

## Manor Township Supervisors Organizational Meeting

Tuesday, January 15, 2013

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

Members Present: John May, 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

Receive Letter of Resignation-Mr. May stated Mr. Bauder submitted a letter of resignation on January 7, 2013 effective January 8, 2013. Mr. May stated he will make a motion to accept the letter of resignation with regret. Jay Breneman seconded the motion and the motion carried unanimously.

Consider Appointment of Supervisor-Mr. May made a motion to appoint Scott Haverstick to replace Mr. Bauder. There was no second to the motion and the nomination failed. Mr. Clark made a motion to appoint John Wenzel to replace the empty Supervisor seat. Mr. Kreider seconded the motion. Mr. May expressed his reason to nominate Mr. Haverstick stating "Before I vote, I need to explain what will be my "no" vote so that it is completely understood. I know John Wenzel will make an outstanding Supervisor. I also know that Scott Haverstick would be a great addition to our Supervisor Board. Scott has a history of selfless public service to this Township. He did not always agree with decisions that we or his Planning Commission made. He challenged our thinking and stimulated legitimate debate. If you did not like his positions or the matter of fact way he expressed himself, or the times he chose to do so, you need to get over it. Dick Bauder stirred controversy and made us uncomfortable from time to time. Good came from that and we would have a spirited thoughtful discussions as a result. He knew Township finances better than any of us. The last time there was no dissent in this Township and the Supervisors remained silent, I was elected Supervisor in protest.

The sad thing is that because of the politics in Manor Township, Scott will probably never be elected as a supervisor so long as he is a registered Independent. Mr. Wenzel, on the other hand, can be elected any time he chooses. It would be a walk in the park for him. Not so for Scott Haverstick. I will miss him and some of the challenges and thoughtfulness he would have brought to our discussions. I am relieved that regardless of this outcome, he will remain as Chairman of the Manor Township Planning Commission."

Mr. Kreider wanted to add that up to 3:00 today his mind was not made up because both candidates were ideal. Mr. Kreider stated this is tough job that is awarding in a lot of ways but there are tough decisions to make. Mr. Kreider stated in his opinion unity within the Supervisors in making decisions is a very up part of the job. They do not always agree but they can always agree to disagree and move on. Mr. May called the question of all of those in favor of Mr. Wenzel being appointed to the position of Supervisor to fill the vacancy. The vote was 3 to 1 with Mr. May voting No. Mr. Wenzel was sworn in as Supervisor and took the vacant seat. Mr. Smith advised that the action taken tonight has this vacancy filled until the first meeting of January 4, 2014. Mr. Smith advised that there will be three Supervisor positions open for election.

Mr. Wenzel thanked the Board for their support stating he thought Scott Haverstick was a good man and sincerely appreciate his service to the Township and very happy it will continue and look forward to working with him.

Appoint Temporary Chairman-Mr. May turned the meeting over to Mr. Breneman who called for nominations for the Chair of the Board. Mr. Kreider nominated Brandon Clark. Mr. May seconded the motion and the motion carried unanimously. Mr. Breneman turned the meeting over to Mr. Clark.

Elect Vice Chairman-Mr. May made a motion to have Jay Breneman remain Vice Chairman. Mr. Clark seconded the motion and the motion carried unanimously.

Appoint Secretary-Treasurer-Mr. Breneman made a motion for Mr. Smith to continue to service as Secretary-Treasurer. Mr. Clark seconded the motion and the motion carried unanimously.

Establish Treasurer's Bond Amount (\$1,500,000)-Mr. Kreider made a motion to establish a Treasurer's Bond in the amount of \$1,500,000. Mr. Breneman seconded the motion and the motion carried unanimously.

Supervisors Area of Responsibility-In the area of Planning & Zoning, Mr. Clark made a motion that Mr. Wenzel and John May fill that position. Mr. May seconded that motion. Mr. Clark stated if everyone is in agreement with the same Supervisors covering the areas of responsibility they would remain the same with the exception of Mr. Wenzel filling the areas that were covered by Mr. Bauder. Mr. Clark reviewed the areas stating Planning and Zoning will be John Wenzel and John May; Public Works would be Brandon Clark and Allen Kreider; Protection to Person & Property would be Jay Breneman and Brandon Clark; Fire & Emergency Services would be Jay Breneman and John May and Parks & Recreation would be John Wenzel and Allen Kreider.

#### Appointments

Planning Commission 4 year term-Mr. Breneman made a motion to appoint James Henke, Don Mann who are presently serving and Jay Provanzo to fill the third position. Mr. Kreider seconded the motion and the motion carried unanimously.

Zoning Hearing Board 3 year term-Mr. Clark felt this should be deferred to February. Mr. Smith recommended deferring Resolution 1-2013 to the February meeting. Mr. May made a motion to defer Resolution 1-2013 to February meeting. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Smith will contact the interested parties in serving on Planning Commission to ask if they would be interested in serving on the Zoning Hearing Board.

Mr. Clark advised he will ask for a motion after listing the reappointments. Park and Recreation Board for a 5 year term one position, Kyle Ream; Solicitor, Goodman & Kenneff; Special Counsel, Matthew Crème. Mr. May would like Mr. Crème to be called Associate Counsel to which Mr. Smith asked if Associate Solicitor would meet their approval. They were in agreement to use the Title Associate Solicitor. Mr. Clark continued the with appointments of Labor and Personnel Counsel, Ballard Spahr; General Engineer, Rettew; Subdivision Land Development Engineer, Rettew; Alternate Subdivision Land Development Engineer, Buchart Horn; Storm Water Engineer, Rettew; Alternate Storm Water Engineer, Buchart Horn; Traffic Engineer, Rettew; Select Planning Engineer, Hanover; Vacancy Board, Donna Taylor; Manager, Barry Smith; Assistant Manager, Ryan Strohecker; Public Works Director, mark Harris; Assistant Public Works Director, Henry Hank; Zoning Officer, Bruce Ott, Assistant Zoning Officer, Lauren Zumbrun of Rettew; Delegate to the State Convention, Al Kreider. Mr. Breneman made a motion that they appoint the people already in the positions as listed by Mr. Clark be appointed for another year. Mr. Clark seconded the motion and the motion carried unanimously.

Auditor-Resolution 2-2013 (Bertz & Hess)-Mr. Smith advised this needs to be deferred to February. Code specifically requires this appointment to have a 30 day public notice. Mr. May made a motion to defer Resolution 2-2013 until February meeting. Mr. Breneman seconded the motion and the motion carried unanimously.

Traffic Commission (Chief Todd Graeff, Jay Breneman, Mark Harris and Penn Manor Municipal Representative Lancaster County Tax Collection Bureau (Ryan Strohecker)- Mr. May made a motion to reappoint Chief Graeff, Mr. Breneman and Mr. Harris as the Traffic Commission. Mr. Kreider seconded the motion and the motion carried unanimously. Mr. Breneman made a motion to appoint Ryan Strohecker as the Penn Manor Municipal Representative Lancaster County Tax Collection Bureau. Mr. Kreider seconded the motion and the motion carried unanimously.

Mr. Clark stated they would adjourn the Re-organization meeting of 2013.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer



## Manor Township Supervisor Meeting

Tuesday, January 15, 2013

Time: 7:30 P.M.

Chairman Brandon Clark called the regularly scheduled Supervisors Meeting to Order.

Minutes – Mr. Kreider made a motion to approve the December 3 and December 21, 2012 minutes. Mr. Breneman seconded the motion and the motion carried unanimously.

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

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

Solicitor's Report – Mr. Smith advised that there is still an ongoing potential action by Steve Eck. Our Associate Solicitor Matt Crème continues to work on that case and Mr. Smith expects to hear something from Mr. Crème in the near future.

### Business from the Floor

There was no business from the floor.

### New Business

Resolution 3-2013 Meeting Dates – Mr. May made a motion to approve Resolution 3-2013. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 4-2013 Police Pension – Mr. Kreider made a motion to approve Resolution 4-2013. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 5-2013 Bank Depositories – Mr. Breneman made a motion to designate the attached depositories for Township Funds as presented in Resolution 5-2013. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 6-2013 Sewage Enforcement – Mr. Smith stated that Mr. Lockard has had to increase some of his fees out of necessity. Mr. Smith advised that the increased fees are reasonable and in line. Mr. May made a motion to approve Resolution 6-2013 with additional fees as set forth therein. Mr. Kreider seconded the motion and the motion carried unanimously.

### SALDO

David Charles Final Subdivision Plan, Action Item – Jim Baumgartner from Rettew Associates presented the plan as the representative for Lancaster Home Builders. They have appeared before the Planning Commission and received their letter dated December 10, 2013 recommending approval of the requested modifications as well as approval of the subdivision and land development plan. Since last month a recommendation letter was received from the LCPC with some comments. They have received approval from the Lancaster County Conservation District as well as issuance of the MPDES permit. They will have no problem addressing the comments in the engineer's letter dated November 28, 2012. Mr. Kreider made a motion to approve the final land development subdivision plan as submitted and as reviewed by the Township Planning Commission and Burchart Horn. Mr. Breneman seconded the motion and the motion carried unanimously.

Tyler and Jennifer Rohrer Lot Add-On Plan, Briefing Item – Mr. Smith noted that the Manor Township Planning Commission on December 10, 2012 moved this to an action item. Bill Swiernik with David Miller Associates presented the plan. Mr. Swiernik requested this be moved to an action item. Mr. Swiernik stated the plan is for a reconfiguration of a lot line for property located on Water Street and Elizabeth Street in Washington Boro. They are proposing to relocate the property line that would result in a front and rear parcel. Mr. Swiernik listed the comments in Rettew's review letter dated December 31, 2012. There are no proposed improvements. There are two lots now and there will be two lots after reconfiguration of the lot line. Mr. May asked if the alley shown has a name. Mr. Smith advised that it probably has a 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. Breneman made a motion to approve the plan based on what was presented. Mr. Clark seconded the motion and the motion carried unanimously.

Award Bid for Rails to Trail Materials – Mr. Smith advised Phase 2 Rail Trail material was properly advertised and a public opening of the bids was held. There were two bids for 2A stone and it is recommended they take the low bid from County Line in the amount of \$4.65 FOB and the low amount of 2A delivered in the amount of \$7.75 also to County Line. There was only one bidder for the Trail Mix and that was York Building in the amount of \$24.70 a ton. Mr. May made a motion to accept the bid of York Supply with regard to the trail mix and County Line with respect to the 2A stone. Mr. Clark seconded the motion and the motion carried unanimously.

County Manor, Manorvest Development Request to Reduce Cash Guarantee – Mr. Smith advised the request is more than what the applicant is permitted to request. Mr. Smith recommends a reduction of \$44,345 that leaves a balance of \$44,002 that will meet the provisions of the Improvement Guarantee. Mr. May made a motion that they reduce the Country Manor Manorvest Development Letter of Credit the reduction being \$44,345 leaving a balance of \$44,002. Mr. Clark seconded the motion and the motion carried unanimously.

Fieldcrest Associates Request for Reduction of Letter of Credit – Mr. Smith recommended that the reduction be in the amount of \$425,480 that would leave a balance of \$224,048. The discrepancy by the applicant is they were working off what are the road improvements and there were some items that have not been installed. Mr. Breneman made a motion to reduce the Letter of Credit of Fieldcrest Associates reduction of \$425,480 to a balance of \$224,048. Mr. May seconded the motion and the motion carried unanimously.

Manor Township Planning Commission Annual Report – Mr. May made a motion to accept the Planning Commission's Annual Report as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

Lancaster County Fire Police Task Force – Mr. Smith stated he received this letter from the County asking the Township for consideration. Mr. Smith does not know if this request was received by Blue Rock Fire & Rescue. Mr. Smith feels it would be appropriate for our representation on the Blue Rock Fire and Rescue to have conversation with Blue Rock Fire & Rescue and get back to this Board with a recommendation. Mr. Breneman advised he would talk to the Fire Commissioner regarding the letter.

Act 67 and 68 Notice for Franklin View Farms – Mr. Smith advised this is a standard notice to inform them that Franklin View Farms is going to submit a renewal of an existing application for their KAPO operation. No action is required.

#### Correspondence

Mr. Smith advised for the PSATS Annual Education Conference the practice has been to authorize each Supervisor and the appropriate Staff as the Manager deems to attend, recommends for the APMW Winter Workshop the Manager and Assistant Manager to attend, for the Executive Development Conference Mr. Smith suggested the Manager and Assistant Manager attend and the Intervene Training is a recommendation by Chief Graeff for Mark Burkholder to attend. Mr. Breneman made a motion to authorize the appropriate staff to attend these workshops. Mr. May seconded the motion and the motion carried unanimously.

#### Traffic Commission

There was no Traffic Commission Meeting in December.

#### Police Report

Chief Graeff stated the monthly report has been submitted and highlighted statistics in the report. Chief Graeff talked about the Public GRADS explaining what it is and who is involved in the program. Chief Graeff advised they had a donation from Sandy and Tom Breneman with which Chief Graeff purchased three new AEDs.

#### Public Works Director's Report

Mr. Harris gave an update on several ongoing projects. In the Rohrer Road culvert replacement, the north culvert has been demolished. There was a problem in that there is a sanitary sewer line on the east side of the culvert that will affect the wing wall replacement so there has been a change order that causes a slight delay. The concrete work is done on the other culvert and you can drive over it. Mr. Harris talked about the agility mowing program. Mr. Harris briefed the Board on the Rails Trail Phase 2 that is a two mile section with approximately a mile that has been grubbed and anticipating weather permitting within the next week or two to start grading. Mr. Harris is hoping to lay the trail mix in February. The GP7 Permit was received today that allows the Public Works Department to replace the culvert at the entrance to the Rail Trail. Mr. May questioned when DCNR would release money to the Township in regards to the Rail Trail. Mr. Smith advised the Township has submitted for the final for the acquisition and that has been approved but cannot say when the money will be received. Mr. Smith stated pertaining to Phase 2 and Phase 3 they are possibly eligible for part reimbursements and than a final reimbursement. Mr. Smith advised that pertaining to the Rohrer Road culvert project and the discrepancy with the sewer line Mr. Smith stated he has made it clear that Manor Township will not be responsible for any financial liability for the movement of the sewer line or any redesign.

#### Township Manager's Report

Mr. Smith stated they have his written report. Mr. Smith stated the last two Resolutions of the prior year were numbered identically. At the Special Meeting of December 21, action was taken to approve Police Contract and set compensation of the Manager. Mr. Smith is asking the Supervisors authorize changing the number of resolution pertaining to the Managers Salary from Resolution 18-2012 to Resolution 19-2012. Mr. May made a motion to make the correction in the Resolution numbering. Mr. Clark seconded the motion and the motion carried unanimously.

Mr. Smith referred to information provided for the sign regulation for Sundance Car Wash. Mr. Smith provided information from Mr. Hollinger the owner of the car wash who would like to have a sign that changes every five seconds and after talking to the Solicitor and Associate Solicitor they do not believe that frequency is appropriate. Mr. Smith is asking the Supervisors to come to a possible resolution as to what is an appropriate amendment to the Ordinance if any before the February meeting.

#### Building Permit Report

Mr. Kreider reported the number of permits issued in December 2012 is 18 compared to 14 in 2011, number of permits issued year to date in 2012 is 271 compared to 2011 of 301, dollar value permits issued in December 2012 is \$1,221,735 and the dollar value of permits issued year to date of 2012 was \$13,974,917 compared to \$14,643,813 8 in 2011.

Mr. Breneman made a motion to adjourn the meeting. Mr. May seconded the motion and the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, February 4, 2013

Time: 7:30 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:30 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, Allen Kreider, John May and John Wenzel  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Graeff and Evelyn Rineer  
Visitors Present: Ruth Rielly, 152 Kent Rd  
Esten Leinster, 100 Creekgate Ct.  
Ed Hollinger, Leisure Living, Inc.  
Lisa Lewis, 2542 Valley Dr.  
Rick Reitz, LNP

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

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

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

Solicitor's Report – Mr. Smith advised there is no Solicitor's Report.

### Business from the Floor

Skip Leinster, 100 Creekgate Court, Millersville, asked the status on the 20 year sewer agreement for Crossgates Development. Mr. Smith advised him that it is still being handled by staff and the Solicitor. Nothing has been extended or signed.

