

Manor Township Supervisors Organizational Meeting

Tuesday, January 3, 2012

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. Chairman May led those in attendance in the Pledge of Allegiance to the Flag. Mr. May welcomed Brandon Clark to the Board.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Graeff and Evelyn Rineer
Visitors Present: See Attached List

Mr. May appointed Mr. Breneman as temporary Chairman to Chair the meeting for a portion of the elections.

Mr. Breneman opened for nominations for Chairman for 2012. Mr. Kreider nominated John May for Chairman. Mr. Clark seconded the nomination and the nomination passed with Mr. May abstaining. Mr. Breneman turned the meeting back to Mr. May.

Mr. Kreider moved Jay Breneman be reappointed Vice Chairman. Mr. May seconded the motion and the motion carried with Mr. Breneman abstaining.

Mr. Bauder made a motion to appoint Barry Smith as Secretary-Treasurer. Mr. May seconded the motion and the motion carried unanimously.

Mr. May made a motion to establish Treasurer's Bond in the amount of \$1,500,000. Mr. Bauder seconded the motion and the motion carried unanimously.

Supervisors Area of Responsibility - Mr. Breneman suggested the areas of responsibility remain the same. Mr. May stated the Planning & Zoning will be Richard Bauder and John May; Public Works would be Brandon Clark & Allen Kreider; Protection to Person & Property would be Jay Breneman & Brandon Clark; Fire & Emergency Services would be Jay Breneman & John May; Parks & Recreation would be Richard Bauder and Allen Kreider.

Appointments

Planning Commission 4 year term – Pamela Shellenberger is willing to be reappointed to the Planning Commission. Mr. Bauder made a motion to reappoint Ms. Shellenberger to the Planning Commission for a 4 year term. Mr. Breneman seconded the motion and the motion carried unanimously.

Zoning Hearing Board 3 year term; Resolution 1-2012 – Mr. Clark made a motion to adopt Resolution 1-2012 reappointing Barbara Douglas to a 3 year term on the Zoning Hearing Board. Mr. May seconded the motion and the motion carried unanimously.

Park and Recreation Board 5 year term – Mr. May made a motion to reappoint Elizabeth Leaman to the Park and Recreation Board for a 5 year term. Mr. Clark seconded the motion and the motion carried unanimously.

Solicitor – Mr. Breneman made a motion to appoint Goodman and Kenneff as Solicitor. Mr. Kreider seconded the motion and the motion carried unanimously.

Special Counsel – Mr. Kreider made a motion to appoint Matthew Crème as Special Counsel. Mr. May seconded the motion and the motion carried unanimously.

Labor and Personnel Counsel – Mr. May made a motion to reappoint Ballard Spahr as Labor and Personnel Counsel. Mr. Breneman seconded the motion and the motion carried unanimously.

General Engineer – Mr. May made a motion to appoint Rettew Associates as General Engineer. Mr. Clark seconded the motion and the motion carried unanimously.

Subdivision Land Development Engineer – Mr. May made a motion to reappoint Rettew Associates. Mr. Bauder seconded the motion and the motion carried unanimously.

Alternate Subdivision Land Development Engineer – Mr. May made a motion to reappoint Bucharth Horn as Alternate Engineer for the Township. Mr. Bauder seconded the motion and the motion carried unanimously.

Storm Water Engineer – Mr. May made a motion to appoint Rettew Associates as Storm Water Engineer. Mr. Kreider seconded the motion and the motion carried unanimously.

Alternate Storm Water Engineer – Mr. May made a motion to appoint Buchart Horn as alternate Storm Water Engineer. Mr. Breneman seconded the motion and the motion carried unanimously.

Traffic Engineer – Mr. Breneman made a motion to appoint Rettew Associates as Traffic Engineer. Mr. Clark seconded the motion and the motion carried unanimously.

Select Planning Engineer – Mr. Bauder made a motion to appoint Hanover Engineers as Planning Engineer. Mr. Kreider seconded the motion and the motion carried unanimously.

Vacancy Board – Mr. May made a motion to reappoint Donna Taylor to the Vacancy Board. Mr. Bauder seconded the motion and the motion carried unanimously.

Manager - Mr. Kreider made a motion to reappoint Barry Smith as Township Manager. Mr. Clark seconded the motion and the motion carried unanimously.

Assistant Manager – Mr. May made a motion to reappoint Mr. Strohecker as Assistant Manager. Mr. Bauder seconded the motion and the motion carried unanimously.

Public Works Director – Mr. May made a motion to reappoint Mr. Harris as Public Works Director. Mr. Kreider seconded the motion and the motion carried unanimously.

Assistant Public Works Director – Mr. Breneman made a motion to appoint Henry Hank as Assistant Public Works Director. Mr. May seconded the motion and the motion carried unanimously.

Zoning Officer - Mr. May made a motion to reappoint Bruce Ott as Zoning Officer. Mr. Kreider seconded the motion and the motion carried unanimously.

Assistant Zoning Officer - Mr. Kreider made a motion to reappoint Lauren Zumbrun from Rettew Associates as the Assistant Zoning Officer. Mr. Bauder seconded the motion and the motion carried unanimously.

Delegate to the State Convention – Mr. May made a motion to reappoint Allen Kreider as the Delegate to the Convention in Hershey. Mr. Clark seconded the motion and the motion carried with Mr. Kreider abstaining.

Auditor – Resolution 2-2012 – Mr. Kreider made a motion to adopt Resolution 2-2012 appointing Bertz & Hess as the Auditor. Mr. May seconded the motion and the motion carried unanimously. Mr. Smith advised there was appropriate advertisement for this Resolution.

Traffic Commission – Mr. May stated the Traffic Commission is composed of Mark Harris, Jay Breneman and Chief Todd Graeff. Mr. May made a motion to reappoint the Traffic Commission as it is composed now. Mr. Kreider seconded the motion and the motion carried with Mr. Breneman abstaining.

Mr. Kreider made a motion to adjourn the Organizational Meeting. Mr. Breneman seconded the motion and the meeting was adjourned.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Tuesday, January 3, 2012

Time: 7:30 P.M.

Chairman John May called the regularly scheduled Supervisors Meeting to Order.

Minutes – Mr. Kreider made a motion to approve the December 5, 2011 minutes as submitted. Mr. May seconded the motion and the motion carried unanimously.

Bills – Mr. Bauder made a motion to approve the bills as submitted. Mr. Clark seconded the motion and the motion carried unanimously.

Financial Report – Mr. Kreider made a motion to approve the Financial Report as submitted. Mr. Breneman seconded the motion and the motion passed unanimously.

Solicitors Report – Mr. Smith advised that Mr. Goodman is working on an amendment to the 1959 Agreement with Lancaster City to update the Industrial Waste Treatment Provisions required by DEP. Mr. Goodman is also working on finalizing a review of the Regional Emergency Management Coordinator Ordinance and the Intergovernmental Agreement that accompanies that Ordinance. Mr. Smith met with Special Counsel Crème regarding the Court Order relative to the tipping fee. Mr. Crème advised regarding the 2002 Consent Order in place and that the consequences of the Township's 2009 Intervention into the Deed Restriction Action filed by PALE are as follows; PA Rules of Civil Procedure, specifically Rule 2330(a) provides that interveners are now bound by the terms of the Order.

Business from the Floor

Dwight Yoder was present on behalf of Steve Eck who lives in Washington Boro. Mr. Yoder stated in May he was before the Board because at the back of Mr. Eck's property is a portion of an unopened street, Front Street, which has been there since Washington Boro was laid out in the 1800's. Mr. Yoder provided handouts with the proposed ordinance, map and pictures he felt would give the Board a better understanding of the area he was talking about. Mr. Yoder described the location of the Eck property. Mr. Yoder stated there is State Law that states if a street or alley was laid out and not opened within 21 years it automatically reverts back to the land owners. In this case, the Ecks bought the property in 1977 at which time Front Street was not open behind their property. Mr. Yoder stated that he understands it was never opened. Mr. Yoder pointed out that the area is grown up with trees and there has been no public maintenance. Mr. Yoder advised the Supervisors they would like to clean this up and he feels the easiest way would be for the Board to adopt an ordinance. Mr. Yoder advised he is not sure all the neighbors will join into a petition but legally it does not matter; the land has already reverted back to the Ecks. The problem is the Township's road map still shows this as a street. Mr. Yoder listed the two options that were available to resolve the situation. Mr. Yoder read an excerpt from the Ordinance. Mr. Yoder advised they are requesting it be removed from the Township map. Individuals are doing things over portions of the property and the Police do not want to get involved due to the fact the Township map indicates this area as a street. Mr. Yoder stated if the Township does not want to get involved, they will have to go for a Quiet Title Action. Mr. Yoder pointed out that alleys have been vacated in the past by the Township. Mr. Smith stated the Township had proposed to give a number of alleys back to property owners where both property owners agreed to it. There were portions of alleys that were not given back to property owners because both adjoiners did not agree. Mr. Smith asked if the proposal is for the portion behind Steve Eck or for all of Front Street. Mr. Smith questioned Mr. Harris if a portion called Market Street is open and maintained by the Township. Mr. Smith stated from an administrative point of view it would make more sense not to have the street than just a portion of it. There was a consensus they needed to take time to look at the alleys before they make a decision.

Bill Heidig, 1756 Columbia Avenue, stated that he wanted to open an antique shop on his property. Mr. May stated they were going to move an agenda item, General Commercial Zoning Report regarding Multiple Uses, and it would be discussed at this time. Mr. Smith advised he and Mr. Ott provided them with a General Commercial Zoning Report which covered all the General Commercial Zoning District. There was discussion as to how the section is interpreted. Mr. Smith advised what is before the Supervisors are whether they choose to make alterations to this section and if so Mr. Smith and Mr. Ott have laid out the issues. Mr. Smith pointed out that there are 100 properties in the General Commercial Zoning District. Mr. Bauder stated the Zoning Ordinance should encourage economic activity not discourage it. Mr. Smith stated they can work with Mr. Caldwell and come up with some options. Mr. Kreider feels an evaluation should be completed. Mr. Smith advised the Supervisors that they will also provide impacts that need to be considered such as parking and stormwater. Mr. Smith noted any time you add uses you add the potential for more people which means more vehicles which would be a major concern for any of the properties. Mr. May advised Mr. Heidig they would look at the situation.

Clair Becker, 18 Money Hill Road, asked if there was an update on public water for the properties on Money Hill Road and Dublin Drive and if there was a plan to view. Mr. Smith advised a plan has been submitted with the Road Opening Permit that is to a certain point and the plan is not laid out for internal development area. Mr. Becker was advised to contact Columbia Water to see if they had an overall plan to look at.

Old Business

There was no old business.

New Business

Resolution 3-2012 Meeting Dates – Mr. Kreider made a motion to adopt Resolution 3-2012 Meeting Dates. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 4-2012 Police Pension – Mr. Bauder made a motion to approve Resolution 4-2012 regarding the 5 percent salary payroll deduction for Uniform Employees. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 5-2012 Bank Depositories – Mr. Bauder made a motion to adopt Resolution 5-2012 regarding the depositories. Mr. May seconded the motion and the motion carried unanimously.

Resolution 6-2012 Sewage Enforcement establishing permit fees – Mr. Smith noted David Lockard has not made any increases to the fees from last year's proposal. Mr. May made a motion to adopt Resolution 6-2012. Mr. Bauder seconded the motion and the motion carried unanimously.

Resolution 7-2012 Manager's Salary – Mr. May advised this was being tabled ; there would be an Executive Session later in the evening for both litigation and personnel issues after which they would pick up Resolution 7-2012.

SALDO-Robert and Marita Charles Final Subdivision Plan, Briefing Item- Mr. Smith advised the Planning Commission advanced this item to an action item. The Supervisors have their recommendation from LCPC and Mr. Smith passed out a Clean Review Letter from Buchart Horn. Mr. Smith suggested this be moved to an action item. Mr. May made a motion that this be moved to an action item. Mr. Bauder seconded the motion and the motion carried unanimously. Mr. Bauder made a motion to approve the Final Land Development Plan and Modification request for Robert and Marita Charles based on meeting the requirements of Buchart Horn Review Letter dated January 3, 2012, specifically the waiver request for Section 403.3. Mr. Breneman seconded the motion and the motion carried unanimously.

West Charlotte Street Preliminary/Final Subdivision Plan – Mr. Smith advised the Supervisors that this is an action item. The Supervisors were provided with Rettew's review letter dated December 9, 2011

and the Staff concurs with Rettew's assessment regarding modifications and asks for conditional approval. Mr. May made a motion to approve the Final/Preliminary Subdivision Plan based on Rettew Review letter and conditions in the contents of Rettew's December 9, 2011 letter. Mr. Bauder had questions on Item 14. Mr. Kreider seconded the motion and the motion carried unanimously. Mr. Smith stated this is a Manor Township project but there is a small portion of curb and sidewalk that is within the boundary of Millersville Borough. The Borough is asking that the applicant go to Millersville and provide a land development plan for those two elements. Mr. Smith advised they do not believe the plan is necessary and the action tonight is appropriate. Mr. Gabriel informed Mr. Smith that the Rettew letter had light post placed 2' off the driveway and the Planning Commission had recommended that they be placed 5' off the driveway.

Crossgates Revised Phasing Schedule and Amendment to Developer's Agreement – Hartman Underhill & Brubaker has asked for an extension of the phasing schedule. Mr. Smith advised the Supervisors that the MPC requires a developer to provide a phasing plan when necessary, Crossgates Phasing Plan started sometime in the 80's. The conditions have changed and the Planning Staff has no problems with the proposed phasing schedule they are requesting. Mr. Smith would like the second issue to be deferred until Staff and Mr. Goodman have more time to address the amendment to the Developer's Agreement that pertains to sewer. Mr. Bauder asked if this was under the County or the Township's Subdivision Ordinance and Mr. Smith advised Mr. Bauder it is under the Township's Ordinance. There were questions on Paragraph 6. Mr. Bauder made a motion to accept the phasing agreement as presented. Mr. Clark seconded the motion and the motion carried unanimously. Mr. May made a motion to table the amendment as drafted and presented until reviewed by Staff and Counsel. Mr. Kreider seconded the motion and the motion carried unanimously.

Tax Collector Letter of Resignation and Appointment of Lancaster County to Collect Municipal Taxes – Mr. Smith stated they were provided with a Certification from the Elections Bureau at the County that Elizabeth Bauder was elected to the position of Tax Collector on a write in basis. She has resigned from that position and Mr. Smith suggested that they formally recognize and accept the resignation and formally acknowledge and appoint Lancaster County as the Township Tax Collector in lieu of the resignation. Mr. May made a motion they accept with regret Mrs. Bauder's resignation as Manor Township's Tax Collector and they appoint the Lancaster County Tax Collection Bureau in her place. Mr. Clark seconded the motion and the motion carried unanimously.

Manor Township Planning Commission Annual Report – Mr. May acknowledged receipt of the report. Mr. Breneman thanked the Planning Commission for all of their work in the year 2011.

Country Manor Fee in Lieu of Land – Mr. Smith advised the contribution is based on the Ordinance. The contribution has been presented to the Township and they have accepted it. It is now in the Township "For Revenue Account". Mr. May stated they all agree it has been acknowledged and received.

Approve Purchase of 2012 Pickup Truck – Mr. Smith stated he had asked before for permission because they were made aware they could place the order for this pickup in December. Mr. Breneman made a motion to approve the purchase of 2012 pickup truck. Mr. May seconded the motion and the motion carried unanimously.

Request to consider Traffic Signal at Route 999 and Ironstone Ridge Road – Ms. Hodson has mentioned to Mr. Smith it is her desire to see a signalized intersection. It is a State and Township Road and the State has jurisdiction over the permitting of traffic signals; however, once applied, for the Township has the sole obligation for the cost of installing and ongoing maintenance. There were questions on the number of accidents at the intersection. Mr. Smith advised the Supervisors if they believed something should be done at the intersection, they are willing to propose some other alternatives as opposed to signalization. There was discussion regarding the alternatives to

signalization. Mr. May made a motion to refer this to the Traffic Commission for further review and study. Mr. Clark seconded the motion and the motion carried unanimously.

Correspondence

PSATS Annual Educational Conference – Mr. Smith noted this was the Annual Education Conference at PSATS and he recommended they authorize their attendance as well as appropriate Staff.

PSATS Newly Elected Officials – Mr. Clark expressed interest in attending the seminar and Mr. Smith suggest he be approved to attend. Mr. Smith pointed out these courses is also a good refresher.

APMM Winter Workshop – Mr. Smith stated this is regarding managing the volunteer fire departments including Legislative Updates, Volunteer Firefighting Workers' Compensation Risk Management and Working Towards Best Practices. Mr. Smith advised this is a Workshop for himself and Mr. Strohecker to attend. Mr. May made a motion for all three items that all of the Supervisors and any appropriate Staff should be authorized to attend the PSATS Annual Educational Conference that Brandon Clark and any other Township Officials should be enabled to attend the February 4 or 11 session for Newly Elected Officials in Lancaster County and that Barry Smith and appropriate Staff be authorized to attend the Winter Workshop. Mr. Breneman questioned if it would be appropriate for Duane Hagelgans to attend the Workshop. Mr. Smith stated that they will bring back the information. Mr. Kreider seconded the motion and the motion carried unanimously.

Traffic Commission

There was no Traffic Commission Meeting in December.

Police Report

Chief Graeff stated the Police Report stands as submitted and highlighted statistics in the report.

Public Works Director Report

Mr. Harris noted the preemption at Columbia Avenue and Donnerville Road has been completed and inspected by PennDot. The Fire Services can be advised that preemption has been completed. There will be a letter sent to the Fire Services informing them the preemption is completed. Mr. Harris advised the upgrade of signs is going well and that they have brought up to standards 150 of the 232 roads in the Township. They are approximately 65 percent of the way through the process. Mr. Harris highlighted several other items on his report.

Managers Report

Mr. Smith advised that he and Chief Graeff have gone through an interview process with three candidates for the part time position in the Secretarial Staff. Mr. Smith would like authorization to hire for that part time position if they are able to do that prior to the next meeting. Mr. May made a motion that Mr. Smith and Chief Graeff be able to fill the part time position between now and the February meeting if the opportunity arises. Mr. Bauder seconded the motion and the motion carried unanimously. Mr. Breneman asked about the status of the Letort/Perth Hills sewer regarding the six property owners who are not connected. Mr. Smith advised the number is dwindling but there are still several who have not complied with the connection.

Mr. May stated that they would have an Executive Session after the Building Permit Report.

Building Permit Report

Mr. Kreider reported the number of permits issued in December 2011 was 14 compared to 33 last year, number of permits year to date 301 compared to 292 last year, dollar value of permits issued

December 2011 \$645,345 compared to \$14,643,813 last year and dollar value of permits issued year to date in 2010 was \$38,586,577.

Mr. May stated that the Supervisors were recessing into an Executive Session to discuss a possible litigation matter and a personnel matter. The Supervisors returned from the Executive Session at 9:25 pm. Mr. Bauder made a motion regarding the EPA action to pay \$40,986 and authorize the Manager to Executive the Agreement. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Breneman made a motion to pay the settlement out of the Capital Fund. Mr. Bauder seconded the motion and the motion carried unanimously.

Mr. May stated on the Executive Session regarding personnel, Mr. May advised Mr. Smith that pertaining to the salary review and setting a salary, the Supervisors will be doing an evaluation with Mr. Smith after which they will take the appropriate action.

There being no further business, Mr. Breneman moved to adjourn the meeting. The meeting was adjourned at 9:30 pm.

Respectfully Submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, February 6, 2012

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. Chairman May led those in attendance in the Pledge of Allegiance to the Flag. Chairman May announced that the Supervisors had an Executive Committee Meeting the evening of Wednesday, February 1, at 7:30 p.m. to talk about personnel matters.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark

Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Graeff and Evelyn Rineer

Visitors Present: See Attached List

Minutes – Mr. Breneman made a motion to approve the minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously.

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

Financial Report – Mr. Bauder made a motion to approve the Financial Report. Mr. Kreider seconded the motion and the motion carried unanimously.

Solicitor's Report – There was no Solicitor's Report.

Retirement of Gary Strock – Mr. May advised those in attendance that Gary Strock is retiring after more than 25 years of service to the community. Mr. Breneman made a motion to accept Mr. Strock's letter of retirement. Mr. Kreider seconded the motion and the motion carried unanimously.

Mr. May read Resolution #7-2012 and presented the Resolution from the Board of Supervisors which congratulates and recognizes Gary Strock for his exceptional community services as Corporal of Community Policing and in the Patrol Division for the Manor Township Police Department and to the citizens of Manor Township. The Board of Supervisors also acknowledges and congratulates Corporal Strock for his dedication, loyalty, accomplishments and service for over 25 years. Senator Smucker stated that he enjoyed on behalf of the Senate recognizing individuals who have contributed to the well being of their community. Senator Smucker stated that tonight he is pleased to present a Citation on behalf of the entire Senate to Corporal Strock. Senator Smucker read two paragraphs from the Senate Citation and presented Mr. Strock with the Citation. Mary Glazier 269 Chestnut Grove Road stated it has been her pleasure to work with Corporal Strock on the Manor Youth Aide Panel. Ms. Glazier stated Mr. Strock has been the liaison Officer from the Police Department on the Youth Aide Panel and has done a fantastic job.

Mr. Kreider made a motion to adopt Resolution 7-2012. Mr. Clark seconded the motion and the motion carried unanimously.

Business from the Floor

Bill Heidig, 1756 Columbia Avenue, was present for an update on his request to put an additional business on his property. Mr. Heidig was advised there is an agenda item that pertained to his request.

Oscar Restrepo, 133 Oakridge Drive, owns a dance and fitness school at this location. He has a neighbor who has called the Police regarding the sound from his business. Mr. Restrepo was questioning what could be done for his business with regards to the Noise Ordinance. He provided a copy of the layout of the location of his business to the apartment of the individual making complaints. His business hours are 1:00 pm to 10:00 pm, Monday through Friday with the class that the individual makes complaints about being held 7 -8 pm on Monday, Wednesday and Fridays. Mr. May advised Mr. Restrepo that they would look into the situation.

Old Business

Rail to Trail Update – Mr. May advised those present that the subdivision plans will be formally presented to the Manor Township Planning Commission and LCPC. Mr. May stated at a previous meeting the Board discussed with summary disposition the equine part of the trail and decided to table for the time being the equine portion of the trail. There was a consensus at that time that they keep an open mind with respect to having an equine portion to the trail. Scott Haverstick, Chair of the Rail Trail Committee, reviewed the process over the last two years and advised the Board

that they are at the point of making engineering decisions. Mr. Haverstick pointed out the preliminary budget included an equine portion for the trail and the Supervisors decided several months ago due to cost involved they did not want to consider it. It is the consensus of the Steering Committee to ask that the decision be reversed and allow them to continue to develop the trail with the inclusion of a horse component. There will not be an additional affect on the cost beyond what they had already projected originally and for which grant funds have been made available. Mr. May strongly endorses reversing their decision regarding the equine portion of the trail and having the input from the Steering Committee. Mr. Bauder talked about the cost estimates from Rettew Associates regarding the build out of the trail as well as the amounts the Township will receive from LCSWMA, Norfolk Southern and DC&R indicating that they are against the limit. Mr. Bauder would be reluctant to take money from the General Fund for this use. There was discussion as to whether the equine cost was included in the original estimate from Rettew Associates. Mr. Bauder advised them that he would confirm with Mr. Caldwell as to whether the equine portion was included in the estimate. Mr. Breneman would like to know what the equine portion of the trail would cost. Mary Glazier, Chestnut Grove Road, stated she is also on the Task Force for the Rail Trail. Ms. Glazier indicated at the last meeting with Mr. Caldwell they discussed the figure provided to the Supervisors. Mr. Caldwell stated the figures were based on a Cadillac version of the horse trail and Ms. Glazier advised them that they do not need that type of trail which would lower the amount needed for the equine portion of the trail. Ms. Glazier stated the steps the Supervisors took in their vote precludes them from looking at a multi use trail which has been the plan for years before the Task Force has been involved. Ms. Glazier listed her reasons the trail would be good for horses stating if there is a budget problem, and then look at the whole trail concerning cost. Ms. Glazier stated she has a road to ride her bike on but does not feel it is appropriate to take her horse onto the road in traffic. This would give herself and other equestrians an opportunity to ride in a safe place. Ms. Glazier asked that they make accommodations in the budget to stay within the resources that have been granted to support it. Ms. Glazier pointed out Mr. Caldwell assumed what the equestrian use required is comparable to what the bicycle use required. Ms. Glazier advised the Board that at this time with a minimal amount of work you could walk, mountain bike ride and horseback ride on the trail. Mr. Kreider stated he feels they should not cut out the equine portion. With this kind of project that people support and really want they could offer some help on providing support. David Hill, 3106 River Road, stated that he is an avid cyclist, horseback rider, and walker and would use the trail for all three activities. Mr. Hill talked about the Mount Gretna trail stating the trail works and is not a Cadillac trail. Pat Hill, 3106 River Road, stated they are members of the Pennsylvania Equine Council which is the Statewide Organization that tries to work with various rail trail, trail organizations and legislatures to try to maintain open space for horse use. Every year they have a workshop on trail stewardship and individuals involved are very active in maintaining, helping out, and seeking funds for trails that are multi use trails. There are ways that people using the trail can help lower the cost that may be associated with maintaining it. Mr. May expressed interest in the next meeting of the Pennsylvania Equine Council. Mr. May made a motion to retract the action taken several meetings ago precluding just the equine portion of this trail and let the Steering Committee do their job with full use in mind and see what they come up with. If compromises need to be made, we can look at them at that time. Mr. Breneman seconded the motion. Mr. Bauder advised he wants the Steering Committee to have good numbers when looking at the equine use for the trail. The motion carried unanimously.

General Commercial Zone Recommendations - Mr. Smith gave a brief history stating at the January Supervisors Meeting there were a number of items they wanted to address. One item was Mr. Smith's comment there are approximately 100 properties in General Commercial Zoning District which is true. The Board wanted Staff to do some evaluation and analysis. After Mr. Smith and Mr. Ott talked, they brought Rettew into their process explaining the dilemma for the Heidigs based on the existing Ordinance. Mr. Gabriel from Rettew Associates provided an evaluation which was given to the Supervisors. Mr. Smith referred to the second page of the evaluation informing the Supervisors they need to direct Staff where they want them to go in regards to the next steps. Mr. May stated after reading the evaluation he thought it is a possible betterment they can make that would not have too much impact. It is also in line with the Growing Together Comprehensive Plan about having higher density on less land. Mr. Bauder agreed with Mr. May stating if the other requirements can be met whether there is multiple uses on the property are not important. Mr. Kreider felt that whether it is new construction or an existing building should enter into it. Mr. Kreider questioned Bullet #1 and Mr. Gabriel from Rettew Associates advised them that it is to address the current language in Section 308 which talks about the multiple principal uses requiring additional land for every additional use you put in an existing or new building and that first bullet would not require that for any nonresidential zoning district. It was decided that Bullet #1 is needed and then the choice of Bullet #2 or #3. Mr. Gabriel added that another clarification that may be

helpful is the language seems to talk about new construction but does not specifically say that. There are many provisions in the Ordinance that have to deal with parking and landscape screening and setbacks that might also be considered to apply when another use is added to an existing property. If that is not how this Board wants to apply those rules, Mr. Gabriel suggest in the process of this amending procedure to also make it clear that the regulations are only intended to apply when there is new construction. Mr. May feels new construction should also be allowed multiple uses if they comply with all the requirements. Mr. Smith advised them that they will prepare a document for the Supervisors to look at. Mr. Smith advised the Board that this evening it is intended the Supervisors will adopt a new Zoning Ordinance then they are preparing an amendment to that Ordinance that will include the above changes.

New Business

Petition to Rezone Two Parcels-Penn Manor School District – The process this evening is to accept the petition if they desire to and forward it to the Manor Township Planning Commission and LCPC for their review and comment. Mr. Kreider made a motion to refer this to the Manor Township Planning Commission and the LCPC. Mr. Bauder seconded the motion and the motion carried unanimously.

LCSWMA request for interpretation of definitions of Raw Waste and Non Raw Waste – Mr. Smith stated in a previous meeting there was discussion about the current tipping fee arrangement and whether there was an opportunity for renegotiations of that fee and Mr. Smith was asked to meet with Jim Warner. There were other conversations regarding additional funding for Manor Township. Mr. Smith gave an interpretation from Matt Crème at the last meeting regarding the consent order. An additional funding opportunity that they are aware of from Mr. Warner is the possibility of the Authority purchasing the Harrisburg Facility. One of the issues is whether Manor Township would permit construction demolition to be brought into Lancaster County to the Frey Farm Landfill. In looking at the 1985 Zoning Decision, one of the first conditions speaks to issue of raw waste. The Township position is raw waste means garbage not residual waste. Mr. Warner is asking for a declaration as to what raw waste is and what is non raw waste that is applicable to the Authority as they determine the feasibility of purchasing the Harrisburg Incinerator. It is noted in Mr. Warner's November 30, 2011 correspondence an approximate number of tons that can be expected from construction demolition being delivered to Frey Farm and LCSWMA's willingness to add additional host fee for that. Mr. Kreider expressed concern with recycling numbers in Manor Township. Mr. Kreider listed materials that could be recycled and asked Mr. Warner how they can improve their recycling and not allow construction debris to end up in the landfill. Mr. Warner, CEO for the LCSWMA, wanted to clarify that this question is about additional construction demolition waste that would come from customers operating in Dauphin County and delivering to the Harrisburg Facility. They would then transfer that waste from the Harrisburg Facility to the Frey Farm Landfill. They do not have any jurisdiction over the waste management behavior of a contractor on the site in Dauphin County. Mr. Warner advised the Board if they get this additional responsibility to act as the disposal agent on behalf of Dauphin County, their services and area of responsibility will begin when the truck carrying the C&D comes to their site. In Lancaster County, LCSWMA has recycling education and do work at times with contractors and service providers to educate them as to what materials in C&D can be recycled and not be brought to the landfill. The biggest incentive a contractor has is if they can separate the material and get paid for it; then they will not have to pay LCSWMA to dispose of it. Mr. Warner advised the Board their landfill receives probably only 10% of the drywall that they use to 15 years ago, because Lancaster County has two drywall businesses and all that material now gets recycled. The incentive to recycle is with the person generating it not the agency at the end of the pipeline. Mr. Warner stated they would like to internalize the waste rather than take those tons and have to pay elsewhere. They feel they can take money and put it to use in Manor Township specifically proposing to spend a million dollars which would be the first year of revenue they would get from construction demolition and use that to fund development of the old Barley Tract into the future Chestnut Grove Nature Area. Then they propose an extra \$3.00 a ton direct to the Township on a month to month basis as they receive the material. Mr. Smith advised it was commonplace at a work site to have one dumpster and as the building was torn down everything went in it. During the recent construction at the Central Manor Elementary School, the contractor had multiple dumpsters marked for separation of the demolition materials. Mr. Smith stated contractors will remove the valuable materials rather than sending it all to the landfill. Mr. Kreider stated there use to be a Recycling Committee in the Township; however, the Park & Recreation Board is sometimes looking for something to do and he recommends possibility giving that responsibility to them. There was some discussion on the \$3.00 a ton and whether it could be increased. Mr. Smith stated on items like this he was delegated to handle the negotiations and that may be the appropriate thing to do rather than have negotiations at a public meeting. Mr. May agreed and stated he and Mr.

Bauder would like to participate in a meeting dealing with negotiations regarding the host fee. Mr. May made a motion to define raw waste for purposes of their Ordinance that raw waste is household and commercial garbage, refuse, and other similar waste that is organic in composition other than lumber as further clarified by DEP in their definition. Mr. Breneman seconded the motion and the motion carried unanimously.

Scott Haverstick, 1970 Water Street, asked if this affects the potential purchase of the incinerator in Harrisburg or is this in general from this point going forward. Mr. May advised him that this is going forward for all purposes.

Jim Quinn, 33 Dublin Drive, questioned if Manor Township allows outside municipalities to dump in Manor Township. Mr. Smith stated if there is material coming from outside the geographic boundary of Lancaster County it is not raw waste or garbage. They have the ability to bring in certain residual waste such as foundry sand as needed. Mr. Quinn expressed concerns with filling up the landfill with outside material.

Robert McLane, 206 Manor Avenue, stated that he feels separation of construction material should be mandated.

SALDO

Chesapeake Crab Connection Final Land Development Plan & Modification Requests - This plan has been before the Supervisors several times and through the Township Planning Commission. This is an action item to consider for conditional approval. The Township Planning Commission recommendation and Rettew Review letter of January 6 has been provided for consideration. Mr. Bauder made a motion to approve the final land development plan and modification requests for Chesapeake Crab Connection on the condition that the applicant meet the requirements of the January 6, 2012 Rettew Letter. Mr. Clark seconded the motion and the motion carried unanimously. Mr. Smith pointed out the motion does not affect granting each one of those modifications that have been requested.

Ordinance adopting the Manor Township Zoning Ordinance 2011 – Mr. Smith advised the Board that they are officially opening up for the public hearing of what is known as Ordinance #1-2012. That is distinguished in the title of the Ordinance. This is the Manor Township Ordinance 2011. The Ordinance has been properly prepared, properly advertised and going through the appropriate MPC progression to have it tonight. The hearing was open for public comment. Robert McLane, 206 Manor Avenue, pointed out there is a lot of land not included in this Ordinance that should be. Mr. Bauder made a motion to adopt Ordinance 1-2012. Mr. May seconded the motion and the motion carried unanimously.

Ordinance creating Regional Emergency Management Agency - Mr. Smith advised this Ordinance has been properly prepared and advertised. This creates the Regional Emergency management Agency between Millersville Borough and Manor Township. It also allows them to have the joint Emergency Management Coordinator. This Ordinance allows the Supervisors to enter into the Intergovernmental Cooperative Agreement with Millersville Borough. Mr. Breneman made a motion to adopt Ordinance #2-2012 which authorizes Manor Township and the Borough of Millersville to establish a Regional Emergency Management Agency. Mr. Kreider seconded the motion and the motion carried unanimously.

Intergovernmental Cooperative Agreement between Millersville Borough and Manor Township for Regional Emergency Management Agency - Mr. Breneman had a question on No. 5 asking if this establishes the percentages. Mr. Smith stated this takes into account what is already in place with Millersville Borough on the Fire District. Mr. Breneman verified what they are saying is that the financing will come through the budget for the BFRF District. Mr. Clark made a motion to approve the Intergovernmental Cooperation Agreement. Mr. Kreider seconded the motion and the motion carried unanimously.

Added Agenda Item - Mr. Breneman advised the Board with the funding for the BFRF that the Commission has been in discussion with Mr. Strohecker regarding the Capital Account. There have been discussions as to when and how the funds go into the Capital Account. Mr. Strohecker stated there has been disagreement on how to fund the BFRF District and tonight they are asking which direction to go. Mr. Smith stated the funding talked about is for the Capital Fund only not the operation agreement. Mr. Smith stated he believes the Township will recognize and provide the Capital Funds when a purchase is made. Millersville Borough is the opposite; they are putting their Capital in on an annual basis. Mr. Strohecker described the three areas of funding and the language in the Agreement. Mr. Strohecker stated the Operational Funds are turned over on a quarterly basis. Millersville Borough is also turning over the quarterly payment for the Capital needs for the radios for this year. Mr. Strohecker stated they have taken the position when they are ready to make the purchase, the Township will turn the money over to them. Regarding the long term planning, Millersville Borough is willing to turn those monies over on a quarterly basis and Manor has taken the position they would like to keep those monies in their coffers until they are budgeted for in whatever year they are needed.

Mr. Smith gave the background on the process they went through regarding the funding and stated there is now disagreement with the position he and Mr. Strohecker has taken administratively. The Commission is asking this Board to make a decision. Mr. Bauder verified the difference is the money is turned over quarterly or released when there is a purchase. Scott Haverstick, 1970 Water Street, stated he was part of the Merger Commission and it was designed to take care of these situations. Mr. Haverstick feels there is mistrust. The Supervisors ceded this power to a Board, you trusted that Board, you have representation on that Board and Mr. Haverstick stated that he sees no reason the Board should not have access to the funds. After discussion on the Supervisors different opinions regarding the handling of the capital fund, Mr. Bauder made a motion to adopt the plan proposed by Mr. Strohecker and Mr. Smith to keep the Capital Fund in the Township but segregated. Mr. Kreider seconded the motion and the motion carried 3 to 2 with Mr. Breneman and Mr. May opposed.

Ordinance adopting Rules and Regulations of City of Lancaster Sewer Standards - Mr. Smith advised this is Ordinance 3-2012 and is a requirement. Mr. Bauder made a motion to adopt Ordinance 3-2012. Mr. May seconded the motion and the motion carried unanimously.

Zoning Discussion regarding Wal-Mart Realty Company and Adjoining Lots – Mr. May stated that the Board had asked the Planning Commission for input as to what to do with the zoning in that area. The Planning Commission provided their comments and requested they be allowed to consider a broader swath of land than just the Wal-Mart Tract and adjoining lots. Mr. Breneman questioned if there has been any input on the Planning Commissions concern regarding legal aspect of changing the zoning. Mr. Smith pointed out that the zoning lies with the governing body. Mr. Smith advised them that there would be an open process of discussion which has already been started with the Planning Commission. Mr. Smith stated he does not believe they would be in a position for a legal challenge. Mr. May pointed out that someone could challenge them and there are no guarantees. Ted Gingrich, 110 Bent Tree Drive asked if the plans were to rezone the tracts to residential. Mr. Gingrich was advised there is no specific recommendation at this time. Mr. May stated that he believes they need a more defined area the Planning Commission would like to look at. Robert McLane, Millersville, would like the area talked about to be put back to agriculture zoning. There was a consensus to have the Planning Commission look at the quadron with in Millersville Road, Charlestown Road, Donerville Road and Columbia Avenue. Mr. May advised them that no engineers would be involved at this time. Mr. Smith asked for the flexibility to work within the budget if they need to consult with an engineer.

Act 67, 68 Notification Cosentino Project - Mr. Smith advised this is information only and no action is needed.

Amend Uniform MMO – Mr. Strohecker advised the Board that there was a change made as required by the State that adjusted it slightly but it is a simple amendment. Mr. Bauder made a motion to approve the MMO for the Uniform Pension Plan as shown on Attachment “M”. Mr. Breneman seconded the motion and the motion carried unanimously.

Approve the Purchase of New Vehicles - Mr. Breneman made a motion to authorize the purchase of the two vehicles listed in Chief Graeff’s letter dated January 27th. Mr. Clark seconded the motion and the motion carried unanimously.

Approve Advertisement for New Roof on Maintenance Building – Mr. Smith advised the Board that this is a budgeted item but would like approval to begin the advertising process. Mr. May made a motion to proceed with the advertisement and get bids. Mr. Clark seconded the motion. Mr. Kreider asked if this includes the spouting. Mr. Harris advised the Board that the spouting will be an addendum to the bid.

Added Agenda Items - Deb Jones was hired as the police secretary effective January 30, 2012. Approval was given through an e-mail process. Mr. Breneman made a motion to approve the hiring of the police secretary. Mr. Kreider seconded the motion and the motion carried unanimously.

Rehiring of Clay Smoker – Mr. Smith advised the Board that they had to make sure they had an employee agreement meeting all the stipulations from the various codes and that was completed by e-mail so Chief Graeff, Mr. Strohecker and Mr. Smith were able to get all the necessary documents. Mr. Smoker has accepted to be rehired. Mr. Kreider made a motion to rehire Mr. Smoker effective February 13. Mr. May seconded the motion and the motion carried unanimously.

Correspondence

PELRAS – Mr. Smith advised the Board that he was requesting permission for both himself and Mr. Strohecker to attend the annual PELRAS Conference that is the Labor and Management Conference. Mr. Bauder made a motion for them to attend the PELRAS Conference. Mr. Clark seconded the motion and the motion carried unanimously.

Traffic Commission

Chief Graeff advised the Traffic Commission met on January 25th with all members present. Under old business there was a request for No Parking signs between Langley Square and Pine Bridge Lane that was granted. There was a request for a four way stop at the intersection of Manor Ridge Drive and Hawthorn Drive that was denied and a request for additional stop signs at the intersection of Fieldgate Drive and Farmstead Drive that was denied.

Chief Graeff advised that the Supervisors had asked them to study the intersection of Ironstone Ridge Road and Blue Rock Road. After an onsite visit, they recommend that some hemlock trees be removed, establish a white side line and stop bar at the intersection. The trees recommended for removal are not in the right-of-way. Mr. Harris has sent a letter to the property owner and is waiting for a response.

Police Report

Chief Graeff stated the Police Report stands as submitted and then highlighted some of the statistics in the report.

Public Works Department

Mr. Harris reported that with the lack of snow they have been able to address numerous maintenance projects. They have spent time on the rail trail mowing brush with the goal of mowing the brush back to where the fence can be erected.

Managers Report

Mr. Smith advised the Board that he has nothing to highlight in his report but will answer any questions.

Building Permit Report

Mr. Kreider reported the number of permits issued in January 2012 is 20 compared to 7 last year, number of permits year to date is 20 compared to 7 last years, and dollar value of permits issued in January 2012 is \$1,724,422 compared to \$3,256,964 last year.

There being no further business, Mr. May made a motion to adjourn. Mr. Kreider seconded the motion. The meeting was adjourned at 9:50 pm.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, March 5, 2012

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. Chairman May led those in attendance in the Pledge of Allegiance to the Flag. Chairman May announced the Supervisors had an Executive Session on February 15 to discuss a personnel matter.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Graeff and Evelyn Rineer
Visitors Present: See Attached List.

Minutes - Mr. Kreider made a motion to approve the minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously.

Bills – Mr. Bauder made a motion to approve the bills as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Financial Report – Mr. Kreider made a motion to approve the Financial Report. Mr. Bauder seconded the motion and the motion carried unanimously.

Solicitor’s Report – There was no Solicitor’s Report.

Business from the Floor

David Hunt, 704 Stehman Church Road, stated 3 ½ years ago he lost his dog and made a report to the Police Department. A friend of Mr. Hunt told him he found the dog but did not want to supply the individual’s name or address. Mr. Hunt stated he advised the police that the dog was located and after an investigation they allowed the dog to remain where it was. Mr. Hunt expressed his dissatisfaction with the results of the Police investigation. After discussion, Mr. Hunt was advised that in the Supervisors’ opinion this is a civil matter and Mr. Hunt was advised to hire an Attorney.

John Budesheim, 10 Front Street, requested a sign be placed at Route 441 and Willow Alley advising that Willow Alley is a dead end alley. Mr. Budesheim stated that vehicles continually turn onto Willow Alley and then turn around in his driveway when they realize there is no outlet. After discussion, Mr. May made a motion to place the appropriate signage at Route 441 and Willow Alley. Mr. Breneman seconded the motion and the motion carried unanimously.

Old Business

Rail to Trail Update – Mr. Smith stated everything has been submitted and is in process with the various review agencies for subdivision. Mr. May stated he and Mr. Caldwell attended the Conestoga Township Planning Commission regarding the rail trail section that is in Conestoga Township which went well. The plan is before the LCPC for the Manor Township section of the trail.

General Commercial Zone Multiple uses Recommendation - Mr. May asked if Mr. Goodman has been involved in this revision and Mr. Smith advised him that up to this point Mr. Goodman was not involved. Mr. Smith advised he and Mr. Ott have met with Steve Gabriel several times and this Zoning Ordinance amendment would allow Mr. Heidig to do what he would like to do. Mr. Smith cautioned the Supervisors that with this amendment parking is not addressed. Mr. Kreider questioned if this amendment would have any negative effect on other properties along Columbia Avenue. Mr. Smith advised he does not believe this would adversely affect any other business. Mr. Smith stated there could be issues for the Police Department if multiple uses would be placed in a building that does not have sufficient parking for the uses and vehicles would park on the shoulder of the road blocking driveways, etc. There was general discussion regarding the parking issue. Mr. Smith advised the Supervisors that there is another issue that Staff would like the Supervisors to consider as part of this amendment. Dave Charles and Joe Nadu approached Staff regarding a use on the Industrial tract on Charlestown Road. They would like to have an office for the building business and excavation equipment associated with the building business. Mr. Goodman, Mr. Ott and Mr. Smith looked at the Ordinance and the existing Industrial Zone does not allow for this type of use. Mr. Goodman and Staff believe this is an appropriate location for this type of business. Mr. Smith advised what he passed out is that “M” would be added to the Industrial District. It is felt that it would be prudent to amend the Industrial Zone to allow “Item M” listed on the sheet that was passed out, while doing the General Commercial Zoning District. For the Industrial Zoning District, a special exception is

still required for an excavation sales/repair business but it would be a permitted use for what is written. Mr. Bauder made a motion to take action on the Steve Gabriel letter and the proposed Zoning Ordinance Amendment for the Industrial Zone. Mr. Clark seconded the motion and the motion carried unanimously.

Authorize Advertisement for Amending the Zoning Ordinance for Penn Manor School District Properties – Mr. May advised they have the recommendation from the Planning Commission and sees no reason why they should not proceed to advertise. Mr. Smith advised them that the petition and Ordinance has been sent to LUAB also. Mr. Breneman made a motion to authorize Staff to advertise the Amendment for the Zoning Ordinance. Mr. May seconded the motion. Mr. Kreider stated he is disappointed that the school did not check the zoning before they purchased the property. The motion carried unanimously.

Cosentino Final Subdivision Plan and Modification Requests Briefing Item - Gene Oldham advised he was present on behalf of Dr. Cosentino who owns two tracts of land bordered by Oak Road consisting of approximately 23 acres. The proposal is to take the 23 acres and ultimately have four lots. Mr. Oldham advised there would be three road frontage lots leaving the rear portion as a flag lot. Lot 3 and 4 would share a driveway and Lot 2 and 3 would share a drive. They are maintaining as many trees as possible so they are providing for stormwater on each lot rather than one large basin. They met with Township Staff and the Public Works Director and have agreed to lay the bank back to create more of a roadside shoulder to allow for a nicer shoulder to convey the water to the existing pipe. They have agreed to convey the existing stream channel directly to the existing pipe that goes under the road. There is on lot water and septic. The Planning Module has been reviewed by the Planning Commission and is at the LCPC. Mr. Oldham stated since the plan has been submitted, they have made a resubmission that is being reviewed by Jim Caldwell; it is a second review which will take care of many of the comments made in the first review letter. Mr. Oldham advised them that they have withdrawn Item "D" that is Section 502.7 Right- of-Way Width and creating additional right-of-way along the road.

Request to Amend the Crossgates Developers Agreement - Mr. May stated that he feels this request should be referred to the Manager and Solicitor to look at. Mr. May indicated there may be things that need to be added or taken out as they are proposing to extend this for a long period of time. Mr. Bauder stated that he would like to see the agreement simplified. Mr. Smith stated this is a unique agreement. Mr. Smith explained that the 20 years was based on the phasing plan that Murry had originally submitted. At the last meeting, there was agreement on a new phasing schedule. Mr. May made a motion to refer this request to Management and Solicitor for review and comment. Mr. Breneman seconded the motion.

Esten Leinster, 100 Creekgate Court, asked if the agreement was extended for 20 years would that obligate the residents to continue to pay the present \$20 payment they make over and above the sewer payment.

Richard Moxley, 115 Foxgate Court, talked about the payment they make. Mr. Moxley referred to the planning process in 1993 and believes that will support the continuing conversation they have had regarding the extension of the flex zoning in the area.

