mr. McManus asked Mr. Brown if he would be testifying this evening and Mr. Brown advised that he would be testifying. Mr. McManus asked if anyone else would be testifying on Mr. Browns behalf and Mr. Brown stated not to his knowledge. Mr. Brown was sworn in. Mr. Brown stated that he wanted to make a minor correction on the last exhibit showing the parking area. Mr. Brown stated that it is a scaled drawing indicated by the scale in the lower right hand corner. Mr. McManus stated that is correct; it states 1/8" = 1'. It is not dimensioned but there is a scale attached to Exhibit #1K. Mr. Brown stated the property in question is located at 405 Stehman Church Road which is zoned Agricultural. The principle use of the property will be the primary residence of Mr. Brown, his wife and their son. The only person engaged in this business will be Mrs. Brown. The barber salon will be the only home occupation located within any dwelling on the property. The home occupation will not alter the exterior appearance of the dwelling in any manner. The mechanical equipment utilized by the home occupation will be blow dryers, hair dryers and hand held clippers. No goods will be publicly displayed or sold on the premises and no manufacturing will occur on the premises. The space being occupied currently is a finished basement. They would be changing the interior slightly. It occupies 13.02% of the dwelling square footage, and that is the main house not including the storage barn or the carriage house. No accessory building or structures will be utilized by the home occupation. A total of five paved parking spaces will be available to the

patrons. A sign advertising the home occupation will comply with Section 315 of the Ordinance. A copy of Mrs. Browns license to operate as a barber in the State of Pennsylvania, which she has done for 24 years, was included. Mr. Brown stated prior to their purchasing this property they lived in Pequea Township where Mrs. Brown occupied a legal business as a home occupation for 17 years. Prior to that Mrs. Brown was employed at three other establishments during the first seven years of her career. Mrs. Browns intentions are to keep the business the same as before or possibly downscale. Currently, Mrs. Browns business averages five customers per day for a four-day workweek. Her normal intended working hours are Tuesday, Wednesday, and Thursday 9 a.m. to 8 p.m.; Friday 9 a.m. noon; occasionally for special occasions such as proms, weddings, and funerals she will do a customer on a Saturday or outside of the stated hours. Her customers are both male and female as well as children. Many of Mrs. Browns clients are family members, which means at times customers will come as a family and there could be 3 or 4 patrons in one vehicle. The applicants feel the home occupation is consistent with the purpose and intent of the Zoning Ordinance. The applicants do not feel the home occupation will detract from the use and enjoyment of adjoining or neighboring properties. With an average of five customer vehicles per day, little additional vehicular traffic will be created. Most people will be unaware of the home occupation since the dwelling sits 315 from the road. Due to the location and mature landscaping, the dwelling is not visible from the roadway for at least one-half of the year. There should be little or no affect upon public facilities such as school, fire, police or ambulance and in Mrs. Browns previous 17 years in business in Pequea Township none of these were affected. The on-site sewer system was designed for a minimum family of four. The sewage impact averages less than five gallons per customer that equals 25 gallons per day of operation. The existing dwelling is approximately 28 ½ above normal water level of the Little Conestoga which is approximately 175 away. The proposed use to the applicants knowledge complies with Article IV of the Ordinance and does not impair the integrity of the Townships Comprehensive Plan. Mr. Schlemmer referred to Page 2 of Exhibit #1 and questioned the house number. Mr. Brown advised when they purchased the property it had an address of 408 Stehman Church Road. Since then Mr. Brown contacted the Millersville Post Office and they contacted the Township changing the address to 405 Stehman Church Road. The property is located on the opposite side of the road from even house numbers and that is why it was given an odd number. Mr. Schlemmer had questions on the location of the finished space shown on the drawing in relationship to the house. Mr. Schlemmer had questions regarding the finished area in the basement in relationship to the house that is shown on Exhibit #1A and #1F. Mr. Brown pointed out on the Exhibit #1H the area of the proposed shop. Mr. Schlemmer asked if all the internal walls are in place and Mr. Brown stated yes. Mr. Schlemmer questioned the appointments that would be made outside of the stated scheduled hours. Mr. Brown advised Mr. Schlemmer that it would be occasionally such as for a Saturday wedding, prom night or for a funeral. Mr. Schlemmer asked if it would be safe to say an appointment would not be past 8:00 p.m. on any night. Mr. Brown stated she has never scheduled anyone past 8:00 p.m. previously. Mr. Schlemmer had questions regarding the sewage usage. Mr. Schlemmer asked if the sewage system has been checked. Mr. Brown advised the Board that the current system was designed for four occupants as a minimum. There are three people living in the dwelling. On the average, the salon would be adding 25 additional gallons to the normal usage for the home four days a week, which is consistent with what one person uses. Mr. Schlemmer stated a comment was made that none of the auxiliary buildings would be used and he noticed there were pictures included. Mr. Brown stated the auxiliary buildings would not be used for the business. Ms. Douglas questioned

Mr. Brown if Exhibit #1A is the shop and Mr. Brown stated yes. Ms. Douglas continued by asking if Exhibit #1K fits over where you have the salon and Mr. Brown stated yes. Ms. Douglas asked if Exhibit #1F is on the left hand side underneath the wooden deck. Mr. Brown stated no; it is under the main square at the top and the right hand side. Ms. Douglas stated the powder room and closet is laid out but will a more detailed drawing be needed to get State approved? Mr. Brown stated no that they actually send out an inspector who checks to make sure there is sufficient space for the chairs that must be a certain distance from her operating station. Mr. Granger questioned Mr. Ott on Section IV Additional Requirements on the Application that stated a scaled site plan of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of the Zoning Ordinance and asked if that was presented to Mr. Ott with the application. Mr. Ott stated not the entire site because of the size of it. Mr. Ott stated he went over that with the Applicant and the Applicant decided to do it as presented. Mr. Granger asked how many acres the site is. Mr. Brown advised it is 14.6 or 14.7 acres. Mr. Granger asked what was given that locates the house on the site. Mr. Brown advised Mr. Granger that Exhibit #1B is an aerial photo and pointed out the house on the photo. Mr. Granger advised Mr. Brown that a site plan that showed the house on the lot would be very helpful. Mr. Granger stated that the Board has not been given the location other than verbally as to where the shop is located within the house, do not know where the house is located, how far it is from the property line, whether it meets setbacks, etc. Mr. Granger stated that is the purpose of a scaled drawing. Mr. Brown stated that he is converting an existing dwelling, existing room and making no changes to the setbacks for the property, and no changes to the location of the property. Ms. Douglas stated it is helpful to be able to see the whole site plan. They realize everything is there, but when it is on one plan, they can see there are 14 acres and how the driveway comes in and how all the buildings fit together on the site. If you are 500 from the road, it is nice for the Board to know that. Even though you do comply, a complete site drawing is helpful so that the Board can look at the plan and can ask questions without going through numerous papers and trying to judge how it looks or where it is at on another page. Mr. Granger stated that he does not have a visualization of everything on the site and how it all fits together. Mr. Granger stated that he has no idea how the garage and carriage house is located with respect to the house. Mr. Brown stated those buildings were provided for additional information and they are not being utilized for this business. Mr. McManus stated the Ordinance requires the applicant to demonstrate they comply with all of the provisions of the Zoning Ordinance. The Zoning Ordinance has things like front yard setbacks, side yard setbacks, rear yard setbacks, and flood plain requirements in it. What the Board is getting at is it is not for them to tell the applicant what they want, it is for the applicant to look at the Ordinance, prepare whatever application and exhibits demonstrates to the Board that you are setback a certain number of feet, you are outside of the regulated floodplain, you have adequate parking, if parking does in fact access to a driveway, that is shown on a plan so the Board can determine if it does have access to a public road, etc. It is how you tell the Board that you satisfy the requirements of the Ordinance. Mr. Brown questioned what information is being looked for. Mr. Brown asked what the questions are and stated maybe I can show the Board where that information is on the exhibits in front of the Board. Ms. Douglas stated she believes the information that they want is there but what they would like to see is that it is on one complete page. They would like one drawing that shows the house, barn, parking spaces and all the setbacks are met. Mr. Granger stated in the written portion of the Application it is indicated that there are five parking spaces but on Exhibit #1K there is only three shown. Mr. Brown stated the area directly in front of garage and the door to the salon is intended on being paved. Right