### Old Business

Consider Zoning Hearing Board Appointments – Mr. Clark stated they have received several resumes and letters of interest. Mr. May stated he was impressed by Mr. Moxley and felt he would be a good addition to the Zoning Hearing Board. Mr. May made a motion to appoint Mr. Moxley to the Zoning Hearing Board. Mr. Kreider seconded the motion stating he was also impressed with Mr. Moxley. Mr. Clark advised the Board that the last time there was a vacancy Mr. Julian had expressed his interest in serving and is still interested in service as an alternate. Mr. Clark also talked to Mr. Peris who Mr. Clark felt would be a good choice for the Zoning Hearing Board. Mr. Wenzel advised the Board that he has talked to Mr. Peris and Mr. Julian and both are good people who are interested in the Township. Mr. Wenzel considers Chris Peris an excellent candidate for the Zoning Hearing Board. Mr. Breneman also feels Chris Peris is a good candidate. Mr. Clark called for the vote on the motion on the table to have Mr. Moxley as the member of the Zoning Board. The motion was defeated 2-3. Mr. Clark made a motion to nominate Chris Peris to be the primary member for the Zoning Hearing Board. Mr. Breneman seconded the motion and the motion carried unanimously. Resolution 1-2013 was signed at the end of the meeting. Mr. Clark made a motion to appoint Mike Julian as the alternate to the Zoning Board. Mr. Wenzel seconded the motion and the motion carried 4-1 with Mr. May voting no. Resolution 7-2013 was signed at the end of the meeting.

Sign Regulation Ordinance Discussion – Mr. Smith stated that the Board was provided with a packet of information pertaining to the Sign Ordinance. Mr. Smith advised that Mr. Hollinger who had an

interest in this discussion was present. Mr. Hollinger is interested in having sequential signage for his business which as the Ordinance is currently written does not permit that. After discussion, the Supervisors were in agreement that they are not interested in a sign changing every five seconds for safety reasons. Mr. Kreider stated that he feels that when this type of message display is permitted, it opens up the avenue for more and he likes the idea of a dark sky at night and all that goes along with that type of life style even within the area that is proposed. Mr. Kreider stated that he is opposed to a sequential sign. Mr. Clark and Mr. Wenzel are not opposed to the sign changing from time to time but not every five seconds. Mr. Smith advised them that signs are for purposes and one is to identify a location or type of business and another is to provide information. Mr. Smith advised the principle is what will be an adequate time and be a benefit without being a distraction. The current Ordinance allows one time a day. Mr. Smith stated from the Staff's standpoint they need to know from the Board what they consider is a reasonable balance between one time a day and every five seconds. Mr. Kreider commented on the hours of operation stating that is a long period of time to have that high intense lighting as there is a residential area nearby. Mr. Wenzel pointed out that a lit sign is allowed the question is how often is a reasonable change for a business to identify and/or advertise. Mr. Wenzel stated one time an hour would not be distracting; however, it would give the business an opportunity to advertise a lot of different things. Mr. Breneman agreed with Mr. Wenzel. Mr. Clark stated to give Staff direction everyone is on board with the change one time an hour. Mr. Smith advised them that he will take their discussion and information they provided, meet with the Solicitor and draft an Ordinance that incorporates the elements given by the Board.

#### New Business

Sale of Equipment – Mr. Smith stated that the advertised bid opening was held this afternoon. A spreadsheet with the vendors and the bids were provided to the Supervisors. Hoover Repair had the highest bid for the CX80 tractor in the amount of \$11,200.00 and Creekside Produce had the highest bid for the 3230 tractor at \$13,600.00. Mr. Harris advised that that he had received trade in value for the CX80 tractor of \$12,000 and the 3230 tractor at \$15,000. Mr. Harris recommended the Supervisors exercise the trade in allowance and not sell the tractors. Mr. May made a motion to trade in the CX80 and 3230 tractors. Mr. Kreider seconded the motion and the motion carried unanimously.

Letter from Chief Graeff - Mr. Smith advised them that they had budgeted for a replacement vehicle and since that time Chief Graeff has had input from Officer Burkholder regarding the type of vehicle. Mr. Smith stated for size and the ability to maximize the use of the vehicle the Chief is recommending an additional \$1,006 be allowed to purchase a Ford Utility Vehicle. Mr. Breneman made a motion that they approve moving forward with the purchase of the Utility Vehicle over the sedan that was already budgeted. Mr. May seconded the motion and the motion carried unanimously.

#### Correspondence

Public Works – Professional Pest Manager's School - Mr. Smith advised them that Mr. Harris requested permission to send the appropriate staff to the training session for credits for their pesticide certifications. Mr. Wenzel made a motion to allow the appropriate staff to attend the training session. Mr. Kreider seconded the motion and the motion carried unanimously.

#### Traffic Commission

Chief Graeff advised the Board that the Commission met January 30 and the Commission kept the same positions. After a complaint from a resident, there was a speed study done on Ironstone Ridge Road which showed the average speed 38 mph in a 25 mph speed zone. They advised the resident that there is scheduled road work for that section of road to enhance and improve the area. Chief Graeff advised them that they will do speed enforcement in that area. There was a request for lane

identification at Redwood Drive and Columbia Avenue and after Mr. Harris looked at the area it was determined that there was not room to have marked lanes. A resident asked about removal of the stop sign at Rock Hill Road and S. Creek Road. There will be a traffic study completed. There will be a traffic study done in Parkfield Phase III for stop signs, speed limit signs and no parking signs.

#### Police Report

Chief Graeff stated his monthly report had been submitted and he highlighted statistics in the report. Chief Graeff praised all the Officers and Departments that were involved in investigating a shooting that occurred in the Township. Mr. Breneman expressed his family's thanks for the work the Police Department did concerning a break in that involved his son's home.

#### Public Works Department

Mr. Harris stated pertaining to the Rohrer Road project the wing walls will be set tomorrow and the plan is on Wednesday to set the box culvert in place. Mr. Harris gave an update on the Rail Trail stating tomorrow the grading of Phase 2 will be completed. They installed benches, two observation platforms in a two mile stretch, are within a mile of completing the grubbing, and did parking lot construction. Mr. Harris stated he is pleased with the progress that has been made.

#### Township Manager's Report

Mr. Smith highlighted the MS4 stating he and Mr. Harris have met with the Engineer and are approaching the first year of the permit period. They are preparing a plan on how they will continue to improve their program and be as compliant as they can be. They will need to GPS every catch basin within the MS4 area that will be difficult task. Mr. Harris stated they will need to expand some of their in house educational programs.

#### Building Permit Report

Mr. Kreider reported the number of permits issued in January 2013 was 10 compared to 20 in 2012, permits issued year to date in 2013 is 10 compared to 20 last year, dollar value permits issued in 2013 is \$766,077.00 and the dollar value of permits issued year to date is the same and the dollar value of permits issued year to date in 2012 was \$1,724,422.

Mr. Clark stated there was no further business and the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, March 4, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 P.M. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, Allen Kreider, John May and John Wenzel  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris and Chief Todd Graeff  
Visitors Present: Visitors were not recorded.

Minutes – Mr. May made a motion to approve the February 4, 2013 minutes as presented. Mr. Wenzel seconded the motion and the motion carried unanimously.

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

Financial Report – Mr. Kreider made a motion to accept the Financial Report as presented. Mr. Wenzel 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

There was no business from the floor.

### Old Business

Sign Regulation Ordinance Discussion – Mr. Clark advised that there were representatives from Sun Dance Car Wash who were present and would like to make a presentation. Ed Hollinger, owner of Sun Dance Car Wash and Laundry Mat located on Columbia Avenue, advised that he has installed a new sign at his business. Mr. Hollinger stated he has Harold Horst the individual who installed the sign and Ben Barr who is representing the manufacturer of the electronic message center with him this evening. Mr. Hollinger wanted to address the Supervisors' concern pertaining to the timing of when the message would be changing. Mr. Hollinger gave background information that provided him with the idea of redesigning the sign to be able to get messages out pertaining to his business. Mr. Hollinger pointed out that besides messages for his business the sign also provides opportunity for public service announcements, amber alerts, time and temperature as well as any other information that may need to be of interest to the public. Mr. Hollinger pointed out that his business is located in a commercial area. Mr. Hollinger stated his original intent was to change the message every five seconds with the intent of getting two messages to the person driving by. Benjamin Barr works for Watch Fire LED Signs who is a manufacturer out of Danville, Illinois with a Northeast Office located in New Hampshire talked about the changing sign technology and the changes that have been made in regulations to incorporate that technology. Mr. Barr handed out a memorandum from the Department of Transportation on studies completed on federal highways pertaining to message signs that change anywhere between a four and eight second interval indicating they are safe for the roadway. Mr. Barr talked about the regulations that have been put forth by the Federal and State level and studies provided by the Small Business Administration. Mr. Barr stated his client would like to have a sign that changes every five seconds. Mr. Kreider asked if Mr. Barr's company has installed any signs in Lancaster County. Mr. May stated he is distracted by the changing signs. Mr. Wenzel had questions on the changing of time, temperature and the message. Mr. Breneman asked if there was any idea of the number of different messages that would be used. Mr. Hollinger advised him that they are trying to handle the message sign tastefully but

also use it as a business tool. The Supervisors were in agreement that they would like to know if there are any signs in the area that they could look at before the next meeting. Mr. Kreider would like to take this request to the LIMC to have their opinions on message signs.

Ruth Rielly, 152 Kent Road, Lancaster, asked if there is any way in the ordinance that it can be put in that they would enable their signs to be hooked up to the amber alert system. Mr. Smith advised her that they will look at all options.

#### New Business

SALDO – Turkey Hill Dairy Revised Final Plan & Modification Requests Briefing Item – Mr. Smith advised them this is a briefing item with a general overview of the project. Todd Smeigh with D. C. Gohn Associates, Mt. Joy, along with Bill Gregory from Turkey Hill Dairy, who is the Facilities and Engineering Manager at the plant, presented the plan. Mr. Smeigh stated they have submitted numerous plans and information to the Township and the Township Engineer for review and consideration. They presented a briefing item to the Planning Commission in February and two days later attended a session at the Township with Staff and Township Engineer to review their comments. Mr. Smeigh advised they are well on their way to addressing the concerns of the Township Engineer. Mr. Smeigh stated this project has been considered by Turkey Hill for quite some time. This plan will combine three separate properties with the intention of constructing a new warehouse and maintenance facility on 32 acres. The site design shows a 79,000 square foot warehouse with an 11,000 square foot office area on the front. To the north is a 22,000 square foot truck maintenance facility for their fleet. All the activities proposed already occur on the plant site. Several objectives of this project are 1) to provide a much more efficient warehouse picking operation, 2) to eliminate the use of an offsite warehouse where they truck product to and from to deliver to customers, 3) to free up existing warehouse space in their existing plant, 4) to relocate and greatly improve fleet maintenance, and 5) to provide a better parking arrangement. The site as laid out allows for a future 21,500 square foot warehouse expansion and also allows for office expansion on the front of the warehouse. This facility will be served by the onsite water supply and treatment works. In the northeast corner of the site, there will be a new fire suppression system comprised of a water storage tank and pump house. The site is not easily developed due to the terrain. There will be a wall around the north and west sides of the site to accommodate the grade. There are 11 waivers they are seeking and Mr. Smeigh briefly reviewed the waivers. Mr. Kreider asked if any truck traffic would be added to Route 441 and the surrounding areas. Bill Gregory stated that the Direct Store Delivery is the piece they are building the warehouse for and essentially that business has a certain territory they deliver to and that is not growing like their corrugated business. The fact is they are in a 25 year old pick system and trying to expand that and add high speed lanes. There is no great growth involved in the DSD business so they are not expecting that truck traffic will increase at all. Much of the traffic that moves back and forth to their offsite warehouse, they believe, will be smaller because they will be bringing that corrugated business into their warehouse so they will not be running any shuttles across to Mountville as they do today. They will be moving product from their warehouse to the customer.

Mr. Smith advised the Board that the applicant is producing a letter requesting an extension of time that should be received by this Board. Mr. Smith stated they are requesting to table the action for the Planning Commission from March 11 to April 8 that would allow for the Supervisors action to be taken May 6<sup>th</sup>. Mr. Breneman made a motion to grant the Applicant the extension requested. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 8-2013 PennDot Agility Agreement – Mr. May made a motion to enter into the Agility Agreement with PennDot. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 9-2013 Supervisors Meetings – Mr. Clark advised the Board has agreed to change the meeting times from 7:30 p.m. to 7:00 p.m. Mr. Breneman made a motion to approve Resolution 9-2013. Mr. May seconded the motion and the motion carried unanimously.

Award Materials Bid – Mr. Smith advised them that the materials were properly advertised. Mr. Smith and Mr. Harris recommend the materials be awarded to the listed low bidders which are County Line for the stone products and York Building for the trail mix. Mr. May made a motion to award the bids to the low bidders. Mr. Kreider seconded the motion and the motion carried unanimously.

Sale of Equipment – Alamo Mower/New Holland Tractor – Mr. Smith advised the tractor was properly advertised. The bid opening was held this afternoon as advertised. There was one bidder, Edward Horning & Sons in the amount of \$19,100. Mr. Harris confirms that exceeds what they would have received in a trade in so they recommend they award the sale of the tractor. Mr. Clark made a motion to award the sale to Edward Horning & Sons for \$19,100. Mr. Wenzel seconded the motion and the motion carried unanimously.

Application for Agriculture Security Area for Robert Rohrer – Mr. Smith advised the petitioner is requesting that the parcels as listed be added to the Security Area. Mr. Smith recommends they accept the petition and agree to add it with the standard process. Mr. May made a motion to accept the petition and add the parcels to the Security Area. Mr. Breneman seconded the motion and the motion carried unanimously.

Mr. Strohecker advised them that there was a gentleman present who wanted to make a comment under Business from the Floor. Paul Rinehart, 115 Creekgate Court, stated last spring Mr. Murry made a request to extend a 20 year agreement concerning the sewer rates for Crossgates and he was asking the status on that request. Mr. Smith advised the contract expires at the end of this fall so the process is to have a report before the Supervisors this summer. Mr. Smith explained that there will be a public document that will be discussed at the Supervisor's meeting and suggested that Mr. Rinehart and other interested individuals view the agenda which will be clearly posted.

#### Correspondence

Training Requests - Lancaster County Association of Township Supervisors & Traffic Study Law Enforcement - Mr. Clark made a motion to approve both training requests. Mr. Wenzel seconded the motion and the motion carried unanimously.

#### Reports

Mr. Clark stated all the reports were before the Supervisors.

Traffic Commission - Mr. Harris indicated there were two action items at the Traffic Commission Meeting. The first item pertained to Parkfield Phase 3. The Board approved Officer Gardner's recommendation for the installation of speed limit signs, no parking signs and stop intersection as presented in the report to the Supervisors. The second action item was a stop intersection at the intersection of Rock Hill Road and S. Creek Road. South Creek Road is no longer a through street as the County Bridge has been closed for a number of years. A request was received about changing the stop intersection. A study was completed by Officer Gardner who recommended to the Traffic Commission that they remove the stop sign on the southbound lane of Rock Hill Road, put a curve warning sign and then South Creek Road will now have the stop intersection and that is the recommendation to the Board of Supervisors.

Chief Graeff stated that the County has been looking at new radio system for 15 plus years and as of August 2014 there should be a new radio system for the County. The Township budgeted funds this year for the new radios, mobiles, portables and the base stations. Chief Graeff advised that Relm Wireless is one of the six vendors that bid on the radio system and the Chiefs Association is

recommending Relm Wireless. Relm Wireless is offering a discount on top of the numbers shown if enough departments preorder. Chief Graeff advised he is asking for authorization to preorder the radios. The radios should be available by the end of the year at which time payment is due and there is a two year warranty that begins when the radios are actually installed. Mr. Clark asked for clarification of what would occur if the County decided not to use these radios. Chief Graeff advised them that they have it in writing that if the County does not contract with Relm Wireless there is no financial obligation. Mr. May asked if the materials used in the radios was considered when decisions were made. Mr. Kreider asked if the contract was available for review. Mr. Clark made a motion to allow Chief Graeff to preorder the radios as described in the March 1, 2013 letter and for Mr. Smith or Chief Graeff to sign the contract. Mr. Kreider seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, April 1, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes – Mr. Breneman made a motion to approve the March 4, 2013 minutes as presented. Mr. May seconded the motion and the motion carried unanimously.

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

Financial Report – Mr. May made a motion to accept the Financial Report as presented. Mr. Breneman 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

Jason Shadle, 580 E. Market Street, Apt. 3, Marietta, presented the Board with a petition to allow horses on the Rail Trail. Mr. Shadle read the petition statement listing reasons to allow horses on the trail, addressed the concerns with allowing horses on the trail, and talked about his experiences riding on other trails. Mr. May talked about the narrowness of the trail and Mr. Kreider asked who has the right of way between horses, bikers and hikers and questioned the yielding between dogs and horses.

Carolyn Oakwood, 101 Meadow Croft Drive, Lancaster, advised the Supervisors that when her dog is on a leash it is obedient. She asked Mr. Kreider if the dogs he had problems with were on a leash or running loose.

Jenny Gible, 30 Schoolhouse Road, Lancaster, stated she fox hunts noting that there are general international rules. She has never been in a hunt where if a horse kicked at a dog it was ever allowed in the field again. Ms. Gible talked about riding in the Grand Canyon.