Carson Frost, 114 Foxgate Court, stated as residents of Crossgates he does not believe information was ever disclosed that the residents of Crossgates was going to be carrying a financial burden higher than other residents who use LASA. Mr. Frost asked that the agreement is not extended.

Jim Murphy, 103 Garrity Road, talked about the sewer billing in Crossgates. Mr. May called for the vote and the motion carried unanimously.

Award Contract for New Roof on Maintenance Building – Mr. Breneman had questions on the snow guards regarding the cost. Mr. Smith advised them that they are paying prevailing wage rates. Mr. Bauder made a motion to approve the bid of \$95,884.00 plus the gutter price of \$13,450.00 and the snow guards \$50.00 each. Mr. Clark seconded the motion and the motion carried unanimously.

Draft Ordinance Vacating and Removing a Portion of Front Street from the Official Map – Mr. Smith advised he and Mr. Harris went out to make sure what alleys are affected by this particular closure. They wanted to make sure it did not extend beyond any of the alleys that run west to east. The alley has been correctly identified as submitted. Mr. Smith received some calls and a visit at the Township regarding residents who are opposed to this Ordinance. Mr. Smith stated in Mr. Yoder's formal presentation he indicated this alley has not used the alley for 21 years by the public. Mr. Smith stated he was contacted by individuals who said they have used the alley.

John Budesheim, 10 Front Street, advised he as well as other residents, who were present, can testify that they have been walking through that alley. Mr. Budesheim advised the Supervisors that he has been using the alley for 30 years. Mr. Budesheim would like the alley to be kept open.

Rick Vogel, 1852 Water Street, would also like to keep the alley open and noted that he uses the alley.

Norm Warner, 1872 Water Street, stated the alley is the only area to walk. Mr. Warner stated it is grown up but there is a path through the brush.

Mr. Bauder asked what the downside is of keeping the alley open. Mr. Smith advised he is unable to answer the question as to whether there is an upside or downside. Mr. Bauder questioned if the Township is obligated to maintain the alley. Mr. Smith advised the Township is permitted to have unmaintained right-of-ways/alleys.

Steve Eck, 1848 Water Street, advised the only thing that occurs in the alley is dogs doing their business there.

Mr. Bauder stated there is conflicting testimony and without knowing any more than they heard tonight he is inclined to table this issue. Mr. Smith stated he believes the statements are accurate that people have used the alley but does not know if anyone has used it very much in the last number of months due to things that have occurred. There has been the placement of rocks and trees that have come down. Mr. Smith stated he can not dispute the residents who have said they use the alley on a regular basis. Mr. Smith does not know what else as management can be provided to illuminate this issue.

Norm Warner asked how you would get to the residents if water is on Rt. 441 and the alley was closed.

Steve Eck stated the area Mr. Warner is referring to has nothing to do with the back of Mr. Eck's property.

Bobby Budesheim, 10 Front Street, stated she has lived in the Boro for 30 years and has seen 3 floods that covered Rt. 441 and the only way out was through the alley.

Ron Wakefield, 446 Shultz Road, advised the alley could be better used if Mr. Eck did not throw his garbage in the alley to block it. Mr. Wakefield does not know why the Township would want to close it.

Mr. May made a motion to table this indefinitely until they can make a determination of what they want to do if anything. Mr. Bauder seconded the motion and the motion carried unanimously.

John Budesheim stated it does not cost the Township anything to keep the alley open and they maintain it enough for themselves to walk through. Mr. Budesheim stated Mr. Eck has the alley blocked and asked if they could clear the alley out to walk through it. Mr. May stated this sounds like a neighborhood dispute and advised they talk to an Attorney. Mr. Smith advised there is difficulty for the Police Department because they have been called regarding disputes and they do not know what to do. There are accusations and the Police do not know what to do because there is no identification of ownership of the property. Mr. Smith advised the Supervisors that he could let the Solicitor know what has transpired as a result of this meeting and seek guidance from a legal standpoint. Mr. Smith was advised by the Supervisors to talk to the Solicitor.

Zoning Hearing Board Alternate – Mr. Clark advised the Board that he talked to both applicants and both are excellent candidates based on the information provided. Both have construction experience and are business owners, but based on the time requirement which Mr. Clark knows about from being on the Zoning Hearing Board, he feels Mr. Provanzo would be a better fit for the zoning alternate. Mr. Clark recommended that they designate Jay Provanzo to be their zoning alternate. Mr. Breneman stated he is glad they have two people willing to serve and hopes that an opening in the future can be found for Mr. Julian to serve and that should be conveyed to Mr. Julian. Mr. Breneman made a motion to appoint Jay Provanzo as the Alternate to the Zoning Hearing Board. Mr. Clark seconded the motion and the motion carried unanimously.

Act 14 Notification NPDES Permit Renewal – Woods Edge Phase Two Section 4 and Lancaster Area Sewer Authority - Mr. Smith advised there are statutes that require renewals and this is notifying the Township that they intend to apply for the renewal. Mr. May stated there is no action required at this time.

Resolution 8-2012 Escalator Clause – Mr. Smith stated the Township has done this for a number of years. PennDot and the law allows the Township to resolve this by giving the contractor more flexibility in giving a reasonable up front bid if he knows he can be protected by the Escalator Clause, if something unforeseen happens that drives the price of the product through the roof. Mr. Smith stated they believe they benefit by having the Escalator Clause. Mr. Smith advised the Publication 408 gives the detail on how it is administered. Mr. May made a motion to pass Resolution #8-2012 regarding the Escalator Clause as published in PennDot Specification Publication 408. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 9-2012 Prevailing Wage Reform – Mr. May stated he had receive an e-mail from PSATS asking the Supervisors to stay on top of this reform. Mr. May asked Mr. Smith to formulate a Resolution that was recommended by PSATS and feels they should be on record behind the reform. Mr. Bauder made a motion to adopt Resolution #9-2012. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Smith advised he would forward a copy to all appropriate agencies.

Correspondence

Mr. Smith advised the Board that they are looking at four training sessions and of the three listed, the additional request is for Officer Colleen Tataro to attend a Female Enforcers Advanced Training Session. Mr. Breneman questioned if these would be coming from the budget item for training and expressed concern that they would be over the budget. Mr. Breneman made a motion to authorize the appropriate personnel to attend the training sessions listed. Mr. Clark seconded the motion. Chief Graeff advised that the Taser Recertification class for Tom Moser is full; therefore, Chief Graeff is asking approval for the next available class. Mr. May stated with that amendment to Mr. Breneman's motion Mr. May seconded the motion. The motion carried unanimously.

Traffic Commission

Chief Graeff stated the Traffic Commission met February 29th with all members present. Regarding Ironstone Ridge Road and Route 999, Chief Graeff advised the Supervisors that he talked to the homeowner with the hemlock trees who advised him he would take the trees down. Mr. Harris spoke to the resident on the other side of Ironstone Ridge Road regarding brush and she gave permission for Mr. Harris to remove the brush that needs to be removed. The side line has been installed and they are waiting for the stop bar to be put in at a later date. There was a request from Mr. Bauder to look at the intersection of Central Manor Road and Route 999 with respect to vehicles parking along the road and causing sight problems. Chief Graeff advised them that a traffic study was requested and he has spoken to the owner of the business at that location and advised them the Traffic Commission is considering "No Parking" signs. The owner of the business said she would talk to the school bus drivers about not parking along the shoulder of the road.

Police Report

Chief Graeff stated the Police Report stands as submitted and highlighted statistics in the report. Chief Graeff referred to a burglary that occurred last Friday on Stehman Church Road commenting on the good work between Manor Township Police and Manheim Township Police on the apprehension of the suspects. Chief Graeff referred to press releases pertaining to scams and fraud that is occurring and stated the elderly are being targeted. Chief Graeff advised that the Year End Report was handed out and asked if there were any questions or comments.

Public Works Department

Mr. Harris highlighted some items indicating they have been able to do a lot of trimming and crack sealing. They had several days on the rail trail and were able to remove the rocks from the rock slide. The brush mowing is completed on the river side of the trail and trimming of larger trees so they are ready for the fence. They have started construction of a playground at Creswell Park.

Managers Report

Mr. Smith submitted a written report and had no comments.

Building Permit Report

Mr. Kreider reported the number of permits issued in February is 17 compared to 15 last year, number of permits issued year to date is 37 compared to 22 last year, the dollar value of the permits issued in February is \$1,156,333 and the dollar value of permits issued year to date is \$2,880,775 compared to last year of \$3,386,876.

There being no further business Mr. Breneman made a motion to adjourn. Mr. May seconded the motion and the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, April 2, 2012

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. Chairman May led those in attendance in the Pledge of Allegiance to the Flag. Chairman May announced that the Supervisors held an Executive Session on Thursday, March 29th at 10:00 a.m. to discuss a personnel matter that had to do with Collective Bargaining.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer
Visitors Present: See Attached List

Minutes – Mr. Kreider made a motion to approve the minutes as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Bills – Mr. Clark made a motion to approve the bills as presented. Mr. Bauder seconded the motion and the motion carried unanimously.

Financial Report – Mr. Breneman made a motion to approve the Financial Report as submitted. Mr. Clark seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith advised that Mr. Goodman is reviewing the Crossgates Sewer Agreement which could take several months before they are ready to make a recommendation to the Supervisors.

Business from the Floor

John Budesheim, 10 Front Street, thanked the Supervisors for the No Outlet Sign and for keeping Front Street open in Washington Boro.

Richard Moxley, 115 Foxgate Court, asked if the Supervisors are looking for input into the history of the Crossgates Sewer Agreement. Mr. Smith advised him that Mr. Goodman is looking at the entire agreement to determine what is applicable and what is legal to move forward. Mr. Smith advised them that as Staff they have indicated to Mr. Goodman that they are not willing to simply amend it but are seeking a way to dramatically simplify the agreement. Mr. Moxley was advised that when an agreement is presented to the Board for their review, that would be the time for comments from the residents. Mr. Smith explained that a developer needs a Developer's Agreement to meet the stipulations of the plan that will expire in 2013. There will be a new Developer's Agreement and the Township is trying to get the best handle they can on the current convoluted agreement so they can establish what the next agreement will be. Mr. Smith informed Mr. Moxley if there is anyone who wishes to provide any information they think is germane to the topic, they are free to do so. Mr. Bauder suggested they hold a public hearing on the issue when the Supervisors have an agreement that they feel is acceptable. Mr. Smith clarified that a meeting can be held for input not to confuse that with a public hearing which is designated for zoning.

Carlton Rintz, 658 Crestgate Place, asked if the citizens could receive a copy of the audit on the sewer agreement. Mr. Smith advised audits are done on an annual basis and that audit is embedded within the Township Audit. If someone would like to review the audit at the office, they are able to do that. Mr. Rintz talked about the Agreement and the cost to the residents.

Joan Matterness, 213 Sutherland Road, noted that Woods Edge is on the agenda but what she wanted to discuss is not an agenda item. Ms. Matterness asked if the Supervisors would like her to wait until the Woods Edge Agenda item is discussed. Ms. Matterness was advised she could make her presentation after the SALDO items.

SALDO

Cosentino Final Subdivision Plan and Modification Requests Briefing Item – Mr. May advised the Board that this is moved to an action item. Gene Oldham presented the plan stating this is a four lot subdivision located on Oak Road. This lot is currently two tracts consisting of 23 acres. Upon completion of the project there, will be four lots with three lots fronting on Oak Road and the fourth lot will be a flag lot with access from Oak

Road. There will be on lot septic systems and wells. The lots range in size from approximately three acres to the flag lot containing 12 acres. To preserve the existing woodland and minimize impact to existing drainage areas, each lot will have its own stormwater management meeting the requirements of the Ordinance with 50% reduction in water runoff. There will be two driveways for the four lots and there will be a Use and Access Agreement for the landowners that will specify the use, maintenance, repair, etc. They have received the approval of the Erosion and Sedimentation Control Plan and the NPDS permit. Mr. Oldham listed the 11 modification requests that they are asking for. Mr. Oldham noted there are several items in Rettew's review letter that are clean up items or agreements that they are addressing. They did not have time to make another submission to Rettew for tonight's meeting. Mr. May asked if a permit was ever found for the existing septic system on Lot 4. Mr. Oldham advised him that they have not found it to date. Mr. Bauder had questions on the fund in lieu of open space and Mr. Bauder was advised this plan does not meet the criteria to require it. Mr. Oldham informed the Supervisors that they are paying a park and recreation fee. Mr. Bauder made a motion that they approve the Cosentino Final Subdivision Plan based on meeting the requirements listed in the March 12th Rettew Letter and meeting all the requirements for the modifications, zoning requirements and subdivision/ land development. Mr. Oldham asked what would happen if they do not get any response from the emergency provider. Mr. Oldham advised them that he has sent letters but has not received a response. Mr. Smith advised the Board that Mr. Oldham has made the attempt and they are not held up by not having a response. Mr. Clark seconded the motion and the motion carried unanimously.

Betty Witmer Estate Lot Add-On Plan – Randy Schappell from Weber Surveyor presented the plan stating the Witmer Estate is proposing to do an add-on to the Donald Witmer property just shy of 25 acres. The only requested modification is plan scale. The property does not have road frontage and they will be obtaining a right-of-way agreement. The legal agreements will be recorded this week. Mr. Smith advised that under requested modifications the engineer requested they do not agree to the modification of the on lot sewage replacement location and soil testing. Mr. Schappell advised the Board that a replacement system test has been completed and shown on the plan. Mr. Schappell advised them that they have the DEP Letter for Form B-Non Building Waiver. Mr. Smith advised that the motion should be conditioned subject to the Township receiving that verification documentation. Mr. Breneman made the motion to conditionally approve this plan based on Rettew's most recent February 29 letter subject to the applicant providing the necessary documentation regarding the on lot sewage replacement. Mr. Clark seconded the motion and the motion carried unanimously.

Manor Township Rails to Trails Final Subdivision & Modification Request – Mr. Smith presented the plan indicating they had plan sheets that are from the beginning of the trail head beyond the Township's proposed subdivision into the Conestoga Township section. Before the Supervisors this evening, is the subdivision plan for what is occurring in Manor Township. They are looking at the separation between what Norfolk is retaining as their active line and the remainder of the lands that begin in Creswell (bottom of Turkey Hill) to the Township Boundary line. The Supervisors have a list of the modification requests as well as Buchart Horn review letter. Mr. Clark made a motion to approve the plan with the modification requests of the Buchart Horn Letter dated February 29. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 10-2012 Cosentino Planning Module – Mr. Smith advised the Board that this is standard procedure and recommends approval of the resolution. Mr. May made a motion to authorize the Secretary to sign the Planning Module of the Cosentino Sewer Plan for the land development subdivision. Mr. Clark seconded the motion and the motion carried unanimously.

Woods Edge Homeowner's – Joan Matterness advised they had two issues for this evening regarding Woods Edge. Ms. Matterness distributed a letter with her request. Ms. Matterness expressed concerns with the two private roads in the final phase of Woods Edge that will be the responsibility of the Homeowners Association and she stated that she feels this places an unfair burden on the Homeowner's Association and the individuals who will be purchasing properties on these two private streets. Ms. Matterness stated they are requesting that Manor Township take ownership of these two private roads. Ms. Matterness advised the Board that the original plans did not include the private roads but Mr. Murry submitted a revised plan that proposed the two private streets that had a hammerhead turn around. Ms. Matterness pointed out that the hammerhead areas were hard to negotiate and asked that the Supervisors personally look at the private roads. Ms.

Matterness and Ms. Sheeler provided information pertaining to the costs that will be the responsibility of the Homeowners Association and the residents who live on the private roads. There was discussion on the private roads. Mr. May advised Ms. Matterness that they will take their concerns and request under advisement.

Esten Leinster, 100 Creekgate Court, stated he lives on a private road and had no idea what is involved with living on a private road. Mr. Leinster would like to see private roads no longer be approved.

Sue Sheeler referred to a copy of a map that showed a lot that belonged to Manor Township which the Homeowners Association has been mowing along with their property so the grass would be uniform. Ms. Sheeler advised the Homeowners Associations had expressed interest in purchasing this lot and was advised the Township was not interested in selling the lot. Mr. Smith indicated the lot is open access for the Township into the overall area. Ms. Sheeler pointed out that they mow this lot at the Homeowners expense and if they continue to mow the lot would the Supervisors consider selling the lot with an easement or agree to put 2-4 parking spaces off street to allow people on Stone Creek to get their vehicles off the street especially for snow plowing.

Carson Frost, 114 Creekgate Court, stated that he wanted to support Woods Edge regarding the private streets. Mr. Frost talked about land planning and allowing smaller private streets to be built and the problems that are created.

Resolution 11-2012 Appointing Jay Provanzo Alternate to Manor Township Zoning Hearing Board – Mr. Smith advised the Board that the determination for the appointment was made at the last meeting and this formal resolution process must be followed. Mr. May made a motion to approve Resolution 11-2012. Mr. Bauder seconded the motion and the motion carried unanimously. Mr. Clark acknowledged Mr. Provanzo's presence and he was thanked for his time and service.

Lancaster County Conservation District 2012-2013 Memorandum of Understanding – Mr. Smith advised the Board that this is the annual MOU that comes to the Township. By Pennsylvania DEP mandate, the Soil Conservation Service takes care of the review and authorization of all the erosion and sedimentation control for any plan that comes into the Township that meets those particular regulations. The Township is required to have this Understanding. Mr. Smith pointed out that this was also one of the four issues EPA had with the Township. Moving forward, the Township will continue to work with Donald McNutt and his staff. Mr. May made a motion to authorize Mr. Smith as Secretary to execute the Memorandum of Understanding with the date of March 14, 2012 with Lancaster County Conservation District. Mr. Breneman seconded the motion and the motion carried unanimously.

Award Bid In-Place Paving – Mr. Smith advised the bids were advertised, received and publically opened on Friday, March 30 at 1:00 p.m. Mr. Smith and Mr. Harris reviewed the bids and they recommend that they award the bid for in-place paving to Highway Materials as described on the chart. The total amount of the project as bid is \$181,261.23. Mr. Bauder made a motion to approve Highway Materials bid as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

Award Bid Materials – Mr. Smith pointed out on the chart there are two separate highlighted names for the materials. Highway Materials was the low bidder for Superpave 25 mm, therefore, it is recommended they award that particular component to Highway Materials as submitted. Mr. May made a motion to approve the bid of Highway Materials for 2580 tons of Superpave 25mm at unit price of \$47.50 with a price of \$53.10 if delivered. Mr. Breneman seconded the motion and the motion carried unanimously. There are two other Superpave products 9.5 mm and 19 mm that the low bidder was Pennsy Supply and Mr. Bauder made a motion to award that bid as submitted. Mr. May seconded the motion and the motion carried unanimously. Mr. Smith pointed out the unit price by Pennsy Supply and County Line was identical for the 2A Stone at \$5.15 and the delivery price was different with Pennsy Supply being the low bid. The distance to Pennsy Quarry is 7.23 miles and distance to County Line is 9.06 miles; therefore, it is in the best interest of the Township to travel a shorter distance. Mr. Clark made a motion to award the bid for the stone contract for pickup and delivery to Pennsy Supply as submitted. Mr. May seconded the motion and the motion carried unanimously.

Act 14, 67, 68, 127 Notices – Faith Bible Fellowship Church - Mr. Smith advised the Board that this is typical Act 67, 68 and 127 Notice that does require input from the Township. Mr. Smith and Mr. Ott will handle that aspect for the Supervisors.

PPL Electric Utilities – Mr. Smith advised them that this requires that the Supervisors have the information and does not require any action.

Walnut Hollow Farms CAFO Permit Renewal Application – Mr. Smith advised them that this is another notice that just came in today and does not require action but wanted it on record.

Act 2 Notice; Fillings Dry Cleaners - Mr. Smith stated there has been a long standing environmental impact that has taken place and it appears Filling Dry Cleaners has chosen to address this or being forced to address it. It is on the Agenda, because notice had to be provided to the adjoining property owners.

Request to Advertise Ordinance Authorizing Manor Township to be Sanitary Sewer Bulk Customer of Millersville Borough for Village at Funks – Mr. Smith informed the Supervisors that Caroline Hoffer was present in the event there were any questions about the drafting of the Ordinance. Mr. Smith and Mr. Goodman have reviewed the document and worked in conjunction with Millersville Borough and Caroline Hoffer and Ms. Cleary who represents Millersville Borough. Mr. Smith advised this is one of the simplest and fair agreements he has ever seen. Mr. Smith advised the Township will have the title of Bulk Customer and be required to do next to nothing. The Township will not own any facilities and all the financial arrangements are between the developer and Millersville Borough. Mr. Smith pointed out that it is built into the agreement that the customers in the Village at Funks Farm will have the same rate as Millersville Borough customers. Mr. Bauder made a motion that they authorize the Township to advertise for the Ordinance authorizing Manor Township to be the Sanitary Sewer Bulk Customer of Millersville Borough for the Village at Funks. Mr. Kreider seconded the motion and the motion carried unanimously.

Correspondence

Mr. Smith indicated that there is the Annual State Conference for the Government Finance Officers Association and it is recommended that Mr. Strohecker be authorized to attend. From the Police Department, the 31st Crime Prevention Symposium and an additional request for the Memorial Death Scene Awareness Symposium as submitted for consideration. Mr. May made a motion to authorize the appropriate personnel to attend the requested activities and tuition owed. Mr. Breneman seconded the motion and the motion carried unanimously.

Traffic Commission

Chief Graeff advised the Traffic Commission met with all members present. Regarding the intersection of Central Manor and Blue Rock Road, Officer Gardner did a traffic study and recommended posting of “No Parking” signs on both sides of Blue Rock Road. There was a concern regarding the speed on Prospect Road and the traffic counter will be placed on the road after which Officer Gardner will do a traffic study to post all of Prospect Road with speed limit signs.

Police Report

Chief Graeff stated the report stands as submitted with the highlighted statistics. Chief Graeff read from a letter he received from Pennsylvania Crime Compensation from the Victims Compensation Assistance program thanking the Chief Graeff for the Departments quick response to their request for copies of reports. Mr. May asked Chief Graeff to pass along to the personnel the Supervisors appreciation for their work. Chief Graeff advised that the Officers did on line training for domestic violence and fingerprinting. Chief Graeff advised them that they had a Department meeting at which the District Attorney’s Office did training on Safe Protocol. Chief Graeff informed the Supervisors that the Police Department will be having their first DUI check point in Manor Township that will take place after next month’s meeting.

Public Works Department

Mr. Harris stated that they spent a lot of time in the month of March performing a number of maintenance issues and continues to plan for those types of activities in the month of April. Mr. Harris informed the Board that there will be a field dedication at Creswell Park on Thursday, April 12 at 6:00 p.m.

Managers Report

Mr. Smith addressed two issues in his report. Pertaining to the MS4, which is the Township’s small separate stormwater sewer systems, the Township received several notices regarding discharges that were improper. They have been addressed and Dave Lockard was involved as they were sanitary sewer issues. These are the

first two improper discharges reported to the Township other than the dumping of paint in a catch basin. Mr. Smith stated based on protocol and past EPA issues they are putting this before the Supervisors so that they are aware there are some people who are paying attention and the discharges are being handled appropriately and being recorded. Mr. Smith noted that the MS4 people who are Mr. Harris, Mr. Smith and Mr. Caldwell, have been spending additional time to make sure they have what is necessary for their next submission in June. Mr. Smith referred to a previous meeting where Mr. Warner was present on behalf of the LCSWMA with a proposal regarding tipping fees for the materials coming out of the Harrisburg Facility if they purchase it. Mr. Warner would like to finalize an agreement with the Township. Mr. Smith encouraged that the conversation be furthered so they can finalize what the counter offer is to be to the letter or continue into a negotiation session. Mr. Smith stated that it is appropriate they move forward and even consider an Executive Session this month.

Building Permit Report

Mr. Kreider reported the number of permits issued in March 2012 was 26 compared to 36 last year, number of permits issued year to date was 63 compared to 58 last year, the dollar value of permits issued in March 2012 is \$618,482.00 and the dollar value of permits issued year to date is \$3,499,237.00 and that compares to \$5,506,728.00 last year.

There being no further business Mr. Kreider made a motion to adjourn. Mr. May seconded the motion and the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, May 7, 2012

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. Chairman May led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff and Evelyn Rineer
Visitors Present: See Attached List

Minutes - Mr. Clark made a motion to approve the minutes as presented. Mr. Bauder seconded the motion and the motion carried unanimously.

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

Financial Report – Mr. Breneman made a motion to approve the Financial Report. Mr. Clark seconded the motion and the motion carried unanimously.

Solicitor’s Report – There was no Solicitor’s Report.

Business from the Floor

Sue Sheeler with Woods Edge Homeowner’s Association requested that the Supervisors revisit a request that was made pertaining to No parking signs from the corner of White Chapel and Stone Creek Road to the Township lot that will be talked about later in the meeting. Ms. Sheeler was advised her request will be brought up before the Traffic Commission.

Old Business

Woods Edge Homeowners Request for Parking and Dedication of Private Streets - Mr. May pointed out that this agenda item is two different items 1) the grass lot owned by the Township and 2) dead end hammerhead roads. Mr. Smith advised them that the hammerhead dead ends are built to the plan subdivision specifications but are not built to the specifications that would allow the Township to get liquid fuels reimbursement. Mr. May stated it is his opinion that if the Township could assure him they do not need the lot to get to where they want to be in the wetlands, Mr. May would consider getting an appraisal and selling the lot to the Homeowner’s Association. Unless he had that assurance, Mr. May was not sure he would be in favor of permitting parking on the lot or paving the area for parking. Mr. Kreider stated anything that is changed affects everywhere else in the Township and he is reluctant to do anything other than keep it the way it is. Mr. Smith advised them that he cannot stipulate the Township will never need that access to the wetlands. Mr. Clark advised that he is not in favor of selling land and does not feel the Township is in a position to spend money that would be required for a parking area. Sue Sheeler advised the Homeowners Association is not interested in the entire lot only approximately 20’ for parking spaces along the edge. Mr. Breneman does not feel it is part of their responsibility at this point and Mr. Kreider agreed with Mr. Breneman. Mr. May made a motion to deny the request. Mr. Breneman seconded the motion and the motion carried unanimously.

Pertaining to the dead end hammerhead roads, Mr. Breneman stated these were part of the approved plan and Mr. Breneman stated he does not feel the Township should take them over. Mr. Breneman stated he had asked a real estate agent if there is a difference in property appraisals between public and private roads. Mr. Breneman was advised that the appraisal value of a property is slightly higher on a public road. Mr. Kreider pointed out there are regulations pertaining to the length of hammerhead streets but he did not measure the streets. Mr. Smith advised them he did not know the distance but they appeared to be approximately 175 plus feet.

Esten Leinster, 100 Creekgate Court, feels there is a difference between neighbors who get together and decide they will agree to have a lane versus a community that a road is thrust on residents unknowingly. Mr. Leinster asked that the Supervisors do not perpetuate private roads.

Joan Matterness, 213 Sutherland Road, stated that these two private roads will impact many people. Ms. Matterness pointed out that the Supervisors are concerned with the Liquid Fuels and indicated that Stone Mill Road was dedicated to the Township and the Township is not getting liquid fuel tax for that road. Ms. Matterness presented the Board with a petition signed by over 200 people in the Homeowner's Association who do not want the responsibility of private roads. Mr. Clark asked if the private roads were disclosed in the Association documents and Ms. Matterness advised the private streets were not disclosed. Mr. Smith advised there is a distinction in that Ms. Matterness is addressing a Homeowner's Association issue that is different than being an individual homeowner. The disclosures are there for whoever buys the individual properties, so in this case when someone buys on Rowley Court the disclosures should be included. These units are not sold to date, therefore, it cannot be said if the disclosure has occurred or not. Sue Sheeler informed the Board of the number of properties managed by the Homeowner's Association and the fees paid by the owners of the properties. Ms. Sheeler expressed concerns regarding emergency vehicles accessing the hammerhead areas. Mr. May advised Ms. Sheeler that he is not ready to make a decision tonight but would like to set up a meeting with Mr. Murry to advise him of the concerns and issues pertaining to the private streets. Mr. Kreider advised the Supervisors that his concerns are the hammerhead streets would have to be torn out and made into cul-de-sacs that would be costly to the Township. Mr. Kreider does not feel the Township should be responsible for fixing Mr. Murry's properties. Mr. Kreider agreed that they need to have a meeting with Mr. Murry. Mr. Bauder feels this was an oversight and Mr. Bauder agrees the Township should not be responsible to fix the streets. Ms. Sheeler talked about previous changes that have been made in Mr. Murry's plans. Mr. May questioned how the roads being discussed are titled. Mr. Smith stated he would assume the roads are still in Mr. Murry's name. Mr. Bauder asked what the statutory precedence is for changing a plan. Mr. Smith advised it happens in almost all fairly large projects. Mr. Smith advised the hammerheads were discussed and this plan was approved. Mr. Smith advised the Supervisors that in Woods Edge alone there have been possibly as many as half dozen revisions driven by the developer.

Esten Leinster talked about the changes and indicated that they affect everyone's wallet. Mr. Leinster informed the Supervisors what it would cost to fix the private streets in his development.

Mr. May asked that a meeting be set up with Mr. Murry.

New Business

Young Lungs – Mr. May advised he met Mary Ross at a LIMC meeting in West Lampeter where she was talking about initiatives to reduce smoking in public areas. Mr. May stated he is passionate about this because he has COPD that is incurable and can only be slowed down. Mr. May stated he stopped smoking seven years ago. Mr. May asked Ms. Ross to come to the meeting tonight to make a brief presentation about what they are doing. Ms. Ross stated she is from the YWCA in Lancaster and has been in the business of Prevention Education for 17 years. The YWCA works in collaboration with Lancaster General Hospital. Ms. Ross stated this is an educational program that is free called "Young Lungs at Play". Their goal is to post signs in Lancaster County promoting the program. They are looking for parks to post the signs. Ms. Ross talked about the program and their goals. Mr. Breneman asked if they supply the signs and the Township puts them up and maintains them. Ms. Ross stated they do supply the signs. Mr. Smith advised that the Township does have an Ordinance that prohibits smoking in the parks.

Ordinance 4-2012 Amending the Manor Township Ordinance by Changing Two Tracts owned by Penn Manor School District – Mr. Smith stated this has been before the Board as a petition. The Draft Ordinance has been properly prepared and advertised and is before the Board for their action. This Ordinance will amend the Zoning Ordinance of Manor Township by changing the two tracts located to the south of Charlestown Road and to the west of Ironstone Ridge Road currently owned by the Penn

Manor School District. They will be change from Rural Zone to RL1 that is Low Density Residential Flex Zone. Mr. Breneman made a motion to adopt Ordinance 4-2012 as stated. Mr. Bauder seconded the motion. Carson Frost, 114 Creekgate Court, expressed concerns that if this is zoned Low Density Residential Flex Zone that the School District can sell it later and turn it into housing. Mr. Frost does not recommend the tract be rezoned until the School is ready to build on it. Mr. Kreider stated it is his understanding that the use of the Fisher Property is down the road if the School District has to build a new school. Mr. Kreider pointed out it could be long way off and Mr. Kreider agrees that the possibility is there that it could be sold for development is what bothers him. Mr. Smith advised the rezoning would make it consistent throughout the entire tract. There are reviews by the Land Use Advisory Board, Manor Township Planning Commission, LCPC and all recommending adoption. Howard Klein, Attorney for the Penn Manor School District, stated when the property was purchased in 2006 this was purchased in the State Records specifically for a school facility. There are definite plans the tract will be needed but it is not eminent. Mr. Frost asked Mr. Kelin if the school district owned land where the Woods Edge Development is and sold it to the Murry Development Company. Mr. Kelin said he did not know the answer to that. Mr. Kelin advised there is a definitive plan by the School District to develop a school on that parcel but it is not an eminent plan. Mr. May feels they cannot ignore all the recommendations that have been made. Mr. Bauder questioned what the census is in Penn Manor School District. Dennis Coleman with the Penn Manor School District stated the student population in the northern end of the district is growing although during the past two years has been stable. Projections are that the population will continue to grow in the northern end of the district. The southern end of the district is showing population decreases. The future development of schools will be based strictly upon what happens in the municipalities that the district serves. Contiguous land is unavailable in the District and this is a parcel that the District would have that is contiguous land if the need ever arose for an additional school due to increased student population. That is the future plan of the District to reserve this space for future expansion should the need arise. Mr. Bauder questioned why rezone the land prior to the District's intent. Mr. Kelin advised that in a large part it is to have them all zoned the same way and also to save taxpayer money to not have to repeat the process since there is already a definitive plan for a school on that parcel. Mr. Smith advised that at Staff level they had these kinds of discussions and one of their suggestions was if they intend to do the rezoning it would seem to be practical to do it all at one time. The rezoning is needed for the Hambright Elementary School; therefore, Mr. Smith advised the Supervisors that Staff suggested to the School District that they include the Fisher Tract. Mr. Kreider asked what the land will be used for in the meantime and Mr. Kreider was advised the land will be farmed. Mr. May called for the vote and the motion passed unanimously.

Lancaster County Solid Waste Management Authority Petition to Rezone Two Tracts – Mr. Smith advised this Petition is consistent with the Consent Order. Mr. Smith stated inadvertently in the 2011-12 rezoning that was done these two parcels (Parcels 4 & 5) were inadvertently changed even though they asked that that not occur during the process. The Authority by Statute with Consent Order needs to change Parcel 5 to Conservation. When the mistake was realized on the Zoning Map, Mr. Smith suggested to the Authority and to their Council that they should rewrite the petition, include Parcel 4 to go back to Excavation which it should have been. The process is to forward this to the LCPC, Manor Township Planning Commission and to the Land Use Advisory Board so that an ordinance can be prepared. Mr. Smith gave background information on the two parcels. Mr. Kreider asked if Parcel 4 is linked to out of County waste. Mr. Smith advised these two parcels are only for the excavation of the soil. Mr. Bauder made a motion to refer this to the LCPC, Manor Township Planning Commission and Land Use Advisory Board. Mr. Clark seconded the motion and the motion carried unanimously.

Lancaster County Solid Waste Management Waste Acceptance Agreement – Mr. May stated he went to the Waste Authority regular monthly meeting several months ago and at that time suggested the Authority give the Township more funds for the Rail Trail. Mr. May stated he had in mind the writing of a check for the Rail Trail and did not have in mind this Waste Acceptance Agreement regarding Harrisburg Incinerator. It is Mr. May's position the Township should have more tipping fees whether they buy Harrisburg Incinerator or not. This Agreement is limited to if they buy the Harrisburg

Incinerator. Mr. May would like to see the Township receive more money for the landfill not necessarily for the Rail Trail. Mr. May does not want anyone to think that getting the Harrisburg Incinerator funds would be ear marked for the Rail Trail. Mr. May stated that is not what he suggested and not what he wanted. There was discussion as to whether the first paragraph should be changed or removed from the Agreement. Mr. Smith noted the first paragraph is a statement of what they believe the background is and it has no affect on the agreement and the use of the funds. Mr. Clark made a motion to accept the Waste Acceptance Agreement as proposed. Mr. Breneman seconded the motion and the motion carried unanimously.

Ordinance 5-2012 Authorizing Manor Township to be Sanitary Sewer Bulk Customer of Millersville Borough for Village at Funks – Mr. Breneman made a motion to adopt Ordinance 5-2012 authorizing the Agreement between the Borough of Millersville and Township of Manor for us to become a bulk customer of their system. Mr. May seconded the motion. Carson Frost, 114 Creekgate Court, felt he was seeing something like the Crossgates issue where people who move into Funks area will be strapped with higher fees, the Township will be the monitoring figure, someone else will be taking care of the books and residents will end up paying the fees. Mr. Frost indicated that Mr. Murry was involved and he was informed that Mr. Murry has no association with this project. Mr. Smith advised them these fees are set at the same rate as Millersville Borough residents and the fees will be uniform. Mr. May called for the vote and the motion carried unanimously.

Award Bid Seal Coat – Ms. Smith advised that Mr. Harris conducted a public bid opening in the afternoon that was properly advertised. Four companies submitted proposals and Mr. Harris recommends awarding the seal coat bid to Martin Paving at the Unit Price of \$1.063 with the total project being \$82,606.79. Mr. Harris noted he is happy to see the price was lower than the anticipated amount. Mr. May made motion to award the bid to Martin Paving. Mr. Bauder seconded the motion and the motion carried unanimously.

Release Crossgates LC VII Letter of Credit – Ms. Smith advised this is for the construction elements in Crossgates Phase VII that includes Sawgrass Drive and Copperstone Court located off Murry Crossway. Mr. Smith noted that the Letter of Credit served its purpose and due to be released. Mr. Clark made a motion to release the Letter of Credit. Mr. Kreider seconded the motion and the motion carried unanimously.

Release Westwood Green Letter of Credit - Mr. Smith advised the developer has met their obligation and the 18 months has expired. Mr. Breneman made a motion to release the Westwood Green Letter of Credit. Mr. Clark seconded the motion and the motion carried unanimously.

Accept Fire Commissioner Resignation – Mr. Breneman recommend that Mark Lauriello's letter of resignation be accepted with regret and thank him for his multiple years of service. Ted Gingrich, 110 Bent Tree Drive made a correction on the agenda item stating this is the Fire District Commissioner. Mr. May seconded the motion and the motion carried unanimously.

Appointment of Fire District Commissioner – Mr. Breneman asked that John May be appointed to fill the unexpired term on this Board. Mr. Clark seconded the motion and the motion with Mr. May abstaining.

Act 67 & 68 Notification Frey Dairy Farms, Inc. – Mr. May noted this is for information purposes only. Mr. Smith advised the Supervisors that he had two documents that came in today. They are also Act 67 & 68 which is for Star Rock Dairy Inc. proposed manure storage and one for Fillings Dry Cleaners because they are remediating the same site.

Feral Cats Nuisance – A Letter was received from Lois Burris and Tamara Kelley with signatures of other citizens concerned about feral cats. Mr. Smith advised there are no State Statutes that require the Township to deal with cats. Mr. Smith does not have any advice for this group other than to call ORCA or another organization that might be able to help. Mr. May stated that the Humane League has a spay and release program that eventually reduces the population. Mr. Strohecker advised the Supervisors that the last Newsletter had an article that recommended three organizations to call regarding cats.

Correspondence

Mr. Smith noted the brochure for the APMM Conference indicating he would like authorization to attend that Conference. Mr. Smith noted a brochure for the NPDES Construction Site Stormwater Runoff Control Workshop that Mr. Smith would like Mark Harris and himself to attend. Mr. May made a motion to authorize the appropriate people to attend the seminars. Mr. Clark seconded the motion and the motion carried unanimously.

Traffic Commission

Traffic Commission did not meet this past month.

Police Report

Chief Graeff stated the report is submitted and highlighted some of the statistics in the report. Chief Graeff advised they held a DUI check point this past Saturday night on Columbia Avenue along with East Hempfield Township. Manor Township arrested five persons for DUI and East Hempfield arrested three going westbound.

Public Works Department

Mr. Harris's report is attached.

Township Manager's Report

Mr. Smith indicated he did not submit a written report this month. Mr. Smith reminded the Board and the public that anytime they see illicit discharges to report them.

Building Permit Report

Mr. Kreider reported the number of permits issued in April 2012 was 31 compared to 30 last year, number of permits issued year to date was 94 compared to 88 last year, the dollar value of permits issued in April is \$1,810,416.00 and the dollar value of permits issued year to date is \$5,309,653.00 and that compares to \$6,072,306.00 last year.

Clair Becker, 18 Money Hill Road, asked if there is a schedule for the paving of Money Hill Road. Mr. Smith advised Mr. Becker that there will not be a schedule until the Township is certain all the water line extensions are completed.

There being no further business Mr. Kreider made a motion to adjourn. Mr. May seconded the motion and the meeting was adjourned at 9:07 p.m.

Respectfully Submitted,

Barry Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Meeting

Monday, June 4, 2012

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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer
Visitors Present: See Attached List

Minutes – Mr. Kreider made a motion to approve the minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills as presented. Mr. Clark seconded the motion and the motion carried unanimously.

Financial Report – Mr. Kreider made a motion to approve the Financial Report. Mr. Bauder seconded the motion and the motion carried unanimously.

Solicitors Report – There was no Solicitors Report.

Business from the Floor

Clair Becker, 18 Money Hill Road, advised the Supervisors that he was representing Grace United Methodist Church. Mr. Becker supplied the Supervisors with a packet of information showing the work that needs to be done on Money Hill Road before any paving can be started. Mr. Becker indicated there is approximately 75' of excavation from the existing manhole to the area they are placing a connection vault. Cheryl Love with the ELA Group stated that they have been working with LASA to obtain approval for the extension to facilitate the Church's future connection of sewer. They understand the need to move quickly in regards to the connection with the pending paving underway by the Township. Ms. Love advised they will be receiving contractor pricing and wanted everyone aware of what they wanted to do. Ms. Love stated they are trying to get the work accomplished prior to the paving. Ms. Love advised the Supervisors that within the next 2-3 weeks they may be completed. Mr. Smith informed Ms. Love and the Supervisors that three weeks is problematic and explained why the project must be completed within a certain period of time. Mr. Harris advised the last Thursday of the month is the date the Liquid Asphalt Index is adjusted and Mr. Harris stated he would like to do the paving before that date to avoid the possibility of increased cost.

Lisa Luis, 2542 Valley Drive, expressed concerns regarding feral cats and requested regulations that pertain to feral cats. Mr. Smith advised Ms. Luis there are no State Laws pertaining to cats and he is not aware of any municipalities that have ordinances governing cats. The Supervisors sympathized with Ms. Luis's problem indicating there was really nothing they can do. Ms. Luis was advised there are several organizations she could call for assistance and the names and numbers were in the last Newsletter.

Ron Vogel, 131 Spring Meadow Lane, asked what the status is of the homeowners who have not hooked up to the sewer. Mr. Smith advised the legal process has been started for the homeowners who have not hooked up to the sewer. Mr. Vogel asked when the weeds would be mowed on Letort Road. Mr. Vogel was advised that Letort Road is a State Road and he can call PennDot to advise them that he feels it is a dangerous condition.

Old Business

Rail to Trail Update –Mr. May advised the Supervisors that the subdivisions are being approved. Manor Township's subdivision is conditionally approved and Conestoga's subdivision is on their agenda for Tuesday night. Mr. Smith advised they are looking at settlement by June 30. The purchase price is \$452,000 and in addition a number of fees will be paid at settlement for transfer taxes and filing fees.

Mr. Smith noted they are acquiring a quick claim deed which means there is no title insurance. Mr. May noted the agreement calls for the Township to get 1.25 million dollars from Conrail at settlement.

Woods Edge Homeowners Request for Dedication of Private Streets Update – Mr. May advised that the Supervisors received a letter from Mr. Murry indicating he would not attend a meeting but welcomes turning the streets over to Manor Township for dedication. Mr. Clark stated based on Mr. Murry's comments and Mr. Clark's review of the matter he cannot see the Township taking over the streets. Mr. Clark stated that he feels it would set a precedence that they cannot sustain as a Township over the long haul. Joan Matterness, 213 Sutherland Road, responded to Mr. Clark's statement stating she does not see how the Township can justify the statement made by Mr. Clark. Ms. Matterness was informed there are numerous private streets in Manor Township and Mr. Smith advised her that private streets are a choice of the developer and a planning process for the Township. Ms. Matterness talked about the added cost of private streets to the Homeowners Association. Mr. Bauder stated he feels the maintenance of the private streets should be on the property owners who will live along those streets not the rest of the Homeowner's Association. Mr. May pointed out that the Homeowners Association for the whole place does not have to pay for this; it is whatever is decided as a Homeowner's Association. The cost can be put on the people buying the land abutting the street. Ms. Matterness stated that she feels the Supervisors made a bad decision on this issue. Mr. Clark made a motion that they do not approve the request from Woods Edge Homeowners Association that Manor Township take over the private streets. Mr. May seconded the motion and the motion carried unanimously.

Evaluation of Right of Way between Temple Avenue and Manor Ridge Drive – Mr. Craig Hohman previously requested the possibility of the Township turning back the alley located between Manor Ridge Drive and Temple Avenue. Mr. Smith talked with Solicitor Tom Goodman in regards to this request. Mr. Smith advised the process would be to confer with Mr. Hohman and the three adjoining property owners. If all agree, half of the alley would be given to each property owner and a survey and legal description would be necessary. There would be cost incurred for ordinance preparation, legal fees, advertising costs plus cost of the survey and legal description. Mr. Smith suggests the property owners bear the cost. Another option would be to erect a sign "No Thru Traffic" which Mr. Smith feels Mr. Hohman would be agreeable to. Mr. Smith advised he will talk to Mr. Hohman with what they discovered and the Supervisors intention to consider giving back the alley to the property owners based on certain conditions.

Lancaster County Solid Waste Management Authority Petition to Rezone Two Tracts Update – Mr. Smith advised the Supervisors that the Ordinances have been prepared. Mr. Goodman and Ms. Morgan concurred that two separate ordinances for the tracts would be the way to do this to have a very obvious record. Mr. Smith is asking for authorization for the Township to forward the Ordinances to the Manor Township Planning Commission and LCPC for their review and comments. Mr. Breneman made a motion to prepare the Ordinances and direct them to the LCPC and Manor Township Planning Commission for the review and comment. Mr. Bauder seconded the motion and the motion carried unanimously.

New Business

SALDO – Hambright Elementary School Sketch Plan and Modification Requests - Jim Hocker from Derck & Edson Associates presented the plan. Mr. Hocker advised the Supervisors this was a more detailed plan than the plan that was before the Supervisors for the rezoning of the tract. Mr. Hocker talked about the plan pointing out key features. Mr. Hocker indicated the elementary school will have a maximum capacity of 750 students. There are two modification requests 1) sheet size and 2) sidewalks. Mr. Hocker pointed out the proposed walkway on the plan and advised that the Planning Commission is in favor of completing the loop to the park rather than dead ending it. Mr. Hocker stated that the School District is okay with making the connection to the park. Mr. May stated that Mr. Ott's letter indicated a note be added on the plan that when the next parcel is developed the missing connection of the walkway would need to be installed. Mr. Kreider questioned the soccer fields and expressed his opinion that the soccer fields should be dealt with separately. Mr. Smith advised them there needs to be site grading and stormwater management and whether the soccer fields are built or not the layout accomplishes a number of things. Mr. Breneman had questions on the parking loops. Mr. May made a

motion that they agree to the modifications based in Rettew's letter dated May 10, 2012 Section 403.1.F-Sheet Size and Section 502.12.D-Sidewalks. Mr. Breneman seconded the motion and the motion passed unanimously.

PPL Lot Add-On Plan and Modification Requests - Barry Acker from PP & L represented the plan. Mr. Acker advised they were before the Planning Commission in May requesting three modifications. Mr. Acker advised the Supervisors that they will comply with the review letters with a revised plan. The Solid Waste Authority is requesting PP&L relocate their transmission line. They are proposing to sell off the land that adjoins Frey Dairy Farm to Frey Dairy Farm and the lower area will go the Lancaster County Solid Waste Authority. Mr. May made a motion to move the PP&L Electric Utilities Lot Add On Plan to an action item. Mr. Bauder seconded the motion and the motion carried unanimously. Mr. Bauder made a motion to approve the lot add on plan modification requests for PP&L Utilities on the condition of meeting the requirements in the May 10, 2012 Rettew letter regarding the requested modifications. Mr. Breneman seconded the motion and the motion carried unanimously.