now it has crushed stone. Those can be utilized as parking spaces. Mr. Granger stated they are not shown on the plan as parking. Mr. Granger referred to Exhibit #1A stating there is two dimensions on that drawing but that does not dimension the whole room. Mr. Granger stated that he has no way of knowing whether the square footage given is correct. Mr. Granger read from the Ordinance the section pertaining to scaled site plans. Mr. Granger asked Mr. Ott if they do not normally require a letter from the Sewage Enforcement Officer as far as the use of the sewage system. Mr. Ott stated that he had mentioned to Mr. Brown about talking to Dave Lockard. Mr. Ott stated that he does not know where that is. Mr. Brown stated Mr. Ott did mention that to him. The Ordinance did not specify a letter. Mr. Ott just said it might be something to provide to the Board. Mr. Granger stated that he is not questioning Mr. Brown's ability to judge the sewer system, but he does not know if Mr. Brown is certified to say that it is capable of taking the additional sewage. Mr. McManus stated what the Board is saying is that you are not competent to tell the Board what the requirements are for your business use on the property. That is why there is a sewage enforcement officer who would come out and certify if the system was adequate. That is what the Board has required in all applications. Mr. McManus stated this tract abuts the Little Conestoga Creek and Mr. Ott stated that was correct. Mr. McManus asked if Mr. Ott knows where the 100-year flood plain is located. Mr. Ott stated he did not. Mr. McManus asked if it is possible this property is within a portion of the 100-year floodplain. Mr. Ott stated it could be but he is not certified to determine that. Mr. McManus asked if the Township has maps. Mr. Ott stated the Township has FEMA maps but the scale is small and you cannot overlay where the property lines are. You would have to have a flood plain study done by a surveyor and put it on a plan or a letter from a certified engineer stating it is outside of the floodplain would probably suffice. Mr. McManus advised Mr. Brown he was referring to Section 211 of the Zoning Ordinance that talks about the floodplain and when there is a floodplain there are some restrictions on the use. Mr. Brown asked if an in home business is one of those restrictions. Mr. McManus stated the Board would have to make a determination whether you are entitled to an additional use if you are already in a floodplain or whether any additional use or expansion would have to comply with the requirements of Section 211. Mr. Brown stated he is 99% sure the dwelling is not in the floodplain. Mr. McManus stated if the Board can be assured of evidence to that effect and feel comfortable with that then that no longer becomes an issue. Mr. McManus stated the problem is the Board does not know where the floodplain is. Mr. Brown asked if it is in the floodplain what affect would that have upon this business. Mr. Schlemmer stated if the house already existed and did not meet the code but is at a grandfathered stage then that use can continue. For the safety and health of the public, they would not permit an expansion of the use which is what you are really asking for as an in home business. You are not asking to continue living there; you are asking to expand the use. You would be putting additional people in there and additional sewage in the ground. If it is in the floodplain, it is against the Ordinance to add additional sewage into a floodplain. Mr. Schlemmer stated that they do not know where the floodplain is and they do not know whether the sewage system can handle it; we have no information to make that judgment. Mr. Schlemmer used this as an example not saying it applies to the Applicant. Mr. Schlemmer asked if the bathroom being used is on the first floor and Mr. Brown advised it is. Mr. Schlemmer asked if the bathroom is handicap. Mr. Ott advised a building permit would probably be required to make the bathroom handicap accessible. Mr. Brown would have to talk to the building inspector for the Township. Mr. McManus explained to Mr. Brown that the decision is his as the applicant. Mr. Brown submitted his application, presented his testimony and it is apparent the Board is concerned

about additional information. Mr. McManus advised Mr. Brown he could elect to continue the hearing to next month and supply any supplemental information Mr. Brown thought is appropriate or he could advise the Board to make their decision on what was submitted. Mr. Brown stated he tried to do things the right way. Mrs. Brown is accustomed to working from their home and has been doing that for the last 17 years. Mrs. Brown would like to continue working from her home. Mr. Brown stated if his previous neighbors were contacted in his previous Township, they would find that they caused no problems and the business was not detrimental to the Township or the environment in any fashion. Mr. Schlemmer stated he wanted to make it clear they are not out to make any personal decisions. The Board takes the Ordinance and checks to see if the supplied information meets the Ordinance. That is the Boards job. Mr. Brown stated in reference to the floodplain, that the roadway that accesses his property is 16lower than the entrance to the salon. No one will be driving up his driveway to get his or her hair cut if the road is flooded and he is 16above it. Regarding setbacks from the road, the existing property is extremely setback. Mr. Brown stated that he has provided testimony that it is 325 off the road and by the aerial photographs it is very easy to determine that it is also setback properly or in excess of what is required from the property lines. Mr. Brown stated that he just wanted his wife to work out of the house. He stated he wanted the Board to make their decision and then he will make his decision. Mr. McManus asked if there is any further testimony from anybody in attendance. There were no other questions. Mr. McManus stated he understands Mr. Brown is closing his testimony and has ended his presentation. Mr. Brown stated yes. Mr. Brown stated in home barber salons are something that occurs on a regular basis, unlicensed in every township and in every city. Mr. Brown stated he could have done that. Mr. Brown stated he is a law-abiding citizen and likes to do things the right way. Mr. Brown stated that he tried to provide the information so the Board can see they are not going to do anything detrimental. Ms. Douglas made a motion to close the hearing and that all the information be taken under advisement and that we make a decision at our next meeting which will be Wednesday, October 3rd in this building at 7:00 p.m. Mr. Schlemmer seconded the motion and the motion carried unanimously. Mr. Brown asked why the decision is postponed until next month. Mr. McManus advised Mr. Brown that the Board has 45 days to render a written decision. Mr. McManus advised Mr. Brown that the Board chose to render its decision, as is their custom within 30 days. Darcy Pollock, 401 Stehman Church Road, who is a neighbor to Mr. Brown, asked if she could speak. Ms. Pollock had concerns regarding stormwater. She stated at the mouth of the driveway where it comes onto the road is almost adjoining Ms. Pollocks back driveway. Ms. Pollocks stated that her property is right at the bottom of Stehman Church Road and most of the run off comes down Stehman Church Road. Even though it is to be the ten-year flood drainage management it is every year. Ms. Pollock stated she sends Barry Smith pictures of the flooding in the area every year and this is her annual ten-year picture. Ms. Pollock stated that she was concerned if there would be a large paved area at the bottom of the driveway because of run off but it looks like the parking area is not even remotely near that. Mr. Granger advised her that they received nothing that shows any paving. Mr. Granger stated he understands Ms. Pollocks flooding problems but they are not the ones to talk to about the problem. Ms. Pollock stated the other question she had was regarding the size of the sign and where the sign would be placed. Mr. Ott advised her that the sign can be two square feet and it must be ten feet off the right-of-way of the road and not illuminated. Mr. Schlemmer stated that the sign is not shown on the drawing. Mr. Ott advised her that a sign permit would be needed. Ms. Pollock referred to Exhibit #1H stating at the bottom is a picture of her home from the end of the Browns driveway. Ms. Pollock stated she does not see

any traffic issues and she has no problems with what the Browns are doing. Mr. Brown stated that on Exhibit #1D in the very lower right corner where the road makes a 90 degree curve you will see a corner of the Pollock house.

There being no further business the hearing was adjourned at 8:10 p.m. Respectfully submitted,

Barbara M. Douglas Secretary

Recording Secretary Evelyn Rineer
Zoning Hearing Board (as needed)
10/03/07

Zoning Hearing Board Agenda

Wednesday, October 3, 2007 Time: 7:00 P.M.

1. Introduction of Board Members
2. Pledge of Allegiance to the Flag
3. Approve Minutes of September 5, 2007 Meeting
4. Old Business Case #4-07 - The application of Larry & Terri Brown, 405 Stehman Church Road, Millersville, PA 17551. The applicant is requesting a special exception of Section 201.3.3 in accordance with Section 433 Home Occupations. The applicant wishes to operate a beauty salon on the property. The property is in the Agricultural (A) Zoning District. A decision will be rendered.
5. New Business The Applicant has submitted a request for an extension of time for this application to be completed. Case #2-06 The Application of David L. Charles, property at 26 Millersville Road, Lancaster, PA 17603. The application is for an expansion of a non-conforming structure in accordance with Sec. 504.2 and Sec. 605.3 of the Manor Township Zoning Ordinance. The applicant wishes to expand an existing non-conforming office structure. The property is located in the MRC Mixed Residential Commercial Zoning District.
6. Adjourn

DRAFT MINUTES Zoning Hearing Board Minutes

Wednesday, October 3, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, October 3, 2007 at 7:00 p.m. at the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. Chairman Allan Granger called the meeting to order.

Members Present: Allan Granger, Walter Schlemmer and Barbara Douglas Township Officials

Present: Bruce Ott and James R. McManus Visitors Present: John May, 100 Red Fox Rd. Charles Hurst, 26 Millersville Road Bonnie Miller, 113 Bent Tree Dr.

Minutes Mr. Granger stated the minutes were received and posted for the general public. There were no additions or corrections and the minutes stand approved as read.

Old Business Case #4-07 - The application of Larry & Terri Brown, 405 Stehman Church Road, Millersville, PA 17551. The applicant is requesting a special exception of Section 201.3.3 in accordance with Section 433 Home Occupations. The applicant wishes to operate a beauty salon on the property. The property is in the Agricultural (A) Zoning District. A decision will be rendered. Mr. Granger stated at the conclusion of last meeting the testimony on this case was closed. Since that the time the Board has not met or discussed this matter. Each Board member has discussed the matter with Mr. McManus, their Solicitor, and he has taken that information and drafted Findings of Fact for the Board. The Board at this time will discuss the Findings of Fact. Ms. Douglas made a motion that the application of Larry D. Brown and Terri F. Brown for a special exception to operate a barber salon business as a home occupation within a portion of their residence at 405 Stehman Church Road, Millersville, Pennsylvania 17551 (Tax Map Parcel No. 15H-8-12; Account No. 4106391900000) pursuant to the provisions of Section 201; 433 and 605.3 of the Manor Township Zoning Ordinance is hereby denied. Mr. Schlemmer seconded the motion. Mr. McManus asked to amplify the motion referring to the draft decision. Mr. McManus stated the draft does say that the applicants have failed to submit plans and drawings in sufficient detail to demonstrate compliance with the area, dimensional and use requirements of the Zoning Ordinance. In that they failed to establish that the existing on site sewer and water systems were adequate to accommodate the proposed business use and additional the applicants failed to comply with requirements of Section 211.3, which requires that they demonstrate that, their intended use is not located within a regulated floodplain zone. That under the terms of the draft decision is the basis for the paragraph of the motion made by Ms. Douglas. Ms. Granger indicated with that clarification he proceeded to call for the vote. The motion carried unanimously. Bonnie Miller, 113 Bent Tree Drive, asked if the Board would speak to the residents and explain to them the reason for the denial. Mr. Granger pointed out that everything is in the document that was just provided to the Applicant. Ms. Miller stated that they want to get a common definition of what was given them. Mr. McManus advised Ms. Miller that she could have a copy of the decision and she stated she understands the decision but that the applicant has some questions. Mr. McManus stated the decision was based upon the testimony presented. Mr. McManus stated it might be their proposed use does meet all the Township standards, but the problem the Board had was that they did not have objective evidence to show that. For example, there were no drawings sufficiently detailed to determine required setbacks.