Heidi Douts, 82 Charlestown Road, Washington Boro, stated concerning safety, you will find more incidents regarding dogs as opposed to horses. Ms. Douts asked if there could be some kind of concession through the narrow areas of the trail. Ms. Douts stated she is a hiker, biker and horse rider and has never had an issue with any of her horses.

Debra Kalbach, 3651 Clear Stream Drive, Mountville, stated she rides her horse at Safe Harbor as well as County Parks and has never had any trouble with dogs or people. Mr. Kreider asked how they plan on controlling the horse droppings. Ms. Kalbach stated her group takes buckets and forks along and cleans up after the horses. Mr. Clark pointed out that safety is not the only concern it is also the fact the trail was not designed for horses and in talking with Mr. Harris they are dealing with problems of fixing the trail with just the deer kicking up the surface.

Ruth Rielly, 152 Kent Road, Lancaster, stated she is a horse owner and would like to see her horses ridden by her family on the trail. Ms. Rielly asked what the width of the pinch points were and if the area is handicap accessible. Mr. Smith assured Mrs. Rielly that the trail will be handicap accessible.

Sherrie Seachrist, 311 Hilldale Road, Holtwood, asked the Board if any of them are horseback riders. Ms. Seachrist advised them that concerning the maintenance of the trail, there is a possibility that the horse community that has riding clubs could adopt a section of the trail and help to maintain it. Ms.

Seachrist advised that most of trails they ride in the woods are narrow and they are accustomed to narrow trails. Ms. Seachrist stated she has not had any confrontations with hikers or bikers as there is a level of respect between users of the trails. Ms. Seachrist stated that she is concerned with the availability of areas that they can ride.

Mary Glazier, 269 Chestnut Grove Road, Conestoga, stated she is an adjacent land owner to the Rail Trail. Ms. Glazier stated around 1987 Norfolk Southern announced they were abandoning the rail line and she supported and worked with others to advocate recreational use for the trail. Ms. Glazier stated she served on the Manor Township Rail Trail Steering Committee. Ms. Glazier referred to the minutes from the Steering Committee reading that it appeared to be unanimous consent that the trail should include equestrian use and there was never a time the Steering Committee departed from their opinion to include equestrian use. Ms. Glazier stated in 2011, at the behest of then Supervisor Mr. Bauder, the Supervisors made a decision to exclude equestrian use from the trail on the grounds it would be too expensive to have a parallel trail. At a subsequent Supervisor meeting, that decision was rescinded. Ms. Glazier referred to an e-mail from Mr. May that stated the Steering Committee will have a key role in this review of equestrian use on the trail and be invited to make recommendations to the Supervisors. The Steering Committee will not be excluded from future discussions. Ms. Glazier pointed out that at no time have they been asked to weigh in on the equestrian use on the trail as the Steering Committee. The decision made last fall was independent of the Steering Committee. Ms. Glazier stated she and Pat Hill met with Mr. May and it was her understanding at that time they agreed it would be wise to have a trail use of horses on a portion of the trail to see if there would be a problem. Ms. Glazier proposed the southern portion of the trail would be a good area that will probably be less heavily used by families with small children and it is accessible from Observation Road as well as other points of access. No one wants to see the trail ruined. Ms. Glazier asked on behalf of everyone interested in using the trail to work toward an exploratory use of the trail. Ms. Glazier stated if the trail surface is not going to hold up to equestrian use why was it chosen. Ms. Glazier would like the interested parties which included the Steering Committee, Staff, Supervisors and individuals who were present to get together publically and look at the reality instead of speculation. Mr. May stated he would like to see horses on the trail and he met with Ms. Hill and Ms. Glazier talking about it. Mr. May would have liked to see a trial area. The Supervisors at all times knew what the advice of the Steering Committee was in that they wanted to have horses on the trail. Mr. May stated he is certain that the Waste Authority in the land they are rehabilitating is going to be open to horses with trails. Mr. Wenzel thinks the Rail Trail is fantastic and will provide enjoyment for many people. Mr. Wenzel also appreciates the quality of the equestrians present who are obviously a very consciousness group and the presentations were appropriate in every respect. Mr. Wenzel stated from his point of view when looking at the trail with multiple people using the trail he sees multiple difficulties such as the pinch points, question of manure, safety issues, and trail surface. Looking at all these difficulties that stem back to the equestrian point of view it gives him pause. Mr. Wenzel appreciates what Ms. Glazier is saying but at the same time must look at this expensive piece of property for years to come and where it will provide the best and most use for the community. Ms. Glazier stated if this surface will not hold up for equestrian use than she is sorry the Township made the decision to go that route because there was an alternative that would have been far cheaper and allowed for all uses and much less maintenance. Ms. Glazier noted the selling point of having equestrian use on the Chestnut Grove Natural area is it would be connectivity hopefully in the future to the Rail Trail. People funding these types of projects like to see connectivity and see trails go somewhere.

Pat Hill, 3106 River Road, Conestoga, stated she has been working to encourage this trail since 1987 with the hopes it would include equestrian use. Ms. Hill stated she has rode on rail trails all over the country that are all multi use trails with narrow points and has never encountered any type of problems. Ms. Hill stated if the surface of the trail will be torn up by horses then bicycles will do more damage than

the horses. Ms. Hill would like to have more clarity as to why the Supervisors are objecting to horses on the trail.

Heidi Douts stated that she is concerned with the bigger picture. If this would become a greenway someday, the Township decisions now are going to create a gap. Ms. Douts pointed out that the petition had 250 signatures and that is a lot of citizens in Lancaster County.

Pat Hill, 3106 River Road, lives across from the Creswell Park and has concerns with the installation of a dusk to dawn light in the pavilion. Ms. Hill presented a letter to the Supervisors stating she does not like light at night and had moved to the country to get away from the light. Ms. Hill is concerned for the health of her horses with respect to a disease called Potomac Horse Fever that is spread by May Flies that are highly attracted by lights on at night. Ms. Hill explained the fever and how it is spread. Ms. Hill was upset that they were not asked if the installation of the light would affect them.

Heidi Douts stated she lost a horse to Potomac and advised that the information Ms. Hill gave was accurate concerning the fever.

Scott Haverstick, 1970 Water Street, Washington Boro, referred to articles in the Lancaster Newspapers involving condemnation and historic structures. It is Mr. Haverstick's understanding that Manor Township has no procedure to deal with an individual wishing to demolish a structure other than they apply for a demolition permit. Mr. Haverstick stated there are two representations of early Lancaster County Architecture that is nearby and could be demolished. Mr. Haverstick stated the SALDO affords the opportunity to require the applicant to do a historic study. Mr. Haverstick believes this needs to be addressed before something significant is lost. The Pennsylvania MPC requires that the Supervisors are stewards of the natural historic environment. Mr. Smith stated the Demolition Permit is related more to the solid waste management end of things to ensure that if something is demolished it is properly disposed of. Mr. Haverstick asked that the Supervisors at least consider a discussion.

#### New Business

Resolution 2-2013 Appointment of Certified Public Accountant - Mr. May made a motion to adopt Resolution 2-2013. Mr. Wenzel seconded the motion and the motion carried unanimously.

Resolution 10-2013 Escalator Clause – Mr. Clark stated this provides for a price adjustment on the bituminous materials as published in PennDot Specifications Published 408 Section 110.04. Mr. Kreider made a motion to approve Resolution 10-2013. Mr. Breneman seconded the motion and the motion carried unanimously.

Award Materials Bid – Mr. Smith advised there was proper advertisement and they held a public bid opening for the projects and materials. The following vendors submitted bids: Highway Materials, Pennsy Supply, B. R. Kreider, Handwerk, Stewart & Tate, Martin Paving, Hammaker East, Asphalt Maintenance, Midland Asphalt, NY Bituminous and Independence Construction. Mr. Smith recommended awarding bids to the following vendors: In Place Paving the vendor would be Highway Materials 1706 tons of Superpave 9.5mm with Unit Price \$65.45 total \$111,657.00, 655 tons Superpave 19mm with Unit Price \$61.20 total \$40,086.00, 5553 sq.yds. 140 NC Paving Fabric Unit Price \$2.26 total \$12,549.78, 3200 sq.yds. Milling with Unit Price \$2.10 at \$6,720.00 with total \$171,013.48. Seal Coat vendor recommended is Martin Paving that would be for what is being done to the roads and the quantities is 70,976 of CRS-2PM@.35 gal per sq yd of unit price is \$.994 total \$70,550.14. There is a separate bid for the parking lots and alleys to Martin paving quantity 5,727 of CRS-2PM@.35 gal per sq yd of Unit Price \$1.475 totaling \$8,447.32. Mr. Breneman asked if this includes the placement of stone on top. Micro Surfacing vendor recommended is Stewart & Tate quantity of 22,682 of Double Application Type A Unit Price \$2.31 with total \$52,395.42. Paving Materials called Superpave has three separate awards. 200 tons Superpave 9.5 mm unit price FOB \$52.60 and Unit Price deliver \$58.10 would go to Pennsy Supply, 200 tons Superpave 19 mm would go to Highway Material for unit price FOB \$47.85 unit price deliver 52.40 and 2130 tons Superpave 25 mm at a cost of unit price FOB \$41.65 unit

price deliver 46.20 to Highway Materials. Unit price delivered is included but typically it is not used. The award is based off FOB unit price which is where the Township picks up at the plant. Mr. Smith stated they had low bid from Independence Construction with their closest plant in Coatesville which is approximately 54 miles. Mr. Smith recommends they do not accept Independence Construction as a responsible bid because of the cost the Township would encounter in transportation. Mr. Breneman asked the location the materials would be picked up for Highway Materials which would either be Wrightsville or Lititz. Pennsy Supply pickup would be Harrisburg Pike. Mr. Breneman made a motion to accept the bids Mr. Smith has highlighted for the materials he mentioned. Mr. May seconded the motion and the motion carried unanimously.

Isolation Distance Waiver for Lancaster County Solid Waste Management Authority – Mr. Breneman questioned if there is any thought of the Millers providing testing for their well due to the proximity of the well and septic system. Mr. May pointed out that these are repairs and not a new system. Mr. Kreider asked if there is a point where testing the wells becomes important enough to have that requirement. Mr. Smith advised he does not know if there is a standard but would be a reasonable decision if they chose to require an annual well test. Mr. Wenzel asked why have an annual well test for these individuals if it is not required of anyone else. Mr. Wenzel made a motion to grant the Isolation Distance Waiver. Mr. Breneman seconded the motion and the motion carried unanimously.

Ratify Public Works Hiring Rory Heslin - Mr. Clark made a motion to ratify the hiring of Rory Heslin. Mr. May seconded the motion and the motion carried unanimously.

Approve Letter of Credit and Improvement Guarantee Agreement for Lancaster Home Builders – Mr. Smith advised the documents have been reviewed and recommend approval. Mr. Kreider made a motion to accept the Letter of Credit and Improvement Guarantee Agreement as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Approve Steve DeGeorge Storm Water Management Agreement and Declaration of Easement – Mr. Smith advised this is a standard Agreement and Declaration that has been reviewed. Mr. Smith recommends the Supervisors enter into the Agreement. Mr. Wenzel made a motion to approve the Storm Water Agreement and Declaration of Easement as presented. Mr. May seconded the motion and the motion carried unanimously.

Resolution 11-2013 Accepting Dedication of Additional Right-of-Way for Ironstone Ridge Road – Mr. Smith advised this is an additional item that was received today prepared by the Township Solicitor and Mr. Smith sees no reason not to act upon it. Mr. Smith advised this has been reviewed and he recommends the additional right-of-way for Ironstone Ridge Road be accepted. Mr. Kreider made a motion to accept Resolution 11-2013 as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

#### Correspondence

Mr. Clark stated there are two training requests. Mr. May made a motion to approve the training requests for Staff. Mr. Wenzel seconded the motion and the motion carried unanimously. Mr. May verified that Mr. Smith and Mr. Strohecker would be attending the sessions. Mr. Smith advised that Mr. Strohecker would be the only one attending the Government Finance Officers Association of Pennsylvania Conference.

#### Reports

Mr. Clark advised that the Traffic Commission Report, Police Report, Public Works Director Report, Township Managers Report and Building Permit Report were before the Supervisors.

Mr. Harris reported that Traffic Commission has approved placement of “No Parking Between Signs” on Rockfish Street. There was no further discussion on the reports. Mr. Breneman made a motion to approve all reports as submitted. Mr. May seconded the motion and the motion carried unanimously.

Mr. Haverstick asked if the Planning Commission was in agreement could they begin their meetings at 7:00 p.m. The Supervisors felt it would be good to have the meetings uniform.

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

Respectfully submitted

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, May 6, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

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

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

Solicitor's Report – Mr. Smith advised he received paperwork from Special Counsel Matt Crème pertaining to the unopened alley in Washington Boro. Mr. Eck had asked the Township to close the alley. After research, Counsel has determined that the Ecks can claim ownership of one-half of the unopened alley. Before the Board is a proposed settlement between the Ecks and Manor Township in which the Township would be committing to taking a small portion of North Street off the Township Official Map. Mr. Smith noted that this does not take away any deed rights or private agreements that are in place for any of the residents. Mr. Breneman made a motion to remove a small portion of North Street in Washington Boro from the Township Official Map. Mr. Breneman amended his motion to accept this Order from the Court of Common Pleas. Mr. May seconded the motion and the motion carried unanimously.

Mr. Smith stated that pertaining to the sign issue that came before the Board from Mr. Hollinger, Counsel Crème provided a document referring to a Zoning Hearing Board decision regarding a sign matter. Based on this order, Counsel Crème suggested that if the Board wished to proceed to develop an ordinance that allows for the sequential to be only one time an hour that they are on solid ground to do that. Mr. Kreider stated he had asked if this would be considered a billboard or a sign and whether it would be used for advertisement by companies other than the car wash. Mr. Smith advised him that this is a sign and he did not believe the Sign Ordinance would allow the sign to be used by other businesses. Mr. Smith advised them that as they prepare an amendment to the ordinance they can make it very clear who could use the sign. Mr. Clark asked if Mr. Hollinger had provided any examples of similar signs in the area and Mr. Smith advised he had not received any information. There was a consensus by the Board that the sign changes are allowed every hour. Mr. Wenzel made a motion to have the amendment drafted. Mr. Breneman seconded the motion. Mr. Kreider stated the applicant mentioned generating revenue from the sign which gives him pause. Mr. Kreider questioned what Mr. Hollinger meant by that statement. Mr. Smith stated it was his understanding that Mr. Hollinger's belief was that this type of sign would generate more business and that was the revenue Mr. Hollinger was seeking. Mr. Kreider advised them that the LIMC felt one time an hour is a long time to keep one message on the sign. Mr. Clark called for the vote and the motion carried unanimously.

### Business from the Floor

Heidi Douts, 82 Charlestown Road, asked if any solution has been reached regarding horses on the rail trail. Mr. May stated the decision has been made that the rail trail will not be available for horses for the foreseeable future. Ms. Douts had questions on the service road, additional revenue remaining in the budget for the rail trail and talked about the petition which had over 300 signatures asking for

horses to be allowed on the trail. Mr. Clark stated the Supervisors remain firm in their decision that they will not allow horses at the present time for reasons discussed in prior meetings. Mr. Clark stated at this time the Board is not willing to reconsider a decision that has already been made. Ms. Douts asked how many times the decision has been changed pertaining to allowing horses on the trail and she was advised the decision was never changed. Mr. May noted that LCSWMA is rehabbing 200 acres which horses will be able to use.

Pat Hill, 2106 River Road, stated she believed there was a reversed decision regarding horses on the rail trail. Ms. Hill advised them that she had 67 more signatures on a form gathered since April 28<sup>th</sup>. Ms. Hill expressed concern with the Board's resistance to even experiment on a small section of the trail to see whether or not horses would ruin the surface. Ms. Hill also questioned why the Penn State Aggregate was purchased. Ms. Hill stated the trail is remote and there is a safety issue with injuries on the trail. If you had equestrians periodically riding there would be additional safety as they could get help quicker than someone walking or biking. Ms. Hill gave cost calculations to place stone dust along the trail to ride horses.

Kimberly Keefer, 29 Plymouth Avenue, stated she is a local horse owner, avid hiker and has used many multipurpose trails with no issues. Ms. Keefer stated there are rules of etiquette and speed limit for horses.

Ginny Gible, 30 Schoolhouse Road, asked if the National Rail Trail Organization has been consulted in any way in preparing this rail trail. Mr. May stated he has tried to communicate with them but has not received any response.

Pat Hill stated she submitted a letter last month regarding the proposed light in the pavilion across from her house and has not heard anything. Mr. Smith advised her that they are looking at the possibility of a motion sensor.

#### Old Business

Mr. Clark wanted to publically thank the Public Works Department, Management and all the people instrumental in putting the Turkey Hill Classic together this weekend. Mr. Clark stated there was a great turn out with record numbers. Mr. Smith advised the Board that the work Ryan Strohecker, the Assistant Manager, does is insurmountable. The success is greatly attributed to what he puts into this event and there is positive feedback from the participants and community.