Petition to Rezone 65 Penn Street – Mr. Smith advised the Supervisors that the petition has been properly prepared and submitted to the Township. Steve Funk, the owner of 65 Penn Street which is also the Tomato Barn, stated he wanted to put a small ice cream stand on the property to sell hand dipped ice cream. Mr. Smith advised that there was a process they went through with staff and council as well as property owners to determine from current land use what is permitted and that is what brings them to this place. Ms. Hohenadel from Nikolaus & Hohenadel stated the next step would be to refer the Petition to the Planning Commission for review and then back for further review by the Supervisors after recommendation from the Planning Commission. Mr. Breneman made a motion they refer this Petition to the Planning Commission for their review. Mr. May seconded the motion and the motion carried unanimously.

Employee Retirement Letter – Mr. May made a motion to accept the letter of resignation. Mr. Clark seconded the motion and the motion carried unanimously. Mr. May asked Mr. Smith to write a letter of appreciation to Ms. Wertz. Mr. Smith asked for staff to advertise for a part time position to replace what once was a part time position and permission was given.

Correspondence

Chief Graeff requested permission to attend the Pennsylvania Chiefs of Police Association Education & Training Conference being held July 8-11. Mr. Breneman made a motion to grant the request for the Chief Graeff to attend. Mr. Clark seconded the motion and the motion carried unanimously.

Traffic Commission

Chief Graeff reported the Traffic Commission met May 30th with all members present. A traffic study was completed on Prospect Road. Officer Gardner recommended that another traffic study be completed on the northern end of Prospect Road. There was a request for "No Parking" signs to be installed to prevent parking in front of cluster mailboxes in Oakridge. Chief Graeff indicated there are no regulations pertaining to parking in front of mailboxes; therefore, there is nothing that can be done short of the Township enacting an Ordinance. Ms. Rielly had asked if bushes on the corner of Charlestown Road and Manor Blvd. located on LASA property could be trimmed. Chief Graeff talked to an individual working on the property and informed them of the problem caused by the bushes. The bushes have been trimmed.

Police Report

Chief Graeff stated the report is submitted and highlighted some of the statistics in the report. Chief Graeff pointed out the Sergeants reports are attached.

Public Works Department

Mr. Harris reported they had addressed numerous maintenance issues and had a lot of storm clean up. Mr. Harris advised he was able to take a road tour with Mr. Kreider and Mr. Clark that he felt was beneficial. The Township has mowed all the roads banks one time and is halfway through the second time. Mr. Harris advised they are continuing to get the roads ready for seal coating and should have

them prepped by the end of the week weather permitting. Mr. Harris stated that the class he attended for the MS4 program was beneficial and was thankful the Supervisors allowed him to attend. Mr. Harris reported a MS4 construction site violation that occurred in Woods Edge Development. Silt sock was damaged by the repeatedly been run over by construction equipment. The Township took action against the developer. Mr. Smith reported that the contract reinstalled the silt sock in a timely manner and the results were demonstrated during a heavy weekend thunderstorm. Pictures were taken to document the before and after effect. He described this as an excellent example of compliance.

Township Manager's Report

Mr. Smith reported that the MS4 Annual Report has been submitted prior to the June 6th deadline. Mr. Smith stated he believes they are compliant. Mr. Smith stated he spent a good portion of time dealing with the rail trail as they prepare to get to the next phase.

Building Permit Report

Mr. Kreider reported that the number of permits issued in May 2012 was 34 compared to 38 last year, number of permits issued year to date was 128 compared to 126 last year, the dollar value of permits issued in May 2012 was \$1,541,548 and the dollar value of permits issued year to date is \$5,851,201 and that compares to \$6,723,541 last year.

At 8:40 p.m., Mr. May declared a recess to go into an Executive Session.

At 9:40 p.m. the Supervisors returned from the Executive Session that was held for the upcoming Police contract negotiations.

There being no further business Mr. Kreider made a motion to adjourn. Mr. Clark seconded the motion and the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Evelyn Rineer
Recording Secretary

Manor Township Supervisors Meeting

Friday, June 22, 2012

Time: 8:30 A.M.

Chairman John May called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 8:30 A.M. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, and Allen Kreider
Staff Present: Barry Smith
Visitors Present: Ted Gingrich 110 Bent Tree Drive

Business from the Floor

There were no public comments

New Business

Mr. Smith presented Resolution 12-2012. He explained that the resolution is for the purpose of accepting deed in lieu of condemnation for property owned by Norfolk Southern Railway Company containing 211.3 acres and 11.8 acres which are being purchase for the Rail Trail.

Mr. Bauder made a motion to approve Resolution 12-2012. Mr. May seconded the motion and the motion was approved by unanimous voice vote.

The Board moved to Executive Session at 8:45 A.M. for the purpose of discussing a real estate purchase and to discuss information related to collective bargaining.

The Board reconvened the Regular Meeting at 9:35 A.M.

There being no further business Mr. Kreider made a motion to adjourn. Mr. Breneman seconded the motion and the meeting was adjourned at 9:36 A.M.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Manor Township Supervisors Minutes

Monday July 2, 2012

Time: 7:30P.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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Susan Livingston
Visitors Present: See Attached List

Mr. May made reference to a Special Meeting that took place on June 22, 2012 indicating the Supervisors would be approving those minutes this evening.

Minutes –June 4, 2012-Regular Meeting Minutes-Mr. Breneman made a motion to approve the minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously. June 22, 2012-Special Meeting Minutes-Mr.Kreider made a motion to approve the minutes as presented. Mr. Bauder seconded the motion and the motion carried unanimously.

Bills-Mr. Kreider made a motion to approve the bills as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Financial Report-Mr. Breneman made a motion to approve the Financial Report. Mr. Clark seconded the motion and the motion carried unanimously.

Solicitors-There was no Solicitors Report.

Business from the Floor

Elizabeth Rackley, 1930 Water St., Washington Boro, advised the Supervisors that water flows into her yard from the alley. Ms. Rackley supplied the Supervisors with a photograph as well as a DVD to show water flow. She is upset that her neighbor has tried to divert water coming into his yard from the alley by constructing a concrete barrier; therefore, forcing more water into her yard. Mr. May stated that this issue had been addressed before and it was determined that this is the natural flow of water and has historically drained this way. Mr. Harris supplied data that reinforced Mr. May's previous statement as to the natural flow of water. Mr. May also indicated that he felt this was a neighbor to neighbor issue and not a Township issue.

Susan Sheeler, President of Woods Edge Home Owners Association, 101 Langley Rd., came to the Supervisors with some questions in regards to the dedication of two private roads. Ms. Sheeler also had some concerns as to the amount of homes in the cul de sac. Another question she had was did the Home Owner's Association have the legal right to put No Parking signs on the private roads.

Joan Matterness, 213 Sutherland Rd., stated that she has concerns in regards to the poor visibility at the corner of Stonecreek Rd. and White Chapel Rd. At the May Traffic Commission meeting, Ms. Matterness asked the Township to consider putting No Parking signs on the east side of Stonecreek Road. Mr. Harris looked at the situation and felt that No Parking signs were not necessary. After listening to her concerns, Mr. Breneman said the Traffic Commission would be willing to take another look at the situation.

Jim Quinn, 33 Dublin Dr., wanted to thank the Township and Martin Paving for the work done in Stonemill Manor.

Old Business

Rail Trail Update- Mr.May advised the Supervisors that the Township now owns the Rail Trail. Settlement was last Friday, June 29, 2012. A check was received from Conrail. The deed was recorded Friday.

New Business

Mr. May indicated the bidding process will begin for the fence for the Rail Trail. Mr. May reminded the Supervisors that Norfolk Southern was not satisfied with a split rail fence indicating that the fence must be a chain link fence that is 8 feet in height. Mr. Smith advised the board they are fairly well along on the plans for the fence. Due to the stipulation that the fence be installed within 6 months, they want to move ahead with the authorization to bid the fence and some of the associated work with it. Mr. Smith would like to receive the bids and be ready for approval of the project at the August meeting. Mr. Bauder made a motion to authorize advertising the bid for the Rail Trail Fence. Mr. May seconded the motion and the motion carried unanimously.

Petition to Rezone 65 Penn Street-Mr. May Bernadette Hohenadel, counsel for Mr. Steve Funk, 65 Penn St., spoke to the Board on Mr. Funk's behalf on his request to have the property rezoned Agricultural (A) to Village (V). It is a 10.6 acre property. The property is in the Urban Growth Boundary. Mr. Funk's intent, if property is rezoned, is to construct a small shed on the property that will be used for the sale of ice cream in conjunction with agricultural products. The Planning Commission's recommendation was that only part of the property be rezoned Village (V) and the balance remain Agricultural (A). Ms. Hohenadel and Mr. Funk did not find that to be a reasonable solution. The Board explored every avenue of the petition. The Ordinance prohibits the sale of ice cream. Mr. Smith advised them that the Ordinance will be prepared based on the Petition. Mr. Bauder made a motion to prepare an ordinance based on the original petition. Mr. Clark seconded the motion and the motion carried unanimously.

Petition to Rezone LCSWMA-Mr. May advised they have received the Planning Commission's recommendation regarding LCSWMA. Inadvertently this property was zoned Agricultural (A) when revisions were made to the zoning map. The board would like to correct that. Mr. May made a motion to refer the petition to council to prepare an appropriate ordinance for further consideration. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 13-2012-Guidelines on Warrantless Summary Arrests- Chief Graeff advised the Supervisors there are four warrantless summary offenses. By passing this resolution the Supervisors would give the officers the authority to arrest for the four summary offenses without warrants. Mr. May made a motion to pass Resolution 13-2012 regarding officers being able to make warrantless summary arrests especially in those four specific categories. Mr. Clark seconded the motion and the motion carried unanimously.

Resolution 14-2012- Solicitation License Fees-Mr. Smith advised that he and Chief Graeff had a discussion in regards to the amount of the Solicitation License Fee. The Resolution states the fee is ten dollars which was set in 1985. Mr. Smith suggested the fee be increased to one hundred dollars annually. Mr. Bauder made a motion to approve Resolution 14-2012. Mr. May seconded the motion and the motion was carried unanimously.

Joe Hainthaler, 1805 Stonebridge Dr., employee of the newspaper, addressed the Supervisors with a question in regards to Resolution 14-2012. He asked who should the residents of Manor Township contact when questioning the Solicitation Permit. Mr. Breneman told M. Hainthaler that residents should contact the police.

Shaw Financial Security Release-Mr. Smith advised the Supervisors this is for a single family home that has been built. The obligations have been met for their approved land development plan. There was a cash escrow in the amount of \$18,889.75. Mr. Smith has done an inspection and recommends to the Supervisors that the board authorize the release of the funds. Mr. May made a motion to release the Security in the amount of \$18,889.75. Mr. Kreider seconded the motion and the motion carried unanimously.

Authorization to Hire Part-Time Police Employee-Mr. Smith proposed to the Supervisors to allow the hiring of the part time employee for the purpose of having that part time clerical person working in the Police Department while Ms. Wertz is still here. Mr. Breneman made a motion to authorize staff to interview and to hire for the part time clerical position in the Police Department. Mr. May seconded the motion and the motion carried unanimously.

Notifications- Rohrer Road Bridge Replacements-This is actual notification to the Township regarding the Rohrer Road bridge replacement. Mr. Harris advised them that he has received a memo from Rettew Associates regarding portions of the project that are complete. Mr. Harris is hopeful to have the project out for bid within the next several months. There are two bridges scheduled to be replaced and it has been budgeted to replace one in 2012 and the other bridge in 2013.

Turkey Hill Dairy Wastewater Treatment Facility – Mr. Smith stated this is Act 14 Notification that is required and must be provided on a regular basis.

Jeff Barley Ag Stream Crossing – Mr. Smith advised the Board that a stream crossing is generally for getting equipment across the stream and explained the process.

Mr. Kreider advised the Board that he had a discussion with Jason Hershock from PennDot regarding the intersection of Route 462 and Hawthorn Drive. Mr. Kreider has concerns with traffic making a left hand turn from Columbia Avenue onto Hawthorn Drive. Mr. Kreider stated Mr. Hershock understands the situation and is requesting that the Township provide Mr. Hershock with a fax to be able to give PennDot something to work with as far as a solution to the problem.

Correspondence – Mr. Smith advised there is no correspondence.

Traffic Commission – Mark Harris shared the action items indicating they did a traffic study on Prospect Road between Letort Road and the Township Line that was forwarded to Officer Gardner who recommended in his report to post Prospect Road at 35 mph. The Commission supported that recommendation. Sgt. Gundel had numerous complaints pertaining to parking at the entrance at 306 Dickinson Avenue which is the entrance to Greider Park. The Traffic Commission supported posting the west side of the park entrance as a No Parking Zone. They discussed the Rail Trail access to River Road and the need to provide a clear sight zone. Part of the agreement with the land owner was to place No Parking signs so that people do not park there and restrict the sight line distance. They are recommending that No Parking signs be placed on the parcel across from the Rail Trail access. Mr. Harris indicated he received notification from PennDot that in regards to Donnerville Road between Route 462 and Route 999 they will be posting that road with “No Trucks” that will occur within the next 60 days. The Manor Township Police Department will be required to enforce the restriction of large trucks. Mr. Smith advised the restriction on large trucks on Donnerville Road will be problematic as this was a Township designated route for the large trucks. After discussion, the Supervisors requested Mr. Smith to draft a letter to the Representatives to try to resolve the restrictions on large trucks. Mr. Smith suggested that each of the Supervisors send an e-mail to the Representatives.

Police Report – Chief Graeff stated the Supervisors had his report in hand with a cover letter notifying them of a new format. Chief Graeff highlighted several items in the report. Chief Graeff noted National Night Out is August 7th at 6:00 p.m. at Leisure Lanes. Chief Graeff noted that Officer Tatara won the Top Gun Award for DUI Arrests and wanted to note Officer Smoker’s Honorable Mention even though he was working for New Holland Borough at the time. Matt Wolf and the Police Department received a Certificate of Appreciation from PennDot for aggressive driving enforcement for the past year.

Public Works Director Report – Mr. Harris indicated the work he anticipates for the month of July is that they are currently starting the road widening on Pittsburg Hill Road and then the reconstruction part of Rohrer Road. They also plan to start the purple loosestrife spraying in the wetlands and ongoing maintenance throughout the month of July.

Township Manager’s Report – Mr. Smith indicated that the Supervisors have his report. Mr. Smith indicated he would like to talk about the firewall ordinance which has come up several times. There are those in the building community who find it to be costly. The firewall ordinance was in effect prior to having building codes. Mr. Smith stated that he is somewhat sympathetic to the cost of building and there are those in the building industry who indicate it cost them anywhere from \$800 to \$7,000 more per unit to separate with a masonry firewall. Mr. Smith advised the Supervisors that recently Wes Funk

has talked to him because he has an existing building and wants to separate into two rental units. When Mr. Funk was informed of the firewall provisions he indicated it would be very costly. Mr. Nelson with Commonwealth Code Inspection Service is satisfied with the code that is in place for firewall protection. Mr. Smith advised that he has talked with Duane Hagelgans with Blue Rock Fire Rescue explaining the building code and our code that exceeds the building code and Mr. Hagelgans indicated there is no way he would give up that masonry block separation. Mr. Smith stated he is uncomfortable suggesting they change the firewall separation ordinance. The Supervisors were in agreement to keep the Ordinance that is in effect pertaining to the firewall separation.

Building Permit Report – Mr. Kreider reported that the number of permits issued in June 2012 was 18 compared to 38 last year, number of permits issued year to date in 2012 was 146 compared to 126 in 2012, the dollar value of the permits issued in June 2012 is \$497,324 and the dollar value of permits issued year to date is \$7,348,525 and that compares to \$6,723,541 last year.

There being no further business Mr. Breneman made a motion to adjourn. Mr. Kreider seconded the motion and the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Susan Livingston

Manor Township Supervisors Minutes

Monday, August 6, 2012

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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer
Visitors Present: See Attached List

Minutes – Mr. Kreider made a motion to approve the July 2, 2012 minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills as presented. Mr. Bauder seconded the motion and the motion carried unanimously.

Financial Report – Mr. Breneman had a question on the Real Estate Tax percentage and Mr. Bauder questioned the Real Estate Transfer tax amount. Mr. Clark made a motion to approve the Financial Report as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

Solicitor's Report – There was no Solicitor's Report.

Business from the Floor

Ruth Rielly, 152 Kent Road, thanked the Road Crew, Staff, Blue Rock Fire & Rescue and the Police Department for their handling of the big storm last month.

Old Business

Rail to Trail Update – Mr. Smith advised the Supervisors that Public Works Department has been working on the Rail Trail preparing for the fence installation and doing advance work that will benefit the Township in vegetation management. Mr. May noted that the Township is the legal owner of the tract and that the Fire Company as well as the Police Department should have access to the trail 24/7 immediately. Mr. Smith advised the Supervisors that it is their plan to change the lock configuration. Mr. Kreider had concerns regarding the possibility of a fire between the active line and the rail trail after the fence is installed. He asked if there would be any interference. Mr. Smith advised him that there could conceivably be interference but the distance may not be the issue that it currently is now. There will be access to the entire corridor but Mr. Smith stated he does not know what would occur if something happens at the active track itself at the river's edge. Mr. Kreider also asked if there would be no smoking on the trail and Mr. Smith pointed out all the Township Facilities are no smoking facilities.

New Business

Fire Company Presentation – Bob Howells, a Board Member of Blue Rock Fire Rescue, on behalf of the Board and Members of Blue Rock thanked Manor Township for their hard work, effort and support given over the past few years to make the merger a reality. The Board of Supervisors was presented with a picture of the Blue Rock Fire Rescue Apparatus. Ted Gingrich gave the Supervisors a Regional Magazine that contained an article concerning the Blue Rock Fire Rescue.

Wesley Funk Waiver Request of Section 202 Manor Township Code of Ordinances – Ken Hammel with Hammel Associates Architects of Lancaster introduced the project. Mr. Hammel advised it is their proposal to convert a two car garage and storage into a one bedroom apartment. The Township Code requires a two hour masonry wall and floor assembly. This building was built in 1983 before the

Township Code was adopted. It currently has a two hour fire separation between units. What is proposed is to continue this two hour fire wall and add a layer of drywall to it which will raise the rating from 2 hours to approximately 2 hours and 45 minutes and to install four layers of drywall on the ceiling which is a two hour separation. The improvement of the rating on the wall and the floor ceiling will be continuous. They are allowed to have electrical boxes in fire rated ceiling but in this case they will not have any penetrations at all and it will be completely solid. Installing a masonry wall in this garage would be impractical because the foundation was not designed for the weight load of a masonry floor and it is unknown how to build a masonry floor without demolishing the building. This proposal exceeds the UCC requirements by 100%. The Applicant is asking the Supervisors to waive the masonry requirement of the Section 202. Mr. Smith advised the Supervisors that this is not a Zoning Ordinance issue or SALDO issue but very specific to the Township Code of Ordinances where this Township has had masonry firewall separation in place for many years. Mr. Smith advised the administration does not have the latitude to make those determinations on your Code of Ordinances; that is solely at the hands of the Board of Supervisors. Mr. Hammel advised them the pages from the Code of Ordinances are dated June 1989 and the date on the set of plans is 1983, so this structure was built before this regulation. Mr. Bauder commented that they had approved a variation for Manor Oaks. Mr. Smith advised that individual demonstrated he had gotten a review from Mr. Nelson with confusing elements. Mr. Smith stated it was waived in that situation and if it is waived for this request, he suggested that they are careful they do not set precedence. Mr. Kreider stated that he was opposed until he saw there would not be any electrical outlets or any penetrations in the firewall. Mr. Breneman stated he did not want to set precedence but in this situation he felt they could waive the requirement. Mr. Clark indicated he had no problem approving the waiver in that they are exceeding the minimum standards of the UCC by 100% and they are not penetrating the wall. Mr. Breneman made a motion to allow this. Mr. Kreider seconded the motion. Mr. Breneman amended his motion stating he moved to approve the waiver request of Section 202 Manor Township Code of Ordinance for the Wesley Funk project. The motion carried unanimously.

Award Contract for Fence on Rail Trail – Mr. Smith advised them that this project was properly prepared, properly advertised and Penn Bidding process was used which is an electronic process. There were approximately 18 companies who picked up the specifications and packets with 8 who actually submitted bids for consideration. Rettew Associates, the Township Design Engineer who prepared this project, indicated that all bidders were responsive with the appropriate packets and that G.B.Hastie Fence Company, Inc. is the apparent lowest responsible bidder and Mr. Smith concurs with that based on his review of the documentation. It is Rettew's recommendation as well as Mr. Smith that the Rail Trail Fence Project be awarded to G.B.Hastie Fence Company in the amount of \$511,100.00. Mr. Kreider asked if this is a Pennsylvania Contractor and Mr. Smith advised him that they are from New York. Mr. Kreider stated that he has a problem with a company out of state when we are trying to keep local people working. Mr. Smith advised there is a legal process and failure to uphold that puts them in a legal quagmire. Mr. Kreider questioned if there was a way to ensure local employees are used and he was advised they could not do that. Mr. May stated it is a company who has done big jobs and advised Mr. Kreider he could look at their web site. Mr. Bauder made a motion to award the fence construction bid to G. B. Hastie Fence Company, Inc. in the sum of \$511,100.00. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 15-2012 Pension Plans – Mr. Smith advised that they believe they are required to do this Resolution presented to them by the Pension Consultant. Mr. Strohecker has reviewed the Resolution and it is recommended they pass Resolution 15-2012. Mr. May made a motion to adopt Resolution 15-2012. Mr. Clark seconded the motion and the motion carried unanimously.

Resolution 16-2012 Appoint Pension Chief Administrative Officer – Mr. Smith indicated he has been in the position of Chief Administrative Officer and Mr. Strohecker is doing the bulk of that work; therefore,

Mr. Smith stated that he feels it is appropriate to name him as the Chief Administrative Officer of both the Manor Township Police and Non Uniform Pension Plans. Mr. Bauder made a motion to adopt Resolution 16-2012 appointing Ryan Strohecker as Chief Administrative Officer of Manor Township Police Pension Fund and Manor Township Non-Uniform Plan. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 17-2012 Recognizing Donna Wertz – Mr. Smith advised the Supervisors this is a Resolution recognizing a retiring employee Donna Wertz. Ms. Wertz is on vacation and unable to be present. Mr. Smith stated they appreciate Ms. Wertz's excellent service. Mr. Breneman made a motion to adopt Resolution 17-2012 recognizing Donna Wertz for her years of service. Mr. May seconded the motion and the motion carried unanimously.

Authorize Planning Commission Review of Amending Zoning Ordinance Changing 10.6 acres from Agricultural Zone to Village Zone – Mr. Smith advised the Supervisors that this is a result of a petition that had been before the Supervisors after which it was advanced to the Planning Commission. At the last meeting, the Supervisors directed Mr. Smith to prepare the Ordinance that is before them this evening. Mr. Smith will send the Ordinance to the Manor Township Planning Commission and LCPC if that is the Supervisors' desire. Mr. May questioned why the lot numbers were referenced instead of using a legal description. Mr. Smith advised him that this was prepared by the Township Solicitor and Mr. Smith stated that he is not prepared to answer Mr. May's question. Mr. May asked Mr. Smith to check with the Township Solicitor pertaining to Mr. May's comments. Mr. May questioned if there may be an old plan on record. Mr. Kreider stated that he has a problem with the change because it is dealing with changing land from Agricultural to Village Zoning in a time when we are spending a lot of time getting land into Agricultural Zoning. Mr. Kreider pointed out there are lots for sale by Safe Harbor that are not selling. Mr. Smith advised him that most of the lots that Safe Harbor has for sale are in the floodplain. Mr. May stated that he feels the Ordinance should be referred to the Township Planning Commission and Mr. Kreider agreed. Mr. Kreider made a motion to forward the Zoning Ordinance as drafted to the Manor Township Planning Commission. Mr. Clark seconded the motion and the motion carried unanimously.

Ratify Hiring Part-Time Police Secretary Susan Livingston – Mr. Smith advised they went through an interview process and came to the Supervisors with a recommendation. Mr. Smith was authorized to hire Susan Livingston for the part time Police Secretary Position. Mr. Smith wants to go on record that they are publicly ratifying the hiring of Ms. Livingston. Mr. Breneman made a motion to ratify the decision to hire Ms. Livingston. Mr. May seconded the motion and the motion carried unanimously.

Mr. May advised they would be taking an Executive Session break to discuss personnel matters before they adjourn.

Correspondence

Administration – Request to change the definition of Lot Coverage in the Manor Township Zoning Ordinance – Mr. Smith advised the Supervisors they had a letter in their possession from Jim and Ginger Schwebel. The Schwabels had been before the Township Administration seeking a permit to install a swimming pool and as they went through the process it was realized there are some terms within the Zoning Ordinance that were problematic for this particular lot and possibly for other lots when it comes to compliance with lot coverage. In meeting with the Schwabels, they discussed some of the alternatives that were suggested such as what counts as impervious surface. The dilemma described in the letter is what they have defined as problematic. If the Township would choose to change the Ordinance language as presented in this letter to give the alternative for pervious surfaces it would allow any property owner some flexibility to utilize their lot and still meet the 30% impervious section of the Ordinance. Mr. Smith advised them that he believes they need to keep the percentage for impervious due to all the stormwater and EPA issues. One of the ways for a property owner to deal

with that is if you can take what is currently impervious and make it pervious such as driveways, sidewalks, and green infrastructure on roofs. Mr. & Mrs. Schwebel stated for them the issue is a pool but for someone else it could be an addition or other use. Mr. Kreider stated that he feels if this would be approved they should be looking at the possibility of capturing the water off roofs to recharge pools. Mr. May feels it encourages good practices so he is not opposed to the concept but the question is timing. Mr. Bauder asked what impervious surfaces were they replacing with pervious. The Schwebels stated they would replace the driveway with pervious material. Bob Horn with Fox Pools stated the Schwebel are 3% over their lot coverage; therefore, instead of asking for a variance they felt this was probably a better way. Mr. Horn asked the Schwebels if they would be willing to make their driveway pervious versus their macadam driveway and that suggestion was brought to Mr. Ott who took it to the Township Solicitor. The Solicitor advised the Township that the language does not allow that to be done. They are asking for a change of verbiage to permit permeable things to be considered. Mr. Smith advised there are two processes 1) what is being done this evening by asking the Supervisors to consider it. 2) File a formal petition in which they would be obligated to consider it and then make a determination. It is the Supervisors prerogative as to whether they wish to make a change now or allow the Administrative Department to see if there are any other clean up type issues to be included in the advertisement of the Ordinance. Mr. Breneman stated that he feels they should take a look at this and let Mr. Ott and Staff see if there is something else that should be included at the same time. Mr. Smith advised they could do that review before the next month if that was their wish. Mr. Kreider stated that he feels this should be approached cautiously because any change to Ordinance could have ramifications. If information can be obtained on anything else that should be changed in the next 30 days, Mr. Kreider feels it is worthwhile waiting and Mr. Clark agreed. Mr. Smith advised he would have something for them the next meeting if directed.

Fingerprint Comparison Class – Chief Graeff stated that this class would give the Police Department someone who could do fingerprint comparison. Chief Graeff would like to send Officer Wolf who is also their Certified Evidence Technician. Mr. Smith handed out another request submitted by Chief Graeff requesting permission to have two Detectives to attend Child Abuse Conference in Lancaster in October. Mr. Breneman made a motion to approve both classes for the appropriate members of the Police Force to attend. Mr. May seconded the motion and the motion carried unanimously.

Traffic Commission

Chief Graeff stated that the Traffic Commission met on July 25th. Chief Graeff and Mr. Harris went to Stone Creek Road and Whitechapel Road and staged the area and found if you had a SUV type vehicle parked on right hand side coming from Whitechapel onto Stonecreek you could not see to the right. The Commission recommended that a “No Parking to the Corner” be placed 50 – 60 feet from the corner on Stonecreek Road. Mr. Kreider’s comment on the left turn from Columbia Avenue onto Hawthorn Drive was discussed. Mr. Harris has sent a letter to PennDot and they are waiting to hear back from them.

Police Report

Chief Graeff stated the Police Report has been submitted and highlighted statistics. Chief Graeff gave a reminder that tomorrow night is National Night Out being held at Leisure Lane from 6:00 – 8:00 p.m.

Public Works Director Report

Mr. Harris commented on his report as submitted. Mr. Harris reported from the storm in early July one section of Prospect Road between Habecker Church and Charlestown had 19 trees down. During the storm the pole shed at the maintenance building was blown down. Mr. Harris has met with some people in the pole shed industry and came up with specifications. They anticipate advertising for the

replacement of that shed in the next week and Mr. Harris expects to have a recommendation for the Supervisors for replacement at the September meeting. Regarding the culvert project on Rohrer Road, prints were received today via e-mail and Mr. Smith and Mr. Harris will be meeting with Rettew tomorrow to get those documents ready for bid this month. Mr. May questioned if there was insurance coverage on the pole barn and Mr. Harris advised him it was insured. Mr. Breneman questioned if it would be put back in the same footprint. Mr. Harris wants to duplicate the 40 x 80' building. Mr. Harris advised that the back end of the barn on the lower portion of the lot also blew out and a structural engineer examined the barn determining the building is structurally sound. However, talking about long range vision, they are proposing to add another bay onto the existing 40 x 80' building that all stored materials in the damage barn could be moved into the 40 x80' building.

Township Manager's Report

Mr. Smith indicated that the Supervisors have his written report. Mr. Smith again encourages the Board as well as residents and staff to keep eyes open for any illicit discharge and report to the Staff so they can act appropriately. Mr. Smith advised there have been very few complaints or notices in the course of the last three months. Mr. Smith has had conversation via e-mail with individuals from Oakridge pertaining to complaints with parking in front of mailboxes. Requests have been made for an Ordinance that would prohibit parking in front of cluster mailboxes. Chief Graeff advised them that there are no regulations regarding parking in front of mailboxes and that is the problem. After discussion, the Supervisors stated that they feel that any enforcement of parking in front of mailboxes is the responsibility of the Homeowner's Association.

Building Permit Report

Mr. Kreider reported that the number of permits issued in July 2012 was 19 compared to 41 last year, number of permits issued year to date in 2012 was 165 compared to 191 last year, dollar value of permits issued in July 2012 was \$1,012,176 and dollar value of permits issued year to date is \$8,360,701 compared to \$8,507,194 last year.

Mr. May informed Staff they could leave and at 8:40 p.m. the Board of Supervisors adjourned to an Executive Session pertaining to Contract Negotiations. The Board of Supervisors returned from their Executive Session at 9:20 p.m. On motion of Mr. Bauder, seconded by Mr. Kreider the meeting was adjourned at 9:22 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Minutes

Tuesday, September 4, 2012

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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider and Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer
Visitors Present: See Attached List

Minutes – Mr. Kreider made a motion to approve the August 6, 2012 minutes as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills as presented. Mr. May seconded the motion and the motion carried unanimously.

Financial Report – Mr. Kreider made a motion to approve the Financial Report as submitted. Mr. Bauder seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith advised that there was no Solicitor's Report.

Business from the Floor

Gary Maxwell stated he has talked to Police Officers as well as Chief Graeff regarding repetitious gun fire in his area and has been told there is nothing the Police can do. He was told the Noise Ordinance was created for barking dogs as well as parties. Mr. Maxwell had a copy of the Noise Ordinance and read excerpts from the Ordinance that he feels would apply to the noise from repetitious gun fire. Mr. Maxwell stated he was present this evening to get some explanation as to what the Noise Ordinance is and does it cover gun fire. After discussion, Mr. May and Mr. Bauder advised him that they would talk to Mr. Shaub regarding the gun fire.

Ruth Rielly, 152 Kent Road, suggested checking with the Game Commission regarding shooting guns within a certain distance from a house.

Lisa Lewis, 2542 Valley Drive, thanked Mr. Harris and his crew for the wonderful job that they do in the park. Mr. May asked Mr. Harris to pass on Ms. Lewis's thanks to the Public Works crew.

Scott Haverstick, 1970 Water Street, asked about what may happen with the bridge on South Creek Road. Mr. Haverstick stated there has never been a definitive point of saying nothing would be done, but there have been suggestions of the possibility of it being a pedestrian bridge. Mr. Haverstick informed the Supervisors that he would volunteer his time and efforts to act as a liaison with the County, if there was any direction from the Board. Mr. Smith advised the Supervisors that the last position by the County was the bridge is being closed and their offer is if this Township wants it, they will sell it to us. Mr. Bauder believes they had stated that they would reimburse the Township for the demolition and Mr. Smith verified that was the offer. After discussion, Mr. May stated he is interested in looking at what it would cost to put some type of pedestrian structure there whether the old abutments are used or not. Mr. May stated that engineering would be required for anything that would be looked at. Mr. Breneman advised that as they come into looking at budget shortly there will be priorities they will have to look at and he is not sure this bridge would be a high priority.

Mr. May advised that Chief Graeff would be giving his report at this time. Chief Graeff commented that concerning Mr. Maxwell's concerns that Chief Graeff had talked to Mr. Maxwell earlier in the day and Mr. Maxwell is aware that there is nothing that can be done for him. Chief Graeff advised that

there is no law regarding firearm discharge in Manor Township and the Noise Ordinance does not cover discharge of firearms. Chief Graeff advised the Supervisors that if anything was done under the Noise Ordinance it is unlikely the Magisterial District Justice would uphold it and the off chance the District Justice does up hold it, the Common Pleas Court will not up hold it. Mr. May stated he agreed with Chief Graeff and feels it is a neighborhood feud where the Township should not be involved.

Traffic Commission

Chief Graeff advised there was no Traffic Commission meeting in the month of August.

Police Report

Chief Graeff stated that his monthly report has been submitted and highlighted statistics listed in the report.

Training Request – Chief Graeff requested that Officer Moser attend Speed Driver Operator’s Class which has a \$70.00 registration fee. Chief Graeff has amended his request to include Officer Tatara to attend the training. Mr. Bauder made a motion for the two Officers to attend the training session. Mr. Clark seconded the motion and the motion carried unanimously. Chief Graeff informed the Board that regarding the schooling that was approved last month, Jim Alexander was able to get the Officers into the school at no charge. Mr. Breneman expressed his thanks for National Night Out and Mr. May agreed it was a successful night.

Old Business

Rail to Trail Update – Mr. Smith stated that he had nothing new to report.

New Business

LIMC Update – Mr. Smith advised there are a number of documents and asked LIMC Director Mike LaSala to give a briefing on the documents. Mr. Smith stated it is his understanding there is a desire by LIMC to have each Municipality pass a Resolution that in effect addresses the amendments. Mr. LaSala advised the Supervisors that there are four amendments 1) Transportation Coordination 2) Natural Resource Protection 3) Associate Members and 4) Outfall Mapping Program. The Solicitor’s recommendation is to have the Municipalities approve the amendments prior to the vote at the LIMC due to the fact that the LIMC Agreement allows the Agreement to be amended at the LIMC level versus passing another ordinance. Mr. May made a motion to adopt the four amendments as presented by Mr. LaSala that are the Associate Member Amendment, The Transportation Coordination Division Amendment, The Natural Resource Protection Division Amendment and The Outfall Mapping Program Amendment. Mr. Clark seconded the motion. Mr. Bauder asked for a summarization of the Association Member Amendment and The Natural Resource Protection Division Amendment. Mr. May called for the vote and the motion passed unanimously. Mr. Smith stated that a letter will be sent to LIMC with the action taken this evening.

Ordinance 6-2012 LCSWMA Rezoning Rural to Conservation – Mr. Smith addressed both Ordinance #6 and #7. Mr. Smith advised this has been before the Planning Commission, LCPC and LUAB. The Rural to Conservation issue is part of the mandate and the rezoning Rural to Excavation was a matter of a mistake made in mapping. This has been properly advertised, posted and it was prepared for this evening’s action. Mr. Breneman made a motion to adopt Ordinance 6-2012. Mr. Kreider seconded the motion and the motion carried unanimously.

Ordinance 7-2012 – LCSWMA Rezoning Rural to Excavation – Mr. Kreider made a motion to adopt Ordinance 7-2012. Mr. Clark seconded the motion and the motion carried unanimously.

Ordinance 8-2012 – Multi Use Zoning Amendment – Mr. Smith stated there were a number of issues before the Township that have driven them to the point of drafting this Ordinance. The Board has the

Planning Commission's comments. Mr. Smith briefly reviewed the following topics that are in the Ordinance: Section 1 is to create permitted uses within the Industrial Zone that are different than what is currently there. This Ordinance would allow contractors such as plumbing, heating, air conditioning, electrical, roofing, flooring, glass and windows, etc. as a permitted use in the Industrial Zone which is currently not allowed. It is believed this is a zone where these things should be allowed. If this Ordinance is passed, Section 2 requires re-lettering and reformatting the Ordinance due to the insertion. Section 3 is a cleanup mechanism as the current Ordinance has the date 2001 and it is desired to have this Ordinance known and cited as the "Manor Township Ordinance". Section 4 relates to non-conforming churches and public uses. Recommendation is this Ordinance would delete September 19, 1990 date and replace with the statement "as of the effective date of this Ordinance". This was in place in the early 90's relative to churches and public uses and it allowed them to expand into agricultural zoned property. Based on the Board's initiative in the massive rezoning of rural to agricultural it would be appropriate to make this change effective of this date and remove that September 19, 1990 date. The parking regulations are relative to a number of issues before them basically initiated during the conversations that were held with Mr. & Mrs. Heidig. In any number of cases, they have multiple commercial properties where parking has overflowed onto public streets because of insufficient parking. Mr. Smith advised this is for changes that are made and not for what exists today. There was discussion on existing businesses that have parking problems. Mr. Breneman made a motion to adopt Ordinance 8-2012. Mr. May seconded the motion and the motion carried unanimously. Mr. Bauder felt everything in the Ordinance makes sense except for the parking. If someone has a property and the rules are changed it changes the value of the property.

SALDO

Emerson C. Frey & Sons Lot Add-on-Plan Briefing Item - Mr. Smith stated the Supervisors have a letter from the Planning Commission indicating the plan was moved to an action item with their recommendation of approval for the waivers as well as the plan itself. Jeff Bowlby from Diehm & Sons Inc. who is representing the Frey's presented the plan. Mr. Bowlby stated that Emerson Frey is the father who owns the tract between Anchor Road and Letort Road. There are three sons Wilson who recently passed away, Wes and Randy. They are looking at reconfiguring their father's farm and add pieces to their farms. The farms are 53 acres, 25 acres, 12 acres and 29 acres. They want to reconfigure four different parcels for Wes to add 16 acres, Randy to straighten his tract and Wilson to add 9 acres to his portion. It is basically four land swaps, to make the four tracts of land the way they want them. The review letter from Rettew Associates had four comments which were minimal information that is needed and the Applicant had no problem making the changes. They submitted the plan to LCPC under the MOU and received a clean letter. Mr. May made a motion to move this plan to an action item. Mr. Kreider seconded the motion and the motion carried unanimously. Mr. Bauder made a motion to approve the lot add-on plan and modification requests for Emerson C. Frey & Sons on the condition of meeting the requirements of the August 13, 2012 Rettew letter. Mr. Clark seconded the motion and the motion carried unanimously.

Hambright Elementary School Preliminary/Final Plan & Modification Requests Briefing Item - Mr. Smith advised they have received a letter that the Applicant stating that they would like to postpone the plan to the next Planning Commission meeting. Mr. Smith advised that the Applicant will be before the Supervisors October 1st as a briefing item and will be at the October 9th Planning Commission meeting. Mr. Smith asked the Supervisors to keep the documents so they do not have to be recreated. Mr. Kreider expressed concerns with the Middle School representing 50 acres of land and the property in question is 44 ½ acres for Hambright which leaves 26 ½ acres for the future high school. Mr. Kreider stated that he feels this does not make sense.

Draft Lot Coverage Zoning Amendment - Mr. Smith advised this is a result of a previous meeting when the Schwebels were before the Supervisors. The Staff and Solicitor were directed to prepare an

Ordinance. It essentially changes the lot coverage definition and allows for excluding pervious materials from lot coverage definition. They would like to send it to the LCPC and Manor Township Planning Commission for comment. Mr. Breneman made a motion to refer the amendment to the LCPC and Manor Township Planning Commission for their comments. Mr. Clark seconded the motion and the motion carried unanimously.

Sign Temporary Construction Easements for Rohrer Road Culvert Project –

Brian Hershey – Mr. May made a motion to approve the Temporary Construction Easement for Rohrer Road for Brian Hershey. Mr. Breneman seconded the motion and the motion carried unanimously.

B & C Hershey Farms – Mr. Breneman made a motion to enter into the Temporary Construction Easement for B&C Hershey Farms. Mr. May seconded the motion and the motion carried unanimously.

Peter & Elizabeth O’Donoghue – Mr. May made a motion to enter into the Construction Easement for Peter & Elizabeth O’Donoghue. Mr. Clark seconded the motion and the motion carried unanimously.

Award Rohrer Road Culvert Contract – Mr. Smith noted that the low bidder is Flyway Excavating Inc. Mr. Smith advised the amount for the south bridge is \$242,407.49 and the alternate was to actually construct both the south and north culverts and that amount is \$483,950.30. There were three or four competitive bids. Mr. Bauder asked when the construction will take place and Mr. Smith advised him that possibly as early as the first of October. Mr. May made a motion to accept the Flyway bid for the alternate proposal for both jobs in the amount of \$483,950.30. Mr. Kreider seconded the motion and the motion carried unanimously.

Award Post-Frame Storage Building Contract – Mr. Smith advised this is for the building that was destroyed by the wind storm. Two bids were submitted; CB Structures, Inc. was in the amount of \$48,495.00 and Penn State Construction in the amount of \$74,100.00. CB Structures is the lowest qualified bidder and Mr. Smith recommended to the Board awarding the bid to them. Mr. Breneman made a motion to accept the bid of CB Structures, Inc. in the amount of \$48,495.00 to construct the post-frame storage building. Mr. Bauder seconded the motion and the motion carried unanimously.

Star Rock Farms Improvement Guarantee and Cash Escrow – Mr. Smith advised the Board that this is a standard agreement that is necessary for this project. They have a review and it meets their requirements. Mr. Smith stated they have the cash in hand and recommends authorizing signing the Improvement Guarantee Agreement. Mr. May made a motion to enter into and execute the Storm Water Management Agreement and Declaration of Easement. Mr. Kreider seconded the motion and the motion carried unanimously.

Star Rock Farms Storm Water Management Agreement – Mr. Smith advised this is the standard required Declaration of Easement that meets specifications and recommends they enter into the agreement. Mr. Clark made a motion to enter into the agreement. Mr. May seconded the motion and the motion carried unanimously.

Minimum Municipal Obligations for Pension Plans – Mr. Smith stated this is their annual requirement and they need to present this formally to the Supervisors in the September meeting. Mr. Smith advised there is always the possibility they may need to amend this before the end of the year. Mr. Clark made a motion recognizing that they have received the 2013 budgeting purposes Manor Township Non Uniform Employee Pension Plan and also the Uniform Employee Pension Plan. Mr. Breneman seconded the motion and the motion carried unanimously.

Correspondence

APMM Fall Conference – Mr. Smith advised the Board that the conference is in Lancaster and requested authorization for himself and Ryan Strohecker to attend. Mr. May made a motion that Mr. Smith and Mr. Strohecker be authorized to attend the fall conference. Mr. Clark seconded the motion and the motion carried unanimously.

Public Works Director's Report

Mr. Harris noted work planned for the month of September. They plan to start the pavilion construction at Creswell Park, the week of September 10th start road line painting and they anticipate finishing the road widening this week on Charlestown Road.

Township Manager's Report

Mr. Smith stated his written report has been submitted noting several items. Mr. Smith advised they have addressed the suggestion of the donation of the 1997 Ford Taurus to the Lancaster County Emergency Agency by e-mail but would like the Supervisors to go on record by motion that they are authorizing that donation. Mr. Kreider made a motion to donate the 1997 Ford Taurus to the Lancaster County Emergency Agency. Mr. May seconded the motion and the motion carried unanimously.

Mr. Smith reminded the Supervisors as well as residents to use good household habits when maintaining vehicles and caring for them in personal garages using spill preventions. Regarding lawns and gardens, residents are encouraged to use fertilizers and pesticides in the appropriate amounts and sparingly as well as sweep up debris that may be on driveways and place in composting or recycling process and clean up after pets. Be cognizant of swimming pool and spa when discharging water making sure there is no detectable chlorine so it does not get into the sanitary sewers or storm water. Mr. Bauder questioned the Stouch Lighting Energy Analysis. Mr. Smith advised they have asked a lighting company to do an analysis of all of the current lighting that is original from 1993. Stouch Lighting has agreed to provide an analysis that will probably be presented to the Supervisors in the budget hearing process with what may or may not be recommended.

Building Permit Report

Mr. Kreider reported that the number of permits issued in August 2012 was 21 compared to 23 last year, number of permits issued year to date is 186 compared to 214 last year, dollar value of the permits this year in August 2012 was \$372,811.00 and dollar value of permits issued year to date in 2012 is \$8,733,512.00 compared to last year of \$9,077,589.00.

Mr. Breneman informed the Supervisors that Thursday night the Fire Commission will start to look at the preliminary draft budget for next year at 6:00 p.m. at the Fire House in Millersville.

On motion by Mr. Kreider and seconded by Mr. May the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Minutes

Monday, October 1, 2012

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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Brandon Clark, Jay Breneman and Allen Kreider
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer
Visitors Present: Donna Walker, LNP
Larry Levato, Crabtree Rohrbaugh
Jim Hocker, Derck & Edson
Jim Quinn, 33 Dublin Drive
Dennis Griffith, 111 Bender Mill Rd
Lisa Lewis, 2542 Valley Drive

Minutes - Mr. Kreider made a motion to approve the minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills as presented. Mr. Bauder seconded the motion and the motion carried unanimously.

Financial Report – Mr. May made a motion to approve the Financial Report as submitted. Mr. Clark seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith advised there was no Solicitor's Report this month.

Business from the Floor

Lisa Lewis, 2542 Valley Drive, requested that the Supervisors consider an ordinance requiring sidewalks be cleared of snow. Ms. Lewis stated that children are required to walk in the street when going to and from their bus stops due to sidewalks not being cleared of snow. The Supervisors advised Ms. Lewis they would consider her request and asked Mr. Smith to look at the ordinances used by other municipalities.

New Business

SALDO – Hambright Elementary School Preliminary/Final Plan & Modification Requests Briefing Item - Jim Hocker from Derck & Edson gave a brief overview of the plan. Mr. Hocker advised the Board that the proposed elementary school is a replacement to the current Hambright Elementary School. The proposed project is to join the lot containing the Manor Middle School and the adjoining lot to the west. Proposed with the project are improvements to Charlestown Road according to Township standards including the curbing, some widening to collector road standards and street trees. The existing access will remain and will be extended providing a loop that will double back to the rear of the Manor Middle School where their entrance is located. This will be shared with service entrance to the new elementary school as well as the parking lot. There is proposed a new driveway access with a one way loop for buses to drop off and pick up. The parents will have their own loop that is a totally separate circulation from the buses. Mr. Bauder had questions on the proposed improvements on Charlestown Road as to whether there would be a turning lane, and if there would be a pedestrian access from Abilene Lane to the complex. Mr. Kreider had questions on the illumination indicating that he felt what is proposed is exceptionally high. Mr. Hocker stated the candle level is based on the IES (Illumination Engineering Society of North America) recommendations for this type of facility. Lisa Lewis commented on the

walkways that were discussed indicating that the area of Valley Drive has three buses that come through their area as well as Georgetown Hills and a majority of those children will probably go to this school; therefore, a walkway from their area would probably be used. Mr. Smith advised that the closest avenue from that development is onto Ironstone Ridge Road which is all privately owned properties.