New Business The Applicant has submitted a request for an extension of time for this application to be completed. Case #2-06 The Application of David L. Charles, property at 26 Millersville Road, Lancaster, PA 17603. The application is for an expansion of a non-conforming structure in accordance with Sec. 504.2 and Sec. 605.3 of the Manor Township Zoning Ordinance. The applicant wishes to expand an existing non-conforming office structure. The property is located in the MRC Mixed Residential Commercial Zoning District. Charles Hurst, Construction Manager for D & R Charles, was present on behalf of David L. Charles the owner to answer any questions. Mr. Granger stated the Board has received a letter dated September 11, 2007 which

read On October 4th, 2006, Manor Township approved a special exception to David L. Charles of 26 Millersville Road, to expand a non conforming structure with Sec. 504.2 and Sec. 605.3 of the Manor Township Ordinance. We have been unable to comply with the Townships Ordinance to obtain a Building Permit within a six month period, because of other project commitments. It is our desire to expand as originally planned; therefore, we are requesting a one year extension which will allow us to continue as originally planned. The letter is signed David L. Charles, Owner. Mr. Granger asked Mr. Ott for the section number in the Township Ordinance that applies to this request. Mr. Ott advised him that it is Section 604.11. Ms. Douglas made a motion to grant the one-year extension to Case #2-06 for David L. Charles, 26 Millersville Road. Mr. Schlemmer seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Barbara M. Douglas Secretary

Recording Secretary Evelyn Rineer
Zoning Hearing Board (as needed)
11/01/07

Please note date change

DRAFT MINUTES Zoning Hearing Board Minutes

Thursday, November 1, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Thursday, November 1, 2007 at 7:00 p.m. in the Manor Township Municipal Building at 950 W. Fairway Drive, Lancaster, PA 17603. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan Granger, Walter Schlemmer and Barbara Douglas. Township Officials Present: Bruce Ott and James R. McManus Visitors Present: Lew Witmer, 2 Leaman Road, Lancaster Jeff & Joanne Breneman, 970 Breneman Rd.

Minutes Mr. Granger stated the draft minutes from the October 3, 2007 meeting have been received and posted. There were no additions or corrections and the minutes stand approved as submitted.

New Business Case #5-07 The application of Jeffrey and Joanne Breneman, 970 Breneman Road, Millersville, PA 17551. The applicant is requesting a special exception of Section 201.3.1 in accordance with Section 424 ECHO Housing. The applicant wishes to construct ECHO Housing for elderly parent and disabled sibling on the property. The property is in the Agricultural (A) Zoning District. Mr. Granger turned the hearing over to Mr. McManus. Mr. McManus requested that Bruce Ott be sworn in by the Court Reporter. Mr. Ott stated as the Zoning Officer for Manor Township he received and processed the application before the Board

this evening numbered #05-07 from Jeff & Joanne Breneman. Mr. Ott posted the property with the date, time, place and subject matter on October 12, 2007 and on the same date placed a notice of the time, date, place and subject matter in the lobby of the Township Building. A notice of the time, date, place and subject matter was advertised in the Lancaster Newspapers on October 18 and 25, 2007. Mr. Ott submitted the proof of publication. There were no questions on the notice given and posting of the property with respect to the hearing. Mr. McManus marked Application #05-07 Exhibit #1 that consisted of several pages. The application consisted of a letter dated October 9, 2007 addressed to the Zoning Hearing Board, which contains a narrative under an unsigned signature of Jeffrey W. & Joanne Breneman and seven numbered pages of additional information. The following was included in the application: #1) a letter from David L. Lockard, Sewage Enforcement Officer; #2) information from Jon C. Aspril a plumbing and heating service regarding water service to the proposed project; #3) a fold out site plan that appears to have been hand prepared with site data and some dimensions; #4) floor plan of a 16 wide two bedroom custom home under the caption Akron Homes; #5) building elevations of that custom home; and #6) a list of adjoining property owners. The proof of publication was marked Exhibit #2. Mr. McManus asked if the Brenemans were present and requested that they identify themselves. Mr. McManus asked that the Brenemans be sworn in. Mr. McManus asked Mr. Breneman to make his presentation. Jeff Breneman stated that he is proposing to establish ECHO housing at 970 Breneman Road, Millersville on a 9.2 acre farm. The elder cottage will contain 840 square feet of floor area. The total coverage of the lot is 1.90% which is less than the 20% allowed. The elder cottage will be occupied by an elderly parent and a disabled sibling. The sewage disposal and water supply and all other utilities will be physically connected to those systems serving the principal dwelling. No separate utility systems or connection will be constructed or used and will meet utility company standards. There are letters pertaining to the onsite sewer and water to be used see attached #1 & #2. There is an off street parking space for the elder cottage; it is marked on the scaled site plan provided #3. The elder cottage will be located in the rear yard and adheres to all side and rear yard setback requirements. The applicant understands that the elder cottage will be removed within 12 months of not being occupied by a qualified person and a yearly renewal of a zoning permit is required. The applicant has provided copies of the ground floor plan and the elevations plans of the elder cottage see attached #4 & #5. We have also provided the names and addresses of adjoining property owners including properties directly across a public right-of-way see attached #6. In addition, there has been provided a scaled drawing marked #3. In compliance with the Zoning Ordinance Section 605, the proposed use shall be consistent with the purpose and intent of the Zoning Ordinance. The proposed use will not detract from the use or enjoyment of adjoining or nearby properties. It will not substantially change the character of the neighbors properties. Adequate public facilities are available to serve the elder cottage. The elder cottage is not in the flood plain. The elder cottage will not substantially impair the integrity of the Townships Comprehensive Plan. Mr. Granger asked Mr. Breneman where parking space #3 was located. Mr. Breneman advised him that it is in the garage. Mr. Schlemmer questioned Mr. Breneman on the distribution boxes and trenches on the drawing. Mr. Breneman advised him that they were for the septic system he had just installed. Mr. Schlemmer asked if there were any streams or creeks on his property and Mr. Breneman stated no. Mr. Granger asked if this custom home is being placed on the high spot of the property and Mr. Breneman stated yes. Mr. McManus stated Exhibit 1, Page #1 is a letter from David Lockard addressed to Mr. Breneman and stated the following: I am writing concerning your proposed elder care unit to be located at 970 Breneman Road. You recently installed and I

inspected your sewage system which is designed to have the capacity needed for the addition of an elder care unit. No changes or alterations are needed and a sewage permit is therefore not required. If you have any questions, please call. It is under the signature of David L. Lockard, Sewage Enforcement Officer of Manor Township. Page #2 was identified as a note from Jon C. Aspril Plumbing and Services, 1065 Hearthstone Road, Lancaster, PA and states on what appears to be one of their invoice sheets or materials list the following: The existing well and well pump are sufficient to provide water to both the existing house and proposed elder cottage under a signature that appears to be that of Jon C. Aspril dated 9/15/07. Mr. McManus asked Mr. Breneman with respect to Page #4 of Exhibit #1 the 16 wide two bedroom custom home is that in fact the unit you wish to place on your property and Mr. Breneman stated yes. Mr. McManus asked if the Zoning Officer were to go out and inspect while you were constructing he would see this unit and Mr. Breneman stated yes. Mr. McManus asked if it would be delivered in one unit or two units to the site. Mr. Breneman advised him that it would be delivered as one unit. Mr. McManus asked how the home would be secured to the land. Mr. Breneman stated the company had a footer plan that showed that they would drill holes into the ground and pour cement footers and then possibly put steel rods in the ground to strap it down. The footers are at the level of building itself and then the company said that they would strap it down. Mr. McManus asked at such time that the unit no longer qualifies for ECHO Housing, would you be able to remove the unit from the land. Mr. Breneman stated yes. Mr. McManus asked how it would be removed and Mr. Breneman stated that he would have the company they purchased the unit from remove the unit. Ms. Breneman stated that the axles and hitch would stay attached to the home. Mr. McManus asked what the age and condition of the two people that will live in the home was. Ms. Breneman advised Mr. McManus that the unit was for her 73 year old mother and her disabled sister who is 50 years old. Mr. McManus asked if her sister would qualify for a handicap parking space. Does her disability make her eligible for handicap parking? Ms. Breneman stated she does not drive. She advised Mr. McManus that her sister is diagnosed as retarded. Mr. Granger referred to the plan from the mobile home company and stated that the 16x 60 unit totals to 960 square feet. Mr. Breneman stated that they count the hitch. The building itself is actually 16x 56. Mr. Granger stated that dimension makes the unit contain 896 square feet and in your description you stated 840 square feet. Mr. McManus stated that the access to your home is by way of Breneman Road; are there any other roads you have access too and Mr. Breneman stated no. Mr. McManus stated that on your property is a two story, detached home and Mr. Breneman stated yes. Mr. McManus asked how many bedrooms are in the house and Mr. Breneman advised Mr. McManus that the house contains four bedrooms. Mr. McManus asked if there is a detached garage. Mr. Breneman stated that there is a garage that contains one parking bay and the rest of the building is used for storage. Mr. Breneman stated that the garage is actually a barn and has a door opening for one vehicle. Mr. McManus asked if there are any finished rooms in the barn and Mr. Breneman stated no. Mr. McManus asked if there was sewer or water service to the barn. Mr. Breneman advised Mr. McManus that there is water to the barn but there are no bathroom facilities in the barn. It was a bank barn and the water was for the cattle. There is water service to the barn but no sewage. Mr. McManus asked what the height of the proposed custom home was and Ms. Breneman stated that it is less than 13 feet in height. Mr. McManus asked if Mr. Breneman and his wife are the owners of the property and Mr. Breneman stated yes. Mr. McManus asked if the area designated as driveway and parking is paved and Mr. Breneman stated yes. Mr. Breneman closed his testimony. Ms. Douglas made a motion to take all the testimony given under consideration and make a decision at the December 5th meeting in this

building at 7:00 p.m. Mr. Schlemmer seconded the motion and the motion carried unanimously. The hearing was adjourned at 7:25 p.m.