Mr. May stated some of the members of the Planning Commission are concerned about the way the Township catalogues, indexes and deals with possible historic structures. There is nothing to prevent someone from getting a demolition permit and tearing down a historic structure. Mr. May stated although they should not be obstructing people wanting to do things with their property, there are properties that should be given pause to think about. Mr. May talked about what is occurring in other townships and the number of historic structures indexed in Manor Township. Mr. May stated there was discussion at previous meetings and he would like to see the Supervisors follow up. Mr. Smith stated the Planning Commission is currently discussing historic structures and suggested they wait until they see what is presented to them from the Planning Commission. Mr. Clark stated they have empowered the Planning Commission to make recommendations; therefore, he feels they should let them look at this and await their recommendation. Mr. Clark asked Mr. Kreider to get input from the LIMC at their next meeting.

#### New Business

SALDO-Turkey Hill Dairy – Todd Smeigh stated that they gave a presentation in March and since that time they have addressed concerns issued by the first review letter from the engineer. Mr. Smeigh highlighted notes in the review letter stating the agreement between PP&L and Turkey Hill pertaining to right- of- way has been executed and they are awaiting a copy of the document. They have an access easement agreement with the LCSWMA for their review and ratification. Mr. May asked if screening had been discussed at the Planning Commission meeting. Mr. Smeigh stated they had discussed the screening and they advised the Planning Commission they would not be able to screen the structures.

Mr. Smeigh stated they tried to soften the structures understanding the impact. Mr. Breneman made a motion for conditional approval based on meeting the conditions as stipulated in the April 9 Manor Township Planning Commission letter and the April 8<sup>th</sup> Rettew Engineering review letter and approving the waivers as contained. Mr. Wenzel seconded the motion and the motion carried unanimously.

Frey Farm Separation - Mark Stanley partner with Hartman, Underhill, Brubaker, represented the Separation Subdivision Plan. Brooks Norris from the LCSWMA and Kevin Sapp from Diehm & Sons were also present. Attorney Stanley stated before them was a subdivision plan to formally subdivide the ground north of River Road and south of River Road owned by Frey Dairy Farm. Attorney Stanley advised them that this is ground currently titled in the name of Frey Dairy Farm consisting of 196 acres with approximately 62.95 acres to the south of River Road. The request before the Township is simply subdivide 133 acres which will be retained by Frey Dairy Farm. This tract is subject to an agricultural conservation easement. The Ag Preserve Board has no objections to the plan and at their request added a plan note to the plan that simply indicates it is subject to the agricultural conservation easement. The Planning Commission has recommended approval to move this from a briefing item to an action item. There is a second request dealing with plan scale and they are in receipt of Rettew's most recent letter dated May 2, 2013. Attorney Stanley asked that the Supervisors take action to approve the two waivers that are moving the plan from a briefing to an action item and the plan scale as well as conditionally approve the plan subject to Rettew's May 2, 2013 review letter. Mr. May made a motion to move this plan to an action item. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Kreider made a motion for conditional approval based on the Manor Township Planning Commission review and recommendation as well as the May 2, 2013 Rettew review letter. Mr. Wenzel seconded the motion and the motion carried unanimously.

Turkey Hill waiver Request, Temporary Parking Pad Surface – Mr. Smith noted that the Supervisors have a letter from the ARM Group indicating Turkey Hill Dairy needs to provide temporary parking due to the proposed construction. The Ordinance requires parking facilities to have a blacktop surface and the Applicant is requesting a waiver because this parking will be temporary. Mr. Breneman made a motion to allow the waiver request. Mr. May seconded the motion and the motion carried unanimously. Mr. Kreider asked if there is a time frame and Mr. Smith stated it will be for the duration of the construction.

Penn Manor Hambright Improvement Guarantee Agreement and Letter of Credit – Mr. Smith stipulated that all the following agreements have been reviewed by staff and are satisfactory. Mr. May made a motion to approve the Improvement Guarantee Agreement and Letter of Credit. Mr. Kreider seconded the motion and the motion carried unanimously.

Alexih County Holdings Improvement Guarantee Agreement and Letter of Credit – Mr. Wenzel made a motion to approve the Improvement Guarantee Agreement and Letter of Credit. Mr. Breneman seconded the motion and the motion carried unanimously.

Storm Water Management Agreement and Declaration of Easement –Alexih County Holdings– Mr. Breneman made a motion to approve the Storm Water Management Agreement and Declaration of Easement. Mr. Kreider seconded the motion and the motion carried unanimously.

Faith Bible Fellowship Storm Water Management and Declaration of Easement – Mr. Wenzel made a motion to approve the Storm Water Management and Declaration of Easement. Mr. May seconded the motion and the motion carried unanimously.

Act 14 Notification Turkey Hill Dairy – Mr. Clark noted this is a standard notice and requires no action. Mr. Smith stated this notification is submitted for erosion, sedimentation and dust control.

Act 67, 68, 127 Notice for Lancaster Self Storage General NPDES Permit – Mr. Clark noted this is for information purposes only and no action is required.

Members 1<sup>st</sup> request to release the Letter of Credit – Mr. Clark noted this has been reviewed by Staff and it has been recommended the Letter of Credit be released. Mr. Kreider made a motion to release the Letter of Credit. Mr. Wenzel seconded the motion and the motion carried unanimously.

Richard Bauder resignation letter from LCSWMA Citizens Advisory Board – Mr. Clark stated this is a formal resignation from Mr. Bauder. No action is required.

#### Correspondence

Police Department Training Requests – Mr. May made a motion to approve the training requested submitted by the Police Department. Mr. Kreider seconded the motion and the motion carried unanimously.

#### Reports

There was no Traffic Commission meeting. There were no questions or discussion on the reports. Mr. Breneman made a motion to approve the reports as submitted. Mr. May seconded the motion and the motion carried unanimously.

There was no further business and the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, June 3, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, John May and John Wenzel  
Member Absent: Allen Kreider  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer  
Visitors Present: Attached

Minutes – Mr. May made a motion to approve the May 6, 2013 minutes as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

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

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

Solicitor's Report – Mr. Smith advised that notice was received from Special Counsel Matt Crème regarding the Official Map which will be later on the agenda for action.

### Business from the Floor

Pat Hill, 3106 River Road, Conestoga, thanked the Township for installing the time light in the pavilion across from her house. Ms. Hill stated in looking at the Rail Trail history she found an article from a Railroad Magazine about the history of the Atglen Susquehanna Rail Line that she provided to the Board. Ms. Hill talked about her involvement with the Rail Trail, organizations she was involved in and provided the Board with articles from the newspapers that she had referenced.

Kristen Harnish, 129 Park Avenue, Ephrata, stated she boards horses in Manor Township. Ms. Harnish read an e-mail she had sent to the Board stating she did not receive a return e-mail. Ms. Harnish referred to an e-mail that was received by her parents commenting on statements in that e-mail. Ms. Harnish indicated the Supervisors were discriminating against horse owners indicating they are part of the tax base. Mr. May asked if banning ATV would also be discriminatory and Ms. Harnish said they were never included in the plan.

Joe Wilcox, 428 Knollwood Road, stated he has lived in the development for approximately ten years indicating he wanted to address the rental properties that are across the street from his residence. There are issues with loud parties, the number of occupants in the residence, the issue with parking due to the number of occupants, and trespassing through private property.

Sherri Seachrist, 311 Hilldale Road, Holtwood, expressed her concern regarding the decision not to allow horses on the Rail Trail. Ms. Seachrist listed trails that allow horses indicating there are no problems created by horses using the trails. Mr. Clark noted that there are a number of people present stating to set the record straight, at the last meeting the Board of Supervisors stated they have made the decision not to allow horses and at this point in time the Board is not willing to reconsider that decision.

James Mathis, 3284 Verdant Grove, Lancaster, stated he is looking for a place in a good community and is concerned over the horse issue as both he and his fiancée own horses. Mr. Mathis asked if the Board is aware of the commerce that may be lost by excluding horses from the Rail Trail. Mr. Clark advised the people that this is public comment time and not discussion. Mr. Clark reiterated that the

Supervisors have made a decision and that decision was based on what is good for the Township as a whole. Mr. Mathis asked why the Board made the decision they made. Mr. Breneman advised Mr. Mathis to read the minutes from previous meetings and those minutes are posted on the Township web site.

Kathy Bowman, 244 W. Front Street, Marietta, provided pictures of horses on trails along with hikers and bikers. Ms. Bowman talked about lack of areas to ride horses and questioned where the youth are able to ride horses.

Heidi Douts, 82 Charlestown Road, Washington Boro, talked about the advocacy ride pointing out over 50 riders showed up over a holiday weekend to show their support for having horses on the Manor Township Rail Trail. Ms. Douts stated these people will be participants and there is a whole community that wants to see fair and equal access. They are happy to help with the safety of the trail. Ms. Douts stated she had e-mailed Mr. Clark asking for a possible meeting to look at trail conditions and reach a resolution. She stated Mr. Clark replied that this must be discussed at a public meeting which is what they are trying to do. Ms. Douts asked when and where they can discuss use of the trail. Mr. Clark stated they are welcome to contact Mr. Smith, the Township Manager, who will be happy to talk to them.

Jennifer Villelia, 761 Rosemont Drive, Lititz, asked if they can meet as a group or must they meet individually. Mr. Smith stated he will meet individually.

Debra Kalbach, 3651 Clear Stream Drive, Mountville, stated she is moving to Manor Township and read excerpts from an article that was in the Lancaster Intell dated July 17, 2012 that was about the Rail Trail, the uses and asked why the money given was not used for the second trail for horses. Ms. Kalbach asked when was the plan was turned around without public approval and support. Mr. May stated the article is accurate and horses were considered.

Mary Glazier, 269 Chestnut Grove Road, Conestoga, stated she was on the Steering Committee who was not involved with the decision to exclude horses from the trail. She stated it is her understanding from communication from Mr. Kreider and Mr. May that the decision was made on September 12 on the trail not in a public meeting and not in conjunction with the Steering Committee. Mr. May stated they all looked at it and were leaning after looking at it to not permit horses but a decision was not made except at a public meeting. Ms. Glazier stated she cannot find that decision in the minutes. Ms. Glazier talked about the trail mix that was used on the trail, their offer to allow public access to the trail through her property and stated the path that goes to the trail through her property has been fenced off. She feels they are discouraging community ownership and participation in the development of this trail. Ms. Glazier stated as long as people have lived at her property, people have walked down to the trail and asked that the fence be modified so that access from the trail back to Frys Run is permitted. Ms. Glazier invited the Board to think of a way that would be comfortable for them to sit down with a group of people and talk about the pros and cons and how they can take a portion of the trail and experiment with it and include people who want to help.

Dave Davis, 76 Cartledge Lane, expressed concern with the properties that are rented to students in his area. Mr. Davis stated there are numerous students in one residence and would like to see something done about the problem. There is parking problems, loud noise, and students walking across private properties. Mr. Davis stated usually they get a break in the summer but there are more and more students who do not leave for the summer.

Kelly Davis, 76 Cartledge Lane, stated there is problems with trash, liter and walking their dog has become difficult because there is so much trash for them to get into as well as broken glass covering the ground. Ms. Davis said there are only a few of the people remaining who are owners and they are surrounded by renters. Ms. Davis stated people are selling and moving away stating they would also sell and move if given the choice. Mr. Breneman had questions on who owns the rental properties.

Mary Glazier stated Millersville Boro and Lancaster City have ordinances and one of the reasons students have moved to Cartledge Lane is the enforcement in Millersville Boro has driven them out. Ms. Glazier advised that the University will sanction students if they are causing problems. Ms. Glazier was advised the ordinances are on the agenda to be looked at.

Joe Wilcox, 428 Knollwood Road, stated the owners of the rental properties have posted signs stating "Resident Parking Only" and there are tow signs up in the area between Cartledge and Letort Road that is dedicated to the street.

Deb McLain, 380 Ironstone Ridge Road, stated she was told this is not a discussion. Mr. Clark stated a question was asked indicating public comment does not necessarily mean the Board will hold a discussion on the topic.

#### New Business

SALDO – Lancaster Self Storage – Mr. Smith advised this is a Briefing Item. The Planning Commission had it as a Briefing Item and moved it to an Action Item. The Board has a letter from the Planning Commission as well as a review letter from Rettew dated May 30<sup>th</sup>. Bob Illo stated he is the architect and engineer helping Mr. Price with the Land Development Plan. Mr. Illo referred to Sheet 2 of 7 of the Land Development Plan that has been approved by the Manor Township Planning Commission and reviewed by LCPC as well. Lancaster County Conservation District has reviewed the plans and an MPDS permit number has been assigned to but they have not received the comments to date. All of the comments in the Rettew's review letters have been addressed. All but seven comments are satisfied and they are working with Rettew to satisfy the remaining seven comments. Mr. Illo asked this be moved to an Action Item. Mr. Illo stated one of the seven comments has to do with park land that will be addressed separately. Mr. May made a motion to move this to an action item according to the May 30<sup>th</sup> letter. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Smith advised this is before the Board for their consideration as a conditional approval. Mr. Smith's recommendation was that conditional approval is based on the Planning Commission recommendation and the May 30<sup>th</sup> Rettew letter to agree to modifications and conditions as listed. Mr. Breneman made a motion on Mr. Smith's recommendation. Mr. Wenzel seconded the motion and the motion carried unanimously.

Consideration of Public Dedication of Park & Recreation Land Ordinances – Mr. Smith advised that Mr. Price has provided the necessary documentation. Gary Price, 2468 Creekview Drive, Lancaster, part owner of Lancaster Self Storage along with Julie Miller, Attorney with Russell, Krafft & Gruber was present. Mr. Price stated they are concerned with the Board not meeting any of their objectives in Section 511. They are prepared to present arguments that they should not be required to have a park or apply a fee to their business. Julie Miller stated that they did conditionally approve the plan, so she was inquiring as to the need for them to go into any sort of presentation regarding the park and the necessity for it. It is a small developed area in an industrial zone. Mr. Smith stated the condition is to work an agreement with the Township for a fee in lieu. Mr. Smith advised her that any exemption would be at the direction of the Board. Moving forward to negotiate an appropriate fee, Mr. Price has already provided that information. Mr. Price stated that he believes they do not meet any of the objectives for these types of parks. Mr. Price stated they are asking the Board to waive Section 511 that includes waiving of the fee in lieu of. Mr. Smith stated their goal is to provide adequate park, recreation and open space. When that is not possible with projects, the practice has been to get fee in lieu of that is placed in a special fund. The funds would be used exclusively for parks in other areas of the Township. Ms. Miller talked about the tract indicating there is not an appropriate place for a park. Mr. May stated they recognize there may not be adequate land at times and that is why there is the fee in lieu of. There was discussion on the fee in lieu of and if the fee was ever waived. Mr. May made a

motion they do not waive the requirement and will require the fee in lieu as proposed in May 27, 2013 Rettew letter. Mr. Breneman seconded the motion and the motion carried unanimously.

Practice Rural Protection & Historic Structures – Mr. Clark advised that they received a request from the Planning Commission to have a joint meeting to discuss the idea of Rural Designation. There is also a copy of the minutes from the last meeting. Mr. May stated that Pat Kadel spoke to the reasons for this and the models that they have. Mr. May feels the Planning Commission's request is worth the Board's consideration. Mr. May stated this is to keep order to the features of the Township and the rural aspects of it. It is not necessarily to deny development or permit people who own their property to do with it what they want but it is awareness of what is going on. Mr. Breneman stated if this does nothing than why do it. Mr. Breneman does not want to see another level of government on the residents. If they own a specific property now are you telling them they cannot do something with it? Mr. Breneman referred to a farmer wanting to push fence rows back or take a plot of woods and farm it making the individual go to considerable expense to do this. Mr. Wenzel stated the same arguments were presented at the May 13 Planning Commission meeting according to the minutes. The Planning Commission was split on what to do and how to do it. Mr. Wenzel stated it is another level of bureaucracy and that is something they must look at. Mr. May is not averse to hearing a presentation. Mr. Breneman stated he is not against having an informational type of situation but he is not prone to discussing the pros and cons without the Planning Commission looking at it in more detail. Mr. Clark feels if they agree they want the Planning Commission to research and come back to them with a formal report he is okay with that. Mr. Breneman stated if there is going to be a presentation to the Planning Commission he is not above going to the meeting and listening but not participating.