Larry Levato from Crabtree Rohrbaugh, the architect for the project, stated with regards to the pedestrian paths there are no current student walkers to any of the schools. All the students are currently bused to the Hambright Elementary School even the students living in the area around the school. The School District is not seeing a rise in walkers.

Mr. Hocker stated in discussion with the Planning Commission regarding walking paths there is a note that was added to the plan to extend the walkway to the east and west at such a time those areas would be developed.

Rail to Trail Final Land Development Plan Staff Update – Mr. Smith advised that significant progress has been made in the preliminary issues on the site. The Public Works Department has completed a lot of clearing and grubbing in anticipation of the actual construction of the trail. The fence is completed with the exception of the gates which will be installed in approximately three weeks. There was discussion with the fence company to see if there is an opportunity to duplicate the ornamental fence on the opposite side. Mr. Smith indicated it seems to be costly compared to what they may be looking at. Mr. Smith stated there is thought to alternative fence. Pertaining to the trail, Mr. Smith indicated he and Mr. Harris recommends a base width of 14 feet wide and a 12 foot wide trail of trail mix material that is a little wider than some trails. Mr. Smith stated that he believes they are in a position to bid some of the materials for this year. Mr. Smith would like the Supervisors permission to bid the stone and trail mix and to have the bid awarded at the November meeting so that the Public Works Department can actually begin constructing the trail. Mr. Harris's goal is to have as much as one-fifth of the trail constructed over the winter. Mr. Bauder talked about the estimate provided by Rettew and the work that the Township is now doing indicating that he wanted to make sure the costs of what the Township is doing is separated from the estimate from Rettew Associates. Mr. Smith advised him that a large part of what Rettew was to prepare for the Township was the land development plan. Mr. Smith stated the Township will see savings because they will not be bidding the management part of the project as Mr. Smith and Mr. Harris will be managing the project. Mr. Smith advised them that Rettew's role was to give them a list of the necessary activities and events which they supplied and the Township is building this project off of their engineering documents. Mr. May made a motion to permit the bidding to go ahead in anticipation of approval of the land development plan. Mr. Clark seconded the motion and the motion carried unanimously.

Mr. Harris provided a time line for work on the Rail Trail indicating they are in the process of grubbing. They are moving forward with the detention basin. Mr. Harris stated they are doing what they can in house and still maintain their level of service to the Township. Mr. Harris indicated he has asked Martin Paving to give a unit price that is \$.29 a square yard to lay the stone and \$.50 a square yard to lay the trail mix. Mr. Harris stated based on their calculations he believes they can build a mile and one-half starting at the dam and working to the north to avoid driving over the trail mix after it is applied. Mr. Harris is planning on starting at the dam to profile the trail for a mile and one-half. Mr. Harris indicated it is conceivable they will be laying trail mid to late November. Mr. May asked Mr. Harris to again thank the Road Crew for all they have done and everything they continue to do on the Rail Trail. Mr. Smith advised the Board that the goal is to have the trail built in 2013. The grant for development expires at the end of this year, but Mr. Smith advised he can ask for an extension. Mr. Smith advised an extension is another factor in trying to get a head start on the trail and one of the compelling reasons to grant an extension from DC&R will be that the Township has started the development of the trail. Mr. Bauder expressed a concern that crack sealing is not forfeited and Mr. Harris advised him that they have already started crack sealing and will be continuing.

Act 67, 68, 217 Parkfield Phase III General NPDES Permit Renewal - Mr. May stated that this is for information purposes and no action is needed. Mr. Smith advised a second notice has been added for Jeff Rohrer that came in today that is also for information purposes only.

Municipal Facility Lighting Retrofit – Mr. Smith indicated this project was being done as an analysis and there is savings that can be realized. Mr. Smith stated Stouch Lighting has completed their analysis which is before the Supervisors this evening for the Supervisors determination whether they wish to exercise this agreement now or consider it for the 2013 budget. Mr. Kreider stated he is in favor of going ahead with this project indicating they should compare the base month of this year to the base month of next year if system is installed to see what the actual savings are. Mr. Smith advised they would be softening a number of the fixtures at the Municipal Building. Mr. Breneman made a motion to enter into the contract to do project this year. Mr. May seconded the motion. Mr. Smith asked for clarity if they are making the motion for both proposals and Mr. Breneman advised it was for both. The motion carried unanimously.

2011 Susquehanna Municipal Trust Safety Award – Mr. Smith advised the Board that Manor Township is 1 of 15 municipalities that is part of the Workers Compensation Trust. Manor Township did not have a single day of loss work for a Workmen’s Compensation Claim and Mr. Smith stated that is very impressive. Mr. Smith feels it is a tribute to the employees as individuals that they are working hard and working smart. A plaque for a Safety Award was presented to Manor Township at the annual meeting. Mr. Bauder compared the column “Audited Premium” for Manor Township to other municipalities and asked Mr. Strohecker what that category was.

Hire Public Works Employee – Mr. Smith advised the Board that he and Mr. Harris interviewed in house two part time employees and recommend they offer the full time position to Aaron Slagle who has accepted the position. Mr. Bauder made a motion to ratify the hiring of Aaron Slagle effective October 1, 2012. Mr. May seconded the motion and the motion carried unanimously.

Fund Transfers – Mr. Smith stated this is done annually where we have budgeted for these transfers and at this time of year we ask for authorization to enact the transfer. Mr. Clark made a motion to authorize the transfer as listed. Mr. May added to the motion that the transfer is \$700,000 from the Capital Fund to the General Fund and \$40,000 from the Sewer Fund to the General Fund. Mr. Breneman seconded the motion and the motion carried unanimously.

Correspondence – Mr. Smith indicated there are two pieces of correspondence with one being the Annual Township Supervisors Convention in Lancaster County and the other one from Chief Graeff requesting permission for Corporal Geyer to attend a DUI Training. Mr. Breneman made a motion to authorize the attendance of the designated people to these two conferences. Mr. May seconded the motion and the motion carried unanimously.

Mr. Kreider questioned the date of the next Supervisors’ meeting and was advised it is November 8th.

Traffic Commission

Chief Graeff reported that they met September 26th with all members present. They had received a response from PennDot pertaining to a letter sent regarding pavement markings on Columbia Avenue at Good Drive. PennDot advised they will not be doing anything but Chief Graeff believes at least one of the turn arrows has been ground away. Mr. Harris had asked PennDot for permission to install “Park Entrance” sign and requested having the 45 mph speed limit reduced. PennDot indicated they will not reduce the speed limit but would allow the signs to be posted. A request was received for a stop sign at Hemlock and Colgate Road which was tabled until next meeting awaiting receipt of the traffic study. Request was made for a “School Bus Stop Ahead” for 139 Owl Bridge Road which was tabled until the Commission members had a chance to look at the situation. Chief Graeff received an e-mail from one of the Officers regarding a fire hydrant in the area of 227 Cartledge Lane. The hydrant is located approximately five feet back from the roadway and people are being ticketed. The hydrant is not seen

by people parking in the area and the officer is in concurrence asking that something be done. The Traffic Commission decided to paint the curb 15' on either side of the fire hydrant to delineate as a "No Parking Zone" for that area.

Police Report

Chief Graeff stated his monthly report has been submitted and highlighted some of the statistics. Chief Graeff received a letter from Mayor of Millersville regarding the burglary arrest assistance of Officer Burkholder in the initial capture of the suspect and the follow up by the two detectives. There will be numerous cases closed between Millersville and Manor Township.

Mr. Bauder advised the Board that he has talked to Mr. Shaub who advised Mr. Bauder that his grandson and friends, without his authorization, were shooting in the cornfield. Mr. Shaub advised he would always tell Mr. Maxwell in the future when they were going to shoot.

Public Works Report

Mr. Harris noted they are working on constructing the pavilion at Creswell Park and as of Thursday planning on pouring the concrete to finish that project. Leaf collection begins the 15th of October. Mr. Breneman questioned if anything has started on the Rohrer Road project. Mr. Harris advised they have broken out a large rock so that the milk truck is able to pull into the farm which he had committed to doing for the farmer.

Manager's Report

Mr. Smith advised the Board that the usual elements of his report are there. Mr. Smith reminded them that they are conscious of pollution control within the stormwater system and he reminds everyone on a monthly basis to report any pollution that may be observed.

Building Permit Report

Mr. Kreider reported that the number of permits issued in September is 22 compared to 27 last year, number of permits issued year to date is 208 compared to last year at 241, dollar value of permits issued in September is \$2,035,331 and the dollar value of permits issued year to date for this year is \$10,768,843 compared to last year of \$9,975,540.

There being no further business Mr. Kreider made a motion to adjourn. Mr. May seconded the motion and the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Minutes

Thursday, November 8, 2012

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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag. Chairman May announced that between last month's meeting and this meeting the Board had an Executive Session which was held on October 31 in the Township Office at 10:00 a.m. to review a legal matter.

Members Present: John May, Richard Bauder, Brandon Clark, Jay Breneman and Allen Kreider
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer
Visitors Present: Donna Walker, LNP
Ted Gingrich, 110 Bent Tree Drive
Bob & Kelly Kline, River Valley Disposal
Jim Baumgartner, Rettew Associates
Ruth Rielly, 152 Kent Rd.
Joe Nadu, Lancaster Home Builders
Larry Levato, Crabtree Rohrbaugh
Lisa Laine, Valley Drive
John Kline

Minutes – Mr. Kreider made a motion to approve the minutes from the October 1, 2012 meeting as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Bills – Mr. Breneman made a motion to approve the bills. Mr. Clark seconded the motion and the motion carried unanimously.

Financial Report – Mr. Bauder made a motion to approve the Financial Report. Mr. Kreider seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith indicated there was no Solicitor's Report.

Business from the Floor

John Kline, son of the recently deceased retired Chief Sheeler, thanked the Manor Township Supervisors for their support and publicly acknowledged Chief Graeff's involvement in the service. Mr. Kline on behalf of the family thanked Chief Graeff for his help with the service. Mr. Kline stated his father had a small token that he had asked be passed on to the present Police Chief if anything happened to him which Mr. Kline presented to Chief Graeff.

New Business

SALDO – Hambright Elementary School Preliminary/Final Plan & Modification Request - Mr. Smith advised the Board that this plan is before the Board tonight as an action item. Jim Hocker, Project Manager with Derck & Edson Associates, stated since they were before the Board as a Briefing Item they have met with the Planning Commission who recommended conditional approval as well as recommended approval of the waivers outlined in the letter. They have received Rettew's review letter. They do not have any objections to the comments and they are working through the comments. There have not been any significant changes to the plan other than addressing the comments. Mr. Hocker stated after last month's Supervisors' meeting they followed up on a comment concerning the lighting standard. They talked to the electrical engineer for the project who stands by his design for 1.0 foot candle level for the proper lighting for an elementary school use which is less than the 2 foot candle

that is the regulation. There was a question on the energy usage and the electrical engineer pointed out it will be a LED light standard and that is the most energy efficient lighting available. Mr. Breneman asked if the comments in the Blue Rock Fire Rescue letter were addressed. Mr. Hocker advised they have revised the plans to reflect the comments from the fire company. Mr. Hocker advised they would be talking further with Mr. Hagelgans pertaining to their request for an access drive. Mr. Kreider questioned the possibility of a second story in the future. Larry Levato from Crabtree Rohrbaugh Project Architect stated that the school is being designed as a single story and the District has no future plans to increase the capacity of this particular building. They are not incorporating a second story design into this building. Mr. Bauder made a motion to approve the final plan for the Hambright Elementary School based on the conditions outlined in the October 10, 2012 letter from the Zoning Officer Bruce Ott on behalf of the Planning Commission with the modifications therein set forth. Mr. Breneman seconded the motion and the motion carried unanimously.

Rails to Trail Final Land Development & Modification Requests – Mr. Smith stated the plan was before the Township Planning Commission and the Board has their October 10 letter of recommendation to approve the plan as presented as conditioned upon Buchart - Horn's review letter of October 29 and November 5. Buchart - Horn has recommended approval of all the waivers that are essentially for plan scale, distance features, dewatering and depth to limiting zone that are typical and the subdivision and land development comments requiring plan signatures and obtaining DEP Permit and EMS Control Plan approved. Mr. Bauder made a motion to approve the Final Land Development Plan and modification requests for Rails to Trail for Manor Township based on meeting the recommendations of November 5, 2012 Buchart - Horn letter. Mr. Clark seconded the motion and the motion carried unanimously.

Award Bid for Rails to Trail Materials – Mr. Smith advised that Mark Harris opened the bids at a public meeting that was properly advertised. The first bid was for 2A stone with one bid received from Pennsy Supply with a unit price at the plant of \$5.15 and delivered to the job site it will cost \$7.85. Mr. May made a motion to approve the bid of Pennsy Supply for 1300 ton of 2A stone at the unit price at the plant \$5.15 and delivered \$7.85. Mr. Kreider seconded the motion and the motion carried unanimously. The second material bid was for the trail mix applied on top of the 2A stone. Two bids were received. A bid was received from Martin Limestone with unit price delivered to the site is of \$13.35. A bid was received from York Building Products with a unit price delivered to the paver at the job site is \$24.70. Mr. Smith recommended taking the York Building Products proposal as they met all the specifications. Martin Limestone failed to demonstrate that they meet #3 on the Specifications that is the plasticity of the product. Mr. Smith and Mr. Harris feel that if the plasticity is left out of the mixture that is a reason the cost has been reduced. Mr. Smith explained why the plasticity in the product is important. Mr. Kreider questioned if Martin's would want to withdraw the bid. Mr. Smith advised that Martin Limestone was going to supply an analysis which has not been received. Mr. Breneman made a motion to accept York Building Product's bid for the trail mix delivered to the paver for \$24.70 a ton for 1,900 tons. Mr. Clark seconded the motion and the motion carried unanimously.

Act 14 Notice for Manor Township Culvert Replacement – Mr. Smith advised them that this is a standard notification and no action is needed.

Request by PPL for Right of Way Agreement – Mr. Smith advised the Board that this is off of Stonemill Road on School House Road where Manor Township has property that is bound by School House Road. PPL needs to place a pole and is requesting the right-of-way that is a standard request. Mr. Bauder made a motion to approve the PPL right-of-way request and authorize the Board Chairman to sign the agreement. Mr. Kreider seconded the motion and the motion carried unanimously.

2012 Township Audit Engagement Agreement - Mr. Smith stated Bertz, Hess & Co. has confirmed their understanding of services that they will provide the Township in the audit for this year. It is their standard letter and Mr. Smith recommends the Board authorize the Township to enter into the

agreement. Mr. Clark made a motion to enter into the agreement with Bertz, Hess & Co. Mr. Breneman seconded the motion and the motion carried unanimously.

Municipal Waste Collection Regulations – Mr. May advised them that they have received concerns from trash haulers pertaining to the days and hours for trash collection. Letters were received from River Valley Disposal, B & J Disposal, Gamby's Disposal and Johnson's Disposal. Mr. Smith stated other municipalities have changed some of their scheduling and it has affected haulers. Many municipalities have designated days which they will allow municipal waste and recyclables to be collected and due to changes that have been made by other municipalities they now have overlapped with Manor Township's days. Mr. Kline from River Valley Disposal stated their routes are growing and with the municipalities overlapping in pickup days it causes problems with arranging the routes to be able to pick up on the scheduled days. Mr. Kline stated they are not looking for extended hours only additional days. Mr. Kreider felt this was something that should have been discussed at the LIMC since it involves numerous townships. Mr. May made a motion to request Mr. Smith to approach Mr. Goodman to amend the Ordinance to include five days pickup Monday through Friday with the same hours. Mr. Clark seconded the motion and the motion carried unanimously.

Laydown and Storage Yard Surfacing Request – Mr. Smith advised as a Board they must approve any alterations that are dictated in the Ordinance which requires paving for surfaces. Jim Baumgartner from Rettew Associates stated this is a project for Lancaster Home Builders adjacent to Kirchners Beverage. They recently made an application for subdivision and land development. As part of the project, there is going to be a storage yard with construction equipment parked in the yard which falls under the requirements for a parking lot. A parking lot is required to be paved with bituminous asphalt. The request is to allow a stone storage yard. The top layer would be clean stone so there would not be dust produced. A stone yard allows for easier maintenance and even though it is considered impervious in reality it is more pervious than asphalt. For the construction of the storage yard the plan calls for 10 inches of 2A crushed stone and on top of that 1 ½ inches of 2B clean stone. Mr. Bauder made a motion to approve the construction of the storage yard as indicated by Mr. Baumgartner. Mr. Kreider seconded the motion and the motion carried unanimously.

Proposed 2013 Budget – Mr. Strohecker had a power point presentation of the 2013 Budget. Mr. Strohecker highlighted in the power point the Three Major Revenue Sources, charts on the Operating Position, Taxations and Fees for 2013, Other Township Funds and summed up the presentation reviewing The Good, The Bad, and The Ugly. Mr. Strohecker concluded his presentation stating he feels it is a responsible budget for the people of Manor Township and something the Supervisors can be proud of the situation the Township is in. Mr. May expressed his appreciation of the presentation of the budget stating Mr. Strohecker made it intelligible not only for the Supervisors but for the general public. The Supervisors were in agreement to move forward with the advertisement for the proposed budget in preparation for adoption of the 2013 budget.

Act 67 and 68 Notice, Star Rock Dairy – Mr. Smith advised this is for information purposes only and no action is required.

Correspondence

Duties of the Zoning Hearing Board – Mr. Smith advised this class was brought to their attention by a Zoning Hearing Board Member. The class will be held in February in Wrightsville. Mr. Clark made a motion to approve the class for the Zoning Hearing Board for the three acting members and one alternate to attend the February 26 class "Duties of the Zoning Hearing Board". Mr. Breneman seconded the motion and the motion carried unanimously.

Public Works – Professional Pest Manager's School – Mr. Smith stated four of the Public Works Department employees are certified as Pesticide Applicators. This school will allow the individuals, Mark Harris, Mike Dickert, Dan Funk and Ron Shenk, to get their required credits. Mr. Breneman made

a motion to allow the four listed employees to attend the school. Mr. May seconded the motion and the motion carried unanimously.

Traffic Commission

Chief Graeff stated the Traffic Commission met October 31 with all members present. Mr. Harris advised that the Park Entrance sign for the Rail Trail has been installed. A Traffic Study has been completed for the intersection of Hemlock and Colgate Avenue for stop signs and Officer Gardner recommends that Eastman Avenue, Colgate and Bucknell Avenues and Hemlock Avenue should have stop signs installed as they are uncontrolled intersections which were approved by the Traffic Commission. There was a request for a "School Bus Stop Ahead" sign at 139 Owl Bridge Road. After discussion they decided to ask the transportation coordinator to move the bus stop to avoid the blind spot. Mr. Broome from Ironstone Ridge Road expressed concerns with the number of accidents at his property. Chief Graeff advised that the police will do more traffic enforcement and Mr. Harris explained it is included in the budget for next year to make road improvements on that curve.

Police Report

Chief Graeff stated the report has been distributed and highlighted statistics in the report. Chief Graeff noted that the Police Officers that were present at Retired Chief Sheeler's funeral did a great job. Chief Graeff noted that the City Mounted Unit and their Honor Guard were also present. Chief Graeff stated that during the storm the Officers and Road Crew were called out for several trees down and other calls and they did a good job.

Mr. Breneman advised that the Emergency Management Center was activated for the first time with Blue Rock Fire Rescue and the four stations were manned for 36 – 48 hours. Mr. Breneman stated everything went well.

Public Works Directors Report

Mr. Harris advised that they continue to pick up leaves. Mr. Harris has secured all the contractors who plowed for the Township last year and they have signed for another year. Mr. Harris updated the Supervisors on the work on the Rail Trail and Rohrer Road culvert project.

Manager's Report

Mr. Smith stated the Supervisors had his written report. Mr. Smith stated he received in the mail today a formal request from Fieldcrest Associates offering their open space that was part of the plan for Parkfield Development to the Township which is 8.64 acres. Mr. Smith advised there is a process to go through to make sure the deed is prepared and action taken. Mr. Smith advised them that there are no concrete plans for the open space and it will be for the Supervisors to consider some options. Mr. May stated the Park and Recreation Board will be able to give input. Mr. Kreider pointed out there is a lack of recreational areas in that section of the Township. The Supervisors were in agreement that Mr. Smith proceed with official paperwork for acceptance of the open space.

Building Permit Report

Mr. Kreider reported the number of permits issued in October 2012 is 30 compared to 27 last year, number of permits issued year to date is 238 compared to last year at 268, dollar value permits issued in October of 2012 is \$1,099,606 and the dollar value of permits issued year to date for this year is \$11,868,449 compared to last year was \$11, 108,187.

There being no further business Mr. Breneman made a motion to adjourn the meeting. Mr. May stated before they adjourn he and Mr. Clark were discussing a possible Executive Session which they now found out was not appropriate and they will discuss it individually before the meeting in December. Mr. May stated there was a motion to adjourn and Mr. May seconded the motion and the motion carried unanimously. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Manor Township Supervisors Minutes

Monday, December 3, 2012

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. Chairman May noted all members were present and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Brandon Clark, Jay Breneman and Allen Kreider
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer
Visitors Present: See Attached List

Minutes – Mr. Breneman made a motion to approve the minutes as presented. Mr. Clark seconded the motion and the motion carried unanimously.

Bills – Mr. Bauder made a motion to approve the bills. Mr. Kreider seconded the motion and the motion carried unanimously.

Financial Report – Mr. Bauder made a motion to approve the Financial Report. Mr. Clark seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith gave a briefing on the exchange between Attorney Dwight Yoder and Matt Crème, the Township Council, regarding Eck vs. Manor Township. Mr. Smith advised them that an answer was filed in a timely fashion and both Attorneys are trying to reach an agreeable resolution. Mr. Smith stated a Right-to-Know Request was received by the Township on behalf of someone challenging the use of an alley which would be a private issue between residents.

Business from the Floor

There was no business from the floor.

New Business

Ordinance Amendment Rezoning 65 Penn Street from Agricultural Zone to Village Zone – Mr. Smith announced that this would be a public hearing conducted before the Board of Supervisors which has been advertised. Attorney Michael Grab with the Law Firm of Nikolaus and Hohenadel advised the Supervisors that he represents the Applicant Steve Funk as well as the Tomato Barn LLC. This is an application to rezone the property from Agricultural to Village Zoning District. Attorney Grab provided a three page exhibit with the first page from the County GIS Mapping showing the parcel in question, the second page showed the same area without the highlight and the third page is the current Township Zoning Map. Attorney Grab asked Tyler Rohrer, a member of the Tomato Barn LLC, to give a brief description of what the property is currently used for and their proposal. Tyler Rohrer, 49 Penn Street, stated he and his wife will be sole owners of the Tomato Barn in 2013 which is currently operated at 65 Penn Street. They raise crops for the community and they sell the produce roadside specializing in tomatoes. They retail and wholesale fresh produce grown in Washington Boro. Mr. Rohrer grew up on a farm and wants to continue farming. They would like to add some community events such as an ice cream stand. They currently employ approximately 20 high school/college age students and would be adding another 3-5 employees if they are able to open an ice cream stand. The property consists of ten acres with an existing residence as well as the Tomato Barn which is shown on Page 2 of the exhibit. The operation of the Tomato Barn has been there for a number of years. There is approximately 7 acres of the 10 acre tract which is used for agriculture. They would like to add ice cream sales as an adjunct to the Tomato Barn. There will be a barn like structure added for the sale of ice cream with a few

outdoor picnic benches. There is sufficient parking and more parking can be added if needed. This property is located in the Village Growth Boundary shown on Page 3 of the exhibit.

Mr. Kreider noted that the Township Planning Commission does not recommend rezoning the property to sell ice cream. Mr. Kreider pointed out there are individuals selling Christmas Trees, etc. that are not raised on the farm and milk is a product of a farm; Mr. Kreider stated that he does not see why they have to change the zoning to sell ice cream. Attorney Grab does not disagree stating their initial position with the Township was that they are selling an agricultural product which should be an accessory use in the agricultural zoning district and the Township Solicitor's response was that they do not think ice cream fits as an agricultural product. Attorney Grab stated he respectfully disagrees with that decision. Attorney Grab stated they are left in the position of seeking a use variance from the Zoning Hearing Board which is impossible to get or seek a rezoning of the property.

Mr. Breneman is concerned if the property is rezoned that the back part of the tract could be used for housing.

Mr. Bauder stated that the property is in the Village Growth area and when you look at the map everything to the west is residential. Even if they wanted to put housing in there, Mr. Bauder stated he would have no objection to that. Mr. Bauder stated this is a good fit and anything they can do to expand economic activity is a good thing. Mr. Bauder indicated his position is that they should rezone this property so they can expand their economic activity on this lot. Mr. Bauder stated when they rezoned all the Rural land to Agricultural, they made comments that they wanted to allow farmers more flexibility to have small businesses on their property. There was discussion on public sewer and if public water would be available in this area.

Mr. May asked if there is a definition for agricultural commodity and there is no definition in the Ordinance. Mr. Smith stated that they can sell milk. The Zoning Officer as well as council stated ice cream goes through processing.

Mr. Smith advised them that there are two options. One option is either change the regulation or change the zone. Mr. Smith stated in the Village Zone you can sell memorabilia, etc. on this property. Mr. Bauder stated in other areas they tried to get these types of businesses into a development that did not happen. Here they want to make it happen and if they want to put up another type of shop, Mr. Bauder is in favor of them doing that. Mr. Kreider stated this rezoning goes against the Planning Commission and he agrees with the Planning Commission. Mr. Breneman stated that he believes they should change the definition and not rezone. Mr. Smith feels more problems would be created in changing the definitions that they struggled with in terms of agricultural products. Mr. Bauder stated he does not believe any of them are smart enough to know which definitions to change to encompass something that may pop up five years from now. Mr. May stated that he does not feel they have the foresight to predict what may occur.

Scott Haverstick, Washington Boro, who is a member of the Planning Commission, advised the Supervisors that the Planning Commission provided alternatives such as to create a setback from the road along Rt. 999 and make that part of the Village, thereby, saving the other 6 or 7 acres. Mr. Haverstick stated he believes it is possible to change the Ordinance to allow this kind of activity within a certain number of feet of a building. Mr. Smith stated good planning principles are to use streets and streams as boundaries giving an example of a property with a line going through it. Mr. Smith stated uses within a property are changed particularly when the line goes through a property and it affects adjoining properties. Mr. Haverstick advised that LUAB and County also recommended against the rezoning. Mr. Rohrer referred to the setback pointing out that if the tomato barn would burn down, they could not meet the setback to rebuild. Mr. Bauder stated even if they wanted to expand there could be a problem with the setbacks.

Steve Funk, 65 Penn Street, stated they need to encourage the young people as there are so few farmers. The average age of a farmer is 65 years old.

Attorney Grab requested that the Supervisors ask themselves, if this is rezoned what negative impact is there to the Township or to the surrounding properties, and he believes the answer is none.

Mr. May questioned the terminology used in the Ordinance pertaining to the acres to be rezoned and suggested that it be reviewed by the Solicitor.

Mr. Kreider stated if they do not allow the applicant to sell ice cream as a farm product there is numerous other places in the Township that are in violation of the present code. Mr. Kreider stated that he feels the applicant should be allowed to sell ice cream. Attorney Grab stated the problem is the applicant has been advised by the Township it is against the Ordinance; therefore, he would be knowingly violating the Ordinance if he sold ice cream.

Mr. Clark does not want to keep a young man from providing five more jobs. Mr. Clark asked Mr. Breneman if his only concern was development and Mr. Breneman advised he does not want to go against the Planning Commission's recommendation.

Mr. Bauder made a motion that they approve this rezoning 65 Penn Street, Manor Township, Tax Account No. 410-3767100000 to Village Zone. Mr. Clark seconded the motion. Mr. Haverstick, 1970 Water Street, ask for the record and his own education could they explain why they would not consider splitting this property and using a setback saving approximately 6 ½ acres of agricultural. Mr. Haverstick would like to be able to tell his Planning Commission why they would not consider that. Mr. Bauder stated that they talked about the setbacks and the difficulties they might present later on and also they are not taking six acres of agricultural land that they are on the zoning map, because they will continue to be in agriculture. Mr. Bauder agrees with Mr. Clark that they want to encourage this young man to make his way in agriculture. Mr. Kreider does not see that splitting the tract is such a big deal. Mr. May called for the vote. The motion passed 3 – 2 with Mr. Kreider and Mr. Breneman voting against the motion.

Ordinance Amendment Changing the Definition of Lot Coverage – Mr. Smith noted this is a public hearing that has been properly advertised. Mr. May stated this is clarifying the definition of impervious. Mr. May made a motion to adopt Ordinance No. 10-2012. Mr. Kreider seconded the motion and the motion carried unanimously.

Ordinance Amendment Changing the Schedule of Municipal Waste Collection – Mr. Smith advised the Supervisors that this is an Ordinance allowing the collection dates to be expanded to include all five week days. This allows haulers to collect municipal waste and recycling Monday through Friday. There are still alternatives when there are holidays that are in the specific ordinance. Mr. Breneman made a motion to adopt Ordinance No. 11-2012 which is amending Manor Township Municipal Waste Ordinance designated as Ordinance No. 3-1990 by amending Appendix "A". Mr. Bauder seconded the motion and the motion carried unanimously.

SALDO-Lancaster Home Builders-David Charles Tract, Preliminary/Final Subdivision & Land Development Briefing Item - Jim Baumgartner from Rettew Associates along with Mr. Nadu presented the plan. Mr. Baumgartner stated they were before the Board last month to allow them to have a gravel parking area instead of bituminous paving. The project is located on Charlestown Road adjacent the Kirchner Beverage. This project will include a subdivision and land development. The lot adjacent to Kirchner's will be divided approximately 50/50. Lancaster Home Builders proposes to build a construction yard on Lot 3B. There is a proposed 2400 sq. ft. office building and a larger 6000 sq. ft. storage building. Access will be off the existing access road that cuts through the property and will provide access to a parking area for 21 vehicles. In the rear there will be a parking area for construction equipment and some materials. They are seeking the following modifications: Section 305-Preliminary Plan Application, Section 403.3.B-Existing Conditions Within 200 ft. of the Property, Section 502.13.B.2B-Lighting along Pedestrian Walkways, Section 502.10.B & 503.1.E – Intersection Angle and Section 502.10.G.3 & 503.1.E – Requirement for intersection cartway edge radius. They have no issue with

complying with comments in the review letter. Mr. Baumgartner talked about the fence and screening that will be provided.

LIMC Membership – Mr. Kreider advised the Supervisors that the direction the LIMC is going has accelerated at a high speed compared to how it was. Mr. Kreider stated the LIMC has done a good job but Mr. Kreider asked if they really need or want another layer of government in the community. There was discussion regarding the advantages with remaining a member, becoming an associate member or withdrawing from the LIMC and whether they want Mr. Kreider to vote for Option “A” or “B” at the next meeting. Mr. Kreider advised that the yearly membership dues will be increasing. Mr. Smith clarified that the decision tonight needs to give Mr. Kreider direction on how he votes at the next meeting as to Option “A” or Option “B”. Mr. Smith advised there is not an option to withdraw at this time. The agreement provides that by September 1 they must give notice if they wish to withdraw. Mr. Smith stated that the Township is a member of the LIMC for the remainder of this year and next year. Mr. Clark made a motion to give Mr. Kreider authorization to vote for Option “B” Normal Operations during the next LIMC meeting. Mr. Bauder seconded the motion and the motion carried unanimously.

Act 67 & 68 Notice David Charles Tract – Mr. Smith advised this is a standard notification and for information purposes.

Adopt 2013 Budget – Mr. Smith advised this has been advertised according to Code and is before them for consideration. Mr. Breneman made a motion to adopt the 2013 Budget as presented. Mr. May seconded the motion and the motion carried unanimously. Mr. Kreider expressed his appreciation for what Staff has put into preparing the budget. Mr. Smith stated in light of this action they have prepared Resolution 18-2012 which is simply certifying what they have just done. Mr. May made a motion to approve Resolution 18-2012. Mr. Bauder seconded the motion and the motion carried unanimously.

Correspondence

Police Department – Training Request - Chief Graeff submitted a training request for the Police Department. Mr. May made a motion to approve the training request for the Police Department. Mr. Clark seconded the motion and the motion carried unanimously.

Traffic Commission

There was no Traffic Commission meeting for the month.

Police Report

Chief Graeff stated his report has been submitted and highlighted statistics in the report.

Public Works Directors Report

Mr. Harris stated that they have been working on the Rail Trail in November between leaf collection. The tentative schedule is they hauled in 1300 tons of 2A and anticipate laying the two inches of 2A for a mile and one-half on December 11. They project two days of 2A placement at which time they will have York Building Supply start bringing the trail mix. An ongoing project is the culvert replacement on Rohrer Road. The footers were poured last week and they are indicating the placement of the precast culvert will be on December 13th. They spent time in Parkfield in November putting base on Greenhedge and Shade Tree Drive. In past years, they have asked permission from the Board to allow them to place orders under the 2012 pricing such as replacing two mowers with a tractor and the road bank mower anticipating in 2013. It is an advantage to place the order in 2012 locking into the costar pricing and with permission Mr. Harris would like to send those letters. Mr. Harris was given permission to send the letters.

Managers Report

Mr. Smith stated they have his written report indicating they had hoped to have the Police Contract this evening for the Supervisors signatures but they do not have it. Mr. Smith advised there will be a special meeting to ratify the contract. Mr. Breneman advised them that there will be one other item for the meeting as they have not officially approved the Blue Rock Fire Rescue Budget.

Building Permit Report

Mr. Kreider reported the number of permits issued in November 2012 is 15 compared to 19 last year, number of permits issued year to date is 253 compared to last year of 287, dollar value permits issued in November is \$884,733 and the dollar value of permits issued year to date for this year is \$12,753,182 compared to last year of \$14,098,468.

On motion of Mr. Kreider and seconded by Mr. Breneman the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Recording Secretary
Evelyn Rineer

Special Supervisors Meeting

Friday, December 21, 2012

Time: 10: 30 A.M.

Chairman John May called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 10:30 a.m. Chairman May led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John May, Richard Bauder, Jay Breneman, Allen Kreider
Member Absent: Brandon Clark
Staff Present: Barry Smith, Ryan Strohecker, Bruce Ott, Evelyn Rineer

New Business

Collective Bargaining Agreement 2013-2016 – Mr. Smith stated they have been through an extensive process and the benefit structure is from the last Executive Session. Mr. Smith noted that there is an agreement of a Reopener Clause on the issue of Worker's Compensation Coverage and Disability Coverage Benefit under the Pension Provision that is on Page 13 the first full paragraph No. 5. Mr. Bauder had questions on the deductibles, co-pays, and the HRA under the medical coverage and expressed his displeasure stating that the benefits are out of bounds. Mr. Kreider stated he was pushing for County Police a long time ago and feels that may be a better approach than putting into affect something that will be unacceptable to the present employees. Mr. Strohecker listed changes that have been made pertaining to the medical coverage benefits going forward for the non uniform and uniform employees. Mr. Strohecker advised the Board that for next year they are looking at the supplemental plans for the post 65'ers which is an important step to make. Mr. Breneman made a motion to approve the Collective Bargaining Agreement 2013 – 2016 with the Police. Mr. May seconded the motion and the motion carried 3-1 with Mr. Bauder voting against acceptance of the Agreement.

Blue Rock Fire Rescue 2013 Budget – Mr. Breneman noted the budget before them is slightly different than the original presentation at their work session. Mr. Strohecker pointed out that the quarterly contributions went up and capital contribution went down. Mr. Strohecker advised the Board that with the present taxation for Manor Township he feels they will be okay with the cash flow through 2013 but it is something they will have to look at for the 2014 budget. Mr. Bauder had questions on the coordination of activities between the two employees. Mr. Breneman advised the Board that a fire engine that has been sitting for two years was donated to the Long Island area of New York. Mr. Kreider commented on the response to accident scenes stating he feels there is an overreaction to accident sites. Mr. May made a motion to approve the Blue Rock Regional Fire District Budget 2013. Mr. Kreider seconded the motion and the motion carried unanimously. Mr. May stated Manor Township is on a different reimbursement schedule per capital than Millersville Boro and he would like to see Manor Township's Capital Contribution be given quarterly and equally. Mr. Breneman agreed with Mr. May concerning the reimbursement to the Fire Company. There was unanimous agreement by the Supervisors to turn the funds over to the Fire Company on the same schedule as Millersville Boro. Mr. Strohecker clarified that the remaining budgeted amount would be turned over to the Fire Company in full this year.

Sundance Car Wash Sign Ordinance Determination Challenge – Mr. Smith advised the Supervisors that the intent today is to look at Matt Crème's letter and, specifically as a Board, to address the second page second paragraph of Mr. Crème's letter. The determination was made on a request for a sequential sign. Mr. Crème has supplied information based on the second paragraph in the letter and he is suggesting that the Supervisors should consider whether amending the Zoning Ordinance is an option

that they wish to explore making sequential signs permitted if certain requirements are met. Staff believes amending the Ordinance is reasonable. Mr. Smith stated if the Board is willing to explore amending the Ordinance in some fashion then the applicant may choose to withdraw his challenge of the Zoning Determination. If the Supervisors are willing to consider amending the ordinance, Mr. Ott would notify Sundance and they could choose to withdraw their appeal of the determination. Mr. Ott noted that Sundance may also choose to put the appeal on hold until they view the amendment. If the Supervisors choose to amend the ordinance, there are variations as to sequential. The Board is willing to look at amending the ordinance.

Resolution No. 18-2012 – Resolution to set the Manager’s salary. Mr. May suggested the salary be set at \$88,150 which is a 4 ½ percent raise. Mr. May made a motion to pass Resolution 18-2012 setting the Manager’s salary for 2013. Mr. Breneman seconded the motion and the motion carried unanimously.

Mr. May stated an e-mail was received from Mary Glazier who is resigning from the Planning Commission due to another commitment she made. Mr. Smith advised the Board that they have several candidates interested in serving on the Planning Commission.

LIMC- Mr. Smith advised that East Hempfield has voted to withdraw from the LIMC and Manheim Township expects to withdraw also. There was discussion on the advantages of being a member of the LIMC and the cost involved as a member.

Mr. May made a motion to adjourn the meeting. Mr. Breneman seconded the motion and the meeting was adjourned at 11:25 a.m.

Respectfully submitted,

Barry L. Smith
Secretary-Treasurer

Evelyn Rineer
Recording Secretary

Manor Township Planning Commission Minutes

Monday, January 9, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, January 9, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Mark Harman, Don Mann, Pamela Shellenberger, Don Witmer, and Mary Glazier

Visitors Present: Joan Matterness, 213 Sutherland Rd., Lancaster
Floris Sisler, 316 Stone Creek Rd., Lancaster
Mark Deimler, Strausser Surveyors
Jim Norton, 166 Lakewood Drive, Pequea
Robert McLane, 206 Manor Ave., Millersville
Mike Johnstone, 125 Whitney Rd., Lancaster
Dana Edsall, 3064 Miller Rd., Washington Boro
Richard Bauder, Manor Twp.
Sue Sheeler, 101 Langley Square, Lancaster

Public Comments

Joan Matterness, 213 Sutherland Road, expressed concerns regarding the private streets in the last phase of Woods Edge and the cost that will be passed on to the residents who purchase or rent the homes along those streets as well as cost to the Homeowners Association. Ms. Matterness made a request that the Commission visit this phase so they can see what the planned phase actually looks like. Ms. Matterness informed the Commission that the homes will be built one on top of the other and the streets are small and compact. Ms. Matterness expressed concerns regarding snow removal. Ms. Matterness stated that she would like the roads to be dedicated to the Township. Mr. Haverstick stated that he will look at the development and advised Ms. Matterness that her concerns would need to be addressed to the Supervisors.

Sue Sheeler, 101 Langley Square, Homeowners Association Board Member, provided approved plans for the Commission to look at. Ms. Sheeler indicated she agreed with the concerns presented by Ms. Matterness regarding the private streets and the cost involved as well as concerns regarding the ability for fire equipment to maneuver. Ms. Sheeler requested that the Planning Commission would not allow the private streets in a community where the streets are already public.

Appointment by Board of Supervisors

Mr. Haverstick advised the Commission that Pamela Shellenberger was reappointed by the Board of Supervisors to the Planning Commission for a 4 year term.

Re-Organization Meeting

Mr. Haverstick, Pamela Shellenberger and Mary Glazier were willing to continue to serve in their present positions. Mr. Henke made a motion to continue with the current officers with Mr. Haverstick as Chairperson, Pamela Shellenberger as Vice Chairperson and Ms. Glazier as Secretary. Mr. Witmer seconded the motion and the motion carried with Mr. Haverstick abstaining.

Minutes

Ms. Shellenberger made a motion to approve minutes as presented. Mr. Henke seconded the motion and the motion carried unanimously.

Old Business

Action Item-Final Land Development Plan & Modification Requests for Chesapeake Crab Connection - Mark Deimler from Strausser Surveyors informed the Commission that they were at the November meeting and gave a brief summary. Mr. Deimler stated that there were several concerns expressed by the Commission at the November meeting regarding the traffic flow and the parking layout involving several parking spaces near the Columbia Avenue entrance. The traffic pattern is one way system; the entrance is on the west side of the property and the exit out is on the east side of the property. PennDot has reviewed the plans. They are at the point where PennDot will issue the HOP for this layout as soon as the Letter of Credit is obtained and given to PennDot. The January 6th Rettew letter has two items that they would like to discuss with the Planning Commission. The first comment pertains to sidewalk and Mr. Deimler questioned if the Township has ever deferred that until a future point in time. The second comment was the issue with the parking spaces. Mr. Deimler stated that they were asked to designate the first four parking spaces as employee parking. Mr. Norton has concerns from a business standpoint of taking the four parking spaces closest to his restaurant and designating them for employee parking. The Zoning Hearing Board had put on conditions to safe guard the safety situation and that condition was met. Mr. Deimler stated that he would like to have more discussion on the issue. Mr. Haverstick advised him that their concern was vehicles pulling in and out of the spaces at all hours with traffic entering the property. After extensive discussion pertaining to the parking spaces, it was agreed to have 2 spaces, one on each side, for employee parking instead of the original two parking spaces on each side. Regarding the installation of sidewalks, the Commission stated that they feel the sidewalk must be installed. There was discussion regarding the landscaping waiver. Mr. Deimler described the proposed landscaping indicating that there are three existing large trees. Mr. Deimler stated that they did not feel it was necessary to place landscaping under those trees. The Applicant will be removing one of the trees on the property line and near the new building. When that tree is removed, the Applicant agreed to take the landscaping to the front of the storage building on his property and the front of the garage on the adjoining property to the west. Ms. Shellenberger asked if it will be noted on the plan that the two lots will be joined in common and Mr. Deimler verified that there will be a note on the plan. Mr. Henke made a motion as it relates to the January 6, 2012, letter prepared by Rettew Associates the waiver modifications for Section 502.5.A-Reconstruction of Existing Streets, Section 502.5.G-Dedication of Additional Right-of-Way, Section 502.1.1-Curbing, Section 503.1.A-Access Drive Pavements Specification, Section 505.D-Parking Compound Setback, Section 505.E-Minimum Curb Radius that those waivers be conditionally approved as recommended by Rettew's letter dated January 6, 2012. Mr. Harman seconded the motion and the motion carried unanimously. Regarding the last waiver Section 509.1-Landscape Screening, Mr. Henke made a recommendation that the final plans contain a note that the existing tree on the western side of the property and south of the existing neighbor's dwelling will be removed and additionally the plans be revised to extend the landscape screening, similar to what is being proposed northward to the front line of the property, be continued southward to Mr. Norton's storage shed and the front line of the existing garage on the adjacent property. Mr. Henke's recommendation was an alternative to the recommendation being proposed by Rettew's letter dated January 6, 2012. Ms. Glazier seconded the motion and the motion carried unanimously. Regarding the Final Land Development Plan, Mr. Henke made a motion to recommend to the Board of Supervisors approval based on Rettew's January 6, 2012 letter satisfying the comments that have been outlined with the addition on the plans referencing Comment #10 be understood that the Planning Commission recommends the first space on each side of the parking lot off of Columbia Avenue instead of the first two spaces on each side be noted for employee parking. Also, the sidewalk will be put in as part of the project and based on that Mr. Henke recommends the plans be conditionally approved based on the changes as discussed and subject to satisfying Rettew's comments that were not discussed. Ms. Shellenberger seconded the motion and the motion carried unanimously.

New Business

Discussion regarding Zoning of the Wal-Mart Realty Co. property located at 2820 Columbia Avenue and the surrounding properties as requested by the Board of Supervisors at their meeting on November 10, 2011. - Mr. Haverstick stated that Mr. Bauder had asked them some time ago informally to consider changes to that specific property and adjacent properties. The Board of Supervisors has formally asked them to consider a discussion. Mr. Haverstick stated that the Planning Commission has suggested to the Board of Supervisors that they may want to take a look at the entire northeast corner of the Township. The Board of Supervisors has indicated that they would like the Planning Commission to limit their conversation to what is known as the Wal-Mart Tract and properties in close proximity. The zoning on the properties is General Commercial (GC) and it is estimated that there are approximately 50-60 acres of general commercial zoned land in this area. Mr. Haverstick stated that the "Growing Together" comprehensive plan information did provide guide lines as to what they may want to consider in lieu of General Commercial zoning. Mr. Haverstick asked Mr. Bauder to explain his concerns with the property zoned General Commercial. Mr. Bauder did not have an opinion as to what it should be rezoned to except that there were concerns that occurred with the Wal-Mart plan. Mr. Bauder stated that he has no idea what the tract should be zoned and possibly it should stay the way it is. He is looking to the Planning Commission for their opinion. Mr. Haverstick stated that one concern is that this would not be a positive zoning change from the owner's perspective and a negative change would not be a simple process. If the Township is concerned about legal fees, this particular owner may make it a nightmare which is not to say that we should not do it because of legal problems. Mr. Haverstick stated that he feels regardless of what the Township does, there will be a legal challenge of some kind. Ms. Shellenberger stated that if we consider implementing the Comprehensive Plan, which the Township has adopted, the Comprehensive Plan looks at it as more of a neighborhood commercial oriented uses to serve primarily the people who live there. That is not to say that you will not also service some regional people through the traffic on Columbia Avenue. The intent based on the plan adopted is to make it more a neighborhood oriented type of area. Mr. Haverstick pointed out that part of the problem was that it is not a site suitable for the type of development like a Wal-Mart. The site has poor access. Ms. Shellenberger advised the Commission that if you look at the Township Zoning classifications, such as the Mixed Residential Commercial, the current general commercial zone and the mixed residential commercial zones contain permitted uses that allow the current uses of the properties; the uses would not become non-conforming if we would rezone and still allow for the vacant parcels to either be a residential, commercial or a mix with the emphasis in the "Growing Together" to accommodate a mixed use type of development and becoming more integrated neighborhoods. That change would give some justification for the rezoning; the Township would be moving to implement the comprehensive plan that the Township has adopted. Ms. Sheeler, Ms. Sisler and Ms. Matterness expressed what they felt is needed is to have places to shop, bank and eat so that they do not have to drive to other locations. Mr. Haverstick pointed out that the small shops are great but they open and then close in short period of time and people still drive somewhere else to do things. Dave Edsall, Miller Road, questioned what the Comprehensive plan called for. Mike Johnstone, Whitney Road, stated that he is concerned with the traffic through his neighborhood. Robert McLane, Manor Avenue, Millersville, asked the Commission what is more important in making a judgment, the intent of the law or the letter of the law. Mr. Haverstick asked Mr. McLane for an example of what he was referring to. Mr. McLane would have liked more notice regarding this discussion and hopes that the discussion is carried on for several months. Mr. McLane would like to see more land put back into agriculture. There was discussion on the type of uses that are allowable under the present zoning district and the uses that are allowable under a mixed residential commercial zoning district and whether there has been any interest shown in doing anything with the tract. Ms. Shellenberger stated that if you can show that the Township took steps toward implementing their comprehensive plan with

the new zoning ordinance that rezoned lands from Rural to Agriculture which made it consistent with "Growing Together", then you can say that this is the next step in looking to implement a comprehensive plan that was adopted. The Township's task has been to implement this plan. There were questions on the Charlestown Road tract and if that was included in this discussion. Mr. Haverstick advised them that tract was not included in the area that they were asked to look at. Ms. Glazier suggested what the Commission might do at this point is to convey back to the Supervisors the direction that the Community, residents who attended this meeting, suggested that they take and the thoughts of the Commission along with the issue that we may need to look at a little broader area and see what direction the Supervisors would like them to take. Mr. Henke advised the Commission that he agreed with Ms. Shellenberger's earlier statement regarding the substantial approach that is being implemented taking land from Rural zoning to Agricultural zoning and that this would be another step in that direction that the Township is taking. Ms. Glazier suggested that maybe the Chairperson of the Commission would take the Commission's thoughts to the Supervisors.