Respectfully submitted,

Barbara M. Douglass Secretary

Recording Secretary Evelyn Rineer

Hearing Board (as needed)

12/05/07

Zoning Hearing Board Agenda

Wednesday, December 5, 2007 Time: 7:00 P.M.

1. Introduction of Board Members
2. Pledge of Allegiance to the Flag
3. Approve Minutes of November 1, 2007 meeting
4. Old Business Case #5-07 The application of Jeffrey and Joanne Breneman, 970 Breneman Road, Millersville, PA 17551. The applicant is requesting a special exception of Section 201.3.1 in accordance with Section 424 ECHO Housing. The applicant wishes to construct ECHO Housing for elderly parent and disabled sibling on the property. The property is in the Agricultural (A) Zoning District. A decision will be rendered.
5. Adjourn

DRAFT MINUTES Zoning Hearing Board Minutes

Wednesday, December 5, 2007 Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, December 5, 2007 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA 17603. Chairman Allan Granger led the Pledge of Allegiance to the Flag.

Members Present: Allan Granger, Walter Schlemmer and Barbara Douglas Township Officials Present: Bruce Ott and James R. McManus Visitors Present: Jeff & Joanne Breneman, 970 Breneman Rd., Millersville

Minutes Mr. Granger stated the draft minutes from the November 1, 2007 meeting have been received and posted. There were no additions or corrections and the minutes stand approved as submitted.

Old Business Case #5-07 The application of Jeffrey and Joanne Breneman, 970 Breneman Road,

Millersville, PA 17551. The applicant is requesting a special exception of Section 201.3.1 in accordance with Section 424 ECHO Housing. The applicant wishes to construct ECHO Housing for elderly parent and disabled sibling on the property. The property is in the Agricultural (A) Zoning District. A decision will be rendered. Mr. Granger stated at the conclusion of the November 1 meeting the testimony was closed and taken under advisement. Mr. McManus contacted each member individually for their opinion and then drew up a draft decision that the Board would discuss at this time. After discussion, Barbara Douglas made a motion that the application of Jeffrey W. Breneman and Joanne Breneman for a special exception to locate a dwelling (ECHO housing unit) containing 896 square feet of floor area on the property located at 970 Breneman Road, Millersville, Pennsylvania, Account No.: 410-69114-0-0000, hereby approved subject to the following conditions: 1) Applicants shall adhere to the facts and dimensional criteria contained in their application, as well as all testimony presented by the Applicants or presented on their behalf at the hearing held on November 1, 2007. 2) Applicants shall adhere to the area allocations and locations of all proposed uses and improvements as set forth in their plans attached to their application (Exhibits 1-1 through 1-6). 3) Applicants shall comply with all applicable Federal, State and local regulations regarding the construction, use and operation of the proposed dwelling. 4) Applicants shall limit the occupancy of the ECHO housing unit to persons who qualify for said housing pursuant to the provisions of the Zoning Ordinance and shall remove the ECHO housing unit from the Property within 12 months after it is no longer occupied by a person who qualifies for said occupancy. 5) Applicants shall comply with the permitting requirements of Section 424.10 of the Zoning Ordinance. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the applicants, their successors and assigns. Walter Schlemmer seconded the motion and the motion carried unanimously.

The hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Barbara M. Douglas Secretary

Recording Secretary Evelyn Rineer

Traffic Commission
05/30/07

Manor Township Traffic Commission Meeting

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, May 30, 2007 in the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA.

Pledge of Allegiance was given.

Members present: Mark Harris, Jay Breneman and Todd Graeff.

Visitors present: Chris Vital, 2766 Valley Drive Al Eckman, 2761 Valley Drive Gloria Gestewitz, 2761 Valley Drive Jody Bowers, 2762 Weston Road Dwayne Bowers, 2762 Weston Road

Mark Harris announced that Evelyn Rineer would be the recording secretary. Mr. Harris welcomed Chief Todd Graeff to the Traffic Commission.

Mark Harris made a motion to appoint Chief Graeff secretary of the Traffic Commission. Mr. Breneman seconded the motion and the motion carried.

A letter was received from Esther Greiner, 22 Bucknell Avenue, requesting handicap-parking sign in front of her residence. Mr. Harris stated he would look at the location and make a determination regarding the sign. Mr. Breneman made a motion to grant the request contingent on Mr. Harris's findings. Chief Graeff seconded the motion and the motion carried.

Jody Bowers expressed concerns regarding speeding in their neighborhood. She stated her daughter sent an e-mail regarding the situation. Chief Graeff indicated he had received the e-mail. Ms. Bowers stated the road is posted 25 mph but everyone goes much faster. Al Eckman expressed concern with the young people speeding in the area. He has talked to the neighbors regarding their speeding through the area but they are not concerned. He stated it is not just people who live in the area who are speeding but he believes people think it is a through street. Mr. Harris stated there are two issues 1) no stop sign and 2) the posted speed limit. Mr. Harris stated a speed limit cannot be posted lower than 25 mph. Chief Graeff advised that stop signs cannot be used to control speed. The residents asked if a speed bump could be installed and Chief Graeff advised they are illegal. Mr. Harris stated a traffic counter would be set up and asked Chief Graeff to have Officer Gary Gardner do a traffic study. Mr. Harris stated Chief Graeff has heard the concerns regarding speeding.

Mr. Bowers asked who they must see to have streetlights installed. Mr. Breneman advised them to attend a Supervisors meeting and make their request to the Supervisors.

There being no further business the meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Todd A. Graeff Secretary

Recording Secretary Evelyn Rineer

Traffic Commission

07/25/07

Minutes Manor Township Traffic Commission Minutes

Wednesday, July 25, 2007 Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, July 25, 2007 in the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA.

Pledge of Allegiance to the Flag was given.

Members Present: Jay Breneman, Mark Harris and Todd Graeff.

Visitors: There were no visitors present.

Old Business Mr. Harris noted a correction in the June minutes under New Business regarding signs. Mr. Harris stated regulatory signs cannot be posted on the same post unless they apply to each other.

Mr. Harris noted that Officer Gardner was requested to do a traffic study for the establishment of a stop sign on Hampden Drive at Donerville Road and a continuation of the 25 MPH speed zone. Mr. Harris asked Chief Graeff if that traffic study had been completed. Chief Graeff advised he had Officer Gardner's report that stated, "Based on the roadway design there is justification for the placement of a Stop Sign on Hampden Drive at SR3031/Donnerville Road. Secondly, there is presently a properly posted 25 mph speed zone for the original section of Hampden Drive. There are no additional signs required for south to east traffic. A 25 mph speed limit sign is required for traffic that enters onto Hampden Drive from Donerville Road". Chief Graeff made a motion to erect the signs. Mr. Breneman seconded the motion and the motion carried unanimously.

New Business Mr. Harris requested that Chief Graeff ask Officer Gardner to conduct studies in Parkfield Phase 2 regarding the placement of stop signs, speed limit signs and no parking signs. Mr. Harris asked Chief Graeff to inform the Police Officers that the streets in Parkfield Phase I are dedicated streets.

There being no further business the Mr. Breneman made a motion to adjourn. Chief Graeff seconded the motion and the meeting was adjourned at 8:40 a.m.

Respectfully submitted,

Todd A. Graeff Secretary

Recording Secretary Evelyn Rineer

Traffic Commission
09/26/07

Manor Township Traffic Commission Meeting

Wednesday, September 26, 2007 Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, September 26, 2007 in the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA.

Members Present: Mark Harris, Jay Breneman and Todd Graeff Visitor Present: Bruce L. Murray, 274 Redwood Dr.