Scott Haverstick, 1970 Water Street, stated the Planning Commission has already discussed these items and they are asking the Board to look at it as they are not a decision body. Mr. Haverstick stated the Rural Designated areas is not another layer of government and not an imposition on anyone it is basically saying Manor Township values its rural areas to the same extent it values the Urban Growth Area. They are saying there is this rural area that is of value to the citizens of the Township and they need to recognize they have this area. It is not saying something cannot be done; it is just recognition that they value the importance of the rural area and rural heritage. It has nothing to do with zoning and it would not necessarily be exactly compatible with those areas zoned agriculture or rural. The Planning Commission would like the Board to look at a presentation. Mr. Wenzel noted that the request from the Planning Commission is for a joint meeting it is not a recommendation. Mr. Wenzel stated if a presentation is available they should listen to them but it remains it should be a Planning Commission recommendation either to proceed or not to proceed. Mr. Clark stated based on the discussion he feels it would be best to have the County make a presentation at the Planning Commission meeting and have the Planning Commission report back to the Board. Mr. Clark stated if the Board wants to attend they can attend. Mr. Breneman would rather see the Planning Commission hear the presentation and form an opinion with the Board being there but not participating. Mr. Breneman would like the Planning Commission to make a recommendation to the Board of Supervisors. Mr. Haverstick stated the Planning Commission wants the Board to do this and the Board is saying they do not want to interfere with the Planning Commission. Mr. Smith felt a result of that meeting would have been a letter from the Planning Commission recommending that the Supervisors pursue a Rural Designation Area. In talking about historic structures, Mr. Breneman stated he worries about someone who has a property that may have something now designated as a historic building and therefore they cannot do anything. If designated as a historic building and sold with the person buying it knows that, he does not have a problem with that. Mr. Haverstick referred to demolition stating someone can tear down a building. Mr. Haverstick stated if this protection is in the SALDO why not afford that protection on all basis. You are not taking away any property rights. Mr. Wenzel stated the Board has two different items that they are not prepared to discuss. Mr. Wenzel feels the Planning Commission needs to give them a

recommendation other than having a joint meeting and they will look at it. Mr. May made a motion to direct the Planning Commission to set up an informational session for the presenters to come to the Planning Commission and notify the Board the dates of the presentation so they have the opportunity to attend and at least listen. Mr. Wenzel seconded the motion and the motion carried unanimously. Mr. Breneman verified that this motion was for both issues.

Draft Sign Ordinance Amendment – Mr. Clark stated Management is looking for comments and direction to advertise and forward to our Planning Commission. Mr. Wenzel made a motion for Management to advertise and forward to the Planning Commission. Mr. Breneman seconded the motion and the motion carried unanimously.

Draft Township Official Map Amendment – Mr. Smith stated previously it was indicated they would be prepared based on a Court Order to go through the process of officially amending the Township Official Map. Today a Court Order was received and Mr. Smith asked the Supervisors for direction to forward the amendment to the Official Map to the Township Planning Commission, LCPC and go through the proper advertising process. Mr. May made a motion to forward the amendment to the Manor Township Planning Commission, LCPC and go through property advertising process. Mr. Breneman seconded the motion and the motion carried unanimously.

Draft Emergency Wireless Communication Ordinance – The Ordinance was provided by Chief Graeff based on recommendation of Lancaster County. Chief Graeff advised that the Lancaster County Communications and the City have worked on this for a number of years. The goal is to have every municipality in the county to enact this ordinance for the future of the communications. Chief Graeff described the purpose of the ordinance stating if there is something erected in the middle of the line of sight the communications will no longer work. It does not prevent certain height buildings, but the person erecting the building must make sure the line of communications is not interrupted. Mr. Smith stated the ordinance is warranted but they will be careful going through the process to determine who is responsible for the enforcement of the ordinance. Mr. Breneman made a motion that Staff and Solicitor prepare the ordinance for the Emergency Wireless Communication. Mr. May seconded the motion and the motion carried unanimously.

Sample Rental Property Ordinance – After discussion, the Supervisors were in agreement that this is something that needs to be looked at but they do not want it to go overboard. Mr. May expressed concern with inspections with regard to occupancy in that they need to be able to inspect properties. Mr. Smith advised there is an Ordinance that has limitations regarding occupancy and perhaps that needs to be looked at to determine if it is being used to the full advantage.

Ryan Naimyer, Attorney with Naimyer Law and manager of Manor Oaks Community, complimented the Supervisors in taking a proactive approach in looking at existing ordinances and tweaking those to better address some of the concerns of residents. Mr. Naimyer complimented the Chief for being responsive to the concerns brought to his attention and proactive in approach to address those concerns throughout the community. Mr. Naimyer talked about the problems the residents are dealing with and what he has personally observed. Mr. Naimyer feels an ordinance would create an incentive for a management company to be proactive rather than reactive. If the property management company understands that a violation of an ordinance may result in their inability to rent a property that is an incentive for them to be proactive letting tenants know before they move in the expectations. Mr. Naimyer provided a copy of a decision from the Commonwealth Court in the Borough of Berwick that upheld a similar ordinance that is before the Board.

Bill Murry, Lititz Pike, Lancaster, stated as landlords they run into the same problems. Lancaster City has a three strike rule that is effective. Mr. Murry stated that landlords can be forced to evict tenants. Landlords must incorporate the three strikes you're out into their lease documents and make the tenants aware of the rule. Mr. Murry advised that Millersville Boro has a rule regarding three unrelated adults but that is not without problems. Mr. Murry advised he is a landlord in Millersville and stated it is

troublesome from an administrative perspective it is also troublesome from a landlord perspective. Mr. Murry stated if the ordinance is to address nuisance issues he implored the Board to address only what needs to be addressed. Mr. Smith advised that in conjunction they can look at parking and what is available. Chief Graeff stated this concern is built off Manor Oaks but should be applied to the entire Township. Mr. May made a motion to direct Staff to further investigate an ordinance similar to Millersville Boro and report back to the Board with the information. Mr. Wenzel seconded the motion and the motion carried unanimously.

Consideration of a Donation of Police Car #8 to the BRFR – Mr. Breneman advised that the BRFR is looking at using the vehicle in the Millersville Station. Mr. Breneman made a motion that they donate Police Car #8 to the BRFR. Mr. May seconded the motion and the motion carried unanimously.

Request to Release Escrow Fund for 145 W. Charlotte Street in the amount of \$6,099.60 plus interest – Mr. Wenzel made a motion to release the Escrow Fund for 145 W. Charlotte Street in the amount of \$6,099.60. Mr. May seconded the motion and the motion carried unanimously.

Request to Defer Paving - Wes Funk is making a request for the property located at 150 Hershey Mill Road seeking an extension for one to two years. After discussion, Mr. May made a motion to give Mr. Funk an extension for one year from today. Mr. Breneman seconded the motion and the motion carried unanimously.

Request to Purchase Trimble GEOXH thru PA State Purchase Contract for \$8,813.90. This positioning unit will be used for MS4 tracing of location and maintenance. Mr. Wenzel made a motion to approve the request to purchase a Trimble GEOXH. Mr. Breneman seconded the motion and the motion carried unanimously.

#### Reports

Police Report, Public Works Director Report, Township Manager's Report and Building Permit Report - There was no Traffic Commission meeting in the month of May.

Mr. Smith advised that the last revision to park regulation is 1985 and he feels it is appropriate to ask the Park and Recreation Board to look at those existing regulations and make any appropriate recommendations for revisions.

Mr. Smith advised he was approached by Brandywine Conservancy to do some analysis related to stormwater management and land use. Mr. Smith feels it would be a good opportunity and if directed would pursue more information. The Conservancy has the Township Ordinances and could make some recommendations that can be looked at by the Board. Mr. Smith advised that Matt Kofroth of the Lancaster Conservation District is trying to partner with some municipalities and would like us to be one of those.

There was no further agenda items Mr. May made a motion to adjourn. Mr. Breneman seconded the motion and the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, July 1, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, John May, John Wenzel and Allen Kreider  
Staff Present: Barry Smith, Mark Harris and Evelyn Rineer  
Visitors Present: Attached

Minutes – Mr. Breneman made a motion to approve the June 3, 2013 minutes as presented. Mr. May seconded the motion and the motion carried with Mr. Kreider abstaining.

Bills & Financial Report – Mr. Kreider made a motion to approve the bills and Financial Report as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

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

Resolution 12-2013 Meeting Rules – Mr. Clark advised that this is a Resolution establishing policy for participation and conduct in the Manor Township Public Board Meetings. Mr. Wenzel stated it is important they communicate to the public appropriately. Mr. Wenzel feels they should look into how they communicate and who communicates. Mr. Wenzel supports this Resolution as written but would also like to use it for the remainder of the year and review it in January 2014. Mr. Wenzel feels this is an important and necessary document but one they must look at and review carefully. The Supervisors were in agreement with Mr. Wenzel. Mr. May made a motion to approve Resolution 12-2013. Mr. Kreider seconded the motion and the motion carried unanimously.

### Business from the Floor

Scott Haverstick, 1970 Water Street, Washington Boro, stated last month he tendered his resignation as Chairman of the Planning Commission. Mr. Haverstick stated he had been on the Planning Commission for 11 years, felt he had done a good job, was diligent in attending meetings, kept the Supervisors informed and gave his reasons for his resignation. He listed the Supervisors unwillingness to hold joint meetings, the Supervisors not taking the advice of LCPC and MTPC, not being included in the selection of a Planning Commission replacement member, the request to rezone ten acres of agricultural land, and the Supervisors allowing Staff to make most of the decisions. Mr. Haverstick proceeded to express his displeasure that the Board, after receiving notice of his resignation did not contact him with the exception of Supervisor May. Mr. May stated he was disappointed in themselves at the last meeting with the decision not to take part in a joint meeting with the Planning Commission to learn about preservation of historic structure and to learn about rural preserves. Mr. May stated the joint meeting was for the Supervisors to be taught what the options are and they did not have to accept any options just listen and learn. Mr. May stated the decision was to leave it up to the Planning Commission to come to them with a recommendation and if they do that Mr. May stated he will have to vote in ignorance because he will not know what the options are. Mr. May stated it was not a step towards taking away rights. Mr. May stated he has thought about some of the things they do and they may be doing them possibly without full amount of thought. Mr. Wenzel commented that this Board did not reject either the rural aspect or the aspect of historic sites. They gave opportunity and if people want to give up on that it is up to them. Mr. Wenzel stated this Board did not give up and this Board will continue to look at the rural aspects and historic sites. Mr. May noted that the Planning Commission in a letter to the Board requested a joint meeting to learn about these two things and that is not saying

they are or are not going to give up. Mr. May said it is true they are not giving up on it but they are not learning about it either. Mr. Wenzel stated they will learn about it but the issue was they did not want to have a joint meeting and that was a consensus of the Board. Mr. Kreider advised he was given the task to talk to the LIMC regarding their opinions and needless to say there was not a quorum at the last meeting. Mr. Kreider stated he does not feel they have dropped anything just put it on the table and because the LIMC did not have a quorum Mr. Kreider was unable to get their opinions.

Madison Harnish, 129 Park Avenue, Ephrata, a 5 year old told the Board she was not allowed to ride on the road and her favorite thing to do was ride on trail rides.

Kristen Harnish, 129 Park Avenue, Ephrata, indicated she spoke with Mr. Smith about issues that are listed on the web site pertaining to horses on the rail trail. Ms. Harnish showed the Board pictures of a trail ride she was on Sunday and talked about the size of the horses and width of the trails.

Mary Glazier, 269 Chestnut Grove Road, Conestoga, responded to a comment made by Ms. Harnish pertaining to a width on the rail trail and pointed out the width of the trail at various locations on the trail. Ms. Glazier stated that there has not been enough openness and enough collaboration in the decision making process how to use the trail. Ms. Glazier thanked Mr. Smith for spending time answering questions but pointed out that Mr. Smith cannot be the Board and the decision making process needs to be corrected. Ms. Glazier asked Mr. Smith to ask the Board to make the trail an agenda item so the Supervisors could engage in a discussion of the trail in light of information they have today that they did not have in September. Ms. Glazier asked Mr. Clark to have this added to the agenda of the August or September meeting.

Mr. Clark stated since the last meeting the Township Manager has issued a position paper and it is available to anyone. Mr. Smith advised that the position paper is on the web site. Mr. Clark stated they remain unchanged as far as their decision which is not to allow horses at this time but do not want people to think they are close minded enough not to believe that in the future that could change.

Heidi Douts, 82 Charlestown Road, Washington Boro, talked about speaking with the Executive Director of the York Rail Trail Authority who is responsible for developing mixed use trails in York County. Ms. Douts listed several of the things they talked about such as the impact of groups on a trail, the trail mix, and organization where users become supporters. Ms. Douts stated they are trying to offer education and formally request that the rail trail be added to the agenda for one of the next meetings.

Alyssa Keefer, 1208 Cider Press Road, Manheim, spoke on behalf of other youth and 4-H Members who use rail trails. Ms. Keefer talked about the trails she rides on with horses and how other family and friends went along as bikers or joggers and everyone was able to enjoy the trail.

Rowena Funk, 2449 Prospect Road, Washington Boro talked about a genetic eye disease that has taken away much of her vision and she gets around by riding horses. Ms. Funk stated she wrote a speech to read to the Board and that speech would be read by Bethany Regan, 2440 Prospect Road. Ms. Funk's speech covered her disease, the benefits she receives from riding horses, and feels it is discrimination to not be able to ride her horse on the rail trail.

Mary Waldman, 3501 Anchor Road, Washington Boro, read a statement expressing her concerns with the decision to deny horse access to the Manor Township portion of the rail trail and her concern is solely on the taxpayer money that is wasted and continues to be wasted on this capricious decision. Ms. Waldman stated she met with Mr. Smith and talked about the information she was given during that meeting. Ms. Waldman would like the Parks and Recreation Department to be instructed to invite all interested parties to a meeting to resolve the technical issued raised.

Pat Weidinger, 2025 Manor Ridge Drive, Lancaster, offered comments on horses on the rail trail. Mr. Weidinger noted two overriding issues are safety and the resulting cost of damage as to whether to have horses on the rail trail. Mr. Weidinger stated someone must make a decision on what is appropriate safety wise for all users of the trail. Mr. Weidinger stated that decisions are usually made somewhere in the middle when decisions are made concerning safety. Mr. Weidinger indicated he was

not aware Mr. Haverstick resigned from the Planning Commission and that is concerning to him that Mr. Haverstick would resign for the reasons he mentioned. Mr. Weidinger counseled the Supervisors to take what Mr. Haverstick said seriously and challenged them to talk one on one with Mr. Haverstick.

Scott Haverstick, 1970 Water Street, asked the status of the group home or boarding house in the 1900 block of Water Street. Mr. Smith advised him that the home is operating and they are working with the Township Council and the home's council to get a resolution. Mr. Haverstick asked if a special exception is needed and Mr. Smith advised him that they are working with the individuals to file the appropriate documents.

Ruth Rielly, 152 Kent Road, Lancaster, asked if the public would be able to see the new rules for the meeting. Mr. Clark advised her that the Resolution will be on the web site. Ms. Rielly had questions regarding a tax that is being taken from a relative's paycheck. Ms. Rielly was advised to provide a copy of the pay stub to Mr. Smith for him to look at.

John May stated he has the plan available for anyone to look at of the 200 acres adjacent to the Rail Trail that will be open for horses. Ms. Glazier questioned if possibly the plans for horses on those 200 acres may have changed. Mr. May suggested she ask them at the next LCSWMA meeting.

Mary Glazier stated she is on a mailing list to receive press releases that are sent out by the police departments. Ms. Glazier stated the current writer of the press releases has done a very good job of explaining what happens and touching on human aspects of it. She understands not everyone appreciated the departure from the facts but as someone with a professional interest she never felt the releases were anything other than very professional but also elaborated to give people a better understanding of what is going on. Ms. Glazier stated she would look forward to reading the releases if they continue.

#### New Business

Petition to Rezone for Rohrer Properties LP – The petition is to rezone a 4.8 acre parcel that was recently purchased by the Rohrers. The Rohrers are petitioning to preserve all three parcels in the Ag preserve. Mr. Breneman made a motion to forward to the Manor Township Planning Commission and LCPC for review and comment. Mr. May seconded the motion and the motion carried unanimously.

Lancaster Self Storage, LLC Improvement Guarantee Agreement and Letter of Credit – Mr. Clark made a motion to approve the Agreement and Letter of Credit contingent upon Staff receiving the actual signed Original Agreement and Letter of Credit. Mr. Breneman seconded the motion and the motion carried unanimously.

Turkey Hill Dairy Park & Recreation Fee - Mr. Smith advised the computation is directly out of the SALDO. Mr. May made a motion to approve Turkey Hill Dairy's fee in lieu of. Mr. Kreider seconded the motion and the motion carried unanimously.

Planning Commission Resignation of Scott Haverstick – The Board has received letter of resignation from Mr. Haverstick. Mr. Wenzel stated Mr. Haverstick's service to the community for 11 years is a big deal and he has done a great job. Mr. Wenzel stated he has respect for Mr. Haverstick and the job he has done in the past. Mr. May feels a letter of appreciation should be sent and the Board was in agreement.