Correspondence

Ms. Glazier noted the following correspondence from the LCPC:

A memorandum dated November 23, 2011 was received notifying the Township that the LCPC had received the Bob Charles Plan for review.

A memorandum dated December 13, 2011 was received notifying the Township and included the Advisory Plan Review Comments on the Bob Charles Plan.

A memorandum dated December 28, 2011 was received regarding review of the Comprehensive Zoning Ordinance Update and the LCPC comments with a recommendation for approval.

A memorandum dated January 5, 2012 was received notifying the Township of the Notice of Plan Receipt for the Cosentino Subdivision scheduled for review at the LCPC on February 13, 2012.

Mr. Haverstick stated that they had not set dates for the Planning Commission meetings and assumed that they will continue to be the second Monday of every month with the exception of October when the meeting will be on the second Tuesday.

Mr. Haverstick stated that someone asked him why they did not mandate sidewalks on Letort Road west of Millersville Borough. Mr. Ott advised him that there are sidewalks in Manor Oaks along Letort Road.

Annual Year End Report

Mr. Haverstick acknowledged receipt of the Year End Report.

There being no further business the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, February 13, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, February 13, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, Mark Harman, Don Mann, Pamela Shellenberger, Donald Witmer and Mary Glazier
Member Absent: James Henke
Visitors Present: Gene Oldham, D. C. Gohn Associates
Judy & Chet Swanger, 166 Oak Road
Hope & David Krantz, 154 Oak Road
Philip Benight, 321 Oak Road
Howard Kelin, Penn Manor School Dist.
Mike Leichliter, Penn Manor School Dist.
Jim Hocker, Derck & Edson Associates
Larry Levaro, Crabtree Rohrbaugh & Associates
Susan Stoltzfus, 44 Oak Rd.
John & Ann Evana, 237 Oak Rd.
M. J. Cosentino, 354 Rockhill Rd.
Thomas L. Zymnis, 112 Oak Rd.
Patricia Kadel, LCPC
Allen Kreider, 141 Supervisors Rd.
Bill & Cindy Burns, 106 Oak Rd.
Wes Bleacher, 70 Pittsburg Valley Rd.

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger made a motion the minutes be approved as presented. Mr. Witmer seconded the motion and the motion passed unanimously.

New Business

Briefing Item – Final Subdivision Plan for Cosentino Subdivision and Modification Requests - Ms. Glazier advised the Commission that she was recusing herself from the voting on this plan due to her friendship with the owner of the property. Eugene Oldham from D. C. Gohn Associates, Inc. presented the plan. Mr. Oldham stated that tonight was a briefing item for the final subdivision plan for Cosentino. Mr. Cosentino owns two parcels of land along Oak Road. The plan proposes to take the two parcels of land and create four lots. Three lots will have road side frontage and the fourth lot would be to the rear. The property is 23+- acres served by on lot septic systems and wells. The sizes of the lots are Lot 1 will be 3 acres, Lot 2 will be 3 acres, Lot 3 will be 3 acres and Lot 4 will be the remainder of the acreage. Due to nitrate issues the lots had to be a certain size to reduce the impact of the on lot septic systems to the ground water. A well was drilled on one of the lots due to the fact the existing well was contaminated. The applicant is proposing individual stormwater basins and infiltration areas to meet the Township Ordinance to reduce the impact for this subdivision. There is an existing channel that runs through the area and three of the basins will discharge into that stream channel. Mr. Oldham stated that they have submitted the plan to the Conservation District for Erosion & Sedimentation Control and NPDS approval and are awaiting their response to the submission. The plan and module has also been submitted to the LCPC for their review and comments. Pat Kadel from the

LCPC advised the Commission that they reviewed the plan today and their comments had to do with the need for notes on the plan, etc. but that there were no real issues with the plan itself. Mr. Oldham advised the Commission that he received a copy of the review letter from Rettew Associates today. Ms. Shellenberger asked if the driveway from Lot 4 traversing over Lot 3 is just because of the woodlands. Mr. Oldham advised her that there is presently an opening through the woods that they are going to utilize. Ms. Shellenberger asked if there would be a use and maintenance agreement for the driveway and Mr. Oldham advised her that there would be an agreement. Mr. Haverstick asked Mr. Oldham to trace the driveway for Lot 4 in its entirety. Mr. Harman questioned if the existing septic system on Lot 4 would to be used. Mr. Oldham advised him that at this point they are not planning on using the existing system. Mr. Harman asked if the existing wells will be abandoned in place. Mr. Oldham advised him that one of the wells is new and the other one may be abandoned as it is contaminated or it could be used for watering lawns. Mr. Harman asked if the well is cased and Mr. Oldham stated that he did not know. Mr. Haverstick stated that with the volume and complexity of comments in the Rettew review letter, this plan should be treated as a briefing item.

David Krantz, 154 Oak Road, expressed concerns pertaining to stormwater stating that he has had water in his basement from water running from these parcels. Mr. Oldham advised him that they are not changing any stream channels and will meet the Township Ordinance.

Chet Swanger, 166 Oak Road, pointed out his property on the plan and asked how close the stream can be to the property line or any buildings. Mr. Oldham advised him that it is an existing stream and the plan is not changing it. Mr. Swanger pointed out an area where the road floods and when it rains hard you cannot drive through the area in a low car. Now more houses will be added and there will be less water that can go into the ground. Mr. Oldham advised him that they are providing stormwater management according to the Ordinance. Mr. Swanger referred to a pipe that is not large enough for the water flow and Mr. Oldham advised him that is something they would need to talk to the Township about.

Cindy Burns, 106 Oak Road, asked if this property was zoned Agricultural. Ms. Burns was advised that this property was zoned Rural prior the zoning changes and it is being treated as Rural (R) zoning since the application was made before the new zoning ordinance was enacted. Ms. Burns questioned the areas that can be developed with Agricultural and Rural Zoning. Ms. Burns had questions on the driveways.

Thomas Zymnis, 112 Oak Road, asked what guarantee can they be given that when they start drilling wells for these homes that the surrounding neighbors wells will not dry up. Mr. Harman advised him that Pennsylvania does not regulate individual on lot wells.

David Krantz asked if the Conservancy signed off on the requirements on the one modification pertaining to sidewalks and linear trails. Mr. Haverstick advised him that the Conservancy would not sign off on anything. Ms. Shellenberger advised him that the waiver is for sidewalk along the Applicant's property line only.

Susan Stoltzfus, 244 Oak Road, referred to the draft Zoning Ordinance version from November under Lot Area requirements 201.D. Ms. Stoltzfus was advised that this Application is not under the new Zoning Ordinance but came in under the previous Ordinance.

Chet Swanger asked at what point is something done with the road. Mr. Swanger was advised that he would have to talk to the Township.

Hope Krantz, 154 Oak Road, advised the Commission that they came to the Township 14 years ago about Oak Road. The Township put up flags but nothing was done.

David Krantz stated that at this point, all the water is on the Cosentino property. When all these modifications are completed and it floods onto the Swanger Property what can be done? Mr. Krantz asked who would be responsible if the Swanger property floods. Mr. Oldham stated that they are required to infiltrate a percentage of water into the ground and the plans show that the stormwater basins will accommodate the water.

Philip Benight, 321 Oak Road, stated that his wife is ill and has a hearing problem. Mr. Benight stated that they moved to the country to be in a quiet neighborhood for his wife. Mr. Benight talked about the properties around him and the noise that occurred during the building of a house beside them which caused problems for his wife. Mr. Benight requested that the Planning Commission deny this application.

Mr. Haverstick stated that the Planning Commission is in agreement to address this plan next month and deal with the issues the engineers have listed. Mr. Oldham advised them that they hope to have a number of the issues resolved.

DEP Planning Module for Subdivision & Land Development for the Cosentino Subdivision – Oak Road Component 4A – Municipal – Mr. Ott advised the Commission that he would sign the Module 4A.

Petition for Rezoning for the Penn Manor School District – Howard Kelin, representing the Penn Manor School District on a zoning request for two parcels, made a presentation. The first parcel is called the Manor Middle School parcel currently zoned Rural (R) and the second parcel is known as the Fisher Farm also zoned Rural (R). The parcel in the middle referred to as the adjacent parcel is zoned Low Density Residential Flex (RL1) and the applicant is requesting to rezone the Rural (R) zoned parcels to Low Density Residential Flex (RL1) so they are consistent with the middle parcel. The Manor Middle School property is the site for the school districts planned development of the new Hambright Elementary School and in terms of the maximum lot coverage provision in the Rural (R) Zoning District, they would not be in conformance with that with the new school; however, they would be in conformance with the lot coverage requirement under the Low Density Residential Flex (RL1) Zone. The applicant is asking for the rezoning of the Fisher Farm for the purpose of future development so that property would be consistent with the other parcels.

Mr. Haverstick was curious why feelers were not sent out prior to the purchase of the property with their intent in buying and rezoning the Fisher Farm. Dr. Leichter advised him that he was not the Superintendent when the land was purchased. The Board was interested in acquiring the property as well as the property in between. At the time, there were no specific plans but since that time, the School Board has developed a Master Plan for the property. When there was a need to ask for rezoning for the Manor Middle School parcel, the school district felt it was proper to ask to rezone both of the parcels so that they would not have come back to the Township at a later time. Ms. Shellenberger pointed out that current zoning allows for a school. Ms. Shellenberger indicated, as the applicant had stated, that they have a lot coverage issue where the current Middle School is located. The middle piece is zoned High Density Residential Flex (RL1) and the applicant would like that same zoning for the Middle School site so that they can accommodate the proposed Hambright Elementary School on that property. The applicant figured that while having the site where the Middle School currently is located rezoned, they would like to have all the properties that they own under a single zoning classification, which makes it easier to plan for the future. Mr. Witmer pointed out that if they say no to the rezoning, it will make a problem for the school district; Ms. Shellenberger pointed out that saying no to the rezoning of the Fisher Tract does not impact anything at this time. Ms. Shellenberger pointed out that these properties are in the Urban Growth Area and the Township Comprehensive Plan “Growing Together” shows these properties as residential, so it is a rezoning consistent with the Comprehensive Plan. Mr. Mann asked if the master plan includes interaction and connection with the residential uses near the property or is the master plan just for that property. Mr. Kelin advised him that the Master Plan is just for the school facilities. Mr. Mann stated that the Commission often talks about greenways and this is one of the opportunities for them to connect with the school. Mr. Mann was advised that those types of issues would be worked out when the plan goes through land development and the Commission will have the opportunity to provide input at that time. Ms. Glazier asked the school district the time line for the development of the elementary school. She was advised as soon as possible. Ms. Glazier noted that there are issues with the sidewalks and she forewarned them that they will be asking about sidewalks for connectivity with the residential communities. Mr. Caldwell advised the Commission that there was a meeting with the applicant at which time they discussed the potential of looking at something different than basic straight up curb and sidewalk along Charlestown and Ironstone Ridge Roads.

Mr. Haverstick stated another issue is they have been given the go ahead to look at this portion of the Township that does have some zoning issues. It is conceivable they could give thought to postponing any action on this request until they look at the area in its entirety. Ms. Glazier asked what area the Planning

Commission is to look at. Mr. Ott advised that Mr. Smith will be providing a letter designating the area they are to consider. Allen Kreider reminded the Commission that they denied a developer rezoning an area to put in high density development down the road for the very reason that they wanted to do a comprehensive study for that whole area. Mr. Kreider stated that he believes that the school is also in that comprehensive study because it is on the south side of Charlestown Road. Mr. Kreider stated that he feels in fairness to the developer it is necessary to look at the whole area including the school. Mr. Harman stated that he did not vote against the high density rezoning for the developer and he does not have a problem with this petition request. Ms. Shellenberger advised The Commission that the difference is the Comprehensive Plan showed the other parcel as Industrial (I) zoning and there is a limited amount of Industrial (I) zoning in the Township; that is why the Commission felt that they needed to take a look at the larger area to determine if they needed that Industrial (I) zoning for the future of the Township. If the Township decided to rezone the Industrial tract for high density residential where does the Industrial (I) uses go. There was discussion by the Commission on the parcels that the School District needs to rezone for their immediate needs.

Ms. Shellenberger made a motion to recommend that the Board of Supervisors look favorably upon rezoning request for the following reasons: 1) that the land is within the Urban Growth Boundary and proposed as residential for future use in the Comprehensive Plan, 2) the properties have public water and sewer available, and 3) the properties are all under the same ownership. Mr. Harman seconded the motion and the motion carried unanimously.

Other Business

Mr. Haverstick introduced Patricia Kadel as the liaison with the LCPC. Mr. Haverstick requested assistance from Ms. Kadel and asked if the LCPC can review zoning issues and provide information and guidance as the Commission looks at the zoning for the Township from Charlestown Road to Columbia Avenue. Ms. Kadel advised Mr. Haverstick that they will avail themselves in any way they can.

Mr. Caldwell suggested that the Planning Commission make clear defined goals when looking at this area.

Correspondence

A memorandum from the LCPC was received dated February 2, 2012 noting receipt of the Rails to Trails plan for review on February 27, 2012 by the LCPC for the portion in Manor Township.

A memorandum from the LCPC was received dated February 2, 2012 noting receipt of the Rails to Trails plan for review on March 26, 2012 for the portion in Conestoga Township.

A memorandum from the LCPC was received dated February 7, 2012 noting receipt of the Sewer Planning Module for the Cosentino Subdivision Plan.

There being no further business the meeting was adjourned at 8:45 pm.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, March 12, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, March 12, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Pamela Shellenberger, Donald Witmer and Mary Glazier
Members Absent: Mark Harman and Don Mann
Visitors Present: Gene Oldham, D.C. Gohn, Assoc.
Mike Leichliter, Penn Manor School Dist.
Jim Hocker, Derck & Edson
John May, 100 Red Fox Road
Chet & Judy Swanger, 166 Oak Rd.
David Krantz, 156 Oak Rd.
Al Kreider, 141 Supervisors Rd.
Joe Hainthaler, Lancaster Newspapers
Jay Ebersole, Weber Surveying
Patricia Kadel, CPC
Robert McLane, 206 Manor Ave.

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger noted a typographical error on Page 3 the 6th line from the bottom the word "Middle" should be "Elementary" and the seconded paragraph from the top that the sentence was incomplete. Mr. Haverstick noted the word "Him" was capitalized and was incorrect on last page. Mr. Witmer made a motion to approve the minutes with the noted corrections. Mr. Haverstick seconded the motion and the motion carried with Mr. Henke abstaining.

Old Business

Proposed Ordinance to Amend Zoning Map for the Penn Manor School District - Mr. Haverstick advised the Commission that they have been presented with the Ordinance and an amendment to the Ordinance which corrects a typographical error. Ms. Shellenberger made a motion that they recommend to the Board of Supervisors that the rezoning be approved. Mr. Henke seconded the motion and the motion carried unanimously.

Action Item – Final Subdivision Plan for Cosentino Subdivision and Modification Requests - Gene Oldham from D.C. Gohn advised the Commission that he was correcting a statement from last month's meeting regarding infiltration. Mr. Oldham stated that the storm water basins are not creating infiltration and they are providing for a 50% reduction of the storm water as required by the Ordinance. Mr. Oldham advised the Commission that the project is on Oak Road and gave a brief review of the Final Subdivision Plan. Mr. Oldham advised them that since last month he provided a revised plan to Mr. Caldwell and the Commission has Rettew's review letter for the revised plan. Mr. Oldham stated that he met in the field with Mr. Harris and Mr. Smith to discuss issues including the roadside swales and embankments. Mr. Oldham stated that the applicant withdrew the modification request not to provide additional right-of-way and agreed to cut back the banks from the road so that if the Township desires to widen the road in the future, the banks will already be cut back. Mr. Harris and Mr. Oldham looked at the area where the 15" pipe goes under the road and it was decided that they could better convey the water to

the existing pipe if they channeled the water. The plan is to extend the 15" pipe and put in a headwall. Mr. Oldham stated that the changes on the plan are what was suggested in the previous review by Rettew Associates and it appears, from the letter received, that they have addressed most of the comments. Mr. Haverstick requested Mr. Oldham to go through the modification requests for the benefit of residents who were present. Mr. Haverstick questioned the capacity of the proposed 12" pipe to handle the storm water. Mr. Caldwell advised him that the 12" pipe provided sufficient capacity. Mr. Henke had a question regarding the 100' isolation separation distance that crosses onto another lot; Mr. Henke asked what precludes a new lot owner from doing something in that 100' area. Mr. Oldham stated that it only needs to be shown on the plan so that anyone who looks at the plan in the future can see that separation distance. The Sewage Enforcement Officer also knows if something was going to be changed that the plan needs to be checked. Ms. Shellenberger stated that she felt that the note referencing the existing well on Lot 4 was not correct. Note #10 references wetlands and she stated that she believes the correct reference would be Note #9 under the Miscellaneous Comments. Mr. Oldham advised the Commission that they are waiting on the LCPC review and then the Planning Module will be ready to be presented to the Supervisors. Mr. Oldham stated that letters were sent to the emergency providers and Mr. Oldham advised the Commission that he has received a response from the Police Department but has not received any response from the fire company or the ambulance association. Mr. Caldwell stated that they had talked about the septic system on Lot 4 and he asked that the Planning Commission request a note be added to the plan that states if they find a permit for the on lot septic system prior to plan approval, they will allow the system to remain. If there are no permits found, the system will need to be replaced.

David Krantz, 154 Oak Road, questioned if the existing well was going to be abandoned and Mr. Caldwell verified that the well will be abandoned.

Chet Swanger, 166 Oak Road, had questions on the channeling of the water and the road bank cutback.

David Krantz had questions pertaining to when the basins and the swales would be installed.

Ms. Shellenberger made a recommendation that the modification requests for the Cosentino Oak Road Final Subdivision Plan relating to Section 305-Preliminary Plan Processing Procedure, Section 403.1.A-Plan Scale, Sections 502.5, 502.11, 502.1.2-Regarding Reconstruction of the Existing Streets Including Curb and Sidewalks, Section 502.13.1.a.1-Regarding Street Lights, Section 401.6-Regarding Transfer of Stormwater Runoff from One Watershed to Another, Section 401.8-Regarding 50% Peak Rate Reduction, Section 404.4-Minimum Pipe Size of 18", Section 408.3-BMP Dewatering Times for all Basins and Section 408.2.A- Depth to Limiting Zone be recommended for approval based on the comments provided by the Rettew Associates letter dated March 12, 2012. Mr. Witmer seconded the motion and the motion carried with Ms. Glazier abstaining.

Ms. Shellenberger recommend that the Cosentino Oak Road Final Subdivision Plan for a four lot subdivision be recommended for approval contingent upon meeting all the comments outlined in Rettew Associates review letter dated March 12, 2012. In addition, the applicant must revise the Note on Lot 4 for the existing well and provide proof of documentation that the existing on lot septic system was previously approved and provide acceptable documentation to the Township. Mr. Haverstick seconded the motion and the motion carried with Ms. Glazier abstaining.

New Business

Briefing Item – Lot Add-On Plan for Betty J. Witmer Estate & Modification Requests - Don Witmer recused himself from the discussion and voting. Jay Ebersole from Weber Surveying presented the plan and stated that the Executor of the estate is proposing to take 24.7 acres from the rear of the farm on Lot 1 and add it to the adjacent farm on Lot 2. There will be 40 acres remaining on Lot 1. Mr. Ebersole stated that he has had a review letter from Jim Caldwell and he has addressed most of the items. He stated that they are withdrawing the requested waiver for soil testing. The only modification request is Section 403.1.A-Plan Scale. Mr. Ebersole went through the review comments provided by Mr. Caldwell. There was a shed within the 50' setback line that will be removed by the owner and a note was added to the plan indicating that the shed will be removed. There is no well on the lot; the water comes from a spring for the existing dwelling and that has been noted on the plan. A Non-Building Waiver has been signed by everyone and was sent to DEP approximately 2 weeks ago. A legal description has been prepared for a new deed that adds Tract 2A to the Donald Witmer Farm with a restriction

that it cannot be sold separately. Mr. Ebersole stated that an access easement is not a requirement for what they are doing. This is a land locked parcel and there is no recorded legal right-of-way to this farm from Safe Harbor Road. The owner has verbal agreements with the adjoining property owners and they are in the process of preparing agreements to be recorded. The plan was sent to the Agricultural Preserve Board for review and Ms. Mengel determined that this plan does not need to go before the Ag Preserve Board because it does not affect any preserved property. Mr. Ebersole advised the Commission of two historic resources that were identified and they were given numbers.

Don Witmer stated that he was approached by the owner who expressed his interest in selling 24 acres which he has been farming. The owner of the tract will live on the remaining 40 acres.

Mr. Henke made a motion to advance the plan from a briefing item to an action item. Ms. Glazier seconded the motion and the motion passed with Mr. Witmer abstaining.

Mr. Henke stated that the modification requested for Section 403.1.A-Plan Scale be recommended for approval by the Board of Supervisors. Ms. Shellenberger seconded the motion and the motion carried with Mr. Witmer abstaining.

Mr. Henke made a motion that the Betty J. Witmer Estate Safe Harbor Road Lot Add-On Plan be recommended for approval subject to satisfying the comments in the letter from Rettew Associates dated February 29, 2012. Ms. Shellenberger seconded the motion and the motion carried with Mr. Witmer abstaining.

Briefing Item – Final Subdivision Plan for Rails to Trails – Manor Township and Modification Requests – Mr. Haverstick gave a brief description of the rail to trail project and the events leading up to tonight’s presentation of the plan. Jim Caldwell from Rettew Associates presented the plan. Mr. Caldwell stated that they now have a sales agreement and have advanced it to the point where they are preparing a subdivision plan to separate the low grade from the active railroad line. They wish to complete the subdivision plan so that the sale can be completed and the conveyance of land by Norfolk Southern to Manor Township can take place. Mr. Caldwell stated that the trail is approximately six miles overall and located primarily in Manor Township with approximately 211 acres of land proposed to be conveyed in Manor Township and a little over 11.5 acres in Conestoga Township. Mr. Caldwell stated that the proposed acquisition starts where the existing access drive meets the railroad, goes around Turkey Hill Point to the bridge, crosses over the bridge and terminates at Brenner Hollow Road in Conestoga Township. There are two separate subdivisions being processed. One plan is with the portion in Manor Township and the other is in Conestoga Township. As part of the project, the applicant is asking for modifications. The Applicant is asking for the following modifications: Plan Scale; Existing Features, Existing Features Sheet, Contours, Floodplain, Steep Slopes and Wooded Areas; Primary and Replacement on-Lot Sewer Absorption Area including Percolation Tests and Deep Soil Probes and Planning Module; Cost Estimate, Financial Guarantee and Financial Guarantee Agreement; Street Lighting; Access Drive Design, Construction, Width, Setback; and Lot Configuration. This property is a long and narrow lot that runs from Norfolk Southern’s eastern boundary along the Conservancy Property, the Turkey Hill property, the Landfill, the Barley Property, several residential properties, back into some PP&L properties, and back along several more residential properties. They are proposing a subdivision line that is parallel with the catenary pole on the river side of the trail and the proposed subdivision line is approximately 20’ off the catenary poles. Mr. Caldwell gave a description of the area being purchased and the responsibilities that would be Manor Township’s. Review letters have been received from Buchart-Horn and LCPC. Mr. Caldwell briefly addressed the comments in the review letter from Buchart-Horn. Mr. Caldwell advised the Commission that they did a wetland study and there are a few wetlands. Mr. Caldwell provided a handout showing the floodplain areas on the property. Mr. Caldwell advised the Commission that the area is made up of several tracts and Mr. Caldwell explained what was proposed for the tract lines. There are a number of easements and Mr. Caldwell advised them that the Township will be purchasing the easements on the Manor Township side.

Mr. Witmer had questions on the proposed fence that will be installed.

Mr. Krantz, 156 Oak Road, had questions regarding the accesses to the trail.

Mr. Kreider asked for clarification regarding Amtrak’s right-of-way.

Mr. Haverstick made a motion to move this to an action item. Ms. Glazier seconded the motion and the motion carried unanimously.

Ms. Shellenberger made a recommendation that the modification requests related to the Manor Township Rails to Trails Final Subdivision Plan related to Section 403.1.A-Plan Scale, Section 403.3-Existing Features, Section 404.3.4.R, Section 404.4.S, Section 407.2.D, Section 404.4.A Dealing with on-lot Sewage, Sections 403.4.E, 403.4.F, Section 702.B regarding Cost Estimates, Financial Agreement, Section 502.13-Street Lights, Section 503.1-Access Drive Design, Section 507.1.E-Lot Configuration, and the request needed for the Preliminary Plan Waiver Section 305.A be recommended for approval based on the comments in Buchart-Horn letter dated February 29, 2012. Mr. Haverstick seconded the motion and the motion carried unanimously.

Ms. Shellenberger made a motion that the Manor Township Rails to Trails Final Subdivision Plan be recommended for approval to the Supervisors based on addressing the comments in Buchart-Horn letter dated February 29, 2012. Mr. Haverstick seconded the motion and the motion carried unanimously.

Other Business

Discussion Item – Study/Review zoning for the Wal-Mart property and surrounding properties-See Barry Smith’s letter for study area - Mr. Haverstick recommended that they look at this next month. There was a question as to why the Eshelman Tract was included in the study area.

Correspondence

Ms. Glazier indicated that she had received the following correspondence from the LCPC:

There was correspondence from the LCPC dated February 14, 2012 regarding the Consentino Subdivision Plan.

There was correspondence from the LCPC dated March 1, 2012 regarding the receipt of the proposed rezoning for the Penn Manor School District tract.

There was correspondence from the LCPC dated February 15, 2012 regarding the receipt of the Betty J. Witmer Lot Add-on Plan.

There being no further business the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, April 9, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, April 9, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order in 7:30 p.m. and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Mark Harman, Don Mann, Pamela Shellenberger, Donald Witmer and Mary Glazier

Visitors Present: Estein Leinster Jr., 100 Creekgate Ct.
Joe Hainthaler, Lancaster Newspapers
Patricia Kadel, LCPC
Tom Acker, 212 Post Oak Rd.
Robert McLane, 206 Manor Ave.
Bill Heidig, 1756 Columbia Ave.
Bill Murry, 1899 Lititz Pike
Richard Bauder, Manor Twp.

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger made a motion to approve the March 12, 2012 minutes as presented. Mr. Henke seconded the motion and the motion carried with Mr. Harman and Mr. Mann abstaining.

New Business

Briefing Item - Multiple Use Zoning Amendment - The Ordinance would amend the Manor Township Zoning Ordinance by permitting multiple, principal, nonresidential uses in the General Commercial (GC), Commercial Office(CO), Limited Commercial (LTD), Local Commercial (LC), Mixed Residential Commercial (MRC), and Village (V) Zones and by adding an additional permitted use in the Industrial Zone for shop for contractors. Mr. Haverstick asked for background information and Mr. Ott advised him that this came from the Board of Supervisors and that he has not been part of the process with the Supervisors. Mr. Haverstick stated that it was his understanding that there is a property owner who has a struggling business and the owner's wife would like to open a shop in the owner's facility on Columbia Avenue. The current Zoning Ordinance does not allow for multiple uses and the owner has appealed to the Supervisors to help him put a second business on the property. Mr. Ott advised the Commission for clarification that this would allow for multi-uses in existing buildings. Mr. Ott stated that the current Ordinance states that for each use on the lot there is a minimum lot size and you must meet the minimum lot size for each use on the lot. The issue is some of the existing lots are smaller than minimum lot size and that situation only allows for one use. Ms. Shellenberger expressed a concern about having not more than three uses and that you would not have to meet the parking requirements. Ms. Shellenberger asked the question that if you change the use of a building and the parking requirements are greater for that new use, you may want to put in the ordinance that the parking requirement will apply. Mr. Ott advised her that he believes the answer is once there is two uses are there under this ordinance and someone buys the property with two uses, you lose control of the parking requirements. Ms. Shellenberger had a question regarding the parking requirements for a commercial property which is currently being used for an office and then it is replaced by a retail store.

Mr. Ott advised her that under the current ordinance the new use would have to meet the parking requirements. Ms. Shellenberger stated that is why this amendment is confusing. As a single use, the parking requirements are more stringent than someone being able to put multiple uses in the building. Mr. Henke stated that if you have one use that you need ten parking spaces for on a lot and you put another use on that same property that only has ten parking spaces on the lot to begin with and the uses in that building flourish, you will end up with cars parking on the street, on the grass and everywhere else. Ms. Shellenberger stated that she had a concern with the term "one development" used in Sec. 308.2. She continued by stating that if there are multiple different uses, when you are looking at the requirements for parking, etc. which standards are you looking at? Which parking standard is applicable? Mr. Henke pointed out that the draft ordinance provided includes multiple different revisions based on zoning district. Ms. Shellenberger pointed out that Section 209.5 in the Industrial Zone deals with two or more principal/accessory uses may need to be deleted if this amendment is adopted. William Heidig, 1756 Columbia Avenue, advised the Commission that he owns the property that has brought about this amendment. Mr. Heidig stated that he owns a business and his wife would like to open a second store business in the same building. He has been told he does not have the lot square footage to open a second business; therefore he approached the Supervisors for help. Ms. Glazier stated that she felt that if he could expand the existing business what would be the problem with him having a second use on the property. Ms. Glazier asked why the issue is the numbers of uses and not the square footage of commercial space. Ms. Glazier questioned why you would need double the parking because there is another use on the property. Mr. Henke advised her that the use of commercial space is directly related to the parking as far as the type of use; will people be coming for a few minutes or will people be staying for an extended period of time and possible overlap other people. Mr. Haverstick asked if there are other options for Mr. Heidig. Mr. Heidig was advised that he could go to the Zoning Hearing Board for a variance but there are no guarantees. Mr. Haverstick asked Mr. Bauder if he had any information on this subject. Mr. Bauder stated that the Engineer proposed this ordinance to make this use consistent across zoning. Mr. Bauder stated it is very simple and we are looking at this amendment to the Zoning Ordinance. Mr. Bauder stated that Mr. Heidig brought the issue to the Board of Supervisors but it is not particular to this individual. The amendment will correct an ambiguity in the Zoning that said if you put another use in you need another 15,000 square feet. Mr. Bauder stated he does not see a problem in the proposed amendment. Mr. Haverstick pointed out that regarding this specific property everyone is in agreement that it is absurd that Mr. Heidig cannot convert the 120 square feet and that no one can give him an answer. Ms. Shellenberger pointed out that what the Commission was given to review applies across the Township not just to one property and it is very cumbersome reading through the amendment and some of what is proposed is open ended on how it is interpreted. Ms. Shellenberger stated that she feels that some things in the proposed amendment will create more issues than they are trying to solve. Mr. Ott advised them that there is consistency now but not the consistency for what Mr. Heidig wants to do. Ms. Shellenberger referred to the section talking about a new building in the commercial zone and the number of uses compared to the Village zone where you can have an unlimited number of uses. Ms. Shellenberger stated that she feels that this is contrary. She stated that she would think you would want to allow less uses in a residential area than in a commercial zone. Mr. Ott pointed out that there are specific properties that are current commercial properties that have a lot of floor space with very little parking and that could be a problem if this proposed amendment is adopted. Ms. Shellenberger gave a suggestion to Mr. Heidig that if there is almost no pedestrian traffic for the antenna business, Mr. Heidig could operate the antenna business from his home and convert the existing shop to the antique business. There was also the idea of Mr. Heidig expanding his line to include collectibles. Mr. Ott advised them that if it is one building with one door it could be considered one store. Mr. Haverstick advised the Commission that this was being

treated as a briefing item and they would deal with it next month with the understanding that Steve Gabriel would be present.

Other Business

Discussion Item – Studying/reviewing zoning for the Wal-Mart property and surrounding properties – The Commission was looking at the northeast portion of the Township and in particular the northern part of #1 area considering making it residential commercial.

Robert McLane, 206 Manor Ave., Millersville, asked what they are talking about. Mr. Haverstick advised him that they have been deliberating about the northeast section of the Township which includes almost all of the Industrial Zoning. Mr. McLane asked Mr. Haverstick what is left in agricultural land and expressed concerns with the loss of agricultural land. Mr. McLane referenced Scientific America magazine articles.

There was discussion on the area that they would be looking at along Columbia Avenue and the Industrial tract along Centerville Road. Ms. Glazier did not understand why Area #3 (Eshelman Tract) was included and why they would be looking at that area. There was a general consensus to leave Area #3 zoning as it is presently zoned. Ms. Glazier also stated that she felt that the Industrial Zoned area should remain as it is. Mr. Haverstick asked for Mr. Murry's ideas regarding the possibilities for the properties adjoining the Wal-Mart tract. Mr. Murry advised the Commission that at one time they were looking at the concept of a health campus but more on a retail level than the current East Hempfield campus. There was discussion regarding the Wal-Mart tract and the possibility of it being sold. Ms. Glazier stated that she felt that they should concentrate on the parcels marked Area #1 and what are the implications of making changes along the Columbia Avenue corridor if there are changes to be made. Ms. Shellenberger stated that the Commission previously had talked about a mixed residential commercial use and asked Mr. Murry, with his properties in mind, what he thought of that classification. Mr. Murry talked about the two distinct market places stating that the in between age group would not be interested in urbanism with retail on first floor and residential above it. Ms. Shellenberger pointed out that a mixed residential commercial use does not mean it must be mixed but it gives you the opportunity to mix the uses. Mr. Ott pointed out that the Commission had talked about the Comprehensive Plan supporting that type of use. Ms. Glazier stated that along Columbia Avenue, it currently has a mix of residential and commercial uses; she questioned whether it would be doing a disservice to the community to zone the area mixed residential commercial and let the owner decide what makes the property saleable. Mr. Murry stated that from a marketing perspective, the more options the better. Ms. Kadel, from the LCPC stated that there is a zoning district you are seeing a lot of and that is a mixed use employment zone. It allows offices, residential and retail uses. Mr. Haverstick questioned what is occurring with the parcels south of Charlestown Road. Mr. Ott advised him that there is an agreement on one of the two lots. A resident asked what will transpire with the former Wal-Mart property. He was concerned as a resident of Woods Edge that commercial properties from a retail point of view on the Wal-Mart tract would be a mistake. He felt a medical facility would be a nice plus for the community and also would create an environment that would not be damaging to residential properties in the area. He stated that he would like the Commission to give serious thought to compounding traffic problems which will be worse than it is now, for the sake of another retail outlet versus a more professional facility such as a medical facility. Mr. McLane proposed that the Commission recommend to the Supervisors that they float a referendum on this issue to see how much of this land should be left in agricultural versus being developed. Ms. Shellenberger pointed out that if they look at commercial office there are a lot of existing businesses that would become non conforming uses and that is something the Commission would have to consider. Ms. Shellenberger talked about the Comprehensive Plan and indicated that the current zoning on the parcels they are looking at is not what

is recommended in the Comprehensive Plan. Mr. Haverstick advised the Commission that they will continue this discussion at a later date.

Correspondence

Ms. Glazier advised the Commission of the following correspondence from the LCPC:

A Letter of Transmittal dated February 10, 2012 having to do with the Sewage Planning Module for the Cosentino Subdivision.

A memo dated March 13, 2012 with comments and recommendations for the Betty J. Witmer Estate Lot Add-On Plan.

A memo dated March 27, 2012 with comments and recommendations for the Rails to Trails Final Subdivision Plan.

A memo dated March 27, 2012 with recommendation of approval with conditions regarding the rezoning of the land purchased by the Penn Manor School District.

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, May 14, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, May 14, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson, Scott Haverstick, called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Mark Harman, Don Mann, Pamela Shellenberger, Donald Witmer and Mary Glazier

Visitors Present: Dennis Coleman, Penn Manor School District
Clair Becker, 18 Money Hill Road
Jim Hocker, Derck & Edson
Larry Levato, Crabtree Rohrbaugh & Associates
Brian Patterson, 2 N. 9th, Allentown, PA
Barry Acker, 651 Delp Road
Tom Acker, Post Oak Road

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger pointed out several typographical errors. On Page 2 the word should be “interpreted” and on Page 3 the word should be “loss” as well as two other typographical errors.

Ms. Shellenberger made a motion to approve the minutes with minor corrections. Mr. Henke seconded the motion and the motion carried unanimously.

New Business

Petition for Rezoning for LCSWMA – Mr. Haverstick advised the Commission that he did not have any information on this petition. Ms. Glazier stated that the parcels had to be zoned excavation to remove the soil but under the consent decree they must be rezoned to conservation. Mr. Haverstick advised them that in Paragraph 6 of Petition there is an indication that the parcels were inadvertently rezoned from Excavation to Rural pursuant to Ordinance #1-2012 adopted February 6, 2012. Mr. Haverstick stated that he prefers to table this item until they have an explanation as to how the inadvertent rezoning occurred.

Briefing Item – PPL Electric Utilities Lot Add-On Plan and Modification Requests – Brian Patterson and Barry Acker, with PPL Utilities Inc., presented the plan. Mr. Patterson advised them that they received the review letter from Rettew Associates with six comments on the plan. Mr. Patterson advised them that they have addressed most of the comments. One comment not addressed is the size of the plan which will be accommodated. Mr. Patterson briefly reviewed the six comments and how they were addressed. Mr. Patterson indicated that the Frey Farm will be taking ownership of one of the parcels of land that is being subdivided and LCSWMA will be taking ownership of the other parcel. Mr. Patterson briefly reviewed the plan stating that LCSWMA wants to take ownership of the transmission corridor and they are paying to relocate PPL’s transmission lines to the river side of the tract of land. The future plans for development of the Creswell Landfill raising the elevation of the landfill, prohibits the transmission corridor from running through that tract of land. PPL is willing to give up the tract of land to the landfill and move the easement to the river side. Mr. Patterson stated that the smaller portion of tract 2 will be combined with Lot 2 of the Authority. The majority of the remainder of the parcel will be going to the Frey Farm. Mr. Patterson advised the Commission that there is no land development involved with this process. Ms. Shellenberger asked if they are still seeking the modifications. Mr. Patterson advised her that they are still seeking the modifications and Mr. Haverstick pointed out that Rettew recommended approval of the modifications. Ms. Shellenberger made a

motion that the PPL Electric Utilities Lot Add-On Plan with the requested modifications from Section 403.1.A regarding Plan Scale, Section 403.3 - Existing Features and Section 403.4 - Proposed Features and Plan Information be considered for approval by the Supervisors based on recommendations provided by Rettew Associates. Mr. Haverstick seconded the motion and the motion carried unanimously. Ms. Shellenberger made a motion that PPL Electric Utilities Lot Add-On Plan be approved contingent upon meeting the comments listed in the Rettew Associates letter dated May 10, 2012 with the understanding that this is being moved to an action item. Mr. Witmer seconded the motion and the motion carried unanimously.

Sketch Plan & Modification Requests for Hambright Elementary School - Dennis Coleman from the Penn Manor School District along with James Hocker with Derck & Edson and Larry Lavato from Crabtree Rohrbaugh & Associates presented the plan. Mr. Hocker advised them that the site is located at Ironstone Ridge Road and Charlestown Roads. Mr. Hocker advised the Commission that this is a sketch plan for the proposed Hambright Elementary School with two waiver requests. Mr. Hocker gave a brief overview of the plan indicating that there are two lots with one being approximately 50 acres that will be combined with the other lot. The total lot area of the combined lots will be approximately 92 acres. The proposed elementary school will have a rating capacity of 750 students maximum. The plan is proposing a new access drive off of Charlestown Road which will be the primary bus loop. This loop will be separate from the loop proposed for the visitors and administrators parking in the front with another loop drive that loops back for the shared service access drive serving both the Manor Middle School and the proposed Hambright Elementary School. There is adequate parking which exceeds the Ordinance requirements. There is a proposed walkway system that starts at the renovated maintenance building and continues around the site staying along the ridge line, paralleling Charlestown Road to the property line. The proposed walkway would extend the trail system from the park an additional 3,000 feet. Mr. Haverstick asked if thought was given to using a pervious base and Mr. Haverstick was advised that they are considering areas using the pervious base. Mr. Haverstick asked for an overview of the storm water management on the site. Mr. Hocker advised him that there is an existing basin and they would foresee using that to some extent and supplementing the existing system with BMP's adjoining the parking areas were possible. More of the infiltration would be using a rain garden approach and having smaller features. These features would not be as massive as the existing basin. Ms. Shellenberger asked a question concerning connectivity; was there any consideration given to providing a way for residents in the development on Abilene Lane to be able to walk to the schools, to the park, or even taking the walking trail that loops around. Mr. Hocker stated that he had that thought but has not talked about it with the School District or Township Staff. After discussion, the Commission expressed their wish to have the walkway loop around and not be dead ended. Ms. Shellenberger suggested that a note be on the plan stating that if the next parcel is developed, at that point in time you would have to install the missing connection to the walkway. Mr. Hocker gave a brief overview of the design for the proposed elementary school. Mr. Coleman advised the Commission that they are in the design development process at this time. Mr. Hocker stated that possibly when they come back with the land development plan, they may have some exterior elevation views of the building. Mr. Haverstick questioned the disparity in parking spaces. Mr. Hocker advised him that they missed counting eight spaces and this plan reflects 144 spaces. Mr. Haverstick advised Mr. Hocker that the Commission has no problem approving the requested modifications. Chris Lincoln, from Rettew Associates, advised the Commission that the sketch plan is not a formal submission. At this point in time, no comments are binding. The sketch plan helps to get the process rolling. Mr. Haverstick verified that the modifications do not seem to be a problem. Mr. Haverstick stated that connectivity is desired for the walkway and that they would like to see the utilization of as much pervious surface area as possible.

Other Business

DEP Building Waiver Request Form for Rails to Trails Manor Township – Mr. Haverstick advised the Commission that this Waiver was signed by Staff and that this item is for information purposes only.

Discussion Item – Studying/Reviewing zoning for Wal-Mart property and surrounding area – Ms. Kadel from the LCPC informed the Commission that she had received an e-mail from a Market Research Analyst out of

Boston who has been contracted to do a market study for the Armstrong Property. They wanted general zoning type information as to what development occurred in the County in the last five years. Ms. Kadel showed the Commission photographs of what was done with a Sears's location in Virginia that incorporated mixed uses on the site. There was general discussion and the Commission felt that they needed to look at the current zoning classifications and what could happen with the current mixed use zoning district. Ms. Shellenberger suggested that they make some modifications to the current mixed use zoning district. Mr. Haverstick questioned the extent of the area that they would be looking at. Tom Acker, Post Oak Road, asked if the property behind Interiors 2000 Furniture Store is part of this study. Mr. Acker was advised that property is not included. Mr. Acker questioned who the driving force is behind changing the zoning. Ms. Glazier advised Mr. Acker that what they are looking at in terms of mixed residential and commercial use is not intended to accommodate large commercial shopping centers rather individual free standing businesses or limited integrated uses and can include buildings that combine residential and commercial uses. Mr. Haverstick advised him that they would like to see the area being discussed developed in a way that is beneficial to everyone, not just the developer, and have the most positive impact on the area. Mr. Haverstick stated that the Commission is in agreement that some kind of mixed use would be the best possible application. Ms. Shellenberger stated that she feels that the current mixed residential commercial use zoning district can be tweaked in places and at the same time, look at the other areas zoned mixed residential commercial to see if the changes that would be made impact those areas in a negative way. Mr. Haverstick made a recommendation that they encourage the Supervisors to discuss with Rettew Associates tweaking the existing mixed use ordinance to apply it to this sector. Ms. Shellenberger suggested that they look at the sample ordinance that will be supplied by Ms. Kadel and make recommendations before giving it to Rettew. Ms. Shellenberger advised them that if the Supervisors do not want to spend a lot of money, the Commission needs to give more precise direction. Ms. Kadel stated that she will provide Mr. Ott with sample ordinances and he can forward them to the Commission. Mr. Haverstick withdrew his motion. Ms. Shellenberger stated that she would like to wait another month to see the sample ordinances before making any motion.

Robert McLane, 206 Manor Avenue, expressed his concern with developing open space and gave his opinion on ways to prevent development from occurring.

Mr. Acker thanked the Commission for the work they do and expressed his appreciation for the open forum to express his concerns.

Correspondence

Ms. Glazier received a memorandum dated April 30, 2012 from the LCPC which was a review of the PPL Utilities Lot Add-On Plan application scheduled for May 29th.

There being no further comments, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, June 11, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, June 11, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Don Mann and Pamela Shellenberger
Members Absent: Mark Harman, Mary Glazier and Donald Witmer
Visitors Present: Michael Grab, 327 Locust St., Columbia
Brooks Norris, LCSWMA
Robert McLane, 206 Manor Ave., Millersville
Steve Funk, 65 Penn St., Washington Boro
Tyler Rohrer, 49 Penn St., Washington Boro
Pearl Newcomer, 135 Langley Sq.
Barbara Corbin, 137 Langley Sq.

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger made a motion to approve the May 14, 2012 minutes as presented. Mr. Henke seconded the motion and the motion carried unanimously.