Old Business Mr. Harris advised that the No Parking and No Outlet signs were installed in Eagle Heights. A Handicap Parking sign was installed at 30 Girard Avenue as requested at the August meeting. Mr. Graeff read Off. Gardner's recommendations regarding Speed Zone, Stop Signs and No Parking Zones within the development of Parkfield. Off. Gardner stated the current posted speed limit within Phase 1 is 25 MPH. The roadways being developed in Phase 2 and Phase 3 are continuations of the existing roadway. He recommends that based on the roadway designs submitted and the development layout that the 25 MPH Speed Zones be extended into Phase 2 and Phase 3. The following Stop Signs are recommended by Off. Gardner based on the roadway designs and the available sight distance: 1) On Shade Tree Drive @ Greenhedge Drive 2) On Shade Tree Drive @ Farmstead Drive 3) On Shade Tree Drive @ Fieldgate Drive 4) On Amsterdam Road @ Greenhedge Drive 5) On Fieldgate Drive @ Greenhedge Drive 6) On Greenhedge Drive @ Donerville Road 7) 4 Way Stop Farmstead Drive (north end) @ Greenhedge Drive 8) 3 Way Stop Farmstead Drive (south end) @ Greenhedge Drive 9) 3 Way Stop Fieldgate Drive @ Greenhedge Drive Off Gardner recommended that the following roadways be posted with No Parking Zones limiting parking to one side of the roadway. The signs should be erected opposite any sidewalks established within the area. 1) Greenhedge Drive 2) Shade Tree Drive 3) Farmstead Drive 4) Amsterdam Road Mr. Harris advised that the stop sign at Greenhedge Drive and Donerville Road has already been installed. Mr. Harris made a motion to accept Off. Gardner's report and recommendations. Mr. Breneman seconded the motion and the motion carried unanimously.

New Business Bruce Murray, 274 Redwood Drive, expressed concerns regarding vehicles speeding on Redwood Drive. Mr. Murray stated there are only two stop signs on a street that is 2,000 ft. in length and he feels more stop signs may help with the speeding problem. Mr. Murray said he has put Slow Down signs in his yard but they are stolen. He asked the Commission if the board that showed the speed of each vehicle could be put up. Mr. Murray was advised that stop signs couldn't be used to control speeding. They can only be used to regulate traffic. The Commission agreed to have Mr. Harris put the traffic counter on Redwood Drive and that information would be presented at next month's meeting. Chief Graeff advised Mr. Murray that between the police department and road department they are including in the budget the purchase of a speed trailer and message board. He stated they are very expensive, but he is hopeful that they will be able to purchase them. Chief Graeff also stated he will be starting a traffic unit that

will be dedicated to accident and speed enforcement.

Mr. Harris advised the Commission received a letter from Andrea Carty with a petition attached from the residents of Timson Hills expressing concerns regarding the increase in traffic in the development and speeding. Ms. Carty's letters suggested speed bumps or possibly create a dead end where it use to be. The petition asked that stop signs be placed at the intersection of Hampden Drive and Yorkshire Way. Mr. Harris feels a stop sign should be at both ends of Yorkshire Way. Chief Graeff was asked to direct Off. Gardner to do a study regarding placement of stop signs on Yorkshire Way. Mr. Harris will contact Ms. Carty and advise her of the action taken by the Commission regarding stop signs. Mr. Harris will also advise Ms. Carty there will be no speed bumps installed or a dead end street.

Mr. Harris indicated a letter was received from Mark Deimler of Strausser Surveying & Engineering regarding posting a speed limit on Forrey Road between Rohrer Road and Habecker Church Road. There is no speed limit posted, therefore, it is 55 MPH. Mr. Rohrer would like to build a house on Forrey Road but due to the location of the driveway and the speed limit he will not be given permission for the driveway unless there is a lower speed limit. Mr. Breneman made a motion to post a 35 MPH speed limit on Forrey Road. It was pointed out there are two sections to Forrey Road and it was stated both sections would be posted. Chief Graeff seconded the motion and the motion carried unanimously.

Mr. Harris expressed a concern regarding Sun Lane located between Walnut Hill Road and Letort Road. Mr. Harris stated it is a heavily traveled road and is not posted. Walnut Hill Road is posted with 35 MPH and Letort Road is posted 40 MPH. On September 14th, Mr. Harris did a traffic count on Sun Lane that showed 900 vehicles with 86% traveling 46 MPH. The Commission agreed to provide Off. Gardner with the data and request he do a traffic study.

Chief Graeff stated he was forwarded an e-mail by Barry Smith regarding Hershey Mill Road. The e-mail indicated that cars and motorcycles are speeding and there are drunk drivers traveling the road between 3:00 p.m. and 7:00 p.m. Chief Graeff indicated the e-mail was from O'Donoghue. After discussion, Chief Graeff was advised to e-mail O'Donoghues that their concerns came before the Traffic Commission and they will look at the situation. Chief Graeff stated he would instruct the second shift to check the area.

There being no further business the meeting was adjourned at 9:15 a.m.

Respectfully submitted,

Todd A. Graeff Secretary

Recording Secretary Evelyn Rineer

Traffic Commission

10/31/07

Minutes

Manor Township Traffic Commission

Wednesday, October 31, 2007 Time: 8:30 A.M. The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, October 31, 2007 in the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

Minutes Mark Harris indicated the minutes were distributed and there were no corrections.

Old Business Mr. Harris stated last month Bruce Murray from 274 Redwood Drive expressed concerns regarding speeding vehicles on his street. Mr. Harris advised the traffic counter was placed on the street between October 9th and 15th indicating the average count was 319 vehicles per day with an average speed of 24 mph. Chief Graeff indicated he had made Off. Smoker aware of the complaint and there has been white lines painted on the pavement that will possibly act as a deterrent to speeding. Chief Graeff indicated he would advise Mr. Murray of the results from the study that was completed. Mr. Harris stated last month they had received concerns from Andrea Carty regarding increased traffic and speeding on Hampden Drive. She had requested that they consider making this a dead end street again or place speed bumps. Mr. Harris had advised Ms. Carty of the decision to install stop sign. Ms. Carty sent an e-mail thanking them for the stop sign but does not feel the stop signs will address the problem and would like to see a three way stop sign. Chief Graeff advised he had Off. Gardner's report on his recommendation regarding a request for a Stop Sign at Hampden Drive and Yorkshire Way. Off. Gardner's report stated the southern section of Hampden Drive and Yorkshire was recently completed during an expansion of the development. The current speed for both roadways is established at 25mph. The north section of Yorkshire Way at Hampden Drive is also controlled by a posted Stop Sign. There is no control device currently established for the southern section of Yorkshire Way at Hampden Drive. Based on the posted speed limit and the current roadway design there is a need for a Stop Sign on Yorkshire Way at Hampden Drive. The requirements to establish a multi-stop intersection cannot be justified. Mr. Harris stated last month there was a request for speed limit signs on Forrey Road and he reported that the signs have been installed. Last month Mr. Harris expressed concerns regarding the heavy volume of traffic on Sun Lane that is not a posted road. Mr. Harris requested a traffic study be done for Sun Lane for the establishment of a speed limit. Chief Graeff reported that Off. Gardner has completed his study and his recommendation is that a 35 MPH Speed Zone be established. The speed zone would be for both directions of Sun Lane. Mr. Harris made a motion to pass onto the Board of Supervisors their recommendation to post 35 MPH Speed Limit signs on Sun Lane. Mr. Breneman seconded the motion and the motion carried unanimously. Chief Graeff reported that he had sent an e-mail to the O'Donoghues after last month's meeting in which he had asked several questions. He has not had a reply from the O'Donoghues.

New Business Mr. Harris advised they had received an e-mail from Susan Whitney, 404 Owl Bridge Road, indicating it is hazardous to pull from their driveway due to speeding vehicles. Chief Graeff advised he has looked at the situation and also talked to Ms. Whitney. Chief Graeff asked Ms. Whitney if it would be possible for them to use the farm lane since there is better visibility from that driveway. Ms. Whitney expressed her appreciation for the suggestion and

indicated she did not feel the farmer would have a problem with them using the lane. After discussion, it was decided a sign indicating a hidden driveway should be erected. Mr. Breneman made a motion to erect a Hidden Driveway sign in the eastbound direction of Owl Bridge Road for the driveway at 404 Owl Bridge Road. Chief Graeff seconded the motion and the motion carried unanimously. Mr. Harris advised they had a request from Shana Haertter, 2146 W. Ridge Drive, to place a Watch Children sign near their residence. Mr. Harris advised there is a Watch Children sign on the street that needs replaced. After discussion, Mr. Breneman made a motion to replace the existing sign and place a new Children At Play sign at the other end of West Ridge Drive. Chief Graeff seconded the motion and the motion passed unanimously.

There being no further business the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Todd A. Graeff Secretary

Recording Secretary Evelyn Rineer

Traffic Commission

11/28/07

Manor Township Traffic Commission Minutes

Wednesday, November 28, 2007 Time: 8:30 A.M.

The Manor Township Traffic Commission meeting was held at 8:30 a.m. on Wednesday, November 28, 2007 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Mr. Breneman led the Pledge of Allegiance to the Flag.

Members Present: Jay Breneman and Todd Graeff Member Absent: Mark Harris

Old Business The signs that were approved at last month's meeting have been posted. Mr. Breneman indicated that Susan Whitney sent a thank you for posting the driveway sign. Ms. Whitney advised that she still sees a particular vehicle speeding in her area. Chief Graeff stated he would have day shift follow up on her complaint.

New Business Mr. Breneman had a letter from O'Donoghues requesting that signs be posted near the wetlands. They stated people are throwing trash in the wetland area and trees have been planted. The O'Donoghues did not indicate what type of signs they would like to have posted. Mr. Breneman stated there are retention basins in the area but he was not aware of any wetlands. After discussion, Mr. Breneman stated he would follow up with the Township staff regarding this request.

There being no further business the meeting was adjourned at 8:38 a.m.