Consider Planning Commission Appointment - Mr. Clark advised them that they had three resumes to consider for the vacancy in the Planning Commission. Mr. Breneman recommended Keith Hoover who Mr. Breneman has known for years and is a full time farmer. Mr. Breneman nominated Keith Hoover to fill the vacancy on the Planning Commission. Mr. May seconded the nomination and the nomination carried unanimously.

Little Conestoga Watershed Municipal Assistance Project – Mr. Smith gave background stating they are proposing to apply for State grant to assist the municipality in formal review of ordinances pertaining to stormwater and subdivision/land development to determine if there are some areas that should be strengthened. Mr. Smith advised that the Brandywine Conservancy is well known within the

region for their innovative approach and proactive approach in stormwater management. Mr. Kreider felt it would be a good idea to join. Mr. Wenzel made a motion to enter into a partnership with the Brandywine Conservancy and the Lancaster County Conservation District to review and update the ordinances. Mr. Kreider seconded the motion and the motion carried unanimously.

Notifications – Turkey Hill Dairy Notice of Application for Residual Waste General Permit; Millersville Borough Application for Water Quality; Norfolk Southern Railway Company Construction Notice – These are notifications and no action is needed.

Amend the Employee Handbook - Mr. Clark advised that this is an amendment to Employee Handbook and the items highlighted in red reflect the areas that have been changed. Mr. May made a motion to approve the changes to the Employee Handbook as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

#### Correspondence

Lancaster County Association of Township Supervisors Dinner – Mr. Clark advised this is a notification of August 22 Golf Outing and Dinner.

Police Department Training Request – Mr. May made a motion to approve the request to send Detective Mazur to the Wire Tap Class. Mr. Breneman seconded the motion and the motion carried unanimously.

#### Reports

Traffic Commission Meeting, Police Report, Public Works Director Report, Township Manager's Report and Building Permits Report – Mr. Clark noted that there was no Traffic Commission Meeting in the month of June. Mr. May made a motion to accept the reports as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

Mr. Smith stated the Board had seen a draft of the Emergency Wireless Communication Ordinance and would like to go on record that Staff is instructed to prepare for advertisement. Mr. Breneman made a motion to formally advertise the Ordinance. Mr. Wenzel seconded the motion and the motion carried unanimously.

Mr. Clark advised the Board is in receipt of a letter from Sgt. James Alexander who has advised he will be retiring. Sgt. Alexander has been with the Township for 30 years. Mr. Clark thanked Sgt. Alexander for his service and wishes him well.

At 8:10 p.m., Mr. Clark advised they would be going into an Executive Session to discuss a personnel matter. At 8:34 p.m., the Board reconvened from the Executive Session. There being no further business the meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Monday, August 5, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes – Mr. May made a motion to approve the July 1, 2013 meeting minutes as distributed. Mr. Wenzel seconded the motion and the motion carried unanimously.

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

Solicitor's Report - Mr. Smith reported that there was no Solicitor's Report.

### Business from the Floor

Jim Seiple, 201 Ironstone Ridge Road, expressed his thanks to whoever cut the vegetation at the intersection of Route 999 and Ironstone Ridge Road. Mr. Seiple expressed concern with the intersection of Charlestown Road and Ironstone Ridge Road with regards to sight. He stated the fence causes a problem with clear sight and the grass is high on the outside of the fence that is an added problem. Mr. Seiple would like the Township to talk to the farmer and see if changes could be made with the fence.

Pat Weidinger, 2025 Manor Ridge Drive, stated he wanted to reiterate everything Mr. Seiple just stated regarding the intersections.

Kathy Bowman, 244 W. Front Street, Marietta, provided a photograph with a young lady in it who road trails in her youth which she feels helped her acquire the type of employment she now has.

Mr. Clark stated for the individuals present who have not heard the past discussions, the Supervisors as a whole made a decision not to allow horses on the Rail Trail and they have put out a position paper in regards to that. The position paper is on the web site. Mr. Clark advised that this is not a debatable issue and it was a unanimous decision not to allow horses on the Rail Trail.

Mary Waldman, 3501 Anchor Road, Washington Boro, stated as a resident of Manor Township she is disappointed that the Supervisors neglected to mention in Sunday News article that the tax payers of Manor Township also contributed substantially to the construction of the Rail Trail. Ms. Waldman stated in the interest of public spiritedness she is looking forward to attending the opening celebration August 20<sup>th</sup> of the Rail Trail and hearing everyone thanked for their contribution.

Sharon Perry, 118 Eagle Path, Mountville, stated she lived in Manor Township for the last 24 years primarily because it is a rural community. Ms. Perry stated being a rural community they are allowed to have horses and her daughters and she enjoys riding as a family activity. Ms. Perry stated she feels her family needs to enjoy the Rail Trail as a safe place to ride as opposed to being on the road. Ms. Perry stated one of her daughters needs a safe place to ride as she suffers from mild cerebral palsy and riding keeps her mobile. Ms. Perry feels that as a member of Manor Township she should be allowed to ride on the Rail Trail as everyone else can use it for other things as well.

Eric Steffy, 180 Carol Drive, Washington Boro, stated that after the sewer was installed the streets were to be paved. Mr. Steffy stated the sewer has been operational for two years and his street has not been paved. Mr. Smith advised that Columbia Water had given projections when they would be in the

area and they have not met those projections. Mr. Harris advised that Columbia Water projection is that they will begin water installation on Tracey Berg, Nicholas and Holly Ann this August which finishes the Perth Hills neighborhood after which they continue down Bender Road towards Letort Road and then Letort Manor would be next. Mr. Steffy feels it is unacceptable that it has been three years since sewer has been installed and now is being told it will be another year before his road will be paved.

Ruth Rielly, 152 Kent Road, Lancaster, stated she was promised a copy of the new Rules and Regulations for meetings and she has not received it. Mr. Smith stated he would provide her with a copy.

#### New Business

Public Hearing Ordinance 1-2013 Amending the Official Map – Mr. Smith informed the Board the Ordinance has been properly prepared and advertised as required by Municipal Law. This is the conclusion of a lengthy court case and the last step in the process. Mr. Smith stated after the Ordinance is adopted, they will then authorize the Township Engineer to remove it from the official map. Mr. Breneman made a motion to adopt Ordinance 1-2013. Mr. May seconded the motion and the motion carried unanimously.

Public Hearing Ordinance 2-2013 Amending General Regulations for Signs – Mr. Smith informed the Board that this Ordinance has been properly prepared and advertised as required by Municipal Law. This has been through the process and it is recommended the Board adopt the Ordinance. Mr. May made a motion to adopt Ordinance 2-2013. Mr. Wenzel seconded the motion and the motion carried unanimously.

Ordinance 3-2013 Emergency Wireless Communications – Mr. Smith gave background stating this was brought before the Board by Chief Graeff as a request by the County and all municipalities are adopting this ordinance. The Ordinance is to prevent interference in the communications system. The Ordinance has been properly prepared and advertised. Adoption of Ordinance 3-2013 is recommended. Mr. Kreider made a motion to adopt Ordinance 3-2013 Emergency Wireless Communications. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 13-2013 Amending Park Regulations – Mr. May referred to section regarding dogs within 200' of a designated picnic area pointing out that on the Rail Trail they will go right by a picnic table. Mr. May suggested it read "dogs will be leashed at all times and under control" because the dogs will be within 200' of picnic areas especially on the Rail Trail. Mr. Kreider agreed that the wording needs to be looked at. Mr. May made a motion to adopt Resolution 13-2013 with Mr. May's suggested change in wording of "dogs will be leashed at all times and under control" as well as directing Staff to prepare a draft ordinance for the next meeting. Mr. Breneman seconded the motion and the motion carried unanimously.

PPL Request for Right of Way, Stone Mill Road and School House Road – Mr. Wenzel made a motion to approve the PPL request for right of way as submitted. Mr. May seconded the motion and the motion carried unanimously.

Appoint LUAB Representative – Mr. Clark stated Don Mann who serves on the Planning Commission has indicated he is willing to be the LUAB Representative. Mr. Breneman made a motion to appoint Don Mann to the position and thank him for his willingness to serve. Mr. Kreider seconded the motion and the motion carried unanimously.

Millersville Borough Request for Support and Funding for Proposed Improvements at Duke Street and West Fredrick Street - Mr. Breneman does not feel the Township should dedicate any funds to the project. Mr. May made a motion to authorize Staff to draft a letter of support for improvements to the intersection. Mr. Kreider seconded the motion and the motion carried unanimously.

Isolation Distance Waiver for Ramon Hunt – Mr. Clark advised they had a request for Isolation Distance Waiver for Ramon Hunt. Mr. Breneman made a motion to grant the waiver request. Mr.

Wenzel seconded the motion and the motion carried unanimously. Mr. May stated he is comforted by the fact that the recommendations in the letter from Mr. Lockard will be communicated to the Hunts. Mr. May feels there should be a purification system as recommended by Mr. Lockard.

#### Correspondence

There was no correspondence.

#### Reports

Traffic Commission, Police Report, Public Works Director Report, Township Manager's Report and Building Permit Report - Mr. May made a motion to approve the reports as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Meeting

Tuesday, September 3, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes – Mr. Kreider made a motion to approve the August 5, 2013 minutes as submitted. Mr. May seconded the motion and the motion carried unanimously.

Bills & Financial Report – Mr. Breneman made a motion to approve the bills and financial report as submitted.

Solicitor's Report – Mr. Smith advised the Board that there is no Solicitor's Report.

Recognizing Sgt. James Alexander - A representative from Senator Smucker's office on behalf of Senator Smucker and on behalf of the people of the Commonwealth of Pennsylvania presented a Citation to Sgt. James Alexander for his long and distinguished career.

Resolution 14-2013 – Mr. Clark stated Resolution 14-2013 recognizes Sgt. Alexander's service with the Township. Mr. Kreider made a motion to approve Resolution 14-2013. The motion was seconded by Mr. May and the motion carried unanimously. Chairman Clark presented the Resolution to Sgt. Alexander thanking him for his service to the Township and wished Sgt. Alexander the best in his future endeavors.

Chief Graeff presented Sgt. Alexander with his retirement badge and thanked him for his 30 years plus of service.

### Business from the Floor

Ed Goss, 3766 Locust Grove Rd., Columbia, stated he purchased two lots in Washington Boro from the Safe Harbor Power Company with the intentions of building a house on the lot. Mr. Goss stated he has abandoned the idea of building a house due to issues with the lot. The lot is in a flood plain and to make a driveway he would have to go to Zoning Hearing Board and have a surveyor delineate the flood plain line. Mr. Goss is unhappy with the added cost that he would incur to build on the lot. Mr. Goss asked that the Board pass some type of resolution to have the trains travel through Washington Boro at 35 mph with a bell only. Mr. Goss talked about the dairy trucks and landfill trucks that travel Water Street on a daily basis.

Mary Glazier, 269 Chestnut Grove Road, shared an editorial from the Lancaster Newspaper pertaining to the Rail Trail. Ms. Glazier read from the article and provided a copy of the editorial to the Supervisors. Ms. Glazier provided a picture of the trail at Pine Creek Gorge pointing out how they provided an area for horses. Ms. Glazier stated that traffic and other concerns continue to make it difficult for people who ride horses to have safe places to ride. Ms. Glazier again requested a meeting with the Board of Supervisors.

Penn Glazier, 269 Chestnut Grove Road, ask if there are any plans to renegotiate the host fee agreement with the Solid Waste Authority anytime in the near future. Mr. Smith advised him that there are no formal plans to do that. Several years ago there was conversation between Mr. Smith and Mr. Warner with Mr. Warner reminding Mr. Smith there is a Court Order that the two groups agreed to.

Mr. Glazier urged the Supervisors to take a tough negotiating position and try to get the maximum possible fee for the tax payers in Manor Township. Mr. May stated Mr. Warner has indicated if the present acquisition is completed there will be additional tipping fees as a result of their acquisition.

Destiny Perry, 118 Eagle Path, Mountville, stated she has cerebral palsy and riding horses helps her. She would like to have safe trails to ride and asked that the Supervisors reconsider their decision and allow horses on the trail.

Sherry Seachrist, 311 Hilldale Road, Holtwood, asked the Supervisors to consider a trial period allowing horses on the trail to see if there are any issues. Mr. Kreider stated he goes to the trail several times a week and with the amount of children on the trail he cannot support horses on the trail for reasons that have been stated many times. Mr. Kreider stated he has had people tell him they support no horses on the trail. Mr. Breneman stated since the trail has opened he has had people thank him for not allowing horses on the trail. Mr. Clark stated he appreciated Ms. Seachrist's comments. As said in the past they have not completely ruled horses out for something in the future, but for right now no one is willing to reconsider it. They have made a decision and have stuck to that decision and there will be no reconsideration. Mr. May stated he is on board with the decision also. Mr. May stated for the first quarter of a mile it is a narrow corridor. Mr. May stated he was advised that the opening weekend one day there was 90 cars in a 70 car parking lot. Ms. Seachrist stated she is not aware of any incidents or problems with horses on trails and she believes the Supervisors are speaking out of inexperience. Mr. Breneman talked about experiences he has had with horses on trails. Ms. Seachrist stated she feels the Supervisors job is to compromise and listen to the public.

Lisa Perry, 118 Eagle Path, stated she is a beginning rider and if horses would be allowed on the Rail Trail she would feel safer because she would not have to worry about traffic. Ms. Perry feels it is safer to have horses on the trail than dogs because it is not guaranteed dogs will be kept on leashes. Horse riders do everything to make sure that they leave something the way it was.

#### Old Business

Mr. Kreider thanked Mr. Smith and Mr. Strohecker for the lighting changes that were made. Mr. Kreider advised that Mr. Strohecker did a quick study of the savings from 2012 to 2013 on a base month. The payback was expected on 46 months but it turns out payback will be more like 41 months. Mr. Kreider stated the lighting has been a good investment.

#### New Business

Mr. Clark expressed the Board of Supervisors appreciation to the Staff who had influence on the opening day at the Rail Trail. Mr. Clark stated it could not have gone any better. The Supervisors thanks the Public Works Department, Mr. Smith and Mr. Strohecker for putting the whole thing together.

Turkey Hill Improvement Guarantee Agreement – Mr. Clark stated this is a standard agreement. Mr. Smith stated it has been reviewed and recommends approval of the Improvement Guarantee. Mr. May made a motion to approve the Improvement Guarantee Agreement as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Turkey Hill Surety Bond – Mr. Wenzel made a motion to approve the Surety Bond as presented. Mr. Kreider seconded the motion and the motion carried unanimously.

Turkey Hill Storm Water Agreement – Mr. Kreider made a motion to approve the Storm Water Agreement as presented. Mr. May seconded the motion and the motion carried unanimously.

Minimum Municipal Obligation – Mr. Strohecker advised that they are required by September 30<sup>th</sup> to adopt the MMO for 2014 which is basically the budget number needed to use for the Pension line item in the budget. Mr. Strohecker advised them that it will likely be adjusted before the final budget

adoption. Mr. May made a motion to approve the Minimum Municipal Obligation as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Purchase of a Trac System – Mr. Clark noted that the Trac System that allows the Police to print tickets while inside their vehicle was in the budget for this year. Mr. Kreider made a motion to approve the purchase of the Trac System. Mr. Wenzel seconded the motion and the motion carried unanimously.

New Life, LLC request approval of a stone parking lot - Mr. Smith stated several months ago there were questions about a group home in Washington Boro. This request pertains to the Ordinance which requires a paved surface for a parking lot or driveway. The Ordinance gives the Board of Supervisors the opportunity to waive the requirement if they believe it is appropriate. The Staff believes it would be appropriate for this site to waive the requirement. New Life, LLC will be going to the Zoning Hearing Board where it will be determine if they can continue to operate at this location. Mr. Breneman made a motion to grant this request. Mr. Wenzel seconded the motion and the motion carried unanimously.

Act 14 Notification for Rohrer Dairy Farm – Mr. Clark advised this is a standard notice and no action is required by the Board of Supervisors.

#### Correspondence

There was no correspondence.

#### Reports

Traffic Commission, Police Report, Public Works Director Report, Township Manager's Report and Building Permit Report – Mr. Harris indicated there were action items on the Traffic Commission Report. The Traffic Commission is recommending to the Board of Supervisors the establishment of a speed zone on Pittsburgh Hill Road of 35 mph. They are also recommending that they post "No Parking" at the intersection of Cartledge Lane and Bradford Street. Mr. May made a motion to accept the Traffic Commission Report. Mr. Kreider seconded the motion and the motion carried unanimously.

Mr. Breneman made a motion to approve the Police Report, Public Works Director's Report, Township Manager Report and Building Permit Report as submitted. Mr. May seconded the motion and the motion carried unanimously. Mr. Clark noted the Building Permit Report is up 32 percent for the year.

Rosanna Lower, 1103 Little Brook Road, advised the Board that it is hard to hear in the audience.