Old Business

Rezoning for LCSWMA – Stacy Morgan representing LCSWMA advised the Commission that in 2010 Parcel 4 and 5 were both zoned rural at that time and they asked that they be zoned excavation per the PALE Order so that the Authority could move dirt. They looked at this at the beginning of this year because the earth moving activity on Parcel 5 had ceased and they were ready to restore the land per the PALE Order. Parcel 5 needed to be rezoned to Conservation (C). They thought that the tract to the north was zoned excavation per the zoning exercise they went through in 2010. Apparently, in the beginning of this year, Manor Township adopted a new zoning map changing some zoning and parcel 4 and 5 in their entirety was inadvertently changed back to rural zoning as they were before the initial request. Parcel 4, containing 113 acres needs to go back to Excavation (E) and Parcel 5, that is the smaller parcel, needs to be rezoned to Conservation (C) to make sure they are satisfying all the terms of the PALE Order. Mr. Henke made a recommendation that the request to amend the Township Zoning Map to change the zoning of Parcel 4 from Rural (R) to Excavation (E) and Parcel 5 from Rural (R) to Conservation (C) so that it is consistent with terms of the Court Order entered into April 15, 2002 be passed onto the Board of Supervisors for approval. Ms. Shellenberger seconded the motion and the motion carried unanimously.

New Business

Rezoning Petition for Steven A. Funk – Mike Grab from Nikolaus & Hohenadel in Columbia was representing Mr. Funk and presented the petition to the Commission. Mr. Grab stated that this is a petition to rezone the property at 65 Penn Street. The parcel consists of 10.6 acres and the applicant is seeking a rezoning from its current zoning designation which is Agricultural (A) to Village (V) Zoning. The property is within the Village Growth Boundary as established on the zoning map. Mr. Grab handed out an exhibit that shows the parcel with an attached zoning map. Mr. Grab referred to Inset "A" on the zoning map that shows the parcel contained within the Village Growth Boundary. All of the properties to the west of this parcel are zoned Village (V). The purpose of the petition is to allow the sale of ice cream as an adjunct to the current agricultural sales at the Tomato Barn. Mr. Funk is

proposing to place a small shed on the property with limited outdoor seating to allow the sale of the ice cream product as an adjunct to the sales of the Tomato Barn. Mr. Grab stated that they initially approached the Township with a proposed interpretation of the Ordinance to say that the sale of ice cream really is an agricultural product because the Ordinance does not define what an agricultural product is and that the sale of agricultural products is permitted as accessory use in the Agricultural (A) zoning district as long as you can meet the four criteria for roadside stands for sale of Agricultural products. This proposal does meet those four dimensional criteria. After review by the Township, the Township Solicitor did not think the sale of the ice cream fit within the agricultural product definition. Mr. Grab believes the Township Staff felt it was more appropriate to do a rezoning of this tract given its location rather than seek a variance for the proposed use as there is no guarantee that a variance would be granted by the zoning hearing board. Mr. Haverstick advised Mr. Grab that he has had numerous conversations with the Staff and that he does not agree with the Staff's position. Mr. Haverstick stated that he has a serious problem rezoning 10.6 acre tract of agricultural zoned land so that someone can sell ice cream. Mr. Haverstick stated that he has no problem with Mr. Funk selling ice cream. Tyler Rohrer, 49 Penn Street, a relative to Mr. Funk stated that the reason they would like to sell ice cream is to broaden their horizons for their customers to keep them coming back and buying the products they already produce. The Planning Commission discussed whether there were any other options available for Mr. Funk. One of the options they talked about was taking road frontage along Penn Street and rezoning that portion of the lot only to Village (V) zoning and rezone the separate single lot to the west currently zoned Agricultural (A) and owned by Mr. Funk to Village (V) zoning. Mr. Ott talked about the difficulties involved in rezoning just a portion of a tract of land. Mr. Henke made a recommendation that the rezoning petition to rezone 10.6 acres be denied. However, Mr. Henke stated that he is not opposed to a revised petition that would rezone just the frontage of the 10.6 acre property to Village (V) zoning and include the property adjacent to the west of this 10.6 acre site which abuts the Village (V) zone currently. Set a horizontal distance from the centerline of the road to the rear of the adjacent property to the west as the zoning line for the rezoning from Agricultural (A) to Village (V) zoning. Mr. Mann stated that he felt agri-tainment could be used in this situation. Mr. Haverstick seconded the motion. Mr. Henke also recommended that the depth from the centerline of Penn Street to the rear property line of Mr. Funk's existing vacant lot adjoining to the west be the distance of the rezoned area and extend that line due east along the rear property line of that property and continue that line through the 10.6 acre tract. Mr. Haverstick seconded the addition to the motion. The motion carried 4 – 0.

Other Business

Discussion Item – Studying/Reviewing zoning for the Wal-Mart property and surrounding area. There was consensus to continue this discussion next month. Ms. Shellenberger did not feel the sample ordinances provided by Ms. Kadal from the LCPC were relevant to Manor Township and what they want to achieve. Mr. Ott informed Ms. Shellenberger if she provided him with a sample ordinance, he would make sure that they were distributed to the Planning Commission members.

Mr. Haverstick adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, July 9, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, July 9, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, Mark Harman, Pamela Shellenberger, Donald Witmer and Mary Glazier

Members Absent: James Henke and Don Mann

Minutes

There were no corrections and the June 11, 2012 meeting minutes were approved as submitted.

New Business

Multiple Use Zoning Amendment – Mr. Haverstick stated that this Amendment is relative to the Industrial Zoning District. Mr. Haverstick noted this change came about as a result of the tract south of Charlestown Road that has a condition of sale on one-half of the tract being able to keep their equipment on the property. Mr. Haverstick noted the intent of the Amendment is the addition of uses that is under Section 1, Subsection 209.2 amending the Ordinance by deleting Subsection “M” and substituting the following: Shops for Contractors of Plumbing, Heating, Air Conditioning, Electrical, Roofing, Flooring, Glass and Windows, Insulation, Carpentry and Cabinet Making, and other structural components of buildings. Ms. Shellenberger noted a word missing in Letter “Q” section. “Retail Sales of products and/or assembled” the word produced or manufactured is missing and should read “Retail Sales of products produced and/or assembled”. Mr. Ott advised them that he would pass the correction onto Mr. Goodman’s office. Ms. Shellenberger had questions on Section 6 pertaining to the number of parking spaces required for a drive-thru restaurant. Mr. Ott advised her that this change came about due to an existing situation where a fast food business wants to open up in an existing building that has a small amount of parking available and the business would have numerous customers at times. Ms. Glazier pointed out that it makes it harder for someone to use an existing building with the increase in required parking spaces. Mr. Haverstick questioned Section 7, Article 3. Mr. Ott advised them that most fast food places have take out and Rettew Associates suggested that there should be assigned parking space for takeout. After discussion, it was recommended that if additional parking spaces are required, that the spaces are not designated for takeout food. Ms. Glazier stated that she feels the definition for fast food should be amended. Mr. Harman made a motion to recommend approval of Section 1, Section 2, Section 3, Section 4, and Section 5 as presented in the Ordinance Amendment. Mr. Witmer seconded the motion and the motion carried unanimously. Ms. Shellenberger stated that we also need to make a note to modify Section 209.2.Q to read “Retail Sale of Products produced or manufactured and/or assembled.....” Pertaining to Section 7, Mr. Witmer stated that he does not feel it is necessary to change what is already in the Ordinance specific to requiring takeout parking spaces. Pertaining to Section 6, Ms. Glazier stated that she does not understand why the Ordinance needs to be changed to make the Ordinance more restrictive and difficult for the use of existing structures. Ms. Glazier stated that she feels one of the problems is that the drive-thru and fast food restaurants cover a wide variety of enterprises and what is defined is not necessarily going to make sense for all of them. Ms. Glazier stated that she feels that the suggested changes pertaining to parking makes the reuse of buildings difficult. Mr. Haverstick stated that he feels reuse should be encouraged

and possibly the flip side is that they need to be more accommodating and not make the Ordinance so difficult that it discourages people.

Other Business

Discussion Item – Studying/Reviewing zoning for the Wal-Mart Property and surrounding area. – Ms. Shellenberger provided a copy of a document from Montgomery County providing another example of mixed use. The model ordinance requires that when you have a certain size lot, you are required to do a mixed use on the property. Ms. Shellenberger was asked if any of Montgomery County's municipalities adopted this model ordinance. She was told that no one has adopted it exactly like it is but that they have used some form of the model ordinance. There was discussion pertaining to the areas that they were looking at and reasons why they were looking at a mixed use for the area. Mr. Ott stated that a mixed residential commercial use helps with keeping our Zoning Ordinance in line with the Comprehensive Plan. The Comprehensive Plan calls for local commercial and a mixed use would help to promote more of a local commercial rather than a regional commercial use. Ms. Shellenberger stated that she feels some tweaking could be done to the Ordinance to allow for a mixed use type of development which it does not currently allow. Ms. Shellenberger suggested things to consider is to keep facilities neighborhood oriented. You could possibly limit the size of commercial facilities and allow for living/work units and add medical facilities. Mr. Haverstick summarized their discussion and suggested that the Commission pass onto the Supervisors their interest in converting the area in a mixed use zone in a general sense and recommending to the Supervisors that they fine tune that possibly by using the Township Engineer.

Correspondence

Ms. Glazier stated she received the following three pieces of correspondence from the LCPC:

Memorandum dated June 18, 2012 indicating receipt of the Community Planning Review for the proposed amendment to the Zoning Ordinance that is scheduled for review on July 23, 2012.

Memorandum dated June 18, 2012 indicating receipt of the Community Planning Review for the proposed rezoning of approximately 119.719 acres located adjacent to Pennsylvania Lines from Rural to Excavation scheduled for review on July 23, 2012.

Memorandum dated June 18, 2012 indicating receipt of Community Planning Review for proposed rezoning of approximately 31.739 acres located adjacent to Pennsylvania Lines from Rural to Conservation Zone scheduled for review July 23, 2012.

Mr. Haverstick stated that they have received a copy of the Millersville Borough updated Comprehensive Plan that Millersville Borough is required by law to present to the Township. Mr. Ott advised the Commission that any comments can be sent to him.

There being no further business the meeting was adjourned at 8:35 p.m.

Respectfully submitted

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, August 13, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, August 13, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, Mark Harman, Don Mann, Pamela Shellenberger, and Mary Glazier

Members Absent: James Henke and Donald Witmer

Visitors: Denny Coleman, 2950 Charlestown Rd.
Jim Hocker, Derck & Edson Assoc.
Jeff Bowlby, Diehm & Sons, Inc
Larry Levato, Crabtree Rohrbaugh & Associates

Minutes

Mr. Harman made a motion to accept the July 9, 2012 minutes as drafted. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Old Business

Multiple Use Zoning Amendment - Mr. Ott advised the Commission that the only change that was made was the word change that Ms. Shellenberger suggested be made last month. The other comments made by the Planning Commission were looked at by the Supervisors but were not incorporated in the Ordinance amendment. There was discussion on the parking spaces and Ms. Shellenberger stated that she feels that the parking provision for restaurants/drive-thru without seating is flawed the way it is currently written. Ms. Glazier stated that she feels a person going into this type of business who wants to sell his product would want to make sure they would have adequate parking for the proposed use and the person running the business should figure out the number of parking spaces they would require. Ms. Glazier read the comments she received from the LCPC in which they suggested further clarification regarding the number of off-street parking spaces required for the employees. Ms. Glazier made a motion recommending that the Supervisors approve the following Zoning Ordinance Text Amendments: Section 1 - Article 2 – Zone Regulations - Section 209.1 - Allow additional permitted uses in the Industrial Zone, Section 2 – Section 209.2 – Permitted uses relettering Subsections, Section 3 amending Section 101, Section 4 amending Section 201.12 regarding Nonconforming churches and public uses, Section 5 amending Section 312.5 regarding Separation of streets and sidewalks. Ms. Shellenberger seconded the motion and the motion carried unanimously. The Planning Commission did not recommend for adoption Section 6, Article 3 – General Provisions Subsection 312.19 – Schedule of Required parking Spaces, Commercial Uses, Drive-Thru and/or Fast Food Restaurants without seating requirements for off-street parking is hereby deleted and the following substituted “1 parking space for 80 square feet of floor area and 1 per each employee; minimum of 12 off-street parking spaces”. The Commission did not like the minimum of 12 parking spaces because some reuse sites may not be able to be used if there are fewer parking spaces. The Commission also did not like 1 parking space for each employee. They thought that maybe it should be based on the number of employees on the largest shift. No recommendation for adoption was made in regards to Section 7, Article 3, General Provisions – Section 312 – Off-Street Parking Requirements, Subsection 312.19, Schedule of Required Parking Spaces Commercial Uses, Drive-Thru and/or Fast Food Restaurant with seating is hereby deleted and the following substituted. “1 parking space for each 2 seats and 1 per each 2 employees and a minimum of 3 off-street parking spaces for take-out from restaurant.” The Commission does not favor designating 3 off-street parking spaces for take-out and employee parking again can be based on the number of employees on the largest shift.

Proposed Ordinance to Amend the Zoning Map for Steven A. Funk – The Commission made comments on the original petition and now has the Ordinance before them for comment pertaining to rezoning a tract of land from Agricultural (A) to Village (V) Zoning. The Commission did not recommend rezoning the tract of land at the June meeting. Mr. Ott advised them that he had passed onto the Supervisors the recommendations of the Planning Commission and Mr. Haverstick stated that he had called to talk to four of the Supervisors to inform them of the Planning Commission's discussion. There was discussion on the existing Tomato Barn and what category the barn is operating under presently and under what conditions Mr. Funk would be able to sell ice cream from his property. Mr. Haverstick advised the Commission that the Land Use Advisory Board did not recommend rezoning the property stating that it would be inconsistent with the Comprehensive Plan "Growing Together". Mr. Mann stated that he feels it could possibly be under the category of agri-tourism or agricultural support business. Ms. Glazier stated that she feels it would be easier to broaden the scope of what can be sold at a road side stand rather than rezone 10 acres to be able to sell ice cream. Ms. Glazier made a motion to recommend that the Supervisors do not adopt the Ordinance. Mr. Harman seconded the motion. After extensive discussion, Ms. Glazier added to the motion that they have provided alternative ways to approach this rather than rezoning land. Mr. Haverstick stated that the Commission advised the Supervisors of alternatives; they have suggested splitting the zoning of the property and changing the language to allow this type of activity within 500' of the Village zoning designation. He stated that there are ways around this issue short of taking 10 acres out of Agricultural (A) zoning. Also, the Commission believes that ice cream is an agricultural product and the simplest thing would be to just let Mr. Funk sell ice cream from the property and not rezone the land. After discussion, Mr. Haverstick called for the vote and the motion passed unanimously.

New Business

Briefing Item- Emerson C. Frey & Sons – Lot Add-On Plan & Modification Requests - Jeff Bowlby from Diehm & Sons represented Mr. Emerson Frey & Sons. Mr. Bowlby advised the Commission that there was a minor change in the plan. Emerson Frey is the father of four sons. Emerson Frey's property has three other properties that are adjacent to his property. They would like to switch lands around for everyone to get a piece of the farm. It is located north of Letort Road and south of Anchor Road. Wes Frey's property is 25 acres, Wilson Frey's property is 12 acres, Emerson Frey property is 53 acres and Randy Frey's property is 29 acres. Wilson Frey passed away and his family members changed his addition to be 9 acres and basically the line would do straight down. Wes Frey's property is 25 acres and he would get 16 acres, Randy Frey is selling one-tenth of an acre to accommodate the driveway and parking situation back to Emerson Frey and in return would be getting a 1.1 acre add-on to make his property 30 acres. Mr. Bowlby advised them that they are asking for a waiver of Plan Scale as they would like to show the plan at a scale of 1"=100'. Mr. Bowlby advised them that he has received Rettew's review letter today recommending approval of the modification for Plan Scale and four minor notes that will be no problem addressing. There will be no changing of usage merely changing the lot lines. Mr. Bowlby stated that one comment was to add for all lot add-ons, "a new deed must be recorded which contains either a legal description of the parcels joined together into one tract or legal descriptions for the parent tract and the added tracts on the same deed, with a note the states that these tracts are hereby joined as one and no single tract can be sold separately without the submission and final approval of a new subdivision plan". Ms. Shellenberger made a motion that the requested modification for the Emerson C. Frey & Sons lot add-on plan for Section 403.1.A regarding the Plan Scale be recommended for approved by the Supervisors. Mr. Haverstick seconded the motion and the motion carried unanimously. Ms. Shellenberger made a recommendation that the Emerson C. Frey & Sons lot add-on plan be moved to an action item and that they recommend the plan to the Supervisors for approval subject to meeting the comments on the August 13, 2012 letter from Rettew. Mr. Haverstick seconded the motion and the motion carried unanimously.

Briefing Item-Hambright Elementary School Preliminary/Final Plan & Modification Requests - Jim Hocker from Derck & Edson along with Denny Coleman with the Penn Manor School District and Larry Levato, Architect for the school district, were present. Mr. Hocker advised that they received Rettew's comments this afternoon. Mr. Hocker stated that the Planning Commission is familiar with the plan and there is nothing significantly different from what was seen in the sketch plan. There is a proposed driveway off Charlestown Road connecting with the existing driveway to serve the eastern side of the property. Mr. Hocker pointed out the parking, fields, walkways, and play areas that are shown on the site plan. Mr. Hocker advised them that they will address the comments in Rettew's letter. Mr. Hocker pointed out that under the Traffic Impact Study, there is an opinion that a westbound left turn lane needs to be provided, which is Comment #2 on Page 4 and 5 under Traffic Impact Study. Mr. Haverstick requested that Mr. Hocker give a brief overview of the requested modifications. Mr. Hocker briefly gave an overview of the plan and listed the the following modification requests: Section 502.8.G- Horizontal Curve Centerline radius minimum; Section 305-A – Preliminary Plan; Section 502.11.A.2- Curbing in East Parking Lot; and Section 502.11.C.F.- Curb Height. Mr. Haverstick had questions on the porous asphalt and where it would be located. Mr. Haverstick stated that he would like to see an incentive for a developer to use pervious materials. Mr. Haverstick asked Mr. Hocker if there would be any problem with compliance with Rettew's comments on Zoning and Subdivision and Land Development. Mr. Hocker advised him that there would not be any problems to comply with the comments. There was discussion pertaining to Rettew's comment on a left turn lane for westbound traffic on Charlestown Road. Mr. Hocker pointed out that a full traffic impact study was completed with the subject intersections being evaluated and summarized a turn lane analysis concluding that a left turn lane is not warranted. Regarding a left turn lane, Jim Caldwell talked about the conventional method and advised the Commission that there is a less orthodox method; rather than having a dedicated left turn lane, have enough paving on the right side of the roadway so that a car can stop to make a left turn and still have enough roadway for someone to be able to pass the stopped car on the right side without having to go off the edge of the cartway. There was discussion regarding markings for a reduced speed for a "School Zone".

Correspondence

Ms. Glazier stated that she had received the following three pieces of correspondence from the LCPC:

A memorandum dated July 24, 2012 acknowledging the receipt of the Lancaster County Solid Waste Management Authority rezoning requests with the LCPC recommending approval.

A memorandum dated July 24, 2012 regarding the Multiple Use Zoning Ordinance Text Amendments with comments and a recommendation of approval from the LCPC

A memorandum dated July 30, 2012 regarding the Hambright Elementary School acknowledging the receipt of the plan which is scheduled for review on August 27, 2012.

There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, September 10, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, September 10, 2012, at the Manor Township Municipal building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Don Mann, Donald Witmer, Pamela Shellenberger and Mary Glazier

Member Absent: Mark Harman

Visitors Present: Donna Walker, LNP
Ted Kensinger, LNP

Minutes

Ms. Shellenberger made a motion to approve the August 13, 2012 minutes. Don Mann seconded the motion and the motion carried with Donald Witmer and James Henke abstaining.

Old Business

Action Item – Hambright Elementary School Preliminary/Final Plan & Modification Requests - Mr. Haverstick advised the Commission that a letter was received from Derck & Edson requesting that the Manor Township Planning Commission review scheduled for September 10th be tabled, so that revised plans can be provided addressing the Township's comments, per the discussion at their meeting on August 29. Mr. Haverstick stated the plan will be before them at the October 9th meeting.

New Business

Proposed Zoning Ordinance Amendment – Definition of Lot Coverage – Mr. Ott advised the Commission that this came about due to the fact that a permit that had come before him was over the maximum lot coverage. The applicant met with the Manager, at which point Mr. Smith talked to the Supervisors about changing the definition. Mr. Ott stated that Mr. Goodman drafted the Ordinance Amendment that is before the Commission tonight. The Amendment adds to the definition the exclusion of things that are pervious. The present definition in the Ordinance does not designate impervious or pervious. An example of this is that the current definition of lot coverage states driveways and in this instance the Applicant wanted to take their driveway out and put porous material down for the driveway to give them less impervious coverage. Mr. Haverstick asked if there are any ramifications if we change the Ordinance. Mr. Witmer expressed concerns with an individual removing a driveway and the possibility of the individual not replacing the driveway. Ms. Glazier read from the Ordinance stating that she is not sure that the Ordinance needs to be amended. Ms. Shellenberger pointed out that this is just for clarification only. After discussion, Ms. Shellenberger made a motion to approve the proposed Amendment to the Zoning Ordinance dealing with the definition of lot coverage to clarify that driveways, etc., composed of pervious material will not be included as part of lot coverage calculation. Ms. Glazier seconded the motion and the motion passed 5-1 with Mr. Haverstick voting against the proposed amendment.

Other Business

Mr. Haverstick asked Mr. Ott if he had heard from the County regarding the disposition of the Funk rezoning. Mr. Ott stated he has not heard anything.

Correspondence

Ms. Glazier asked if everyone received an invitation to the Fall Regional Breakfast.

Ms. Glazier reported on the following Memorandums from the LCPC:

A Memorandum dated August 23, 2012 was received for the Emerson C. Frey & Sons Lot Add-on Plan to revise the lot lines on the four (4) family farms was reviewed and no comments or recommendations were given regarding this plan.

A Memorandum dated August 28, 2012 was received with plan review comments and recommendations for the Lot Add-on and Final Plan located on the South side of Charlestown Road, west of Ironstone Ridge Road for the Penn Manor School District.

Adjourn

There being no further business the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Tuesday, October 9, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Tuesday, October 9, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Mark Harman, Don Mann, Donald Witmer, Pamela Shellenberger and Mary Glazier

Visitors Present: Jim Hocker, Derck & Edson Associates
Donna Walker, LNP
Denny Coleman, Penn Manor School District
John May, 100 Red Fox Rd.

Public Comment

There was no public comment.

Minutes

Ms. Shellenberger made a motion to approve the September 10, 2012 minutes as presented. Mr. Witmer seconded the motion and the motion carried with Mark Harman abstaining.

Old Business

Action Item – Hambright Elementary School Preliminary/Final Subdivision/Land Development Plan & Modification Requests - Jim Hocker from Derck & Edson Associates presented the plan indicating there have been no significant changes since it was before the Planning Commission last month. Mr. Hocker indicated that they have worked through a majority of the comments in the review letter from Rettew Associates. There will be a reduced school zone along Charlestown Road, a new access drive and the existing access drive will remain in its current location, new curb and widening along a portion of Charlestown Road. Mr. Hocker indicated that there is an additional modification request that has to do with the lighting standards. The applicant is working with the International Lighting Association who recommends a foot candle for the application of schools for safety and security. Mr. Henke asked if the school speed zone reduction would be a flashing style sign. Mr. Hocker advised him that it will be a sign with the speed limit indicating the hours that the reduced speed is in effect. Mr. Haverstick had questions on the lumens and what is required by the Ordinance. Mr. Witmer asked if the lighting remains the same throughout the night. Mr. Coleman advised him that the light standards are reduced at a given hour and the wall pack lighting is kept on. Mr. Coleman indicated that the wall packs are even reduced after midnight. Mr. Hocker advised them that LED lights will be used. Mr. Henke had questions on the stormwater review. Mr. Haverstick had questions on the curb height and why the Township would not consider changing the requirement in the Ordinance. Mr. Haverstick was advised that the Ordinance is based on what the Township would be doing on street construction to PennDot standards, which would not be typical of what is done on these types of facilities. Mr. Henke made a recommendation that the waivers to Section 305-Preliminary Plan Processing, Section 502.8.G-Horizontal Curb Minimum Radii, Section 502.11.A.2 -Curbing in the Parking Compounds, Section 502.11.F-Curb Height, Section 505.H.1-Parking Area Lighting Standards be recommended for approval based on the October 8, 2012 letter issued by Rettew Associates. Ms. Shellenberger seconded the motion and the motion carried unanimously. Mr. Henke made a recommendation that that Hambright Elementary School Preliminary/Final Land Development Plan be recommended for approval based on

the outstanding conditions as noted in Rettew's October 8, 2012 review letter. Mr. Haverstick seconded the motion and the motion carried unanimously.

New Business

Briefing Item – Rails To Trails – Manor Township/Final Land Development Plan & Modification Requests – Mr. Smith briefly gave some background information on the project stating that the Township has been looking at this site for a little over six years. In June, the Township actually acquired over 211 acres of what is the low grade Norfolk Southern property. There are plans to build a little over five miles of rail trail. Mr. Smith asked that the Planning Commission consider moving this from a briefing item to an action item.

Mr. Caldwell from Rettew Associates indicated that the portion of the rail trail in Manor Township runs from Creswell Station at the base of Turkey Hill to the Safe Harbor Dam consisting of approximately 211 acres in Manor Township and a little over 28,000 feet of trail. Mr. Caldwell talked about the improvements which include the following: upgrading the entrance, existing access drive will be cleaned up and slightly widened, relocating a portion of the access drive where it enters the Township's property, providing parking for sixty (60) cars, the stormwater management facility detention basin and the discharge into Wissler's Run, water quality infiltration facilities along the parking bays, and the fencing project which is near completion. Mr. Caldwell reviewed the five modifications requests as follows: Preliminary Plan, On Lot Sewage Testing, Cost Estimate and Financial Agreement, Street Lights and Access Drive Design and Vehicle Parking Facilities. Buchart-Horn, the Township Engineer for this project supported all the modification requests in his review letter. Mr. Caldwell stated that the comments in the review letter are primarily housekeeping type issues and they will address all the comments. Mr. Witmer asked if there are restrictions on the length of vehicles that can come into the parking lot specifically asking if horses will be allowed on the trail. Mr. Caldwell advised him that is not part of this current plan. Ms. Shellenberger asked Mr. Caldwell to address Buchart-Horn's comment pertaining to Section 505 – Vehicle Parking Facilities regarding the length of the parking stalls and width of the drive aisle. Mr. Caldwell advised her that they can accommodate providing the extra foot. Mr. Witmer expressed concerns with a bus being able to park and turn around and he was advised that the parking area is not designed for a bus. Mr. Smith advised the Commission that there are dramatic constraints and they do not have the ability to build what they would consider a typical two lane access roadway to get into the parking lot. Mr. Henke questioned who owned the land north of the new access drive and he was advised that it is owned by Norfolk Southern. Mr. Haverstick made a motion to move this plan to an action item. Mr. Mann seconded the motion and the motion carried unanimously. Mr. Henke recommended that the waivers presented this evening including Section 305-Preliminary Plan Approval, Section 403.4.R, 404.4.5., 407.2.D., and 404.4.A-Primary & Replacement On-Lot Sewer Total Absorption Areas, Section 403.4.E, 403.4.F and 702B-Cost Estimate, Financial Guarantee Agreement, Section 502.13-Street Light, Section 503.1-Access Drive Design Construction, Width, Setback, and Section 505-Vehicular Parking Facilities be recommended for approval based upon the presentation that was provided in addition to satisfying the Buchart-Horn Review letter dated September 28, 2012. Mr. Harman seconded the motion and the motion carried unanimously. Mr. Henke recommended that the Board of Supervisors approve the Final Land Development Plan for the Manor Township Rails to Trails project subject to satisfying the September 28, 2012 Buchart-Horn review letter. Ms. Shellenberger seconded the motion and the motion carried unanimously. There was discussion on what might be completed this year pertaining to the Rail Trail.

Correspondence

Ms. Glazier indicated that she received two memos from the LCPC.

The first memo dated September 11, 2012 pertained to the Steven A. Funk Rezoning review by the LCPC on September 10th. The LCPC recommended disapproval of the rezoning and Ms. Glazier read the reasons given in the letter

The second memo dated September 17, 2012 acknowledged the receipt of the proposed amendment to the Zoning Ordinance amending the definition of lot coverage contained in Section 111. It was scheduled for review October 9th. Ms. Kadel stated that the LCPC recommended approval of the text amendment with the suggestion that since there is no definition in the Ordinance for the word pervious material; the Township may want to clarify the word.

There being no further business the meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Planning Commission Minutes

Monday, November 12, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, November 12, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson, Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Pamela Shellenberger and Donald Witmer
Members Absent: Mary Glazier, Mark Harman and Don Mann
Visitors Present: Jim Baumgartner, Rettew Associates
Joe Nadu, Lancaster Home Builders

Minutes

Ms. Shellenberger made a motion to approve the October 9, 2012 minutes as presented. Mr. Witmer seconded the motion and the motion carried unanimously.

New Business

Briefing Item-Preliminary & Final Subdivision & Land Development Plan & Modification Requests for David Charles Tract – Jim Baumgartner from Rettew Associates was representing Lancaster Home Builders. Lancaster Home Builders purchased a parcel that was part of the Charles Subdivision done some years ago. The parcel is located along Charlestown Road next to Kirchner's Beverage. One of the parcels that were created several years ago will be subdivided into two parcels with Lancaster Home Builders intending to develop the one parcel for their operations. They will be storing their construction equipment, supplies and will have their offices at the location. The office building will be 2400 square feet with a portion of that building used also for storage. The larger building is 6000 square feet that will be solely for storage. Access to the site will be the existing access to Kirchner's Beverage with an access drive coming off the driveway to provide access to the parking lot that will have twenty-two (22) parking spaces. When the plans are revised to comply with the review letter, they will probably lose one parking space and will have twenty-one (21) parking spaces, which is the required number of parking spaces for this site. The parking lot will be paved with bituminous pavement. There is a large storage area in the rear that will be gravel. The applicant was before the Board of Supervisors to obtain their approval to use stone instead of bituminous paving on the storage area. The applicant has received Buchar-Horn's review letter dated November 2, 2012 and has no problems with any of the comments. As a result of that letter, they will be seeking two additional modifications that are not listed in the original application. The three modifications they are requesting are Section 305-Preliminary Plan Application, Section 403.3B-Existing Conditions within 200 feet of Property and Section 502.13B.2.b-Lighting along Pedestrian Walkways. Mr. Baumgartner listed the justifications for requesting the modifications. Mr. Baumgartner advised the Commission that they are providing substantial landscaping along the rear of the property and street trees along the frontage that is required by the Ordinance. The two additional modifications that will be requested is the angle of the intersection for the access drive and minimum curb return radius. There was discussion concerning the existing stormwater. Mr. Henke asked if any of the swales will be containing within an easement and expressed concern if any maintenance would need to be done that there may not be access available unless an easement is provided. Mr. Nadu had questions on a sign and he was informed that is not handled by the Planning Commission.

Mr. Henke made a motion to table the application as an action item and return next month with another review letter and an update at which time it would be an action item and deal with all the waivers at that time. Mr. Haverstick stated that they could dispense with a motion and look at this plan next month.

Other Business

Mr. Haverstick stated that he would like them to seriously take a look at Transferable Development Rights (TDR's). Mr. Haverstick advised the Commission that he received information from Warwick Township. Mr. Haverstick stated that a presentation was made several years ago and it fell through the cracks. Mr. Haverstick stated that he feels it is another tool that they may be able to implement. Ms. Shellenberger stated her concern with it in Manor Township is what is your market for using them. Ms. Shellenberger talked about some of the things that would need to be done in Manor Township, for example to the Zoning Ordinance, to use Transferable Development Rights. Ms. Shellenberger advised them that the biggest issue is creating the market of where you are going to use them. Ms. Shellenberger stated that the down side is that you are taking away what people already have. There was general discussion on the issue. Mr. Haverstick stated that he would like permanency in preservation and not have it at the whim of the Township government that may change and want to be less restrictive as opposed to more restrictive. Mr. Haverstick asked Mr. Ott whether the staff has no interest because nothing has moved forward. Mr. Ott advised them that he believes that staff takes the position of Ms. Shellenberger that there is not a lot of market for it in this Township. Mr. Haverstick stated that there was a presentation and no one promoted it or tried to do anything with it and that was the end of it. Mr. Haverstick stated that he gets the sense that if Staff does not want to do something it just floats away and that he is not sure of what the staff's feelings are on this issue. Mr. Haverstick stated that he would like it brought to the public and have an honest open discussion about is it worthwhile and is it something that can be implemented and would it be useful. Mr. Haverstick does not feel anyone has thought seriously about this and he would like it to be explored. There was discussion about other townships that have TDRs and how they are working for them.

Ms. Shellenberger asked about the status of the Funk application and Mr. Haverstick asked about the status of the lot coverage amendment. Mr. Ott advised the Commission that they will be before the Supervisors on December 3rd. Mr. Haverstick advised the Commission that he goes to the Supervisor Meetings particular when there is something problematic. Mr. Haverstick stated that he has made contact with a majority of the Supervisors on both issues explaining an alternative viewpoint. There was discussion on pervious pavement and whether or not it should be counted as totally pervious area.

There being no further business the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Evelyn Rineer
Recording Secretary

Manor Township Planning Commission Minutes

Monday, December 10, 2012

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, December 10, 2012, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Scott Haverstick called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Scott Haverstick, James Henke, Pamela Shellenberger, Mark Harman, Donald Witmer and Don Mann
Member Absent: Mary Glazier
Visitors Present: Joe Nadu, Lancaster
Todd Vaughn, David Miller Associates
Jim Baumgartner, Rettew Associates
Richard Bauder, Manor Township Supervisor

Minutes

Ms. Shellenberger made a motion to approve the November 12, 2012 minutes as presented. Mr. Henke seconded the motion and the motion carried unanimously.

Old Business

Action Item-Preliminary & Final Subdivision & Land Development Plan & Modification Requests for David Charles Tract - Mr. Baumgartner from Rettew Associates along with Joe Nadu from Lancaster Home Builders presented the plan. Mr. Baumgartner presented a revised plan that addresses the comments in Rettew's review letter. Mr. Baumgartner noted the following changes that were made on the plan: the parking lot has been slightly reconfigured, there is a slight reduction in the size of the storage building, and the stormwater issues have been addressed due to changes in the regulations. Mr. Baumgartner stated that they have two review letters, one from LCPC with three comments and a review letter from Buchar-Horn with some minor comments that they have no problem addressing. Mr. Baumgartner indicated that they are requesting five modifications. Mr. Mann had questions regarding Earl Avenue that is shown. Mr. Henke asked if Lancaster Homes Builders would own the residual lot and he was informed that David Charles would remain the owner of that lot. Mr. Henke made a recommendation that the waivers as requested on the David Charles Tract Section 305-Preliminary Plan, Section 403.3.B-Existing Conditions within 200 feet of the Property, Section 502.13B.2.B-Lighting Along Pedestrian Walkways, Section 502.10B & 503.1E-Intersection Angle, and Section 502.10.G.3 & 503.1.E- Minimum Curb Return Radius be approved based on the engineer's November 28, 2012 letter. Mr. Witmer seconded the motion and the motion carried unanimously. Mr. Henke made a recommendation that they recommend approval of the preliminary/final subdivision and land development plan for the David Charles Tract subject to the remaining conditions to be addressed in the November 28, 2012 Buchar-Horn review letter as well as recognizing the LCPC's review letter containing the comments from the County has be satisfied as well. Mr. Witmer seconded the motion and the motion carried unanimously.

New Business

Briefing Item – Tyler & Jennifer Rohrer Lot Add-on Plan –Todd Vaughn from David Miller Associates presented the plan. Mr.Vaughn stated that the property is located along Route 441 (Water Street), at Elizabeth Street in Washington Boro. It is approximately 3.3 acres and the current tract boundary is on the south side of the lot. The Rohrers would like to change the lot configuration putting one lot out

front to sell and retaining the 2.3 acres in the rear. They have a review letter from Rettew Associates and there are no proposed improvements with this plan; it is simply a plan changing the lot line. Ms. Shellenberger stated that she feels it is a subdivision and add-on plan. Mr. Caldwell stated that there are two lots now and there will be two lots when the plan is finished. Mr. Vaughn stated that there were two comments on the LCPC letter; one comment had to do with the isolation distance for the wells and the other comment was to define the floodplain. Mr. Vaughn went over the comments in Rettew's review letter dated December 3, 2012 and indicated what they were doing to address the each comment. Ms. Shellenberger made a motion that they move the Tyler and Jennifer Rohrer Lot Add-on Plan to an action item. Mr. Harman seconded the motion and the motion carried unanimously. Ms. Shellenberger made a motion that the Tyler and Jennifer Rohrer Lot Add-on Plan be recommended for approval subject to meeting the conditions outlined in Rettew letter dated December 3, 2012. Mr. Harman seconded the motion and the motion carried unanimously.

Other Business

Mr. Haverstick introduced into the minutes a letter he had written to the Manor Township Supervisors that pertained to the rezoning of the Steven Funk property. The Commission did not object to the submission of the letter attached to the minutes.

Mr. Mann stated that he feels Earl Avenue is an eye sore and asked what could be done to complete the connection or remove the street. Mr. Smith stated that it is a Township street and there are instances when an alley is turned over to a landowner upon the landowner's request.

Mr. Haverstick advised the Commission that next month is the reorganization meeting and all offices are open to whoever may want to seek the office. There will be several reappointments.

There being no further business the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Mary Glazier
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, January 4, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, January 4, 2012 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board Members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Barbara Douglas and Bradley Singer

Township Officials Present: Bruce Ott and James McManus

Visitors Present: Steve Opresko, 2733 Sherwood Lane
Dana Edsall, 3065 Miller Road
Mike Johnstone, 125 Whitney Road

Minutes

There were no corrections or additions to the December 7, 2011 minutes; therefore the minutes were approved as submitted.

Re-organization Meeting

Mr. Wenzel advised that the Supervisors reappointed Ms. Douglas to the Board for a 4 year term.

Election of Officers- Ms. Douglas nominated John Wenzel as Chairman, Barbara Douglas as Vice Chairman and Bradley Singer as Secretary. Mr. Singer seconded the nomination.

Set Meeting Dates – Mr. Singer made a motion to set the meeting dates the first Wednesday of the month as needed. Ms. Douglas seconded the motion and the motion carried unanimously.

Selection of Solicitor for Zoning Hearing Board for the year 2012 – Ms. Douglas made a motion to retain James McManus as the Solicitor for the Zoning Hearing Board for 2012. Mr. Singer seconded the motion and the motion carried unanimously.

Old Business

Case #4-11 – The application of Stephen T. & Cathryn M. Opresko property located at 2733 Sherwood Lane, Lancaster, PA 17603, Account No. 410-46232-0-0000 for a variance Section 204.4 – Design Standards – Single family detached dwelling minimum rear yard setback of 30 feet. The new addition to the dwelling is not a minimum of 30 feet at all places from the rear property line. The property is located in the Medium Density Residential (RM) Zoning District. Testimony was closed at the December hearing. A decision will be rendered.

Mr. Wenzel advised Mr. McManus had contacted each Board member individually and has provided them with a draft decision. There was no discussion, therefore, Mr. Singer made a motion that the application of Stephen T. Opresko and Kathryn M. Opresko for a variance to the provisions of Section 204.4 of the Zoning ordinance to allow the construction of an addition to their single family detached dwelling to be located as near as 27.93 feet to the rear property line of the Property located at 2733 Sherwood Lane, Lancaster, Pennsylvania, Account No. 410-46232-0-0000 is granted subject to the following conditions: 1) The Applicant shall at all times comply with and adhere to the plans, Exhibits and all other evidence presented to the Board by the Applicants on their behalf at the hearing held on December 7, 2011. 2) The Applicants shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, use and occupation of the proposed uses. 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. Ms. Douglas seconded the motion and the motion carried unanimously.

The hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, April 4, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, April 4, 2012 at 7:00 pm in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Barbara Douglas, and Bradley Singer
Township Officials Present: Bruce Ott and James McManus
Visitors Present: Jay Provanzo, 328 Greenhedge Dr.
Nelson R. Breneman, 1730 Prospect Rd.
Earl Breneman, 9356 Locust Grove Rd.
Jim Breneman, 2125 Gamber Rd.
Aaron Breneman & Valerie Breneman, 1730 Prospect Rd.
Randy Hoover, Team Ag

Minutes

There were no additions or corrections and the minutes stand approved as presented.

New Business

Case #1-12 – The application of Earl J. Breneman, James Lamar Breneman and Nelson R. Breneman at 1730 Prospect Road, Washington Boro, PA 17582, Account No. 410-12441-0-0000 for a special exception of Section 201.7.A – Maximum Lot Coverage – Agricultural, Horticultural & Forestry Related Uses – ten (10) percent. The applicant wishes to cover more than 10% of the lot. The property is located in the Agricultural (A) Zoning District. Mr. Wenzel turned the meeting over to Mr. McManus. Mr. McManus asked that everyone who would be speaking this evening rise to be sworn or affirmed. Bruce Ott stated he is employed as the Zoning Officer of Manor Township and in that capacity receives applications administratively that come before the Zoning Hearing Board. Mr. Ott received the application before the Board this evening docketed at #1-12, that is the Application of Nelson Breneman. The application contained the standard form application that the Township provides filled out by the Applicant along with a narrative, list of adjoining property owners, a plan captioned Site Plan Drawing 1 of 1 prepared by Team Ag Inc., 120 Lake Street, Ephrata, PA, dated March 13, 2012, and a second set of plans captioned New Construction For Aaron Breneman with a revision date of 2/7/12. The Application was marked Exhibit #1, the site plan Exhibit #2 and the building plan Exhibit #3. Mr. Ott stated that the time, date, place and subject matter of this hearing was published in the Lancaster Newspapers on March 21 and 28, 2012 and Mr. Ott provided the Proof of Publication that was marked Exhibit #4. The Proof of Publication contains the full notice that was advertised in the newspaper. Mr. Ott posted the tract of land that is the subject of this application with a notice of the time, date, place and subject matter on March 15, 2012. A notice of the time, date, place and subject matter was posted on the bulletin board in the lobby of the Municipal Office Building on March 15th.

Randy Hoover, Professional Engineer with Team Ag, represented the Applicant. Mr. Hoover referred to Exhibit #2 stating that currently the Breneman's have an existing dairy operation and that farm is called Franklin View Farms. Exhibit #2 shows the entire parcel which is approximately 66.3 acres. On the tract is various buildings and other impervious coverage that is identified on Exhibit #2. The applicant is requesting a special exception of Section 201.7.A-Maximum Lot Coverage. The agricultural use maximum lot coverage is 10 percent but per that section, coverage can be increased up to 20 percent by a special exception from the Zoning Hearing Board. The proposed use includes several

structures and some impervious coverage on the tract. The coverage consists of two barns located to the southern side of the property and another area which is a gravel pad that would be used for calf hutches. As indicated on Exhibit #2, the one barn would be approximately 40' x 140' with an adjacent feed bin and the other barn would be approximately 55' x 120'. Mr. Hoover provided additional photos showing the barns. Exhibit #5 is a photograph showing the weaning barn which is 40' x 140' as noted on Exhibit #3 and shows a feed bin adjacent to the barn. A photo of the second barn was marked Exhibit #6 is also a weaning barn shown on Exhibit #3 which is a structure noted on Exhibit #2 Site Plan as a 55' x 120' barn. As noted on Exhibit #3, 5 and 6 these barns are for calves. The 40' x 140' structure would be for calves from 2 to 4.8 months and the larger structure would be for calves from 4.8 to 7.6 months plus/minus. There is also a separate area of proposed lot coverage which is a gravel pad for calf hutches that are small white structures used for calves which are younger calves; they would then be moved to the aforementioned weaning barns. The calf hutch area is located on the plan north of proposed barns and south of the existing large free stall barn that would be approximately 80' x 125'. That pad could accommodate up to 100 calf hutches. With the addition of the two weaning barns and the pad with calf hutches, the total proposed additional lot coverage is approximately 24,400 square feet or approximately 0.56 of an acre. Mr. Hoover stated the reason for these additional barns as well as the area for the calf hutches is to support the existing dairy operation. Currently the calves from the farm are taken off the farm to different locations and then brought back at basically the age that they would be if they were coming out of the larger weaning barn. Presently all the calves must leave the farm and then are brought back to the farm. The proposed barns would allow the applicant to keep the calves on the farm the entire time. Basically this would reduce the truck traffic off the farm, reduces the stress on the animals and allows them to use their own milk for feeding the animals. There is basically an efficiency cost advantage to the farm to be able to keep the calves on the farm. They are requesting an increase in the total lot coverage to approximately 11.54 percent, which is greater than the 10 percent as noted for agricultural uses. Highlighting items noted in Section 605.3.2 for applications for Special Exceptions are as follows: 1. The proposed use is consistent with the purpose and intent of the Zoning Ordinance; 2. The proposed use shall not detract from the use and enjoyment of the adjoining and nearby properties; 3. All the properties adjacent to this parcel are also zoned agricultural and will not substantially change the character of the subject property's neighborhood and it is an existing farm operation and adjoining properties are familiar with the farm operation; 4. Adequate public facilities are available to serve the proposed use and they are decreasing truck traffic; 5. The proposed use will comply with criteria listed in Article IV of the Ordinance; and 6. The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan.

Mr. Wenzel asked who Team Ag is and what do they do. Mr. Hoover advised him that they are an Agricultural Consulting Firm and they represent almost entirely agricultural clients in any way from getting an idea in their head to actually being able to construct the facility. Mr. Wenzel referred to the photograph referring to a concrete pad beyond the structure and asked if that is included in the dimensions of the proposed barn. Mr. Hoover stated that the area was included in the lot coverage. Mr. Wenzel asked if the applicant foresees any additional construction on the farm. Mr. Hoover advised them not at this time. Nelson Breneman, one of the owners, stated that every farmer has a dream list but they do not propose any other construction in the next 12 months. Mr. Breneman talked about several projects that they are interested in proceeding with at a future time. Mr. Wenzel asked if any additional drives would need to be installed. Mr. Hoover advised him that the only addition required would be a slight small drive to access the end of the barns off the existing driveways and that was all included in the calculations.

Mr. McManus asked Mr. Hoover to point out the existing structures on Exhibit #2. Aaron Breneman pointed out the existing structures and explained their uses. Mr. Breneman informed the Board that the house is owner occupied. Mr. McManus verified that presently the lot coverage as

defined under the Zoning Ordinance slightly exceeds the 10 percent. Mr. McManus asked if it is their testimony that the proposed addition is part of the same farming operation and Mr. Hoover stated yes. Mr. McManus asked if a land development plan will be submitted for review and Mr. McManus was advised a land development plan is not required. Mr. McManus asked if they accounted for storm water detention and storm water control. Mr. Hoover advised him that at this time they have not dealt with storm water control, but any grading for the buildings would require an erosion control plan.

Mr. Singer referred to Mr. Breneman's statement that in the future he may want to add additional lot coverage and asked if Mr. Breneman was asking the Board at this point for an additional variance for lot coverage over what has been presented which is 24,400 square feet of coverage. Mr. Breneman advised him that they are not requesting any further lot coverage at this time.

Mr. Wenzel advised them that the testimony is closed and the Board will set a date for the decision. The Board will render its decision at a rescheduled public meeting to be held not on the regularly scheduled date of May 2nd but a week thereafter on the 9th in this building at 7:00 p.m. and the Board will conduct its regular business at that time. The Hearing was adjourned at 7:30 p.m.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, May 9, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, May 9, 2012 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Barbara Douglas and Bradley Singer
Township Officials Present: James McManus
Visitors Present: Nelson & Valerie Breneman, 1730 Prospect Rd.