Respectfully submitted,

Todd A. Graeff Secretary

Recording Secretary Evelyn Rineer

PARK AND RECREATION MEETING

January 22, 2007

7:30 PM

Chairman Ed Rand called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: Ed Rand, Elizabeth Leaman, Karla Vinson, Paul Miller and Brandon Danz.

Members absent: Jeff Roth and Bob McGaw.

Visitors: L.Allen Kreider and Mike Vinson.

Paul Miller made a motion to approve the November 2006 minutes. Karla Vinson seconded the motion, which carried unanimously.

Organization

Chairman - Paul Miller made a motion to re-elect Ed Rand as Chairman of the Board. Brandon Danz seconded the motion, which carried unanimously.

Vice-Chairman - Ed Rand made a motion to elect Paul Miller as Vice-Chairman of the Board. Brandon Danz seconded the motion, which carried unanimously.

Secretary - Elizabeth Leaman made a motion to re-elect Brandon Danz as Secretary of the Board. Karla Vinson seconded the motion, which carried unanimously.

Business From the Floor

There was no business from the floor.

Old Business

Bill Laudien stated that they have actively begun working on the Open Space Plan. He noted the preliminary work is completed. He stated they are working on the formula for the ratio of developed land to open space and hope to have it completed soon. Bill stated that he would like this Board to consider being the Steering Committee for this Park and Open Space project, explaining that they are under no obligation to do so. He noted they would hold the regularly scheduled Park and Recreation Meetings, then adjourn and hold the Steering Committee meeting after, estimating they would stay another hour to hour and a half for that meeting. He stated he would like to start in March and hopefully have the project completed by the end of the year. After some discussion, all members present agreed they would like to be part of the Steering Committee. Bill stated since the Board is in agreement, he will schedule the Open Space meetings along with the same schedule as the Park and Recreation meetings, being the fourth Monday of every other month.

New Business

Facilities Update. Bill stated that the walking path from the parking lot to the pavilion in Woods Edge Park has been completed. He also noted that the township is working on the walking path for Springdale Farms that will run from West Charlotte Street back to the park area. He stated the two property owners whose property will be affected have been contacted. One

homeowner was not aware of the right of way for the path. He noted that both homeowners have requested screening of some type. The path will be macadam; it will be five feet wide, taking two and a half feet from each property owner. He stated that the area is an established right of way and it has been maintained by mowing until this time. It is a community access area to the open space for Springdale Farms.

Brandon Danz asked Bill if he has had any further consideration to the local businesses sponsoring advertising at the ball fields in the parks. Bill stated he has not.

Ed Rand asked if there are any new organizations requesting the use of the ball fields at the parks. Bill stated no.

There being no further business, Paul Miller made a motion to adjourn the meeting at 8:00 PM. Brandon Danz seconded the motion, which carried unanimously.

Respectfully submitted,

Brandon Danz
Secretary

Recording secretary
Rita J. Young

Park and Recreation Meeting

March 26, 2007

7:30 PM

Chairman Ed Rand called the meeting to order at 7:30 PM in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members present: Ed Rand, Brandon Danz, Elizabeth Leaman, Paul Miller and Karla Vinson.

Members absent: Jeff Roth and Bob McGaw.

Visitors present: See attached.

Minutes – Paul Miller made a motion to approve the January 22, 2007 minutes as presented. Elizabeth Leaman seconded the motion, which carried unanimously.

Old Business

Mr. Rand asked if there was any information about the plaques that were going to be presented to two members of the Board that had served for a number of years and are leaving or have left. Mr. Laudien stated that he plans to discuss it at a later time.

New Business

Park and Open Space Plan - David Miller/Associates, Inc. were present to explain the process they hope to use to develop the Park and Open Space Plan and to receive information from Board members on how they would like some of the study to be conducted. Those representing DM/Associates were Sandy Kime, Steve Dell and Scott Hain. They presented a map showing the existing facilities in the Township and talked about what all the Board might want listed on a map. Mr. Dell asked if the Board wanted existing churches listed, the school facilities or any other recreational areas besides the ones owned by the Township. He noted properties owned by Safe Harbor and the railroad, Norfolk Southern.

Mr. Laudien stated that we could list the school facilities but at the present time, we have no access to the facilities because they are being used by school activities.

Mr. Kime asked about the conservancy properties. Mr. Laudien stated that the conservancy is in the process of acquiring more land and that this is passive land for walking paths but not structured sports.

Mr. Miller felt all this should be included so people know that it exists. The Board and representatives from DM/A agreed they could be listed, but noted that if all parks and facilities are listed, they also need to be designated which facilities are available to the Township and the residents for use because it could give a false sense of what park land and facilities are able to be utilized by residents.

Mr. Dell went over information that is presently on the Park Ownership Map. He noted that it includes Township parks and facilities, the Penn Manor School District, the Conservancy land, Safe Harbor Water Power Co. and the PA Fish & Boat Commission area. He noted that churches are not listed. After some discussion, the Board felt churches should be listed. They discussed what was included in the 1990 Park and Open Space Study and what they might do differently this time. They discussed a public swimming pool and the possibility of mailing a survey.

Mr. Kreider noted that the Township is in the process of adopting a Sub-Division and Land Ordinance and this will give the Township more available parkland or money in lieu of land when an area is being developed.

Mr. Dell discussed the Lancaster County Solid Waste Authority's land and the Susquehanna River access points. Mr. Laudien stated there are four access points to the Susquehanna River but only two are available for public use. Brandon questioned if it would be possible to develop more access points along the river. It was noted that Norfolk Southern does not allow the public to cross the tracks anywhere else. Bill noted that we recently received a grant for a floating dock to be constructed at the Blue Rock Road access but the ground where the parking area is located is owned by LASA.

They discussed land owned by Safe Harbor and the park areas that they have available to the public. The Board discussed the Lo Grade railway along the Susquehanna, currently owned by Norfolk Southern. It was noted that the Township could purchase it but it includes a large railroad bridge that is in need of repairs. It would be a six-mile stretch that could be added to the Rails to Trails program.

After some discussion, the Board decided they would each review the 1990 Park and Open Space Study, make a list of questions they would like to see added to this, then forward their ideas to Bill. They discussed having a survey and having a phone panel make calls to residents to ask structured questions.

Mr. Hain stated that he would like to develop a time line as to what expectations should be met and questioned when the first public meeting might be held. Mr. Kime added that they would need to have time frames and final goals and an objective plan developed so it could be presented at a public meeting. It was noted that they would like a list of key people to interview also.

Mr. Laudien noted that he will be expecting information from the Board that would include their ideas and input, key people to interview, what questions might be included in those interviews and the method of survey they would like to see included. He noted that he will advertise for a public meeting.

Mr. Dell asked what should be included and listed on the map for the new study. It was noted that the Rails for Trails areas should be listed, schools, churches, golf courses and numerous private open space areas that are in the developments. Also the conservancy land and the continuous greenways should be included. It was noted that the survey should ask for a response to having a building for recreation and if there is any support for a pool.

Mr. Laudien stated that he would like to know an opinion of the Board on an issue that has come up with the Springdale Farms Development. He explained that on the original Springdale Farms plan there were provisions for four access areas to the open space for that development. At the present time only two were developed. He noted that new homeowners were not told that their lot included an access along one side and now they do not want the access put in. They have come to the Supervisors and asked that they not macadam the walkway for an access, as was planned for this spring. Mr. Laudien stated that in his opinion the path is needed because the two existing ones are steep and the fourth one is not suitable to develop. After some discussion, the Board was in agreement that the walkway should go in. Mr. Kreider stated that he has talked to the new homeowner and they are ok with the walking path but they do not want macadam installed. He noted they would be acceptable to mulch or just keeping it mowed. Mr. Laudien stated the problem with mulch is that it would have to be constantly maintained and if it were just mowed, people would not know it was an access to the open space. He can appreciate the thoughts of the homeowner, but the fact is that the access easement was on the original plans and they should have been made aware of it when the lot was purchased. After some discussion, the Board was in agreement, that the access path, needs to be put in, to define that there is a path there. Mr. Kreider stated that the residents on both sides of the path are afraid that

people will walk their dogs there and not clean up after them. Bill noted that this is not an active park but a passive park area for the people that live in that development.

The Board decided that they would like to have another meeting before the next scheduled Park and Recreation meeting. After some discussion, it was decided they will hold a work session April 23, 2007 at 7:30 PM, at the Municipal Building.

Paul Miller made a motion to adjourn the meeting. Karla Vinson seconded the motion, which carried unanimously. The meeting adjourned at 9 PM.

Respectfully submitted,

Brandon Danz
Secretary

Recording secretary
Rita J. Young

Manor Township Park and Recreation Meeting

January 26, 2009

7:30 PM

Secretary Karla Vinson called the meeting to order at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. She led those in attendance in the pledge to the flag.

Roll call was taken.

Members present: Kyle Ream, Elizabeth Leaman, Courtney Barry and Karla Vinson

Absent: Ed Rand and Brandon Danz.

Staff: Ryan Strohecker and Rita Young

Visitors: Mary Glazier, Pam Shellenberger, John Pecuch and Mary Ann Pecuch.

Minutes

Elizabeth Leaman made a motion to approve the minutes from the Nov. 24, 2008 meeting as drafted. Courtney Barry seconded the motion, which carried unanimously.