There being no further business the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer



## Manor Township Supervisors Minutes

Monday, October 7, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes - Mr. Kreider made a motion to approve the September 3, 2013 minutes as submitted. Mr. May seconded the motion and the motion carried unanimously.

Bills and Financial Report – Mr. Wenzel made a motion to approve the bills and financial report as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

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

### Business from the Floor

Esten Leinster, 100 Creekgate Court, Millersville, had questions pertaining to the sewer agreement that was in effect for Crossgates. Mr. Smith advised there is a meeting with the Township Solicitor to verify what part if any of the agreement is expired. The agreement was signed 20 years ago in September, however, stipulation was based upon substantial completion which is what the Township is trying to determine with Millersville Borough. Mr. Smith believes the agreement has not expired and they are still trying to determine the date. Mr. Leinster referred to Resolution 13-2005 pertaining to the current sewer rate and the itemized components of that rate asking if there was a relationship between that Resolution and the 20 year developer's agreement. Mr. Smith advised he would not say it is codependent but it is appropriate that fees for sewer rates or any other fees the Township stipulates and charges should be done by resolution. Mr. Leinster asked if the itemized components of the sewer bill will remain the same going forward. Mr. Smith advised it is probable that they will but not for certain. It will be dictated by whatever agreement they determine to enter into with Mr. Murry for the remainder of his development. From the Township's standpoint, they cannot justify extending the previous agreement which would be an option. Mr. Smith stated it is complicated and there will be a new agreement as they go forward. Mr. Smith advised that components such as conveyance and treatment will be in the agreement and in all likelihood will be a component for capital as they develop the capital fund for whatever potential maintenance will have to be done in the future. Mr. Leinster asked if residents from Crossgates will have an opportunity to be involved. Mr. Leinster was advised that any agreement would become a public document presented to the Board of Supervisors and at that time the public will be welcome to view and comment. Mr. Smith advised it will be an agenda item at a public meeting. Mr. Smith stated that any rate change will not occur in the middle of a budget year so any consideration of rate change will be for the year 2014.

Scott Kriner, 80 Cambridge Drive, Conestoga, thanked everyone involved in the construction of the Rail Trail and stating that he was certain people in his situation really appreciated the opportunity to have a place to recreate. Mr. Kriner stated, knowing what it is to be excluded in certain situations, he thought it would behoove the Township to try to find a way to resolve the issue of having horses on the trail.

Mary Glazier, 269 Chestnut Grove Road, Conestoga, passed around a photograph showing 11 people and a dog at a narrow point reminding the Board that what may seem narrow is not necessarily narrow when you put people there. Ms. Glazier had the following questions on the bridge: what remains to be done on the trail, is there still money remaining and how does the Township see themselves going forward. Mr. May stated even when his term is up he plans to advocate trying to raise money to get

the bridge open. Mr. Smith advised it is part of the 2014 budget process to evaluate and include the planning process for what is appropriate decking for the bridge. Mr. Smith stated they have what he believes is a valid engineering study from the mid 2000's and it is his inclination that study does not have to be repeated but will be reviewed by the engineer's structural review department. Mr. Smith stated after they evaluate the recommendation that comes back from the engineer he feels they are ready to recommend a surface be put on the structure. Mr. Smith advised when they know those two components they will be in a position to seek funding. Ms. Glazier had questions on the remaining funds. Mr. Smith explained that there were two grants, one being the acquisition grant and the other was a development grant which is tied solely to the phase that was developed. Mr. Smith stated they are still considering doing things on the Conestoga side that would be considered part of the trail development that the development grant would be used for. Ms. Glazier asked the amount that was left in the development grant and Mr. Smith stated he could not give a figure without going back into the financials. Ms. Glazier asked if there is any work that needs to be done on the existing trail. Mr. Smith advised there are no additional enhancements that are of great significance. Mr. May stated they met with Mr. Bare from the Chestnut Grove Foundation regarding an idea of erecting an elevated shelter but Mr. Bare has not provided the requested design.

#### New Business

Ordinance 4-2013 – Rohrer Rezoning – Mr. Clark stated a petition for rezoning was presented at the July meeting and they have a review letter from LCPC as well as a letter from Manor Township Planning Commission recommending approval. Mr. Smith noted this is a public hearing. There was no public comment or discussion. Mr. Breneman made a motion to pass Ordinance 4-2013 for the Rezoning of the Rohrer tract. Mr. Wenzel seconded the motion and the motion carried unanimously.

Ordinance 5-2013 – Park Regulations – Mr. Smith stated they were advised by the Solicitor to take the Resolution that was previously passed for all the park regulations and put it into Ordinance form that is before the Supervisors. Mr. Breneman stated he disliked to see discarded cigarette butts because they do not disintegrate and had observed some on the Rail Trail. Mr. Smith advised him that there is a rule that states no smoking. Mr. Kreider talked about cleaning up after dogs that use the trail. There was discussion and ideas given on ways to encourage owners to clean up after their dogs. Mr. Wenzel asked if maintenance has been done on the trail. Mr. Harris advised that each Monday the Public Works does what they call a thorough park run and go from parking lot to the dam and back. They have found they find more trash in Charlestown Park's basketball court in one day then they do in one week's time at the trail. Mr. Wenzel asked Mr. Kriner in reference to disability if there is any area for improvement on the rail trail for those who are disabled. Mr. Kriner pointed out the only thing is the accessible area to look out over the river which is good for a wheel chair but is difficult for someone to turn around using a hand cycle. Mr. Smith stated he and Mr. Harris are looking at the possibility of making an even better ramp in another area of the trail. David Hill, 3106 River Road, stated the dog bags in the park across from his house indicate they are biodegradable. Mr. Breneman made a motion to approve Ordinance 5-2013. Mr. May seconded the motion and the motion carried unanimously.

Resolution 15-2013 – Destruction of Specific Records - Mr. Clark stated this is a standard resolution based on State Record Retention Law. Mr. Kreider made a motion to approve Resolution 15-2013. Mr. Wenzel seconded the motion and the motion carried unanimously.

Transfer from Capital Fund and Sewer Fund to General Fund - Mr. Clark recommends approval of the transfer of funds. Mr. May made a motion to transfer the funds. Mr. Kreider seconded the motion and the motion carried unanimously.

Susquehanna Municipal Trust 2012 Safety Award – Mr. Smith stated for the second year in a row they have accepted a Safety Award from Susquehanna Municipal Trust the workers compensation insurance group. Mr. Smith stated this is the second year there was zero loss days for the entire staff. Mr. Smith stated on behalf of the Staff and Township they are proud of that.

Acts 67, 68, 127 Notice for Turkey Hill Dairy – Mr. Clark noted this is standard notification and no action is required.

## Correspondence

Mr. Smith stated Chief Graeff provided a request that just came in and would like it to be included for the Board's consideration. This request is for Off. Kim Geyer to attend a Child Passenger Safety refresher class that will be held in Mechanicsburg with a registration fee of \$25.00. Mr. Clark advised in addition there is a request for Off. Smoker to attend the Pennsylvania Auto Theft Prevention Authority Training. Mr. Breneman made a motion to approve both training requests as presented. Mr. Wenzel seconded the motion and the motion carried unanimously.

Mr. Clark noted a recommendation from Chief Graeff for two ordinances. Chief Graeff talked about the Open Container Ordinance that is based off Millersville Borough. Chief Graeff advised that if this ordinance were enacted it would cover people walking on the streets, sidewalks, etc. Chief Graeff stated although it will be used throughout the Township it would be beneficial to the police dealing with situations in the Manor Oaks area. Chief Graeff stated the second ordinance is an innovative ordinance given to them from the police department in Tucson, Arizona. It is an unruly gathering ordinance that indicates a certain number of people creating problems, an amount used to cite the individuals, and then the house is put on notice for a set number of months. If there are further acts of unruly behavior at that residence there is a higher fine for each person involved. There is also a fine if the posting placed on the house is removed or defaced. Chief Graeff stated that again this ordinance would be beneficial in dealing with the problems in Manor Oaks. Chief Graeff asked that the Supervisors review and consider enacting the ordinances in the near future. There was discussion on the proposed ordinances.

## Reports

Traffic Commission, Police Report, Public Works Director Report, Township Manager's Report and Building Permit Report – Mr. Harris reported that the Traffic Commission is asking the Board of Supervisors to consider their recommendation to place "No Parking Here to Corner" at the intersection of Cartledge Lane and Knollwood Road and "No Parking" within 20 feet of the intersection of Knollwood Road on the north side of Cartledge Lane. They are also recommending a "Yield" sign be placed on Langley Square along with a "No Outlet" at Langley Square and Stone Creek Road. Mr. Wenzel made a motion to approve the recommended signage. Mr. May seconded the motion and the motion carried unanimously.

Mr. Kreider noted the building permit report is quite impressive this month. Mr. Smith advised there is a lot more activity in the developments that have been stagnant. Mr. Kreider made a motion to accept the reports as presented. Mr. May seconded the motion and the motion carried unanimously.

There being no further business Mr. Clark adjourned the Manor Township Supervisors' Meeting at 7:50 p.m.

Respectfully Submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Supervisors Minutes

Thursday, November 7, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Thursday, November 7, 2013 at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes – Mr. May made a motion to approve the October 7, 2013 minutes as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

Bills and Financial Report – Mr. Breneman made a motion to approve the bills and financial report as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Solicitors Report – There was no Solicitor's Report.

Commissioner Craig Lehman – Commissioner Lehman thanked the Board for the opportunity to speak to them. Commissioner Lehman stated he had set a personal goal for himself during this term to visit all 60 municipalities in Lancaster County. Commissioner Lehman gave an update of things occurring in County Government talking about the Public Safety Radio System, the new morgue that was finished last September and opened November 1, 2012 and the Farmland Preservation Program for 2013.

### Business from the Floor

Kathy Bowman, 244 W. Front Street, Marietta, talked about the composition of horse manure and dog manure. Ms. Bowman gave several ideas of how to handle the cleanup of horse manure if horses would be allowed on the Rail Trail.

Mary Glazier, 269 Chestnut Grove Road, Conestoga, stated she has been on the Rail Trail a number of times and in the last week observed further work being done on the trail. Ms. Glazier had a picture of the southern end of the trail where along the edge is some sort of gravel mix. Mr. Smith advised her that it is reclaimed blacktop that they are using it to keep stability in the side of the emergency access road because they have been getting flat tires from railroad spikes. Ms. Glazier pointed out that what is there would suit equestrian use. Ms. Glazier talked about the adjacent land that is owned by the Lancaster Conservancy and the possibility they would be building a trail to link with the Enola Low Grade Trail for a trail head at its southern terminus and how it would be beneficial for riding horses. Mr. Clark advised Ms. Glazier that the Board's decision remains unchanged. Their decision to not allow horses on the trail they believe was in the best interest of the majority of their constituents and they remain unchanged in their decision. Ms. Glazier noted there are people riding bicycles 3 and 4 abreast not looking where they are going. She believes the Park and Recreation Board, the Supervisors, or Advisory Group needs to promulgate some trail etiquette, rules or suggestions pertaining to bicyclist.

### New Business

Grace United Methodist Church Sketch Plan – Cheryl Love with ELA Group was present with representatives from Grace United Methodist Church. Ms. Love state they presented the sketch plan to the Planning Commission at their last meeting and entertained some of their questions. They have also received a review letter on the sketch plan from Rettew Associates. The site is located a long Bender Road with Money Hill Road to the north. Currently, it is an undeveloped site and the church is experiencing growth so they are planning for additional expansion of their church. Their existing church will remain in Millersville with this location providing the needed worship space and other facility uses they have been planning for. Based on capital campaigns and current funding, this is the portion of the

site they are moving forward with at this point in time through land development. There is one access point from Bender Road into the site and the parking areas are terraced with the main front entrance. They are looking at stormwater facilities and site grading within the property primarily at the lower end. There may be one additional berm below that. They are providing the buffer planting in accordance with the Zoning Ordinance with the properties to the south and also some of the areas towards the northern end of the site. They are looking at proposing no curbing, but provide parking bumpers and sidewalk connections throughout the space. They have done geotechnical reports and will utilize those for all their stormwater design and engineering. They will be looking at the traffic volumes. Parking based on the calculations would require 88 parking spaces; however, they looked at their current facility and they are proposing 162 spaces plus six ADA spaces which is consistent with their current use of their facility based on square footage and what they believe will be needed for this first phase. Regarding sewer, they have worked through this and received and purchased capacities with LASA, they have obtained an exemption from the Sewer Planning Module from DEP, and have been working with Columbia Water for the water capacity as well as with the Township. They have worked through having some extensions done on Money Hill Road prior to the Township's paving. The stubs are available for sewer and water connections with both LASA and Columbia Water. The Church has negotiated an easement through the adjacent lands in order to access those connections and satisfy the Ordinance for their utilities. The outer ring shown on the plan allows for future expansion of another bay of parking around the rear and eventually can continue to the back for parking on the north side of the building. Ms. Love advised that several neighbors were at the Planning Commission who appeared to be satisfied when they understood what they were doing for the project. The neighbors were assured lighting would be in compliance with the Ordinance. The neighbors were interested in the construction schedule. They are hoping to be ready by late spring or early summer to move forward. The Planning Commission asked if they would be seeking a preliminary plan waiver or a combined preliminary/final plan and they would like to do the latter.

Mr. Kreider asked if they plan to have Saturday night services. Mr. DeBerdine, 177 Kready Avenue, Millersville, stated the church has not had Saturday night services and do not have plans for them at this time but are not ruling them out. The traditional service will continue to be at the Millersville location and the contemporary services will be at the new location. Mr. Wenzel asked the size of the parcel and Ms. Love advised it is 32 acres. Mr. May asked what the land is used for presently. Ms. Love advised him that it is currently used for crops. Clair Becker, 18 Money Hill Road, stated the parcel is presently in Clean and Green.

Police Department Promotion – Mr. Clark stated there is a recommendation to promote Gary Gardner to the position of Sergeant. Mr. Breneman made a motion to approve the promotion as submitted. Mr. May seconded the motion and the motion carried unanimously.

Police Department New Hire - Mr. May made a motion to approve the new hire, Stephen Bruckno. Mr. Wenzel seconded the motion and the motion carried unanimously. Mr. Smith recognized and welcomed Stephen Bruckno.

Authorize Purchasing Radio Equipment – Mr. Kreider stated he was glad the GPS was considered. Mr. Kreider made a motion to approve the purchase of radio equipment. Mr. Wenzel seconded the motion and the motion carried unanimously.

2014 Draft Budget Presentation - Mr. Strohecker stated after a slow economy things are turning around. There have been direct impacts on the earned income tax and the housing market has started to rebound and that is seen in the transfer taxes that will go up next year. The construction and permitting has really increased in 2013 and they are projecting that to continue through 2014. Mr. Strohecker advised for the last decade they have been able to maintain a conservative fiscal plan while at the same time continuing with the same level of services. Mr. Strohecker briefly went over the taxation and fees for 2014 highlighting the General Fund Revenues, General Fund Expenses, Employee Compliment, Capital Fund, Highway Aid Fund, and Other Township Funds. Mr. Strohecker summarized with his analysis as to the Good, Mediocre and The Ugly. Mr. Strohecker talked about the debt, fund balances, millage rate and service fees, personnel, medical benefits, general insurance and workmen's

compensation, pension plan, taxes, future obligations and unfunded mandates. Mr. Strohecker advised that the budget is available at the Township Office.

Richard Bauder, 130 Sheep Lane, commented on riding bicycle on the Rail Trail. Regarding the budget, Mr. Bauder talked about what he feels is high medical insurance premium costs for Manor Township due to lifelong medical benefits for employee and their spouse. Mr. Clark pointed out that over a year ago they made a change that new hires did not receive this benefit. Mr. Bauder talked about the amount of the pay raise. Mr. May advised him this was also talked about at the work session indicating the administrative staff and public works department went without a pay raise for several years.

Approve 2014 Blue Rock Fire District Budget – Mr. May made a motion to approve the budget as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Act 67, 68, 127 Notice for Klint Frey – Mr. Smith advised this is a standard notification and for information purposes. Mr. Wenzel asked for an explanation on the notification.

#### Correspondence

Lancaster County Planning Commission Region 2 regarding Leo Lutz continue to represent the Township as Region 2 Representative - Mr. Kreider made a motion to allow Leo Lutz to serve as the Region 2 Representative. Mr. May seconded the motion and the motion carried unanimously. Mr. Smith stated based on the motion he will respond back to the LCPC that they are not recommending anyone from Manor Township.

Training – Professional Pest Manager’s School & Crash Data Retrieval Course - Mr. May made a motion to approve both the training courses. Mr. Kreider seconded the motion and the motion carried unanimously.