Minutes

There were no additions or corrections to the minutes. The April 4, 2012 minutes were approved as distributed.

Old Business

Case #1-12 – The application of Earl J. Breneman, James Lamar Breneman and Nelson R. Breneman at 1730 Prospect Road, Washington Boro, PA 17582, Account No. 410-12441-0-0000 for a special exception of Section 201.7.A – Maximum Lot Coverage – Agricultural, Horticultural & Forestry Related Uses – ten (10) percent. The applicant wishes to cover more than 10% of the lot. The property is located in the Agricultural (A) Zoning District. Testimony was closed at last month's meeting. A decision will be rendered. Mr. Wenzel advised that Mr. McManus polled the Board individually and prepared a draft decision for the Board's review based upon the Board's individual comments. There was no discussion on the draft decision.

Ms. Douglas moved that the application of Nelson Breneman for a special exception to increase the lot coverage to 11.54% on property located at 1730 Prospect Road, Washington Boro, Pennsylvania, Account No. 410-12441-0-0000, pursuant to the provisions of Section 201.7.A of the Manor Township Zoning Ordinance and in accordance with Applicant's plans and exhibits is hereby granted subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in his application, exhibits, and site plan, as well as all testimony presented by the Applicant or on his behalf at the hearing held on April 4, 2012. 2) The Applicant shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed improvements. 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 Applicant, her successors in interest and assigns. Mr. Singer seconded the motion and the motion carried unanimously.

The hearing was adjourned at 7:08 p.m.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, August 1, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, August 1, 2012 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman, John Wenzel introduced the Board members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Barbara Douglas and Bradley Singer

Township officials Present: James McManus and Bruce Ott

Visitors Present: Jonathan Driscoll, 33 Ramsgate Lane, Lancaster, PA 17603
Ron Popovich, 2621 Valley Drive, Lancaster, PA 17603
Mark Heim, 327 Longmeadow Road, Lancaster, PA 17601
Judy & Scott Grillo, 2425 Water Valley, Lancaster, PA 17603
Adam Kosowsky, 600-G Eden Rd, Lancaster, PA 17601

Minutes

There were no additions or corrections. The May 9, 2012 minutes stand approved as submitted.

New Business

Case #3-12-The application of Ronald & Cynthia Popovich, property located at 2621 Valley Drive, Lancaster, Pa 17603 for a Variance of Section 204.4-Design Standards minimum side yard setback, one side 10 feet and total both sides 20 feet. The applicant wishes to attach a garage to the existing single family detached dwelling. The property is located in the Medium Density Residential (RM) Zoning District. Mr. Wenzel turned the meeting over to Jim McManus.

Mr. McManus asked if the applicants were present. Mr. Popovich was present along with Jonathan Driscoll who was making the presentation for Mr. Popovich. Mr. McManus asked that anyone testifying in this application be sworn along with the Zoning Officer. Bruce Ott stated that he is employed as the Manor Township Zoning Officer and in that capacity administers the applications that come before the Board. Mr. Ott stated that he received the application indexed at #3-12 that of Ronald S. and Cynthia M. Popovich. The Application consists of a form filled out by the Applicant with attachments of a narrative, separate page including addresses that are neighboring property owners, a set of scaled drawings with three sheets total first of which is a sight plan, the second a floor plan and the third are building elevations. The application was marked Application Exhibit #1. Mr. Ott published a notice of the date, time, place and subject matter of the hearing in the Lancaster Newspapers on July 18 & 25, 2012. Proof of publication was provided and marked Exhibit #2. Mr. Ott posted the property with notice of the time, date, place and subject matter on July 13, 2012 as well as the same notice was posted on the bulletin board in the Township Lobby that is visible to the public on July 13, 2012.

Jonathan Driscoll, 33 Ramsgate Lane, Lancaster, presented the application. Mr. Driscoll stated that the Popovich property has a 12' slab that runs horizontal so even at the 12' it is set back from property side property line 9'1" on the front end and 10'8" on the rear. Mr. Driscoll pointed out the cement slab on the site plan. Mr. Driscoll stated the Applicant needs a 12'-5" span for his personal truck. They applied for the variance at 14' that would allow space to open the doors and allow the applicant access into his house. Mr. Wenzel asked what the measurement of a standard garage is and Mr. Driscoll stated that he assumed it was around 14'. Mr. McManus questioned the distance of the existing slab from the property line. Mr. Driscoll advised him that it is 9'1" from the front to the side property line and 10'8" from the side property line in the rear. Mr. McManus asked if it is his understanding that the minimum side yard is 10' and Mr. Driscoll stated yes. Mr. McManus asked what side yard dimension

was provided with the slab. Mr. Driscoll stated with the proposed slab they would be 7'1" from the side property line in the front and 8'8" from the side property line in the rear. Mr. McManus stated that the variance being requested ranges from 2'-11" to 1'-4" and Mr. Driscoll stated that was correct. Mr. McManus asked if it was Mr. Driscoll's belief that the 14' wide garage is the minimum reasonably necessary to accommodate one vehicle and Mr. Driscoll stated yes. Mr. McManus asked if the property adjoining the side yard where the variance is being asked for does that property maintain a side yard of at least 10 feet and Mr. Driscoll stated yes it does. Mr. McManus asked if the proposed garage is a one story and Mr. Driscoll stated yes. Mr. McManus asked if the construction of the garage on the 14 foot slab would reduce in any substantial way the light that is available to the neighboring property and Mr. Driscoll stated he did not believe so. Mr. Driscoll advised them that the rear of the property is on an incline so the neighbor to the rear is actually on an incline of six to seven feet up a hill above the applicant. Mr. McManus asked what the present use of the slab is. Mr. Driscoll advised him that it houses Mr. Popovich's vehicle. Mr. McManus asked if there is a driveway to the slab and if that would be changed in any way by virtue of this application. Mr. Driscoll advised him that there is an existing driveway and it might be widened within the 14' of the garage. If the driveway was widened, it would come to 26% lot coverage. Mr. McManus asked if it was their testimony that any driveway alteration to provide access to the proposed 14' wide garage would not be in violation of any provisions of the Zoning Ordinance. Mr. Driscoll stated yes. Mr. Wenzel asked if the neighbors were notified of this proposed project and he was advised they were notified. Mr. Wenzel asked how high the garage will be. Mr. Wenzel was advised the roof will be approximately 1 ½ feet lower than the roof line of the house.

Testimony was closed and Mr. Wenzel stated a decision will be rendered at the next meeting on Wednesday, September 5, 2012 at 7:00 p.m.

Case #2-12-The application of Nu Pham, 2300 Columbia Ave. Lancaster, PA 17603, Account No. 410-98755-0-0000 for a special exception of Section 207.3.9-Drive-Thru and/or Fast Food Restaurants in accordance with Section 424 and a Variance of Section 424.7-No part of subject property shall be located within 200 feet of any residential zoned land. The applicant wishes to put a Rita's Italian Water Ice store in the existing building. The property is located in the General Commercial (GC) Zoning District. Mr. Wenzel turned the hearing over to Mr. McManus.

Mr. McManus asked if the applicant was present and who was representing Ms. Pham. Adam Kosowsky, 600G Eden Road, Lancaster, 17601, advised them that he was representing Ms. Pham who was present. Mark Heim, 327 Long Meadow Road, Lancaster, PA 17601, is the proposed owner of Rita's Italian Ice by virtue of the Agreement of Sale was also present. Also present was Judy and Scott Grillo, 2425 Water Valley Road, Lancaster, PA 17603, who are the owners of the building at 2278 Manor Ridge Drive next door to 2300 Columbia Avenue. Ms. Grillo stated that their property is under the name of PA Property Investors. Mr. McManus asked that anyone testifying be sworn or affirmed. Mr. McManus called Bruce Ott who stated that he is employed as the Zoning Officer for Manor Township and in that capacity received the Application for Special Exception indexed at #2-12 of Nu Pham. The Application consists of two application forms one standard application form for a Special Exception and one for a Variance. The application is accompanied by four pages of narrative relating to various sections of the Ordinance. Additionally, the application consists of a list of adjacent property owners with their names and addresses, several pages County property information, a sheet that states store front elevation dimensioned but has no scale, what looks to be a subdivision/land development plan at the scale submitted appears to be unreadable, aerial photo of the area not labeled or dimensioned that supposedly contains the property, photo that shows a structure with some vehicles parked diagonally along the side, photos that appear to be the side of the building that is subject to this application and an aerial view taken from what appears to be a goggle source of the subject property and surrounding land. Mr. McManus asked that the Application be marked Exhibit #1. Mr. Ott stated that he published the

notice of the date, time, place and subject matter in the Lancaster Newspapers on July 18 and 25, 2012. Proof of publication was provided and marked Exhibit #2. Mr. Ott posted the property with the notice of the time, date, place and subject matter of the hearing on July 17, 2012 as well as notice was placed in the Township Lobby Bulletin Board that is available for public inspection and review on July 17, 2012. There were no questions regarding the manner by which the hearing was advertised and notice given. Mr. McManus explained the procedure for the hearing.

Mr. Kosowsky stated that he is the Attorney representing Nu Pham, who is the current owner of the property located at 2300 Columbia Avenue and the subject of the petition. Mr. Kosowsky stated that Ms. Pham purchased the property at 2300 Columbia Avenue for a nail salon. Unfortunately, the nail salon Ms. Pham opened was unsustainable and she was forced to shut her doors putting the property up for sale. To date, the only interested party has been Mr. Heim who wants to put a Rita's Italian Ice Franchise in that location. As part of the sales agreement, Ms. Pham agreed to petition the Board for the special exception and a variance required for the Rita's to become operational in the Township. In discussion with Mr. Ott, they identified several primary concerns in which fast food and drive-thru restaurants are a special exception pursuant to Section 207.3.9 and Section 424, which are the requirements for a fast food enterprise. Under Section 424, the applicant is seeking a variance for Section 424.7 requiring a 200 foot distance from a residential zoning line. Another concern was parking issues which are something the Board will have to consider. Mr. Kosowsky discussed the requirements for special exceptions and why they have met those requirements. There are eight requirements in Section 605.3.2 for a special exception that Mr. Kosowsky went through each section explaining why he believes they have met the requirements contained therein. A) The proposed use is consistent with the purpose and intent of the Zoning Ordinance in as much as it will retain the essential character of the area which is a mix of residential and restaurant/commercial properties. B) The proposed use shall not detract from the use and enjoyment of adjoining property in as much as it will have no more impact than the Maple Donuts Shop which resided at the property for several decades. Rita's will have no more impact than the Maple Donuts Shop had. C) The proposed use will not substantially change the character of the subject property in as much as it will have no more impact than the Maple Donuts Shop did which resided at the property for several decades and it will retain the essential character of the area. D) Adequate public facilities are available to serve the proposed use in as much as the location is directly on Columbia Avenue and all utilities are present. E) The property is not within the Floodplain Zone. F) Petitioner intends to comply with all criteria listed in Article 4. G) The proposed use will not substantially impair the integrity of the Township's Comprehensive Plan. It will benefit the public welfare in as much as it will provide a valuable service and product to the community, will improve the tax basis of the property, will employ local workers, and turn a vacant, derelict, blighted piece of property into a job creating, tax revenue generating, sweet-treat providing business.

They are requesting a special exception for Section 424.7. Mr. Kosowsky briefly went through Section 424 explaining why he felt they met the criteria outlined. 1) The subject property is located within the General Commercial Zone. Therefore; pursuant to Section 424.1, a special exception is required. If you look at the County level the land use code is 525 - Snack Bar. 2) The subject property is located on Columbia Avenue which is a major thoroughfare. 3) Trash receptacles shall be placed throughout the property to prevent littering; the same shall be emptied when full and/or at the close of business and shall be maintained on a daily basis. 4) There are no drive-thru lanes being proposed. 5) There are no plans for a speaker/microphone system. 6) There are no plans for an outside seating. 7) A variance is being sought under Section 605.4 pertaining to the 200' requirement to the residential zoning line.

605.4 Variance – 1) The subject property is in a unique location. The site has had commercial businesses located there for decades and was built in 1964, prior to the current requirements. As such, there simply is no way for the property to meet the requirement of Section 424.7 requiring a 200 foot

distance from the residential zoned property line. This is a function of the size of the lot and location of the building on the lot. Mr. Kosowsky went onto Goggle Earth and he showed the Board the lot with distances. Mr. McManus questioned the dimensions given of 60' from the building to another property or zoning district? Mr. Kosowsky stated it is both. Mr. Kosowsky pointed out the 20' dimension he referenced. Mr. McManus stated the dimensions given go from the building traverse the property line to the next building. 2) Due to the size of the lot and its proximity to residential sites, it is impossible that the property can be developed in strict conformity with the provisions of this Ordinance and the authorization of a variance is necessary to enable reasonable use of the property. 3) The hardship (layout of the building/lot size/proximity to residential) predates the purchase of the property by applicant as the building was constructed in 1964. 4) The variance will not alter the essential character of the neighborhood as there is a mix of commercial/residential/restaurant. 5) The petitioner is only requesting the minimum necessary requirements to allow a Rita's to operate in the location. 6) They intend to comply with all provisions of 211.7 and 211.10. 7) Petitioner intends to comply with all requests of the Zoning Officer. 8) This talks about the requirements for filing and they have met them.

Judy Grillo stated she is the owner of the property that abuts the application and identified the property on one of the exhibits. Mr. McManus noted that it is the property and building immediately south of the subject property. Ms. Grillo indicated that it was testified to that the characteristic of the neighborhood would not change. She noted that the proposed business will be operating at night and asked how late the business will be opened at night. Mr. Heim stated the hours of operation are Noon – 9:00 pm Sunday through Thursday and Noon to 10:00 pm on Friday and Saturday evening. The months of operation will be March through October. Ms. Grillo stated that the hours of operation are very different from any other use that was in the building. Ms. Grillo asked what is abutting the proposed business and it was stated that they are residential properties. Mr. Kosowsky pointed out the properties noting the use of the properties. Mr. McManus asked if it would be fair to say that the property is surrounded on three sides by residential properties and Mr. Kosowsky stated that was fair to say. Ms. Grillo had questions on parking. Mr. Kosowsky pointed out that on a public thoroughfare there is more than adequate parking. Ms. Grillo verified that the idea is that people will park along Columbia Avenue. Mr. Kosowsky did not believe parking was allowed on Columbia Avenue but that you could park along the thoroughfare of Manor Ridge Drive. Ms. Grillo asked the location of the trash receptacles and Mr. Heim indicated that they would be in the northwest area of the property that is along Columbia Avenue. Mr. Wenzel asked the size of the fenced in area for trash receptacles. Mr. Heim estimated 10' wide by 12'. Ms. Grillo asked how the trash was handled by Burnside Donuts and she was advised that the applicant did not know.

Scott Grillo asked how they proposed to keep operations from encroaching on the residential areas particularly the property immediately adjacent to the parking. Mr. Kosowsky advised him that he was not sure there was anything they could do to stop people from parking in the Grillo's lot or anywhere else. Mr. Grillo asked if this variance was granted, would it adversely affect the vacant lot that is for sale across the street. Mr. Kosowsky was unable to answer that question. Mr. Grillo asked where the employees would park. Mr. Heim advised her that there will be two employees and there will be marked parking spaces. Mr. Grillo asked how the property would be accessed for deliveries and trash pickup. Mr. Heim advised him that the trash pickup will be left up to the company picking up the trash. The applicant was unable to give an answer pertaining to deliveries. Mr. McManus asked if it was fair to say presently that the applicant cannot state with any specificity how trash and in what manner it will be picked up. Mr. Heim stated yes. Mr. Grillo asked how many parking spots are there and he was advised that there are 9 existing spots.

Ms. Grillo asked if there are seven parking spots available to customers, how and where the customers would park as she has seen customers lined up around the building at the previous Rita's. Ms. Grillo asked how many customers they would estimate at one time. Mr. Heim advised her that

from past experience there is a continual flow usually on average 5-7 people in line at one time and it is estimated approximately 1.8 persons per car. Ms. Grillo stated that her observation has been very different than what was presented and she has seen people parked in other people's parking lots. Ms. Grillo made observations on the clientele from previous business and questioned the target audiences for clientele at Rita's. Mr. Heim stated the target is families. Ms. Grillo expressed concern from a use and enjoyment standpoint that there will be a louder younger clientele that will change the use and enjoyment of her property.

Ms. Douglas pointed out in Section 207.13 under Waste Products there are requirements for location of dumpsters from residential properties that she does not believe the applicant can meet. Ms. Douglas stated pertaining to parking there are nine spaces and two would be used. Ms. Douglas talked about the parking and walk up window location. Ms. Douglas stated that she is also concerned with the safety of pedestrians who will be walking and vehicles backing onto Manor Ridge Drive. Mr. Kosowsky stated he had suggested concrete barriers several feet back from the building and customers would line up along the building. Mr. Heim stated there will be five inch bollards in front of the building to keep people and cars from running into customers in front of the building. Ms. Douglas verified that the activity when people are buying their product is going to be facing Columbia Avenue not Manor Ridge Drive and Mr. Heim advised her that was correct.

Mr. Wenzel asked how much room will there be between the parking spaces and the walk up window. Mr. Heim did not know. Mr. Heim referred to a photo for clarification of Mr. Wenzel's question. Mr. Wenzel verified that the residential property abuts on each side. Mr. Kosowsky stated yes. Mr. Wenzel asked Ms. Grillo if her property is residential property and Ms. Grillo stated yes. Mr. McManus asked that Mr. Grillo put an "X" on the photo marking their property.

Mr. Singer asked if Rita's has a minimal requirement for space for a franchise or anything having to do with demographics. Do they have a plan of any sort that would aide in the applicant's request? Mr. Heim advised him that you can put a Rita's in a space that is 500 square feet. Mr. Singer asked the square footage of this building and was advised that it is approximately 800 square feet.

Mr. McManus asked the size of the lot and he was advised it is 0.08 acre. Mr. McManus asked what the front yard setback distance is to the right-of-way of Columbia Avenue and the front or side yard setback distance to right-of-way of Manor Ridge Drive. Mr. Kosowsky advised him that they were not sure without a site plan. Mr. McManus stated it would be fair to say that the Applicant did not know the dimensions of any of the setbacks to the lot line. Mr. Kosowsky advised them that Mr. Heim was hesitant to have a site plan developed if they were not sure that the Zoning Board would approve the special exception and variance. Mr. McManus stated that the answer is the Applicant cannot tell the Board to any reasonable degree of accuracy the dimensions of anything that they proposed thus far with respect to the site. Mr. Kosowsky stated other than what they submitted no. Mr. McManus asked if vehicular access to the proposed facility was to be solely from Columbia Avenue. Mr. McManus was advised that the employees if there is insufficient room employees will pull into their spots from Columbia Avenue but if anyone wants to pull into spots along Manor Ridge Drive, they will have to turn down Manor Ridge Drive. Mr. McManus noted it was stated there are nine parking spaces on site so are they saying seven parking spaces will not be accessible. Mr. McManus was advised that the seven parking spaces are along Manor Ridge Drive. Mr. McManus asked if it is fair to say with respect to both Columbia Avenue and Manor Ridge Drive vehicles wishing to access this establishment will have to back onto each of those thoroughfares to exit the property. Mr. McManus was advised that they would have to back onto the road to exit the parking spaces. Mr. McManus verified there that there are no controlled entrance or exit lanes into this facility. Mr. McManus asked if the nine parking spaces comply with the dimensional requirements of the Zoning Ordinance. Mr. Kosowsky advised him that to the best of his knowledge yes. Mr. McManus verified that it is speculation as to whether the parking spaces comply or do not comply. Mr. McManus verified the prior use was a nail salon and how long was the

nail salon in use. Mr. McManus was advised two years. Mr. McManus asked if the applicant agreed that a nail salon is a form of business establishment and that is permitted in the General Commercial District. The applicant agreed. Mr. McManus asked the setback requirements for a nail salon and Mr. Kosowsky advised him that he has not researched that. Mr. McManus asked if he agrees it is not 200 feet from a residential use and Mr. Kosowsky replied probably not. Mr. McManus asked if there are many other uses permitted by right or special exception in the General Commercial District that does not require setbacks of 200 feet. Mr. Kosowsky replied the Zoning Ordinance says what it says so I am assuming that there are some. Mr. McManus asked if they reviewed the Zoning Ordinance. Mr. Kosowsky replied he has and there are several businesses that could go in there but no one has expressed an interest. Mr. McManus asked when the last time the building was occupied for the nail salon use. Ms. Pham advised them that it was the winter of 2011.

Mr. McManus advised Ms. Grillo that they could make their statement. Ms. Grillo placed a photo on the board indicating it was a good Manor Ridge view of the property. Ms. Grillo pointed out structures on the photo and talked about the distances between structures. Ms. Grillo passed out 9 sheets each containing 2 photos that were marked Exhibit #3 Grillo Photos. Ms. Grillo stated that she is concerned that the residents on both sides will see impairment of their enjoyment of their residential property, she is concerned with trash coming onto their property, and she is concerned with parking, safety, and volume of traffic. Ms. Grillo had pictures showing the traffic on Columbia Avenue and the traffic people will be backing into, depth of the parking spaces on the Manor Ridge Drive side, the distance of the undeveloped lot from the proposed business, a front view of the Grillo building showing the fence and the structure of the proposed business. Mr. Kosowsky asked what the time of day when Ms. Grillo had taken one of her photos was and she could only say it was daylight. Mr. Kosowsky asked how many parking spaces do Ms. Grillo provides for her tenants. Ms. Grillo stated two for each apartment and that is a total of 8. Mr. McManus asked if the Grillo's reside in the building and Ms. Grillo stated that they do not. Mr. McManus asked if she is familiar with the activity and parking occasioned by the nail salon. Ms. Grillo stated yes indicating the parking lot was not filled with patrons. Mr. McManus asked if the nail salon use had created by Ms. Grillo's observation any hazard or risk to vehicles or pedestrians. Ms. Grillo stated no. Mr. Wenzel asked if Ms. Grillo knew of any incidents involving the nail salon with people backing out and Ms. Grillo said not to her knowledge. Mr. Kosowsky stated that Ms. Grillo observed the above things but does not live there so how did she observe them. Ms. Grillo stated that she lives very close and does see these things. Ms. Grillo stated that she drives by the building four times a day.

Testimony was closed and Mr. Wenzel advised them that a decision would be rendered Wednesday, September 5, 2012 at 7:00 p.m. in this room.

There being no further business the hearing was adjourned at 8:40 pm.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, September 5, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, September 5, 2012, in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board Members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Barbara Douglas and Bradley Singer
Township Officials Present: James McManus and Bruce Ott
Visitors Present: Ron Popovich, 2621 Valley Drive
Mark Heim, 327 Long Meadow Road

Old Business

Case #2-12-The application of Nu Pham, 2300 Columbia Ave. Lancaster, PA 17603, Account No. 410-98755-0-0000 for a special exception of Section 207.3.9-Drive-Thru and/or Fast Food Restaurants in accordance with Section 424 and a Variance of Section 424.7-No part of subject property shall be located within 200 feet of any residential zoned land. The applicant wishes to put a Rita's Italian Water Ice store in the existing building. The property is located in the General Commercial (GC) Zoning District. Testimony was closed at the hearing on August 1, 2012 and a decision will be rendered.

Mr. Wenzel advised the people present that the Board met and reviewed this particular case after which the Board members were individually polled. Based on that polling, a draft decision was written by the Solicitor and distributed. The Board has not communicated with each other on the draft decision. The Board had no questions and/or comments on the draft decision. Mr. Wenzel asked Mr. McManus to summarize the decision. Mr. McManus, the Zoning Hearing Board Solicitor, stated that with regards to the procedure that was identified, the Board did meet with him to discuss this application since the hearing. Based upon individual conversations with each Board Member, Mr. McManus stated that he prepared a draft decision on this matter. The draft consists of Findings of Fact based upon the testimony and evidence submitted at the hearing, contains a section of Conclusions of Law that identifies the burdens that were placed upon the Applicant, what the Applicant needed to show, the relevant provisions of the Zoning Ordinance and the Law of the Commonwealth of Pennsylvania that establishes the criteria for the relief that was requested. A summary of some of the Conclusions include a finding that the Applicant failed to establish an unnecessary hardship would be created if they were not permitted to subdivide the property as proposed. The word "subdivide" on Page 4 No. 6 should read "develop". The Conclusions also state that the Applicant has not met her burden to establish a right to a variance to the requirements of Section 424.7 as contained in the Zoning Ordinance. The Decision as prepared states that the Applicant failed to demonstrate that the requested variance was the minimum relief necessary to enable reasonable use of the property. It states that the Applicant failed to demonstrate compliance with the design criteria of Article IV of the Zoning Ordinance. The Applicant failed to demonstrate compliance with the plans submission requirements of Section 605.3.1.C of the Zoning Ordinance. The Applicant failed to demonstrate that traffic and parking requirements occasioned by the proposed would not create a hazardous or unsafe condition or otherwise detract from the use and enjoyment of adjoining properties. The Decision states that the Applicant has failed to meet her burden of demonstrating compliance with both the specific and general terms of the Zoning Ordinance. A draft of the Decision states as follows: Based upon the foregoing, the application of Nu Pham for a special exception and variance to the minimum set back provisions of the Zoning Ordinance Sections 424.7 and 207.3.9 respectively, to locate a fast food restaurant within an existing building on the property locate a 2300 Columbia Avenue, Lancaster, Pennsylvania is denied.

Mr. Singer made a motion that this Decision be accepted. Ms. Douglas seconded the motion and the motion carried unanimously.

Mr. McManus advised Mr. Heim that there is nothing that prevents Ms. Pham or Mr. Heim by virtue of agreement of sale to resubmit an application based on what they discovered.

Case #3-12-The application of Ronald & Cynthia Popovich, property located at 2621 Valley Drive, Lancaster, Pa 17603 for a Variance of Section 204.4-Design Standards minimum side yard setback, one side 10 feet and total both sides 20 feet. The applicant wishes to attach a garage to the existing single family detached dwelling. The property is located in the Medium Density Residential (RM) Zoning District. Testimony was closed at the hearing on August 1, 2012 and a decision will be rendered.

Mr. Wenzel stated that the Board has not discussed this case. The Board was individually polled by the Solicitor who then wrote a draft decision based on the polling. There were no questions or comments on the draft Decision. Mr. Wenzel asked Mr. McManus to summarize the draft Decision. Mr. McManus stated that the Decision consists of Findings of Fact derived from the testimony and evidence presented at the hearing, Conclusions of Law that apply those facts to the provisions of the Zoning Ordinance and Laws governing the relief that has been requested. A Draft Decision has been prepared which grants the application to allow the construction of an attached one car garage to be located within seven feet one inch (7'-1") from a side property line of the property located at 2621 Valley Drive, Lancaster, PA subject to the following conditions. 1) The Applicants shall at all times comply with and adhere to the plans, Exhibits and all other evidence attached to the application or otherwise presented to the Board by the Applicants or on their behalf at the hearing held on August 1, 2012. 2) The Applicants shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, use and occupation of the proposed uses. 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 Municipal Planning Code. The foregoing Decision shall be binding upon the Applicants, their successors in interest and assigns. There being no discussion from the Board, Ms. Douglas made a motion that this Decision be accepted. Mr. Singer seconded the motion and the motion carried unanimously.

Minutes

The Board received copies of the August 1, 2012 meeting. There were no additions or corrections and the minutes stand approved as distributed.

The next scheduled meeting will be Wednesday, September 26, 2012. There being no further business the hearing was adjourned at 7:15 p.m.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, September 26, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, September 26, 2012, in the Manor Township Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board Members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Bradley Singer and Jay Provanzo
Township Officials Present: James McManus and Bruce Ott
Visitors Present: Howard Kelin, 24 N. Lime Street, Lancaster
Gene Oldham, D.C. Gohn Associates
Frank Fox, 1853 William Penn Way, Greenfield Architect
Ross Arisel, 1853 William Penn Way, Greenfield Architect
Bill Gregory, 2601 River Rd., Conestoga
John Cox, 2601 River Rd., Conestoga

Minutes

There were no additions or corrections to the September 5, 2012 minutes.

New Business

Case #4-12 – The application of Turkey Hill Dairy property located at 2601 River Road, Conestoga, PA 17516, Account No. 410-21478-0-0000 for variances of the following sections of the Manor Township Zoning Ordinance: Section 209.7 – Maximum Permitted Structural heights in the Industrial (I) Zone is forty (40) feet for principal structures. Section 312.13 – Lighting – Lighting Fixtures shall not exceed twenty-five (25) feet in height. Section 312.13 – Lighting – In no case shall parking areas be illuminated by building mounted lights. The property is located in the Industrial (I) Zoning District. Mr. Wenzel turned the hearing over to Mr. McManus.

Mr. McManus asked that everyone presenting testimony be sworn in by the Court Reporter. Mr. McManus asked Mr. Ott to state his name and who he is employed by. He stated that he is employed as the Zoning Officer for Manor Township and that he administers applications that come before the Zoning Hearing Board of Manor Township. Mr. Ott stated that he received the Application indexed at #4-12 of Turkey Hill LP. Mr. McManus asked Mr. Ott to identify different parts of the application. The Application consisted of a completed application form generated by the Township. The Application contained a list of adjoining property owners consisting of two pages and a key map, a narrative consisting of four pages, a two page specification sheet for a shoe box parking light fixture, a plan prepared by D. C. Gohn Associates titled Zoning Exhibit Plan for Turkey Hill Dairy containing three sheets, an Existing Conditions Plan Drawing #CG2828A, Plan entitled Wall Sections, and a Plan captioned Site Lighting Plan Induction Lamp Fixture. Mr. McManus asked that the Application be marked Exhibit #1. Mr. Ott stated that he published the date, time, place and subject matter of the Application in the Lancaster Newspapers on September 12th and 19th, 2012 and posted the property with the same notice on September 5, 2012. The time, date, place and subject matter was posted on the bulletin board in the lobby of the Manor Township Building that is available for public viewing on September 5, 2012. All the notices and advertisements contained the same written notification as was published in the newspapers. Mr. Ott provided Proof of Publication and that was marked Exhibit #2.

Attorney Howard Kelin, on behalf of Turkey Hill Dairy, presented the plan. Mr. Kelin gave some background stating that Turkey Hill Dairy has been operating since 1931 in Manor Township on the site along River Road shown on the right side of the Existing Condition Plan that is part of this Application.

Turkey Hill Dairy has been operating on a 32.86 acre parcel. A few years ago, recognizing the need for expansion due to the growth of the company, Turkey Hill Dairy approached Frey Dairy Farms about acquiring some additional property that led to an agreement where Frey Dairy Farms sold to Turkey Hill the absolute most it was willing to sell, which was a 32.6 acre tract to the west of the Turkey Hill property shown on the Existing Condition Plan. The 32.6 acre parcel has been the subject of land development proceedings in which the property was rezoned from Rural (R) to Industrial (I) in September of 2010 and in November 2010 a subdivision plan was approved that subdivided the 32.6 acre parcel of Frey Dairy Farms from the remaining parcel belonging to Frey Dairy Farms. Turkey Hill has acquired that parcel as well as the parcel in the middle from PP&L which is a 6.27 acre parcel that is being leased back to PP&L for their transmission lines. The three parcels owned by Turkey Hill totals 71.73 acres. The purpose of the acquisitions was to allow for some expansion of the company. Mr. Kelin referred to a plan that showed the new improvements including a warehouse building containing 79,192 square feet, an office area containing 10,721 square feet, a maintenance building containing 24,279 square feet, and employee parking. The underlying hardship is that the property purchased from Frey Dairy Farms has a lot of steep slope areas that is not developable. One variance being asked for is to increase the building height beyond the 40 foot height restriction for the warehouse building by 5'-2". Mr. Kelin asked that the proposed site plan be marked Exhibit #3.

Gene Oldham, Professional Engineer and Professional Land Surveyor and employed by D. C. Gohn Associates for almost 25 years, presented the site plan. He stated that D. C. Gohn Associates is acting as the civil engineer on the site. Mr. Kelin asked that the Steep Slope Plan be marked Exhibit #4. Mr. Oldham explained the slopes shown on Exhibit #4 stating that they are utilizing as much of the area as possible for the layout of the building and with the steep slopes it will require walls to be built. Some of the walls are as high as 40 feet. Mr. Oldham pointed out that the stormwater detention basin and the stockpile area which will be for material that will be taken off site. The site is restrictive and they are utilizing areas that they otherwise may not have wanted to use because of the steep slopes and that is requiring a significant expense to construct walls. Mr. Oldham stated that Turkey Hill Dairy is making the optimal use it can of the property given the steep slopes. Mr. Oldham talked about the access to the property stating that they would be using the existing access off of River Road. Mr. Oldham referred to Exhibit #3 that showed the access. Mr. Oldham pointed out an area that is currently used to store trailers which will be converted to a 200 space employee parking area. Mr. Oldham stated that the plan shows an area of future expansion which will not be developed at this time but allows 21,000 plus square feet for future expansion of the warehouse if needed. The future expansion area will be left in stone or grass until it is developed. The maintenance building will have a wash bay and bay for repairs. A fueling station with a canopy overtop will be located on the end of the maintenance building. The site provides circulation all the way around with docks on the north and south sides. There are parking spaces for a variety of vehicles/trailers in different areas throughout the site. Mr. Oldham pointed out six handicap parking spaces on the plan.

Mr. Oldham continued by talking about the utilities and he pointed out that the water will be coming from their existing water system conveyed from a point down the hill. Mr. Oldham pointed out the existing water lines on the plan. There will be no increase in traffic and possibility of a reduction in traffic. Currently, Turkey Hill Dairy has warehouses at other locations; therefore, trucks leave the site hauling product to another location and come back empty or leave empty and pick up product. There will be no additional employees. Mr. Wenzel had questions on the topography, the walls that will be erected, the access drive construction and the number of employees. Mr. Oldham advised him that wherever there is a wall, there will be a guide rail to stop trucks and behind the guide rail a chain link fence to keep workers from getting to the wall. Mr. Provanzo asked for more information on the future expansion area and the parking area for the trucks. Mr. McManus questioned if the site will be served by public sewer and water. Mr. McManus was advised by Mr. Oldham that it would be private water

and sewer that will serve the new facility. Turkey Hill has its own wastewater treatment facility. Mr. McManus asked what the maximum height of the retaining wall is. He then asked that the location of those heights be pointed out on the plan. To answer Mr. Manus's questions regarding the retaining wall, Mr. Oldham referred to Exhibit #5 which is the Schematic Design Plan for Turkey Hill Dairy prepared by D. C. Gohn entitled Final Grading Plan. Mr. Oldham advised Mr. McManus that the maximum height of the wall is 42 feet. Mr. McManus asked Mr. Oldham how many parking spaces are shown on the site plan. Mr. Oldham stated that he did not know the exact number of parking spaces. Mr. McManus asked the types of equipment/vehicles that would be using the parking spaces. Mr. Oldham advised him that tractors, trailers, straight trucks, vans, and some pedestrian cars will use the parking areas. Mr. McManus asked Mr. Oldham if there will be any indoor parking facilities and he was advised that indoor parking would only occur in the maintenance bay when repairs are occurring. Mr. Wenzel had questions regarding the 200 parking spaces and who would be using them.

John Cox, Executive Vice President Turkey Hill Dairy, advised the Board that some of their water supplies Frey Dairy Farms as well as Turkey Hill Dairy. Mr. Cox referred to a question asked by the Board regarding what the percent of slope is that Turkey Hill could build on. Mr. Cox advised the Board that factor on building on the slope is that they must be able to get in and out of the docks and be able to align the trailers as well as being able to drive the lifts in and out to load products into the trailers. The usable area for the Turkey Hill Dairy given the heavy tractor trailer use is very limited and 8 or 9% slope is stretching the limits. Mr. Kelin asked Mr. Cox if the variance being sought in terms of the building height at 5'-2" is that the minimal variance that would be necessary for Turkey Hill Dairy to proceed with their project and Mr. Cox stated yes. Mr. Cox stated that the project is predicated on being able to store and ship the maximum amount of product they can. In order to be successful, they need to bring the storage in from the outside. The extra bay that you get for pallet position throughout the 80,000 square feet by going up that additional 5' is critical. Mr. McManus stated that in terms of the variance request, the steep slope testimony and building testimony really relates to the ability to locate on this tract a building of this size that you wish to use for your operation. You are not suggesting that a smaller building could not be located without the variances that are being requested. Mr. Kelin stated that is correct.

Ross Arisel, Greenfield Architects, Project Architect with Greenfield since 1998, stated that he has been working on this project for several years. Mr. Wenzel asked what type of storage will be inside the building. Mr. Arisel referred to Exhibit #6 explaining the plan. Mr. Arisel advised him that the paving was designed for heavy duty traffic including dock position concrete, dolly pads and heavy duty macadam paving. The warehouse will be a cooler warehouse. Mr. Arisel talked about the cooler warehouse, the roof pitch, and the high points of the building. Mr. McManus had questions on the location of the high points of the building and the height of the pitched roof. Mr. Arisel advised Mr. McManus for access to the roof they will be putting a penthouse structure on the low portion of the roof where the office area is with some ships ladder that goes up to a roof access hatch. Mr. McManus asked if a land development plan will be prepared for submission to the Board of Supervisors and Mr. Arisel stated yes. Mr. Wenzel asked why they are going up 45 feet instead of 40 feet. Mr. Arisel provided an explanation. Mr. Wenzel had some questions on the height of racks. Mr. McManus asked if a rack is a standard height in the industry. Mr. McManus was advised that it varies depending upon the product. Mr. McManus asked what the distance is between the top of the rack system to the top of the building. Mr. Arisel advised Mr. McManus that it is approximately 3 feet on the low end and 5 feet on the high end. Mr. Cox stated that in regards to the configuration used, they are using the standards of the industry. They ship to approximately 9,000 customers and throughout the industry there is an expectation to try to maximize the cube which you can put on a truck and what they can put in the warehouse and ship out, so their pallet configurations would be similar to others in the business. The pallet configuration Turkey Hill is using is a combination of the number of units that they can get on a

pallet and the weight you can handle safely on the pallet. They are putting the maximum amount on the pallet because that is what the industry expectations are of them. Mr. McManus asked if a pallet is different than a rack and Mr. Cox stated yes. Mr. McManus asked how many pallets go into a rack and he was advised it that varies. Mr. Arisel advised Mr. McManus that they have to take into consideration the over ride height of the rack. As the fork truck goes up, there is an over ride of that fork truck mast that has to have clearance so it is not hitting duct work, etc.

Mr. Arisel talked about the lighting as shown on Exhibit #6. Mr. Arisel talked about the foot candle analysis explaining the schedule. Mr. Arisel explained that an International recognized entity publishes indoor/outdoor recommendations of what the acceptable light levels should be for different facilities. Exhibit #7 is a copy of Figure 22-21 of the Illuminating Engineer Society. Mr. Arisel stated that the engineer started with the recommended light levels for this type of facility. Exhibit #8 is called a Com Check Report and that is based on the 2009 IECC which is the energy code requirements that dictates what you can and cannot have with respect to wattage in a facility. The engineer plugs into his design the minimum foot candle requirement at any given spot on the sight and the wattage allocation by the energy code and that code then tells him what is needed to be done for lighting. Photographs showing references to other facilities where a 35 foot light standard was used were marked Exhibit #9 and #10. Exhibit #9 is a copy of a building showing a typical cooler warehouse with a wall mounted light and Exhibit #10 shows a site plan layout with the lights on the outside of the parking lot on a 35 foot light standard. Mr. Kelin asked if it was fair to say that if the property did not have the extreme steep slopes that have been discussed and if Turkey Hill Dairy could develop more of the property, the lights would be able to be located in such a manner that you might not need a 35 foot high light standard and still be able to allow for the lack of obstruction. Mr. Arisel advised the Board that what is driving the light levels does not have the ability to purchase more sight; it has to do with the clearances of the drives and the accesses, the foot candle requirement and wattage allocation by the energy code. Mr. Kelin asked that if there were more parking area, is it fair to say that you could achieve those criteria with lower lights if you did not have obstructions and had more room for the parking area. Mr. Arisel stated that if you would put the lights further away, you would actually have to go higher with the light standards. Mr. McManus asked what the minimum acceptable illumination was. Mr. McManus was advised by Mr. Arisel that it is 0.5 foot candles. Mr. McManus asked that is it the applicant's testimony that by raising the light standards to 35 feet maximizes the lighting efficiency and maintains a 0.5 foot candle standard Mr. Arisel stated yes. Mr. McManus asked if each light has a cone of illumination and will the light produce any glare or noticeable light off site. Mr. McManus was advised that the illumination is a cone of light extending vertically downward. Mr. Arisel talked about the building lights and indicated that the lighting height will be 25 feet. Mr. Wenzel asked if there are any alternatives to the building lights and Mr. Arisel advised Mr. Wenzel that there are no options in his opinion. What is driving the lighting is space for truck maneuverability, safety for the drivers, potential for shading, meeting the International Recognized Recommendation for light levels for safety at the parking area and energy code. Mr. Wenzel questioned the existing lighting. Mr. McManus asked what the energy code Mr. Arisel referred to and he was advised it was the International Energy Code 2009 IECC. Mr. McManus asked what regulatory agency enacts that code. Mr. McManus was advised that it is part of the Pennsylvania Uniform Construction Code. Mr. McManus stated that their analysis of this project and proposed lighting that they are suggesting to the Board is needed in order to comply with the International Lighting Code to serve their intended parking and lane arrangements and that they have no alternative but to go to a 35 foot high lighting standard. Mr. Arisel stated that was correct. Mr. Provanzo asked some questions on the lights shown on the plan in the area of the future expansion. Mr. McManus stated to the Applicant that you are representing to the Board that if this application were approved, that you would provide a lighting scheme consistent with those shown on Exhibit #6. Mr. Arisel stated yes. Mr. McManus asked if the lighting on the tract will be noticeable from surrounding properties.

Mr. McManus asked what surrounds the tract. Mr. McManus asked if it is their analysis that the lighting as proposed for this tract will not have a detrimental effect on any surrounding property or any residential properties. Mr. Arisel states that was correct. Mr. McManus advised the Applicant that according to the Zoning Ordinance they cannot have any foot candles that go over the property line. Mr. Singer asked if they will have evaporators on the roof that will exceed the requested variance of 5' 2". Mr. Ott advised Mr. Singer that the Zoning Ordinance allows for such structures to be on the roof and not meet the height of the zoning district requirements. Mr. Kelin verified with Mr. Cox that the variances being requested are the minimum variances necessary for Turkey Hill Dairy to proceed with this project.

Mr. Kelin referred to the timing requirement in Section 604.11 which requires on approval of the variance request that zoning and construction permits must be obtained and construction commenced within six months of the Final Land Development Plan recordation and completed within twelve (12) months. The Applicant is requesting that as part of the condition in granting the variances as stated in the application, that the Board would allow up to eighteen (18) months to obtain the permit and commence construction due to the planning that will be required for a project of this nature and also to at this point condition to allow for the completion of construction within the two (2) year period.

Mr. Wenzel advised the Board and the Applicant that the decision will be rendered at the next meeting on Wednesday, November 7 at 7:00 p.m. in this room. There being no other business the meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, November 7, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, November 7, 2012 in the Manor Township Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board Members and led those in attendance in the Pledge of Allegiance to the Flag. Chairman Wenzel advised those in attendance that Jay Provanzo, alternate member on the Zoning Hearing Board, would sit on the Board for the Turkey Hill decision and then Barbara Douglas, who is the regular member of the Board, would sit on the Board for the Britin Cool treats LLC application.

Members Present: John Wenzel, Barbara Douglas, Bradley Singer and Jay Provanzo

Township Officials Present: Bruce Ott and James McManus

Visitors Present: Mark Heim, 327 Long Meadow Rd., Lancaster
Angie & Richard Lefever, 2009 Temple Ave.
Eddiline Shaub, 2008 Ursinus Ave.
Bob Illo, 971 Lorvair Rd.
Charles Graybill, 2008 Ursinus Ave
Bill Gregory, 2601 River Rd.
John Cox, 2601 River Rd.

Minutes

Mr. Wenzel stated the September 26, 2012 minutes were distributed. There were no additions or corrections; therefore, the minutes stand approved as distributed.

Old Business

Case #4-12 – The application of Turkey Hill Dairy property located at 2601 River Road, Conestoga, PA 17516, Account No. 410-21478-0-0000 for variances of the following sections of the Manor Township Zoning Ordinance:

Section 209.7 – Maximum Permitted Structural heights in the Industrial (I) Zone is forty (40) feet for principal structures.

Section 312.13 – Lighting – Lighting Fixtures shall not exceed twenty-five (25) feet in height.

Section 312.13 – Lighting – In no case shall parking areas be illuminated by building mounted lights.

The property is located in the Industrial (I) Zoning District. Testimony was closed at the last meeting. A decision will be rendered.

Mr. Wenzel stated the testimony was closed last month and Mr. McManus contacted each Board Member individually for their opinions after which he drafted a decision that the Board would look at tonight. Mr. Wenzel stated that Mr. McManus would summarize the decision. Mr. McManus asked if there was any discussion regarding the contents of the draft decision that was circulated among the Board members. The Board stated that there was no discussion. Mr. McManus stated the draft decision that was prepared and distributed to each Board member recited Findings of Fact based upon the testimony and exhibits presented at the hearing held September 26, 2012 followed by a Summary of the Law that applies to the request for the variances. A decision was prepared and Mr. McManus read the Decision as follows: The application of Turkey Hill, L.P., for variances to the provisions of the Zoning Ordinance regulating the maximum height of a principle structure (Section 209.7), the maximum height of a free standing light fixture (Section 312.12) and the illumination of parking areas via building lights (Section 312.13) on property located at 2601 River Road, Conestoga, Pennsylvania 17516, Lancaster

County Tax Account Number 410-21478-0-0000, is hereby granted. In addition, the Applicant's request for an extension of the time prescribed by Section 604.11 of the Zoning Ordinance to commence and complete the construction of its proposed improvements is granted. The approval of the aforesaid variances and time extension requests are subject to the following conditions: The location of the buildings, structures and improvements shall be in accordance with the plans submitted as part of the application as revised and/or supplemented by the plans submitted and marked as exhibits at the hearing held on September 26, 2012. The warehouse building shall not exceed 45' – 2" in height. No free standing light fixture shall exceed 35' in height. The numbers, kind and locations of all free standing light fixtures and building lights shall at all times comply with and adhere to the plans and all other evidence presented to the Board by Applicant or on its behalf at the hearing held on September 26, 2012. The Applicant shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed improvements. The Applicant shall obtain all approvals and permits required by all applicable State, County and Manor Township Codes and Ordinances. The applicant shall secure a permit and commence work toward the completion of the proposed improvements within twelve (12) months of the date of the recording of the final land development plan. All permitted work shall be completed within twenty-four (24) months of the date of the issuance of a zoning permit. 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. Mr. McManus stated if that adequately addresses the Decision of the Board it is appropriate for the Board to entertain a motion to the affect. Mr. Singer made a motion to approve the Decision as written. Mr. Provanzo seconded the motion and the motion carried unanimously.