Business From the Floor

John Pecuch, 133 Joseph Road, stated that he and his wife are residents of Manor Township and was here tonight to request that the Board make an exception for use of a pavilion at the Manor Township Community Park during the Manor Township Summer Park Program for children. He stated that he applied for a permit for June 16th at the Hovis Pavilion and was told that the Hovis was used at that time for the park summer program for children. He explained that they did it last year actually because there was a mistake in scheduling, but it worked out fine. Mr. Pecuch requested that they move the program again this year to the back pavilion which would be empty so he can have his picnic in the Hovis Pavilion because he has elderly and handicapped people. The Board discussed the options and told Mr. Pecuch that they thought it would be ok to move the children to the back pavilion but would have to check with Staff. Courtney made a motion to approve the exception to move the park program for June 16th. Elizabeth seconded the motion, which carried unanimously. Ms Vinson stated that she would call in at the office tomorrow and also call Mr. Smith to make sure that the change would be possible and that she would call Mr. Pecuch in the morning and let him know for sure. Mr. Pecuch thanked them for their consideration.

Brandon Danz arrived and apologized for being late and as Vice Chairman, took over the meeting at this time. He asked if there was any other business from the floor.

Old Business

Manor Township Comprehensive Recreation and Open Space Plan 2008 Update Mr. Strohecker stated he was here tonight to discuss the Plan noting that he is familiar with the financial part of the plan since he is the financial director for the Township. He noted that Mr. Smith has been dealing with the other details. He stated that at this point the Manor Township Supervisors are prepared to adopt this Plan at the Monday night Supervisors Meeting. He noted there seems to be a rush to get this plan passed, and it is his understanding that it has been advertised and the Supervisors understand that there will probably be some amendments made as they move forward. Mr. Strohecker stated that passing the document should help receive grant money and with the economy the way it is, no one can be sure if the State will start freezing any monies that might be

available. He noted the amount of reimbursement they are expecting is about \$16,000. He added that Mr. Bauder did want this passed as soon as possible.

Mary Glazier, Manor Township Planning Commission, stated she was here tonight to discuss the concerns with the Plan that the Manor Township Planning Commission has. She stated that she and Pam Shellenberger, also a member of the MTPC do not feel that the Plan meets the goals it states. Ms Glazier noted that the MTPC had concerns about the Plan and had a list of comments that was to be shared with this Board for discussion tonight. Ms Glazier stated that at the last PC meeting she had made a motion that the Boards comments and concerns be sent to the Park and Recreation Board. She noted that she had made the recommendation that Staff send the comments to this Board so they could have discussions tonight at this meeting, and asked if the Board has received anything. They stated they did not receive anything except the minutes. Ms Glazier stated that most comments were in the minutes. Pam Shellenberger, MTPC, stated that a lot of the comments to clean up the document were typo errors and clarification statements. She noted that her thoughts are that the document itself does not meet the goals that are set forth in the beginning of the plan. She especially thought that DCNR often has very specific guidelines and she stated that in her opinion this document does not come close to meeting DCNR requirements. She felt the implementation plan is missing from the document and there is nothing to define the fee in lieu of or dedication of park land when developers are submitting plans. She felt the plan had no planning for the future. Ms Glazier stated there will be changes for Manor Township in the near future with a considerable addition of open space in the Creswell/Highville area as the Waste Authority begins to convert the current Star Rock Farms into passive recreation space. She noted after that the Creswell Park will probably no longer exist as it is at this time. She questioned if the consultant knew of this 100 acres when the plan was drafted and noted a serious lack of things for the middle school age population.

Brandon stated that he regrets that the Board did not receive any information from the MTPC and they are not able to discuss this issue much tonight. Ms Glazier stated a lot of this should be in the minutes from the meetings. Ms Glazier asked the Board if they had received any information that the MTPC was going to be here tonight to discuss this. Ms Leaman stated that they did not receive any information. Ms Glazier stated the Mr. Haverstick, Chairman of the PC told them that he had set this up and asked her and Pam to come tonight for this discussion.

The Park Board stated they were in favor of meeting with some of the PC and discussing some of the missing pieces for this plan. Ms Glazier stated that even if it is adopted on Monday night, the Supervisors may not have in this document what they think they do and there will probably be revisions that need to be made. She asked the Board if they had formally recommended approval of this plan to the Supervisors. After some discussion, it was stated that the Board had never formally recommended it.

Mr. Strohecker stated that these concerns are good but he is hopeful that the concerns can be compiled and worked on after this plan is adopted. He noted that he has been in close contact with DCNR and he feels when this document is passed, the Township will receive the money but the thing holding that up is the adoption by the Board of Supervisors.

Courtney expressed concerns with the surveys, but felt that this document can easily be refined.

Ms Glazier read from the Nov. minutes of the Park and Recreation Board where Mr. Smith told the Board they did not have to rush with this because the document was currently before the MTPC for review and comments in their December meeting. He had also stated that the Supervisors were anxious to get this document adopted.

Elizabeth Leaman went over the serious of events where Mr. Laudien left the Township and the consultant that was working on this was laid off and stated that it was unfortunate that with all that

happening, there was no follow up. Ms Glazier noted that Christine Brubaker was at the November Park and Recreation Meeting and had offered to go over the plan with the Board. Courtney asked if this Board could meet with the PC to discuss the open space plan. Ms Glazier stated she would like them to do that.

After some discussion Karla Vinson made a motion to recommend, to the Manor Township Board of Supervisors, the adoption of the Manor Township Comprehensive Recreation and Open Space Plan, 2008 Update. Kyle Ream seconded the motion, which carried unanimously.

The Board discussed setting up a time for discussion on the plan between the two Boards. They collected emails to be able to contact them with information and stated they will try to set up a sub committee through Mr. Ott at the Township office. Karla asked Mr. Strohecker if this document was adopted, would it be good enough to go forward with the State. Mr. Strohecker stated yes, it has already been reviewed by DCNR and does include the points that they are looking for.

Mr. Danz asked if there was any other business. Mr. Strohecker stated that in Bill Audiens absence, he will be planning the Turkey Hill Country Classic. He went over the event and noted he will be making little change. He asked the Board for their help in any area they can give him help. They agreed they would like to help and Mr. Strohecker stated the date will be May 2, 2008.

There being no further business, Courtney Barry made a motion to adjourn the meeting at 8:15 PM. Kyle Ream seconded the motion, which carried unanimously.

The meeting adjourned at 8:15 PM.

Respectfully submitted,

Karla Vinson
Secretary

Recording secretary
Rita J. Young

Park and Recreation Meeting

Monday, September 24, 2007

Time: 7:30 P.M.

Chairman Ed Rand called the meeting to order at 7:30 p.m. in the Manor Township Municipal Building, 950 W. Fairway Drive, Lancaster, PA. He led those in attendance in the pledge of allegiance to the flag. Roll call was taken.

Members Present: Ed Rand, Paul Miller, Karla Vinson and Elizabeth Leaman.
Members Absent: Bob McGaw and Brandon Danz
Visitors Present: Steve Dell & Stephen Kruick from David Miller Associates
Christine Brubaker

Minutes

Ms. Leaman made a motion to approve the May minutes. Ms. Vinson seconded the motion and the motion carried.

Business From the Floor

There was no business from the floor.

Old Business

Bill Laudien indicated that the survey results were distributed to the Board Members. There were 95 returned surveys when he started compiling the results and he had 9 or 10 more in the office that will be added to the list. Bill Laudien stated there seem to be good response from across the Township. It is fairly evenly distributed among the voting districts. The age of the majority of people who responded were older than 40. There was a substantial number of 60 year old and over. Mr. Laudien advised he should have a more comprehensive list of all responses by the next meeting. Mr. Laudien briefly went over the survey results for the Board. Mr. Laudien stated he was surprised that of all the facilities people use the number one facility the people utilize are walking paths. The Park and Recreation Board is sometimes criticized for emphasis on passive recreation. Mr. Laudien stated 83 people responded that they utilize the walking paths and that was double the number who indicated they use the playground facilities. Mr. Laudien stated he was really surprised by the write in comments for additional programs that indicated 55 out of 95 respondents would like to see concerts or movies in the park.

Paul Miller stated he wanted to pass on favorable comments he received regarding the boating dock that was installed by the Township. Mr. Laudien stated the Township received a grant for the dock and when the dock arrived the road crew installed the dock and paved the launch itself.

Christine Brubaker asked Mr. Laudien if there were comparisons made in the survey with the one that was done ten years ago. Mr. Laudien stated they have just started receiving the data back. They do intend to compare the data. Ms. Brubaker feels the response of this survey needs to be evaluated based on the changing demographics within the township including the demographics of age, housing, and acreage.

Steve Dell from David Miller Associates stated packets of the draft report of the work done to date have been distributed to the Board. Mr. Dell stated they did a park

survey by going into the parks and interviewed individuals using the park as a supplement to the questionnaire that went out. Some of the comments made were, individuals would like evening lighting of the parking lots and pavilions, concerts, senior activities, more climbing equipment, pool, and skate board park were some of the items mentioned in their survey. According to the survey, there are many residents who participate in recreation activities outside the Township. Regarding funding, the answers were anything but taxes. Since the last meeting, Mr. Dell stated they have started interviews with key people who have been identified by Mr. Laudien such as John Ahlfeld from the Planning Commission, the representatives from the baseball associations, but must finalize a date with the soccer individuals. Later this week Mr. Dell will be meeting with the County and their Recreation Staff and the Penn Manor School District. Christine Brubaker was another person on the list to be interviewed. Mr. Dell stated the Township is in pretty good shape in regards to land for different types of parks such as regional, community, neighborhood, and tot lots. One of the directions they would be moving in is connecting some of that land through linear parks.