New Business

Case #5-12 – The application of Mark J. Heim (Britin Cool Treats LLC), 40 Redwood Drive, Lancaster, PA 17603, Account No 410-96722-0-0000 for a special exception of Section 207.3.9-Drive-Thru and/or Fast Food Restaurants in accordance with Section 424 and two Variances: 1) Section 424.7 – No part of subject property shall be located within 200 feet of any residential zoned land and 2) Section 207.5.1 – General Commercial Zone-Minimum Setback Requirements – Front yard setbacks-All buildings and structures, and loading areas shall be set back at least thirty-five (35) feet from the street right-of-way. The applicant requests permission to place customer seating and to construct a three foot high fence as required by Section 424.6 within the required front yard setback along Redwood Drive. Mr. Wenzel turned the meeting over to Mr. McManus.

Mr. McManus asked that anyone testifying be sworn in by the Court Reporter. Mr. McManus asked Mr. Ott to state his name and his employment. Mr. Ott stated that his name is Bruce Ott and he is employed as the Zoning Officer for Manor Township. In that capacity, Mr. Ott received for administrative purposes, the application before the Board this evening indexed at #5-12 for Variances and a Special Exception Application of Mark J. Heim. Mr. Ott stated he published the date, time, place and subject matter of the hearing in the Lancaster Newspaper on October 24 and 31, 2012. Mr. Ott provided the Proof of Publication. Mr. Ott posted the property that is the subject of this application with a notice of the time, date, place and subject matter on October 19, 2012 with signs located on Columbia Avenue, one attached to the sign at the corner of Redwood Drive and Columbia Avenue and one on Ursinus Avenue. The notification contained the same language as the publication in the Lancaster Newspaper. A notice was posted in the bulletin board in the lobby of the Township Building that is visible to the public of the time, date, place and subject matter of the hearing on October 19, 2012. The application contains two parts one is a special exception and one is for variances both indexed #5-12. Mr. Ott stated that the Application consists of a Rita's proposal dated October 16, 2012, trash plan, project description, and Site Plan/Floor Plan single sheet drawing #C-101 dated October 15,

2012 captioned Rita's Italian Ice, 40 Redwood Drive, Lancaster, PA, prepared by Robert J. Illo. The Application was marked Exhibit #1 and Proof of Publication was marked Exhibit #2. Mr. McManus stated any evidence or testimony presented by Applicant regarding the Application can be identified as a subpart of Exhibit #1.

Mark Heim, 327 Long Meadow Road, Lancaster, PA, is before the Board for a Special Exemption for fast food drive-thru restaurant and for a variance of the 200' setback for any fast food restaurant from a residential zoning district. The property abuts Ursinus Avenue which is a residential zoning district area and the property where the Rita's is to be located is zoned General Commercial (GC). Mr. Heim stated that he is asking for a Special Exemption to install a Rita's Italian Ice. Mr. McManus stated to be clear the Application states that they are asking for a Special Exception for the use of this property for a drive-thru or fast food restaurant and because there are certain conditions that are attached to the ability to use the property as a special exception use they are asking that some of those design criteria be modified one of which is the 200' minimum distance to a residential zone and the second is a minimum setback within which no structure may be located. Mr. Heim stated that is correct. Mr. McManus stated both of the latter items are part of the variance request and Mr. Heim stated that is correct.

Bob Illo stated that he is the architect and engineer who laid out the site plan. Mr. McManus asked that the site plan be marked Exhibit #1A. Mr. Illo stated that he will distribute additional exhibits that will help show the graphics associated with the front of the building. Mr. Illo stated on Sheet C-101 front elevation #3 shows a front elevation of the building without the graphics shown on Exhibit #1A. Mr. Illo stated Detail #3-C101 on Exhibit #1A shows front elevation as seen from Redwood Drive. Exhibit #3 shows the graphics on the front elevation. The second page of the document handed out shows a revised floor plan that adds information to Exhibit #1A in that it shows a future second serving window. Exhibit #1A shows in the Floor Plan labeled #2-C101 two serving windows. The floor plan laid out has the capacity for four serving windows. Mr. McManus clarified the number of windows being shown and he was advised they are showing two (2) serving windows that are on the Redwood Drive side of the building. Mr. McManus asked if they are interpreting the Redwood Drive side as their front yard area and they stated yes. Mr. Illo advised the Board that the variance involves a fenced in area that is required by Section 424.6 to enclose any outdoor seating area. The fenced in area protrudes into the front yard setback which is not within the right-of-way of Redwood Drive but is within the setback by approximately 9'. Mr. McManus clarified the setback by stating that the setback requirement is 35' and shown is a fence 16' from the property line. Mr. Illo stated that is correct so there is a 19' encroachment. The 9' encroachment Mr. Illo referred to is 9' beyond the pre-existing encroachment into the setback. Mr. Illo stated the Ordinance allows a continuation of an existing encroachment. The second variance relates to the requirement to be 200' from a residential area. The General Commercial Zone and Medium Residential Density Zone abut each other so there is zero distance between the two zones. From the nearest residential property to the fence and to Rita's property, is a little more than 195'. Mr. McManus clarified that the 195' is to the nearest residential property and not the actual dwelling. Mr. Illo advised them that the property line was on the south side of Ursinus Avenue. Mr. McManus asked if they were measuring from the southernmost portion of the proposed Rita's facility and Mr. Illo stated that is correct. Mr. McManus asked if instead of the required 200' that it is 195' to the property line. Mr. Illo stated yes. Mr. Illo stated that Rita's does not have indoor seating; customers typically have short visits and sometimes will sit and consume or get back into the vehicle and leave. There is no drive up feature at this location so there will be no outdoor speaker taking orders and no plans for outdoor music. No lights are planned to be added to the building and the existing lights will remain in place. There may be lighting added within the fence that would be low and directed onto the ground. Mr. McManus asked for a description of how the entire parcel is developed. Mr. Illo advised him that currently the property extends from Columbia Avenue to Ursinus Avenue north to south and from the CVS store property to Redwood Drive west to east. The property contains three

separate buildings. The western most building contains Enterprise Rent-A-Car, on the southern part of the property is a building that contains a baseball card shop and facing Redwood Drive on the eastern part of the property is a building that has a Verizon Store in the northern part of the building and two other tenant spaces with one proposed to be a Rita's and the southern tenant space is currently not occupied. The central part of the building that faces Redwood Drive is approximately 1500 square feet and would contain the Rita's establishment. Patrons can park adjacent to the Rita's and south of Rita's and walk to the fence, go through a gate in the fence and order at the window. Mr. McManus asked how many vehicular access points are there to the property. Mr. Illo advised Mr. McManus that there are two vehicular access points on Ursinus Avenue, one point on Redwood Drive and two on Columbia Avenue. A loading area identified on the plan would allow delivery trucks to the Rita's which would be intermittent and would not be tractor trailers but would be vans delivering raw materials and packaging materials. Mr. McManus asked how many of the five (5) vehicular access points to this tract are controlled. Mr. McManus stated with respect to Columbia Avenue and Redwood Drive, can vehicles enter this tract at any point along those roadways. Mr. Illo stated no and described how vehicles will access the tract from Redwood Drive and Columbia Avenue. Ms. McManus asked how many parking spaces require backing movement into either Columbia Avenue or Redwood Drive. Mr. Illo stated that there are currently seven (7) spaces. Mr. McManus verified that they would not be adding any parking spaces that by necessity would have to back onto Redwood Drive by virtue of the plan. Mr. Illo advised Mr. McManus by virtue of the plan they are reducing the number of spaces backing out onto Redwood Drive by three spaces. Mr. McManus asked how many spaces along Columbia Avenue must back into Columbia Avenue to exit the tract and Mr. Illo advised him that none of those spaces require backing out onto Columbia Avenue. Mr. McManus asked Mr. Illo to show the Board how vehicles backing out would avoid backing onto Columbia Avenue and how people access this site from Columbia Avenue. Mr. McManus asked how the access points are defined and Mr. Illo stated that they are defined by being open but there is no signage. Mr. McManus stated that they are not limited by curbing or curb radius and Mr. Illo stated no. Mr. McManus asked if it is also true for parking spaces along Redwood Drive and Mr. Illo stated that striping is all they have to identify parking spaces and access points along Redwood Drive. Mr. McManus asked if the access lanes are identified by painted markings and Mr. Illo stated yes in two areas along Redwood Drive. Mr. McManus asked if the total number of parking spaces have been calculated that they are required to provide for their intended use and Mr. Illo stated yes. We have 23 parking spaces. Mr. McManus asked if any of the specific 23 spaces has been designated for the proposed Rita's Italian Ice Facility and Mr. Illo stated he has not designated them on the plan and that they do not plan to designate them by signage unless that is a requirement. Mr. McManus asked Mr. Illo if there are enough off street parking spaces on this site to accommodate the parking requirements of all of the uses that he indicated are present. Mr. Illo stated yes. Mr. McManus asked Mr. Illo how many parking spaces are available for the entire commercial developed tract and how many are required. Mr. Illo stated 70 parking spaces are required and there are 73 spaces provided on the site plan. Mr. McManus asked if Rita's hours of operation are substantially different than the other commercial uses on the property. Mr. Heim stated the hours of operation are 12-9 Sunday through Thursday and 12 – 10 Friday and Saturday. Mr. Heim stated that Enterprise Rent-A-Car is open until 8:00 p.m. and the Verizon Store is open until 8 or 9:00 pm. Mr. Heim stated that he did not know the hours of the card shop. Mr. Heim advised the Board that the business is open the beginning of March through the end of October. Mr. McManus asked if it is their testimony that the Rita's would be open only an hour longer than one or more of the other commercial uses on the tract and Mr. Heim stated yes. Mr. McManus verified that they would open later in the day than any of the other uses and Mr. Heim stated yes.

Mr. Wenzel had questions regarding the location of the parking spaces for Rita's. Mr. Illo advised him that they are to the front, south and around the rear of the building that Rita's would be located in.

Mr. Wenzel had questions regarding the Verizon business. Bethany Mackley, NAICPI Commercial Partners, was sworn in and stated that Verizon has not opened their store to date. Mr. Wenzel verified that Suite C is empty. Mr. Wenzel asked if the handicap spaces are existing and if any must be added. Mr. Illo advised him that there are two existing handicap spaces and a third one will be installed although the ADA does not require a third space. Mr. Wenzel asked that the third handicap spot be pointed out on the plan. Mr. Wenzel asked what the number of employees for Rita's would be and Mr. Heim advised him that there is between 8 and 10 employees including him. There would be an average of 2 to 3 employees including Mr. Heim at any one time. Mr. Wenzel asked Mr. Heim that if they added extra windows would the number of employees increase. Mr. Heim advised him that one person can handle two service windows. Mr. Wenzel had questions regarding the outside seating area.

Ms. Douglas asked that they explain the proposed concrete pad. Mr. Illo stated that everything within the fence would be made level by putting a concrete pad like an extended sidewalk inside the three foot fence.

Mr. Singer stated that it was testified that the Redwood Drive side of the building directly in front of what they are identifying as the proposed Rita's Italian Ice Suite B contained seven spaces. The block has eight and it would appear that the fenced in area that is going to be the proposed concrete pad appears to be taking at least 2 ½ spaces away so that does not leave seven (7) spaces. Mr. Illo counted seven (7) spaces and then indicated that there was another one he missed so that there were 8 total parking spaces and three (3) are being eliminated so there will be eight (8) spaces. Mr. Singer stated that in their testimony it indicated that they were excluding parking spaces directly in front of what is designated as the Verizon Store. Mr. Illo stated that he has not designated which spaces would be used by which establishments in this plan since based on ebb and flow of business, there would be some overlap. Mr. Singer referred to number of employees indicating 2 to 3 per shift and when the shift changes you would have 4 to 6 employees at a time. Mr. Singer asked if there will be designated areas for those employees to park that are either directly in front of the store or away from the store. Mr. Heim advised him that there are a few parking spaces directly behind the store as well as parking spaces next to the 50 Redwood Drive building towards the rear of both stores that would be designated employee spaces.

Mr. Wenzel stated that based on Exhibit #1A for off-street parking, they calculated twenty-three (23) parking spaces based on the square footage of the property and the amount of staff. There are four staff listed with one space per staff; however, testimony stated 8 to 10 employees; Mr. Wenzel asked what the number of employees is. Mr. Illo advised him that he is using four because he understands that there would not be more than four (4) employees at the Rita's at the same time. Mr. Heim pointed out that four (4) employees is the maximum that would be on staff at the same time.

Mr. McManus questioned Mr. Illo about the right-of-way of Columbia Avenue being only 50 feet. Mr. Ott stated that he did not know the right-of-way of Columbia Avenue since that was a PennDot road. Mr. McManus asked if the applicant had determined the right-of-way of Columbia Avenue that is shown as 50 feet. Mr. Illo stated that it was shown on the GIS as 50 feet. Mr. McManus asked if there is on street parking along Redwood Drive and Ursinus Avenue. Mr. Illo stated not adjacent to this property. Mr. McManus asked if the properties across Redwood Drive are commercial in nature. Mr. Illo advised him that the area is zoned General Commercial and there is a multi-family occupancy on the southern end.

Mr. Wenzel verified that all the parking spaces that abut Redwood Drive must back out onto Redwood Drive. Mr. Illo advised him that only those adjacent to the building that the Rita's is located in back out onto Redwood Drive.

Eddilene Shaub, 2008 Ursinus Avenue, was sworn in and stated that she lives on the southwest corner of Redwood Drive and Ursinus Avenue. Her home would be directly affected by this business. She questioned the twenty-three (23) parking spaces and testified that when the sports card business

has their evening events, the parking lot is full so she does not feel that there would be twenty-three (23) parking spaces available. Ms. Shaub would like a fence so she does not have to look at the people eating. Ms. Shaub is also concerned about litter, the location, noise from cars, and the dumpsters.

Angie Lefever, 2009 Temple Avenue, was sworn in and indicated she would like to have a Rita's but does not feel this is a good location. She is concerned about families with children and their safety, concerned with litter, does not feel enough parking available, worry about having a fence blocking the view when pulling out from the intersection, vehicles traveling fast and no curbing keeping vehicles on the road.

Richard Lefever, 2009 Temple Avenue, was sworn in and stated his concerns are traffic, litter, parking, and safety of people who live in the area. Mr. Lefever feels there should be a four way stop at the intersection and curbing.

Mr. McManus asked if the building complex is under a sole ownership and he was advised that it is. Mr. McManus asked if there are plans to put in any curbing or controlled access along Columbia Avenue and Ms. Mackley stated no but it may be a consideration. Mr. McManus asked if curbing were placed along the right-of-way along Columbia Avenue, would vehicles still be able to access the property for parking purposes to the north of the building complex where Rita's is proposed. Mr. Illo stated it could be done except for the eastern most spots. Mr. Illo advised them that there are internal isles for parking. Mr. McManus asked if it is wide enough that vehicles would not have to back out onto Columbia Avenue. Mr. Illo stated that was correct. Mr. McManus asked if anyone knows whether the owner of this tract would place curbing to control access along Columbia Avenue. Ms. Mackley stated she thought he might consider it.

Ms. Douglas asked if Mr. Heim would be screening the dumpsters. Mr. Heim advised her that he would if it is required. Mr. McManus advised the Board that this application is similar to a tenant moving into a vacant store in a shopping center that has been developed comprehensively. Mr. McManus asked if the time table is such that they need to get some decision from the Board in the next month or so. Mr. Heim stated he would like to have the decision in that time frame. Mr. McManus asked if someone is prepared on their behalf to show the Board a plan for controlled access to this tract by virtue of curbing so the Board can review the plan along with consideration of the parking scheme and requested variances. Mr. McManus advised the applicant that it would be a continuation of this hearing until next month and so it would be pushing things back one month. Mr. McManus stated that this is an issue that is of concern to the Board and the people in the neighborhood. Mr. Heim stated if the Board would like to see such a plan they could continue the hearing until next month. Mr. McManus asked Mr. Ott if this is something staff would like to review. Mr. Ott stated that they need to talk to the Public Works Director, the Manager and PennDot controls Columbia Avenue. Ms. Douglas stated that PennDot could take a lot of time. Mr. McManus suggested a plan for the tract generally to the extent that it can be provided so that the Board should at least be aware of what other options there are for controlled access to this tract.

Ms. Shaub asked if anyone contacted people at the sports shop because when they have their game night the parking lot is full. Ms. Douglas advised her that this is not something the Board would do. Mr. McManus advised the people in attendance that the Board does not have unbridled discretion in reviewing this plan. The Zoning Ordinance will set forth certain standards that for particular uses you have to have a certain amount of parking spaces and if the applicant complies there is nothing the Board can do to say they must have more. The Applicant has already testified that they need 70 for the entire complex and they have shown 73 spaces. It may be true special events create overflow parking, that is not a criteria of the Zoning Ordinance that the Applicant would have to demonstrate.

Mr. Graybill, 2008 Ursinus Avenue, was sworn in and pointed out that Enterprise keeps a stock pile of cars there and there is easily 10 cars left there every night.

Ms. Mackley stated the hours for the card store are typically 2 to 9 or 10 and it is her understanding they only do one event per week. Enterprise does not have any parking specific to their use so they are again parking in general with everybody else. Mr. McManus stated if the purpose of parking is for employee and customer use of the grounds, if Enterprise decided to move 50 vehicles on the tract to store would you or the owner of the tract permit that to occur. Ms. Mackley stated that the owner would need to tell them they need to move their vehicles. Mr. McManus asked if the parking is something that would be regulated by the owner of the tract to make sure the spaces designated are in fact available for patron use and Ms. Mackley stated yes.

The Board had discussion on the parking and curbing and the benefits of additional information. Mr. Wenzel advised the applicant that it was up to them as to whether the Applicant wanted to request a continuance or close their testimony.

The Applicant stated that they would like the Board to look at their application as presented and make a decision. Mr. Wenzel stated testimony is closed. Mr. Lefever asked how old the Ordinance was and he was informed the Ordinance has been changed recently for Rita's. Ms. Shaub asked if there would be a possibility of no parking on the street and she was advised to contact the Traffic Commission with her request. Ms. Lefever asked that the Board take into consideration the young families walking in the area.

Mr. Wenzel advised those in attendance that a decision will be rendered December 5, 2012 at 7:00 pm. Meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Zoning Hearing Board Minutes

Wednesday, December 5, 2012

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, December 5, 2012 in the Manor Township Building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel introduced the Board Members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: John Wenzel, Barbara Douglas and Bradley Singer
Township Officials Present: Bruce Ott and James McManus
Visitors Present: Charles Graybill, 2008 Ursinus Avenue
Mark Heim, 327 Longmeadow Rd.
Tammy Heim, 327 Longmeadow Rd
Angie & Alex Lefever, 2009 Temple Ave.

Minutes

There were no additions or corrections to the November 7, 2012 minutes. They stand approved as submitted.

Old Business

Case #5-12 – The application of Mark J. Heim (Britin Cool Treats LLC), 40 Redwood Drive, Lancaster, PA 17603, Account No 410-96722-0-0000 for a special exception of Section 207.3.9-Drive-Thru and/or Fast Food Restaurants in accordance with Section 424 and two Variances: 1) Section 424.7 – No part of subject property shall be located within 200 feet of any residentially-zoned land and 2) Section 207.5.1 – General Commercial Zone-Minimum Setback Requirements – Front yard setbacks-All buildings and structures, and loading areas shall be set back at least thirty-five (35) feet from the street right-of-way. The applicant requests permission to place customer seating and to construct a three (3) foot high fence as required by Section 424.6 within the required front yard setback along Redwood Drive. Testimony was closed at the last meeting. A decision will be rendered.

Mr. Wenzel stated that after last meeting, Mr. McManus contacted each Board Member individually and drafted a Decision which they will look at this time. Mr. Wenzel advised that the Board members have not discussed this matter with each other before this evening. There was no discussion and Ms. Douglas made a motion that the application of Mark J. Heim t/b/a Britin Cool Treats for a special exception (sections 207.3.9 and 424) and variances to the minimum set back provisions (Sections 207.5.1 and 424.7) of the Zoning Ordinance to locate a fast food restaurant within and existing building with address at 40 Redwood Drive, Lancaster, Pennsylvania, Lancaster County Tax Account No. 410-96722-0-0000, are granted. The approval of the aforesaid special exception and variances are subject to the following conditions: 1) The location of all structures and other improvements shall be in accordance with the plans submitted as part of the Application as revised and/or supplemented by the plans submitted and marked as exhibits at the hearing held on November 7, 2012. 2) The Applicant shall comply with the schedule, plan and placement of all trash and refuse receptacles as set forth in its application and in its testimony presented at the hearing held on November 7, 2012. 3) The Applicant shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed improvements. 4) The Applicant shall obtain all approvals and permits required by all applicable State, County and Manor Township codes and ordinances. 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 Applicant, its successors in interest and assigns. Mr. Singer seconded the motion and the motion carried unanimously

Mr. McManus stated that the Applicant will be given an executed copy of the Decision. Mr. McManus requested that a copy of the Decision be sent to the property owner.

Mr. Wenzel advised the Commission that the next meeting will be Wednesday, January 2, 2013 in this room. There being no further business the hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Bradley R. Singer
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, January 25, 2012

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, January 25, 2012 at 8:30 a.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Todd Graeff and Jay Breneman

Re-Organization

Mr. Breneman made a motion to retain the same officers for 2012. Chief Graeff seconded the motion and the motion carried unanimously.

Old Business

Request for no parking signs on the South/East side of Stone Creek Road between Langley Square and Pine Bridge Lane – Mr. Harris stated that he and Chief Graeff looked at the area where the no parking signs are requested. After discussion, Chief Graeff made a motion to place two “No Parking” signs on the South/East side of Stone Creek Road between Langley Square and Pine Bridge Lane. Mr. Breneman seconded the motion and the motion carried unanimously.

Request for the establishment of a four way stop at the intersection of Manor Ridge Drive and Hawthorn Drive – Mr. Harris advised he had placed the traffic counter at the intersection of Manor Ridge Drive and Hawthorn Drive the week of October 27th and the Police were present in the area issuing citations for stop sign violations over a period of time. Chief Graeff advised Officer Gardner completed a traffic study pertaining to the reduction of the posted 25 mph speed limit on Hawthorn Drive. Off. Gardner stated based on the survey there is no justification to reduce the speed limit from the posted speed of 25 mph. Chief Graeff stated there had been a dual request at the last meeting and this study pertained to the speed limit. Chief Graeff stated there was not a study completed for the four way stop sign. Chief Graeff advised it is his opinion as well as the Officers’ opinion that the concerns expressed pertaining to this intersection is an enforcement issue. Chief Graeff’s opinion is that there is not a need for a four way stop there is only a need for people to stop for the two way stop signs. Mr. Breneman was in agreement that a four way stop is not needed in the area. Mr. Harris stated he would advise Mr. Hanna of their decision.

Request for additional stop signs at the intersection of Fieldgate Drive and Farmstead Drive - Mr. Harris advised this request was tabled at the last meeting until they had more information. Mr. Harris referred to data collected from the traffic counter showing the average speeds are 29 mph in a posted 25 mph speed zone. There was consensus to table this request until a traffic study is completed. After further discussion of the intersection rather than table the request, Chief Graeff made a motion that they do not place stop signs at that location. Mr. Breneman seconded the motion and the motion carried unanimously.

New Business

Request by the Board of Supervisors to study the Ironstone Ridge Road and Blue Rock Road intersection – Mr. Harris advised he had placed the traffic counter on Ironstone Ridge Road between Blue Rock Road and Old Blue Rock Road for one day pulling it to obtain the data for this meeting. Mr. Harris will be placing the counter back out today for one week. The data for one day showed 1600 vehicles and the posted speed limit is 25 mph. Mr. Harris stated he would like the Commission members to go out together and look at the intersection. Chief Graeff advised that after the last

Supervisors meeting he had Office Staff pull records for the intersection that showed in 2010 there were five non reportable accidents and in 2011 there were three non reportable and one reportable accident. There was discussion regarding other dangerous intersections in the Township. The Commission members left the building at 8:55 a.m. to visit the location.

The Commission members returned from the on site visit at 9:22 a.m. with the following recommendations. They recommend removal the Hemlock trees on the east side of the intersection, they aligned their vehicle in a way for the best sight lines that has been marked with temporary paint and recommend establish a white side line and stop bar at the intersection. Mr. Breneman made a motion to that effect and Chief Graeff seconded the motion. The motion carried unanimously.

The meeting was adjourned at 9:25 a.m.

Respectfully submitted,

Todd A Graeff
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, February 29, 2012

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, February 29, 2012 at 8:30 a.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

Old Business

Mr. Harris advised that last month they traveled to the intersection of Ironstone Ridge Road and Route 999 looking at enhancements to the intersection. Mr. Harris advised that the owner of the Hemlock trees was contacted by letter and in person pertaining to the removal of the trees. The property owner advised he would take the trees down. There was agreement to give the property owner several more weeks to comply with the request to remove the trees. Mr. Harris advised that Ms. McLain on the west side of Ironstone Ridge Road had been contacted regarding the brush and she gave Mr. Harris permission to do whatever he felt was necessary. Mr. Harris stated the white side line has been painted but the stop bar has not been installed to date.

New Business

Mr. Bauder requested that the Commission look at what he considered a dangerous situation at the intersection of Central Manor Road and Blue Rock Road. Mr. Bauder expressed concerns with obstruction of sight distance looking east at the intersection due to buses and trucks parking along Blue Rock Road. Chief Graeff advised he went out to the intersection and observed that sight is impeded when looking east due to parking along Blue Rock Road. Chief Graeff talked to Jason Herschock, Civil Engineer from Pennsylvania Department of Transportation, who advised that the Township does not need approval for park and stand signs along a State Highway. Chief Graeff advised he has requested a Traffic Study for the area. The reportable and non reportable accidents at the intersection are last year there was 1 accident, in 2010 there were 2 accidents, 2009 there were 3 accidents, 2008 there were 3 accidents and in 2007 there was four accidents. Chief Graeff recommended "No Parking" signs in the area. Mr. Harris pointed out that there are deliveries made to the business and the trucks making the deliveries park along Blue Rock Road. Mr. Harris pointed out that "No Parking" could cause problems for deliveries to the business and made a suggestion they provide an unloading zone. After discussion, there was agreement that Chief Graeff contacts the owner of the business and advises them that in response to complaints the Township is considering "No Parking" along Blue Rock Road. No action will be taken until next month when the Commission has received the Traffic Study.

On motion of Mark Harris and seconded by Chief Graeff the meeting was adjourned at 8:55 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, March 28, 2012

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, March 28, 2012 at 8:30 a.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA.

Members Present: Mark Harris, Todd Graeff and Jay Breneman

Old Business

Intersection of Central Manor Road and Blue Rock Road – Mr. Harris asked Chief Graeff to give the Commission an update on this issue. Chief Graeff advised that Officer Gary Gardner did a Traffic Study at the request from the Traffic Commission. Officer Gardner stated in his report that this study focuses on the safety of motorist which face sight obstructions from vehicles which park along the highway at the intersection of Central Manor Road and Blue Rock Road. Officer Gardner indicated in his report that there have been 13 accidents at this location since 2007 and the speed limit in this area is 50 mph. Officer Gardner stated in his opinion that No Parking Zones be established along Blue Rock Road on both the north and south side of the roadway beginning at Central Manor Road and continues east. No Parking Signs should be posted 170 feet from Central Manor Road on the north side of the roadway and 150 feet from Central Manor Road on the south side of the roadway. The distance recommendations are based on the 50 mph speed limit and a driver's ability to perceive, react and stop a vehicle in a minimum safe distance. Officer Gardner stated he had included a diagram of the location and the recommended location for the placement of the No Parking Signs. Chief Graeff made a motion to accept Officer Gardner's Traffic Study and post No parking Signs as delineated based on the feasibility of the placement. Mr. Breneman seconded the motion and the motion carried unanimously.

New Business

Mr. Harris advised that Don Witmer has expressed concern with the speed vehicles are traveling on Prospect Road and asked that Prospect Road be posted with speed limit signs. After discussion, there was consensus that Mr. Harris set out the traffic counter and provides Chief Graeff with the results after which Officer Gardner will do a traffic study.

Mr. Breneman asked Mr. Harris if he was aware of any other alleys in Washington Boro that could create the same problem as the alley the Supervisors were presently dealing with. There was limited discussion and it was agreed this was not something the Traffic Commission would be dealing with.

Mr. Breneman made a motion to adjourn the meeting. Chief Graeff seconded the motion and the meeting was adjourned at 8:45 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Traffic Commission

Wednesday, May 30, 2012

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, May 30, 2012, at 8:30 a.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Todd Graeff

Old Business

Mr. Harris advised that he placed the traffic counter on Prospect Road from April 18 to 25 for the establishment of a speed zone. Mr. Harris forwarded the data to the Police Department. Chief Graeff stated that Officer Gardner conducted a traffic study on Prospect Road indicating that Prospect Road is a two lane public roadway running primarily in a north-south direction, approximately 4.7 miles in length, 24 feet in width and of asphalt construction. A speed survey was taken on Prospect Road north of Kaufman Road which showed a total of 1734 vehicles with the 85th percentile speed determined to be 51 mph. Off. Gardner stated that based on the present speed survey a posted speed based off the 85th percentile speed and restricted sight distances would be 45mph. The 45 mph speed limit would be unsafe further north along Prospect Road. Off. Gardner recommends that a second speed survey be conducted at a location further north along prospect Road. That surveys should reflect a lower 85th percentile speed which could be used for the entire length of Prospect Road, thus creating a safer speed throughout the length of Prospect Road. After discussion, the Commission made the decision to do a traffic count at the northern end of Prospect Road and table a decision until further information is gathered.

Mr. Harris stated Sue Sheeler, Woods Edge Homeowners Association, contacted him regarding "No Parking" signs from the corner of White Chapel and Stone Creek Road to the Township lot. After discussion, the Commission made a decision that no action will be taken.

New Business

Mr. Harris indicated on May 7th he was forwarded an e-mail that was sent in January from Joanne Resh, Oakridge Homeowners Association, stating there was an issue with homeowners parking in front of cluster mailbox units which prevented mail delivery. Ms. Resh advised they have placed No Parking signs on the mailboxes but have been informed by the Police that they cannot enforce no parking unless the Township installs "No Parking" signs. Mr. Harris informed Ms. Resh he would bring her issue before the Traffic Commission. There was discussion on placement of signs and whether no parking could be enforced for the purpose of access to mailboxes. This issue is tabled until next meeting at which time Chief Graeff will provide information on the regulations pertaining to enforcement of no parking in front of mailboxes.

Chief Graeff advised that Ruth Rielly approached him after a Supervisor's meeting expressing concern with poor sight distance due to bushes on LASA's property when pulling from Manor Boulevard onto Charlestown Road. Chief Graeff advised he informed a LASA employee who was working on the property about the sight problem caused by the bushes and the bushes have been trimmed.

There being no further business Chief Graeff made a motion to adjourn the meeting. Mr. Breneman seconded the motion and the meeting was adjourned at 8:55 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday June 27, 2012

Time: 8:30 A. M.

The Manor Township Traffic Commission met on Wednesday June 27, 2012 at 8:30 a.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, Pa. Chairman Mark Harris led the Pledge of Allegiance to the Flag.

Members Present: Mark Harris and Jay Breneman
Member Absent: Chief Todd Graeff

Old Business

Mr. Harris indicated the findings in regards to an e-mail sent by Joanne Resh, of the Oakridge Homeowners Association "No Parking" signs in front of cluster mailboxes issue. After discussion with Chief Graeff, his summary on the issue is there be no action taken.

Officer Gary Gardner submitted a letter dated June 26, 2012 regarding establishing of speed limits on Prospect Rd. The study was taken north of Charlestown Road. The average speed was 39 miles per hour, which put the township in the 85th percentile. Based on the 85th percentile speed from the present speed survey, restricted sight distances and roadway design it is his recommendation that a 35MPH speed zone be established from Letort Rd to the Township Line. Mark Harris made a motion to approve his recommendation and Mr. Breneman seconded the motion and motion carried unanimously.

New Business

Mr. Harris presented a parking issue along Dickinson Ave. After receiving numerous e-mails in regards to this issue, a meeting took place between the Township Manager, Zoning Officer, Police Chief, and the owners of Tobias Frogg in regards to the parking issues. Mr. Harris did an onsite visit and found that the owners had eliminated the end parking spaces along Dickinson Ave. Along with the "No Parking" signs already in place on Dickinson and the removal of the end parking spaces in the restaurant parking lot it was determined the police will continue to enforce the existing no parking zones.

Mr. Harris presented a concern from Sgt. Gundel. Sgt Gundel has received several concerns regarding parking at the entrance to Greider Park. Mr. Harris made a motion to restrict parking on the west side of the park entrance at 306 Dickinson Avenue. Mr. Breneman seconded it. Motion carried unanimously.

Mr. Harris reported on the Rail Trail access to River Road. At the parcel known as Tax Account ID No. 4105722500000. "No Parking" signs will be installed at the clear site zone. Mr. Harris made a motion to this affect and Mr. Breneman seconded it. Motion carried unanimously.

Mr. Harris presented a concern from Mr. Donald Witmer, who would like to have a "Hidden Driveway" sign installed at 2501 Prospect Rd. The Commission stated that they felt it is not necessary at this time due to the reduction in the speed limit on Prospect Rd. being reduced to 35MPH. The Commission stated they would communicate with Mr. Witmer and revisit the issue if the speed reduction doesn't help the situation. No action was taken.

Mr. Harris presented a letter dated June 12, 2012 from Central Manor Bakery and Grill regarding the posting of "No Parking" signs along Rt. 999. No action was taken.

Mr. Breneman presented an email he received from Supervisor Allen Kreider concerning Rt. 462 at Hawthorne Drive. His concern is west bound traffic making a left hand turn off of Rt. 462 onto Hawthorne Dr. Mr. Harris contacted Penn Dot, via e-mail, regarding the concern he received from Mr. Kreider and is waiting for a response. No further action was taken.

Mr. Breneman made a motion to adjourn the meeting, Mr. Harris seconded and the meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Mark A. Harris
Chairman

Recording Secretary
Susan Livingston

Manor Township Traffic Commission Meeting

Wednesday, July 25, 2012

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, July 25, 2012 at 8:30 a.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Chief Todd Graeff

Old Business

Mr. Harris advised they have had complaints regarding parking on Stone Creek Road north of Whitechapel Road. After Mr. Harris and Chief Graeff staged the intersection, it is their opinion that there are concerns at that corner. It is their opinion that "No Parking Here to Corner" would help with the flow of traffic. Mr. Harris made a motion to install "No Parking" at the specified location. Chief Graeff seconded the motion and the motion carried unanimously. It is their opinion the No Parking should be 50' – 60' from the corner on Stonecreek Road north of Whitechapel Road on the east side.

Mr. Harris stated that Supervisor Kreider expressed concerns regarding the left turn lane for Hawthorn Drive from Columbia Avenue traveling westbound. It was the opinion of the Commission that this was a PennDot issue and Mr. Harris contacted Charlie Webb from PennDot with the concern. Mr. Webb informed Mr. Harris this concern should be forwarded to Jason Bewley who is the District Traffic Engineer for District 8-0. Mr. Bewley advised he would need the Township's request to look at this intersection on Township Letterhead. The Commission was in agreement that Mr. Harris should write a letter to Mr. Bewley requesting PennDot look at the situation and inform the Commission what action will be taken to address Mr. Kreider's concerns pertaining to the left turn from the westbound lane of Columbia Avenue onto Hawthorn Drive.

There being no further business Mr. Breneman made a motion to adjourn the meeting. The motion was seconded by Chief Graeff and the meeting was adjourned at 8:40 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Traffic Commission Minutes

Wednesday, September 26, 2012

Time: 8:30 A.M.

The Traffic Commission met on Wednesday, September 26, 2012 at 8:30 a.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Chief Todd Graeff and Jay Breneman

Old Business

Mr. Harris indicated he received a response from PennDot pertaining to a letter he sent on July 26, 2012, concerning pavement markings on Columbia Avenue between Good Road and Hawthorn Drive. PennDot has indicated that the current pavement markings properly reflect the roadway design. Based on PennDot's findings, Mr. Harris is of the opinion it would not serve the Township to make Hawthorn Drive a one way street.

Chief Graeff advised that there have been some changes in the pavement markings on Columbia Avenue pertaining to the turn arrows for Good Drive. After discussion, the Commission Members stated they would look at the changes that have been made to the pavement markings on Columbia Avenue.

New Business

Mr. Harris advised he had sent a letter to PennDot asking permission to install park entrance signs and a reduced speed for trucks in that area. A letter was received from PennDot giving permission for the "Park Entrance" signs but advised as a result of their studies a change in the existing 45 MPH posting is not justified. Mr. Harris made a motion to install the "Park Entrance" signs on River Road at designated locations authorized by PennDot. Mr. Breneman seconded the motion. Mr. Breneman questioned a sign indicating park entrance when they are calling it the Rail Trail. Mr. Harris indicated it is considered a linear park. Mr. Harris called for the vote and the motion passed unanimously.

Mr. Harris indicated an e-mail had been received from Beth Quinn regarding the placement of a stop sign at Hemlock and Colgate Road intersection. Chief Graeff advised he has not received the traffic study to date and suggested this item be tabled until next month.

Mr. Harris advised that Mr. Smith received a letter from Jessica Martin, 139 Owl Bridge Road, asking for a sign indicating a school bus stop. She is concerned with the speed of the vehicles in the area of her daughter's bus stop. After discussion, the Commission members decided to visit the site before making a decision.

Chief Graeff advised that as a result of a complaints about a fire hydrant that sets back several feet from the curb and it is not seen by individuals who park in the area, Officer Smoker advised he looked at the fire hydrant and it is his opinion that there should be some indication that a fire hydrant is at that location. The location of the fire hydrant is 227 Cartledge Lane. After discussion, it was decided that 30 foot of curb in front of the fire hydrant would be painted.

On motion by Chief Graeff and seconded by Mr. Harris the meeting was adjourned at 8:45 a.m.

Respectfully submitted,

Todd A. Graeff
Secretary

Recording Secretary
Evelyn Rineer

Traffic Commission Minutes

Wednesday, October 31, 2012

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, October, 31, 2012 at 8:30 a.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Mark Harris led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Mark Harris, Jay Breneman and Chief Todd Graeff
Visitor: Jack Broome, 186 Ironstone Ridge Rd.

Old Business

Mr. Harris advised that the park entrance sign for the Rail Trail has been installed according to PennDot specifications.

Mr. Harris stated they had a request last month for stop sign at the intersection of Hemlock and Colgate Avenue. There was a Traffic Study completed by Officer Gardner for the placement of a Stop Sign at that intersection. Chief Graeff reported that during the study Officer Gardner reported he had observed the intersection of Eastman Avenue and Hemlock Road was uncontrolled as well as the intersection of Bucknell Avenue and Hemlock Road. Based on the study, Officer Gardner recommended that Stop Signs be placed on Colgate Avenue, Eastman Avenue and Bucknell Avenue where they intersect with Hemlock Road. Chief Graeff made a motion to approve Officer Gardner's recommendation. Mr. Breneman seconded the motion and the motion carried unanimously.

Mr. Harris advised they had a request for a "School Bus Stop Ahead" sign at 139 Owl Bridge Road. After discussion, Chief Graeff suggested they talk to the bus company about changing the location of the bus stop which would make the bus lights more visible to oncoming traffic. The Commission Members were not against the sign but were in agreement that moving the bus stop would be the best solution. Mr. Harris will contact Mrs. Martin advising her of their discussion and possibly contact the school bus coordinator to make her aware of the Commission's concerns and ask if they would consider moving the bus stop.

Mr. Harris informed the Commission Members that the Public Works Department had painted the curb at 227 Cartledge Lane to delineate a no parking area in front of the fire hydrant.

New Business

Jack Broome, 186 Ironstone Ridge Road, expressed his concerns with the number of accidents that occur at his property. He asked if they would consider rumble strips. Mr. Harris advised that was tried a number of years ago and he did not feel it helped the situation. Mr. Harris informed Mr. Broome that he has proposed in his 2013 budget to the Supervisors to pave the super elevation of Ironstone Ridge Road at the corner being discussed and when they make modification to the geometry of the road that should make a difference.

Mr. Harris made a motion to adjourn the meeting. Chief Graeff seconded the motion and the meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Todd A Graeff
Secretary

Recording Secretary
Evelyn Rineer

Park and Recreation Meeting Minutes

Monday, January 23, 2012

Time: 7:30 P.M.

The Manor Township Park and Recreation Board met on Monday, January 23, 2012 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Vice Chairperson Courtney Barry led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Courtney Barry, Elizabeth Leaman, Karla Vinson, Maria Cattell, and
Maher Hattar

Members Absent: Edward Rand and Kyle Ream

Minutes

There were no additions or corrections to the minutes. A motion was made to approve the minutes as presented. There was a second and the motion carried unanimously.

Re-Organization

The current slate of officers is Chairman Edward Rand, Vice Chairman Courtney Barry and Secretary Elizabeth Leaman. Ms. Leaman made a motion to keep the current slate of officers. The motion was seconded and carried unanimously.

Business from the Floor

There was no business from the floor.

Old Business

There was no old business.

New Business

There was discussion pertaining to taking another park tour of the Township parks in the spring with Mark Harris attending to provide them with information on the parks and answer any questions they may have. Mr. Strohecker requested that the Board let him know if there was any particular area they would like to include in their tour. It was suggested that they look at the parks that may have had any changes and any potential park land. Mr. Strohecker advised there are no parks proposed in the foreseeable future since there are no developments occurring. Ms. Barry suggested they look at the area around the Highville Fire Company and the entrance to the Rail Trail. Mr. Strohecker informed the Board they may be able to use a vehicle and drive the Board on the Rail Trail.

Mr. Strohecker advised the Board that Mr. Harris would eventually be attending the Park and Recreation Meetings in place of himself.

There was a motion to adjourn the meeting and the meeting was adjourned at 7:45 pm. The next scheduled meeting will be Monday, April 23rd.

Respectfully submitted,

Elizabeth N. Leaman
Secretary

Recording Secretary
Evelyn Rineer

Park and Recreation Minutes

Monday, April 23, 2012

Time: 7:30 P.M.

The Manor Township Park and Recreation Commission met on Monday, April 23, 2012 in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Vice Chairman Courtney Barry led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Courtney Barry, Karla Vinson, Maher Hattar, Kyle Ream, Edward Rand and Maria Cattell
Member Absent: Elizabeth Leaman
Visitor Present: L. Allen Kreider

Minutes:

Kyle Ream made a motion to approve the January minutes. Mr. Hattar seconded the motion and the motion carried unanimously.

Business from the Floor

There was no business from the floor.

Old Business

Park Tour – Mr. Harris advised the Board it would be helpful to him to know what the Board would like to see on the park tour. Mr. Harris suggested that the Board may want to see the proposed Rail Trail that is being developed. There was a suggestion to tour the Rail Trail and Creswell Park. Mr. Harris advised he would ask Mr. Strohecker to send an e-mail with several possible dates for the tour and after receiving the Board's response they would choose a date that a majority of the Board will be able to attend.

Mr. Harris talked about the work that is being completed by the Public Works Department and listed some of the things that have been completed to date in 2012: 1) installed playground equipment at Creswell Park, 2) planted trees at Creswell Park, 3) relocated the sign at Creswell Park, 4) estimates in July or August they would be constructing a picnic pavilion at Creswell Park which will accommodate six picnic tables, 5) continue to update facilities in Greider Park specifically this year there is an equipment shed that is in need of repair and 6) the new pavilion at Greider Park has had a water fountain installed as well as grills. There will be a paved walking path to the new pavilion in Greider Park. Mr. Harris noted that vandalism continues to be a problem at Greider Park.

Turkey Hill Country Classic – Mr. Rand reported they had a meeting last week regarding the Country Classic and the planning is going good. Mr. Strohecker has several groups that will be helping at the event.

New Business

Mr. Kreider talked about his concerns with recycling in the Township. Mr. Kreider stated he has received a report regarding the recycling performance in the Township which he feels is not good. Mr. Kreider advised he has an interest in recycling in the Township and is looking at the Park & Recreation Board, if the Park & Recreation Board would like to take on the responsibility, to give the Supervisors some recommendation as to what can be done to improve recycling in the Township. Mr. Kreider feels businesses are not doing their share in recycling and that businesses need to be made aware maybe even to the point of mandating recycling. There was discussion on how recycling is measured. Mr. Kreider asked the Park & Recreation Board if they would be interested in getting involved in recycling

and does recycling blend into Parks and Recreation. There was discussion on ways to make people more aware of recycling. There was a suggestion to place information on recycling in the next newsletter and the possibility of holding contests in the schools to encourage recycling. There was a consensus by the Board to continue the conversation pertaining to recycling at their next meeting. Mr. Harris advised the Board the 2011 report pertaining to recycling will come out in May and they would have that information before their next meeting.

Ms. Barry advised that through fund raising for the playground at Eshleman Elementary School she has come across a representative for the Conservancy who is promoting natural playscapes. The Conservancy is looking for partners if nothing else just to educate about the concept of the natural playscapes. Ms. Barry feels there may be more resources to work with in a Township level than at an elementary school level. If the Board is interested, the Representative from the Conservancy has a presentation that would inform them of the elements that can be put into the parks. Mr. Harris asked if playscapes would be something they would envision in a passive park like Herr Park. Ms. Barry feels there is enough range of things that the playscapes could be incorporated into any of the parks.

There being no further business Ms. Cattell made a motion to adjourn. The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Elizabeth N. Leaman
Secretary

Recording Secretary
Evelyn Rineer

Park & Recreation Board Minutes

Monday, October 22, 2012

Time: 7:30 p.m.

The Manor Township Park & Recreation Board met Monday, October 22, 2012 at 7:30 p.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA. Chairman Edward Rand led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Edward Rand, Courtney Barry, Karla Vinson, and Maher Hattar

Members Absent: Elizabeth Leaman, Maria Cattell and Kyle Ream

Minutes

Ms. Barry made a motion to approve the April 23, 2012 minutes. Mr. Hattar seconded the motion and the motion carried unanimously.

New Business

Mr. Strohecker advised that Christine Brubaker sits on the GPAB Board that is a sub board of the LIMC. The Greenway Park Advisory Board is specifically centered around various walking paths and trails, etc. Ms. Brubaker had sent an e-mail indicating that the GPAB Board has asked the Municipal Representatives, who is Ms. Brubaker for Manor Township, to locate all the walking paths and trails in Manor Township potentially for GPS. Mr. Strohecker indicated he had replied to Ms. Brubaker indicating he would be working with her to complete this request but to date he has not met with her or talked to her so he is has no idea what help or information will be required from him. Mr. Strohecker advised the Board that if any of them had knowledge or wanted to give input on the trails and walking paths that are located in Manor Township it would be appreciated and Mr. Strohecker would include them in the e-mails and meetings he has with Ms. Brubaker. Courtney Barry indicated she would like to be involved in the process of locating the trails and walking paths in the Township.

There was general discussion on the Rail Trail and Mr. Strohecker advised that he would make arrangements to take anyone on the Board interested on a tour of the trail.

Ms. Barry asked if there was any consideration given to installing sidewalks when the Hambright Elementary School is constructed. Mr. Strohecker advised there is interest in sidewalks and there has been discussion pertaining to sidewalks but there are no sidewalks being considered at this time.

On motion from Ms. Courtney the meeting was adjourned at 7:55 pm.

Respectfully submitted,

Elizabeth N. Leaman
Secretary

Recording Secretary
Evelyn Rineer