Ms. Brubaker indicated the Conestoga Country Club is listed as a regional park and she questions that listing. She does not feel a closed membership piece of land should be classified as a regional park. Mr. Laudien stated for their parkland dedication requirement they had a strict interpretation of those facilities that Manor Township owns and controls. For an inventory of regional recreation facilities, they included some things like golf courses but they also included preserved parkland or open space such as the Turkey Hill Trail that the Conservancy owns. Mr. Laudien stated their main emphasis and focus has been those facilities that Manor Township owns and controls and will own and control in the future.

Mr. Dell reviewed the maps. There was a map indicating the natural features identifying the floodplain, high quality watersheds, areas the State has identified as natural diversity inventory locations including the islands on the Susquehanna River. This mirrors the 1990 report so in the text there is information regarding any changes that may have occurred. The 1990 report did not have the 1990 census data available so at this point they have the 1990 and the 2000 census available and projections from the County for 2005, 2010, 2020 and 2030. Mr. Dell reviewed the maps for the Existing Land Use; Information on the Zoning; Map of Future Land Use taken from the LIMC report indicating growth boundary areas; and Service Area for the Various Township Parks.

Ms. Brubaker commented on changes that have occurred with the Fish and Game Commission regarding the boat launch sites and that blue ways are being inventoried and records kept at the national level and state level. Ms. Brubaker indicated that boat access points are a deficient along all the waterways in the Penn Manor School District. Ms. Brubaker stated she investigated the Frontier Village Park on Hershey Mill Road located between Hershey Mill Road and Mountville in a high-density area. Ms. Brubaker stated she toured the park and the family that owns the facility maintains a ball field and a climbing apparatus for children. Ms. Brubaker had questions on the Daniel's Community Park she passed on Charlestown Road as to who owns the park and will it be open to the community? Mr. Laudien stated it will be a church park but will be opened up to the community and will have a number of ball fields, soccer fields and an extensive playground that will be fully handicapped accessible.

Ms. Brubaker also expressed concern regarding the safety of the bike and walking paths put in by developers.

Mr. Rand asked Mr. Laudien if the bike paths are considered part of the builder's dedication or something the developer does on his own? Mr. Laudien stated it varies. In some instances land is dedicated to the Township for the development of facilities and in other cases those paths were put in above and beyond the developer's requirement. Mr. Rand asked if there are standards for the paths? Mr. Laudien stated there are standards for the facilities the Township owns and controls. There are standards for sidewalks, roadways, stormwater conveyance but it depends upon the nature of the path. There are high standards for the facilities that the Township controls.

Mr. Laudien stated he has about 12-15 people who indicated on the survey that they would be willing to conduct a phone interview if there are additional questions. The next process for the Board is to go through this document individually and come back together in a work session and work with any of the information regarding mapping or demographic information there is concerns with and go through as a group and find any changes or concerns and compile them and turn them back to Mr. Dell for any that need addressed, change or get further feedback. From that, they would take the survey information and decide what additional information and what additional questions they may want to ask of the remaining key person interviews and the phone interviews left to conduct. Mr. Laudien advised at this point they have a lot of raw data and need to evaluate what is good and bad data and what to do with it from this point forward.

Mr. Laudien stated he feels there needs to be a work session between now and the next scheduled meeting independent of Mr. Dell to go over the draft and the survey questions and come up with comments and questions. The date for the work session was set for Monday, October 22, 2007 at 7:00 p.m. Mr. Laudien advised the Supervisors also have a draft copy and he hopes to get feedback from them.

Ms. Brubaker stated with the high-density development taking place driving habits need to change to accommodate people interested in fitness. She recommends an educational program for driving in congested situations that are occurring. She suggested this could be accomplished through the newsletter. Ms. Brubaker stated she would also like to hear from Mr. Dell what he has begun to think about in terms of open space planning in particular with regard to byways that is a County process now in effect.

Mr. Rand had questions on scenic byways and asked what that would mean with regards to speed limits, etc. Ms. Brubaker stated it might not mean anything except on paper. It may make the Planning Commission or the Zoning Board question any changes they would be looking along the roads. Ms. Brubaker reviewed a brief history of Manor Township.

Ms. Brubaker stated there is a deficit and weakness of all waterways with regards to public lock access, deficit in riding and walking paths, and she would like the low grad and river hill hiking trail possibilities promoted.

Mr. Rand stated there would be a work session on Monday, October 22, 2007 at 7:00 p.m. There being no further business Mr. Miller made a motion to adjourn the meeting. Ms. Vinson seconded the motion and the motion carried unanimously.

Respectfully submitted,

Evelyn Rineer
Recording Secretary

Park and Recreation Meeting

November 26, 2007

7:30 PM

Chairman Edward Rand called to meeting to order at 7:30 PM in the Manor Township Municipal Office, 950 West Fairway Drive, Lancaster, PA. He led those in attendance in the pledge to the flag. Roll call was taken.

Members Present: Ed Rand, Elizabeth Leaman, Brandon Danz, Paul Miller and Karla Vinson.

Staff Present: Bill Laudien

Visitors Present: Steve Dell and L.Allen Kreider.

Minutes

Elizabeth Leaman made a motion to approve the minutes from the September meeting. Mr. Miller seconded the motion, which carried unanimously.

Business From the Floor

There was no business from the floor.

Old Business

Bill Laudien stated that he had passed the information from the Board on to Mr. Steve Dell from David Miller Associates, and Mr. Dell is here tonight with some feedback. He stated that he would like to see them utilize the existing map of Manor Township that they have been using and make a few additions. The map was missing the Letort School area and there would just be a few updates. Mr. Laudien stated they continue to receive a few surveys each week, but they are in line with what has already been reported. He also stated that the on site interviews have been completed.

Steve Dell, David Miller Associates, presented the Board with his Facility and Open Space Inventory and Analysis Report compiled from the information he had received. He stated that it includes facilities owned by the Township as well as facilities owned by the school district, various churches, private entities and other public organizations. It also included the recreation facilities that are near the Township boundary. He noted that the parks are in four categories: Regional, Community, Neighborhood and Linear and discussed the difference between each type. Mr. Dell discussed the process in which some developers have been giving money in lieu of parks. After some discussion, Mr. Laudien stated he sees a definite need for a park facility in the Letort Manor area. He noted it lacks having a community park to service the area. Mr. Dell noted that since there have been a few developers that have contributed fees in lieu of park ground, the Board could start to think about where they could start looking for an amount of ground to purchase for a park. Mr. Laudien stated that Parkfield Development and Eagle Heights Development have both given monies in lieu of parks. Mr. Dell provided a map showing the River Hills area and the Safe Harbor Dam Area defining areas as Lancaster County Conservancy Interest, Lancaster Farmland Trust Interest, PA Game Commission Interest and potential Conservation Target Lands. Also the existing Conservation Lands. Mr. Laudien stated he feels that the Letort Manor area is a priority but the river hills area are also very important and should be looked at. He feels there is a need to work with the PA Boat Commission and utilize areas along the Susquehanna River. Mr. Laudien stated that the boat launch that was recently installed along Washington Boro has been a good addition for recreation in Manor Township. Mr. Rand

noted that previously there was a boat landing along Slackwater Road, outside of Millersville and that would be a potential area to utilize again. Mr. Laudien stated that the PA Fish & Boat Commission had previously wanted to develop the area along Slackwater Road again if the Township would agree to maintain it, so that might be something the Board would want to pursue. The Board discussed where the location for new parks might be best suited for the public and if it should be small parks or one large community park facility. They discussed greenways and the parks in the northern part of Manor Township that are already connected by the greenways. Mr. Dell pointed out areas of land that might be available. The Board discussed existing schools and the amount of space available for activities. They discussed the Armstrong tract of land and noted that it is a good possibility in the future but it is not available at this time. After discussing all the areas, the Board agreed their goals would be to pursue land to have a larger park facility in the area around the developments of Eagle Heights and Parkfield and then a smaller park facility around the Letort area. They are also interested in pursuing the Slackwater Road access along the Little Conestoga Creek and any possible access to the Susquehanna River along the River Hills area.

Mr. Dell distributed the results and comments from the park survey that DM/V had conducted during the summer of 2007, which included the public participation and policy recommendations. He asked that the Board review this information and that Bill forward their comments on to him to prepare for the next meeting. The Board discussed some of the results listed from the survey and was surprised that the #1 interest is walking and hiking and #2 was an interest in having concerts at the parks.

Allen Kreider stated that he sees a need for a park in the Eagle Heights area because he has had complaints that kids have been playing in the wet lands and pulling out trees. Mr. Miller stated that this is the area that the Board just agreed on for a larger park facility.

Mr. Dell stated he would like to have the base map completed for their next meeting. After some discussion, the Board agreed to meet on Dec. 17, 2007, at 7:30 PM and then their regular meeting on January 4, 2008, at 7:30 PM.

Mr. Laudien noted a change for the Summer Playground Program for Manor Township for 2008, where it will only include the Manor Township Community Park and Greider Park. Due to such a small interest in the Millersville Park this year, they have agreed to discontinue having the program there for 2008.

There, being no further business, Mr. Miller made a motion to adjourn the meeting. Ms. Leaman seconded the motion, which carried unanimously. The meeting adjourned at 8:30 PM.

Respectfully submitted,

Brandon Danz, Secretary

Recording secretary
Rita J. Young