#### Reports

Traffic Commission, Police Report, Public Works Director, Township Manager’s Report and Building Permit’s Report – Pertaining to the Township Manager’s Report, Mr. Smith stated in light of pending approval to add an officer to the Police Department and a Public Works Employee he would request permission to offer conditional employment offers to two specific individuals. They would like to extend the second person ranked in interviews for Police Officer a conditional offer. One of the reasons is the significant testing that occurs. They would like to go through the process now as opposed to waiting until January 2 which would put it several months into the year. Likewise, they currently have Joe Witmer who is part time employee in Public Works with whom they are extremely pleased with his performance and would like to make a conditional offer of employment to Mr. Witmer. Mr. May made a motion to approve conditional offer of employment for both Philip Eck and Joe Witmer. Mr. Wenzel seconded the motion and the motion carried unanimously.

Mr. May made a motion to approve the Traffic Commission, Police Report, Public Works Director Report, Township Manager’s Report and Building Permit’s Report as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

There was no further agenda items and the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer



## Manor Township Supervisors Minutes

Monday, December 2, 2013

Time: 7:00 P.M.

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Monday, December 2, 2013 at 7:00 p.m. Chairman Clark introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

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

Minutes-Mr. May made a motion to approve the November 7, 2013 minutes as written. Mr. Wenzel seconded the motion and the motion carried unanimously.

Bills and Financial Report-Mr. Breneman made a motion to approve the bills and financial report as submitted. Mr. May seconded the motion and the motion carried unanimously.

Solicitors Report-Mr. Smith advised there was no Solicitor's Report.

### Business from the Floor

Mary Glazier, 269 Chestnut Grove Road, Conestoga, was present with Dave and Pat Hill, Jason Shadel, Heidi Douts, Carolyn Oakwood, Cathy Bowman, and Mitch and Lori Borys. Ms. Glazier stated everyone is citizens of Lancaster Township and most are citizens of Manor Township as well as tax payers and voters. For the last eight months or so they have brought an interest before the Board regarding the trail that has been developed but a constituency has been excluded. Every month they have suggested that the Board discuss, deliberate, meet, consider and cooperate with them in finding a way to change the exclusion even by means of a small compromise or trial run. Ms. Glazier wanted to remind the Board that they are elected to represent the interest of their constituents and that means sometimes balancing interest. Ms. Glazier stated there is a significant group of people who feel they have been excluded and want to be included in a conversation about how they can make a more satisfactory resolution of the issue. Ms. Glazier thanked everyone for their service.

Dave Shipley, 629 Greenhedge Drive, Parkfield Development talked about an issue with people using Parkfield as a shortcut to get from the townhouse development to Donnerville Road. Mr. Shipley advised this has always been a problem but as development has been increasing both within the development and outside the problem is getting worse. Mr. Shipley advised there is a large volume of vehicles that travel at a high rate of speed with little regard to the traffic regulations. Mr. Shipley stated there is speeding, tailgating, running stop signs and vehicles passing on the left. Mr. Shipley expressed concern that the data collected is not accurate as vehicles slow down for the sign due to the digital readout but then they speed up. Mr. Shipley is asking for increased Police presence and a better data collection system to get accurate information on what is occurring in their development. Mr. Clark advised that the Traffic Commission will be looking at the situation at their meeting in January and the Police are aware of the problem. Mr. Smith advised that the Police Department is aware of the situation and will do what they can. Everyone must be aware that the Township roads are public roads and the Township is not permitted lawfully to exclude people in any fashion from traveling the public roads.

Jean Bertz, 201 Greenhedge Drive, Lancaster, stated that she has the same concern as Mr. Shipley regarding the traffic. Ms. Bertz talked about speed bumps that she saw in another development that controlled the amount of through traffic and speeding.

## New Business

Ordinance 6-2013-Vacating Portions of Kready Road – Mr. Smith advised this is a portion of right-of-way that is no longer needed because a new section of road is built. Mr. Kreider made a motion to approve Ordinance 6-2013. Mr. Breneman seconded the motion and the motion carried unanimously.

Ordinance 7-2013-Rules and Regulations for Discharge of Industrial Waste/Lancaster City-Mr. Clark advised this is required by the City to comply with their rules and regulations and does not apply to the residential customers. Mr. Breneman made a motion to approve Ordinance 7-2013. Mr. Breneman pointed out there is a lower volume then before. Mr. Kreider seconded the motion and the motion carried unanimously.

Ordinance 8-2013-Amending the Non-Uniformed Pension Plan-Mr. Clark advised during the budget session there was a change made to put in a deduction of 1% of pay for Non-Uniformed employees for pension contribution and this Ordinance puts that into effect. Mr. May made a motion to approve Ordinance 8-2013. Mr. Wenzel seconded the motion and the motion carried unanimously.

Resolution 16-2013-Fee Schedule-Mr. Breneman had questions on the copy fee that was listed and the labor rates listed. Mr. Kreider made a motion to approve Resolution 16-2013. Mr. Breneman seconded the motion and the motion carried unanimously.

Adopt 2014 Budget-Mr. Breneman thanked all the Department Heads and Staff for all the hard work on the budget. Mr. May also expressed his thanks. Mr. May made a motion to adopt the 2014 budget as submitted. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 17-2013-Budget Certification-Mr. Breneman made a motion to pass Resolution 17-2013 Budget Certification. Mr. Wenzel seconded the motion and the motion carried unanimously.

Approve Capital Improvement Plan-Mr. Wenzel made a motion to approve the Capital Improvement Plan. Mr. May seconded the motion and the motion carried unanimously.

Amend Non-Uniform Minimum Municipal Obligation-Mr. Clark stated this is required because of the 1% contribution to the Non-Uniform Pension Plan. Mr. Kreider made a motion to approve the Non-Uniform Minimum Municipal Obligation as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Approve Bertz, Hess & Co Engagement Letter-Mr. Wenzel made a motion to authorize the Manager to sign and enter into the agreement. Mr. Kreider seconded the motion and the motion carried unanimously.

Resolution 18-2013 Accepting Dedication of Open Space in Parkfield – Mr. Clark stated this is land that is along Fieldgate Drive and Hershey Mill Road. Mr. Clark advised he would abstain from this vote because he lists properties in that neighborhood. Mr. May made a motion to approve Resolution 18-2013. Mr. Wenzel seconded the motion and the motion carried with Mr. Clark abstaining.

Resolution 19-2013 Authorizing the Manager to Sign and Enter into Agreement with Lancaster County Conservancy- This gives the Manager authorization to sign the agreement which gives the Conservancy the right to utilize the Township parking on the Rail Trail. Mr. Kreider made a motion to approve Resolution 19-2013. Mr. May seconded the motion and the motion carried unanimously.

Police Department New Hire- Mr. Clark stated this is an official conditional offer of employment to Philip Eck. Mr. May made a motion to approve the conditional offer of employment. Mr. Breneman seconded the motion and the motion carried unanimously.

Act 14, 67, 68 and 127 Notification for Brunswick Farms Apartments- Mr. Breneman made a motion to approve the notification. Mr. Kreider seconded the motion and the motion carried unanimously.

## Correspondence

Mr. Clark noted two requests for training. There was a request for the Manager to attend an Annual Winter Workshop and a request from Chief Graeff for Detective Mazur and Corporal Geyer attend an

Interview and Interrogation of Child Abuse Session. Mr. Breneman made a motion to approve the two request for training. Mr. May seconded the motion and the motion carried unanimously.

#### Reports

Police Report, Public Works Director Report, Township Manager's Report and Building Permit Report- There was no Traffic Commission Report. Mr. Kreider made a motion to approve the reports as submitted. Mr. May seconded the motion and the motion carried unanimously.

There were no further items on the agenda and the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, January 14, 2013

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, January 14, 2013, 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

### Public Comment

There was no public comment.

### Appointment by Board of Supervisors

Mr. Haverstick advised there were no appointments by the Board of Supervisors and the present members would be able to vote tonight by statute. Mr. Haverstick advised that Mary Glazier has requested not to be reappointed to the Planning Commission. Mr. Haverstick advised the Commission if they knew of anyone interested in serving on the Planning Commission to contact Mr. Smith.

### Re-organization Meeting

Election of Officers – Mr. Henke made a motion to keep Scott Haverstick as Chairperson, Pamela Shellenberger as Vice Chairperson and nominate Don Witmer as Secretary. Mr. Henke amended his motion nominating Don Mann as Secretary for the 2013 calendar year. Mr. Witmer seconded the motion and the motion carried unanimously.

Set Meeting Dates – The Planning Commission meets the second Monday of the month with the exception of the month of October when the Commission would meet the second Tuesday of the month.

### Approve the Minutes from December 10, 2012

Ms. Shellenberger made a motion to approve the December 10, 2012 minutes as presented. Mark Harman seconded the motion and the motion carried unanimously.

### Correspondence

A letter was received from DC Gohn Associates, Inc. for the Turkey Hill Dairy Final Land Development Plan advising they will be applying for an Individual NPDES Permit from the PA Department of Environmental Protection for the construction activity associated with the final land development plan for Turkey Hill Dairy.

### Annual year End Report

Mr. Haverstick noted that they have received the Annual Report which will go before the Board of Supervisors Tuesday night.

### Adjourn

The meeting was adjourned at 7:37 p.m.

Respectfully submitted,

Don Mann, Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, February 11, 2013

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, February 11, 2013, 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. Mr. Haverstick welcomed Jay Provanzo to the Board.

Members Present: Scott Haverstick, James Henke, Pamela Shellenberger, Mark Harman, Donald Witmer, Don Mann and Jay Provanzo  
Visitors: Todd Smeigh, D. C. Gohn Associate, Inc.  
Bill Gregory, Turkey Hill Dairy

### Minutes

Mr. Henke made a motion to approve the January 14, 2013 minutes as written. Ms. Shellenberger seconded the motion and the motion carried unanimously.

### Business from the Floor

Mr. Caldwell introduced Lauren Zumbun from Rettew Associates who is working with Mr. Caldwell for Manor Township and has been involved with this project.

### New Business

#### Briefing Item – Revised Final Land Development Plan & Modification Requests – Turkey Hill Dairy –

Todd Smeigh from D. C. Gohn Associates, Inc. along with Bill Gregory, Plant Manager, from Turkey Hill Dairy presented the plan. Mr. Smeigh stated that the dairy currently operates on a 32.86 acre parcel situated on River Road. Turkey Hill acquired a 6.3 acre parcel from PP&L. There was a subdivision done of the 32.86 acre property from Frey Dairy Farm which is an undeveloped parcel located due south of the Conservancy Property, north of the cell tower, and east of the Susquehanna River and Rail Trail. This plan combines three tracts creating one 71 acre parcel and details the layout of the new warehouse. Mr. Smeigh stated that there is vehicle parking proposed in the area known as the PP&L right-of-way. This plan and the grading concept have been submitted to PP&L and Mr. Smeigh stated that he has verbal approval but is waiting for written approval. Mr. Smeigh reviewed the plan pointing out the parking and buildings. There is a proposed 22,000 square foot fleet maintenance building and a proposed warehouse building that is approximately 90,000 square feet with office space of 11,000 square feet. This building has the opportunity of a warehouse expansion of 22,000 square feet if needed. Around the perimeter is space for all the various truck sizes. The purpose of this project is to provide a new warehouse that will allow everything to be on site and a picking operation inside the warehouse. This project will eliminate the offsite warehouse and greatly improves their fleet maintenance.

Mr. Haverstick had questions on the word “corrugated” in terms of product, product turn around, truck maintenance, and the percentage of space devoted to liquid and ice cream. Ms. Shellenberger questioned if there are plans for the freed up space that will be available in the existing building.

Mr. Smeigh stated that the new facility will be served by the existing off site well. There is another water tank and pump house that is being proposed which will be strictly for fire suppression. The site is not easily developed due to the terrain. Mr. Smeigh advised the Commission that they did an AG

Technical Study, a manufactured structural earth wall design to take into account the grade on the north side of the parking area, a wetlands investigation, utilized a consultant for the historic and museum commission filing, had a hit on the Pennsylvania Natural Diversity Inventory and are waiting for a letter from the Fish & Boat Commission on that, completed an NPDES Permit Application and received a letter today stating it is administratively complete, and a traffic assessment study has been completed. Mr. Harman asked if they would be utilizing the existing basin for any stormwater increase. Mr. Smeigh advised him that the existing basin will not be used. The concept is to reduce some of the water that goes to that basin and take it in other directions. Mr. Smeigh advised the Commission that there was a lot of preplanning with meetings on site pertaining to the stormwater.

Mr. Smeigh advised them that there was a zoning hearing for variances for the overall building height and height of the light standards that were granted. Mr. Haverstick questioned the rationale for the decisions made by the Zoning Hearing Board. Mr. Smeigh stated that the height of the building has to do with a clear operating height inside the building. Concerning the height of the light poles, they are trying to meet certain building codes for safety. To allow for adequate truck turning, parking, and storage, the light poles need to be pushed to the perimeter as far as possible and in order to maximize the light for the site without light going off the site the additional height is required.

Mr. Smeigh listed the following waivers they are seeking: Section 305-Preliminary Plan Processing Procedures, Section 403.1.A-Plan Scale, Section 403.4-Proposed Features and Plan Information, Section 407.1-Water Feasibility Report, Section 407.2-Sewer Feasibility Report, Section 407.3-Traffic Impact Study, Section 502.5-Reconstruction of Existing Streets, Section 502.7-Right-of-Way, Section 502.12.B.5-Sidewalks, Section 502.13.B.2.c & Section 502.13.B.2.d-Lighting.

Mr. Haverstick asked Mr. Smeigh to show him on the plan how the stormwater is being diverted on the site. Mr. Smeigh gave a brief description of how the stormwater will be handled on the site. Mr. Harman had questions on the handling of the water quality component. Mr. Smeigh stated that they are doing everything they can to preserve the neighboring lands. Mr. Witmer questioned the acreage that will be disturbed and Mr. Smeigh advised him that it would be 25 acres. Mr. Smeigh advised them that the plans were submitted to the Blue Rock Fire Rescue Department and they have their response letter. Mr. Henke asked what they would be doing with the gray water from the degreasing of the vehicles, etc. Mr. Smeigh advised him that the water would go to a pump station and be returned to an onsite treatment plant. Mr. Harman questioned the amount of water removed from the wells daily. Mr. Haverstick questioned Mr. Caldwell on the water diversion towards the trail and how it will be dealt with. Mr. Haverstick stated that the water management on this project concerns him. Mr. Haverstick asked Mr. Smeigh to explain what a rain garden is. Mr. Provanzo had questions on the two points of access. Mr. Haverstick asked if there will be adequate parking and if everything will be on asphalt, asked the approximate cost of the project and the architectural renderings of the buildings. Mr. Haverstick noted this is a briefing item.

#### Correspondence

There was no correspondence.

Ms. Shellenberger asked if the Township discussed the LIMC fee during the budgeting process for this year. Mr. Haverstick advised her that he talked to both Mr. May and Mr. Smith who indicated the Board is committed to the LIMC and there is no thought of pulling out.

Mr. Witmer expressed concern with a small piece of property on Letort Road in Millersville Borough before you get to the Manor Oaks Development in Manor Township where the kids must walk on the road a short distance and then get back on the sidewalk. Mr. Witmer was advised that the area is in

Millersville Borough and there is nothing Manor Township can do regarding having no sidewalk connecting to the Manor Oaks Development sidewalk.

There being no further business Mr. Haverstick adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, April 8, 2013

Time: 7:30 P.M.

The Manor Township Planning Commission met on Monday, April 8, 2013, 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, Donald Mann, Pamela Shellenberger, Donald Witmer and Jay Provanzo

Visitors: Joseph Kilhart, 211 Joshua Lane, Ephrata  
Kris Gundel, 15 Manor Ave  
Bill Gregory, 2601 River Rd.  
Todd Smeigh, D. C. Gohn Associates  
Brian Cooley, D. C. Gohn Associates  
Alex Henderson, 221 E. Chestnut St.  
Dave Wilhelm, 1299 Harrisburg Pike  
Kevin Sadd, 15 Toll Gate Road, Lititz  
Gilbert Weber, 211 E. Chestnut St.  
John Wenzel, 690 Indian Run Rd.  
Ross Ansel, 1853 William Penn Way

### Minutes

Ms. Shellenberger made a motion to approve the February 11, 2013 minutes as presented. Mr. Witmer seconded the motion and the motion carried unanimously.

### Business from the Floor

There was no business from the floor.

### Old Business

Action Item – Revised Final Land Development Plan & Modification Requests – Turkey Hill Dairy –  
Todd Smeigh from D. G. Gohn Associates, Mt. Joy, stated that he was before the Commission in February and then asked for the plan to be tabled until the April meeting to allow enough time to resubmit a complete package to the engineer for their review. Mr. Smeigh advised the Commission that they had a seconded review letter from Rettew Associates dated April 8<sup>th</sup>. Mr. Smeigh advised the Commission that “Item A” recommends postponement which Mr. Caldwell stated was an error. Mr. Smeigh stated that Architect Ross Ansel from Greenfield Architect was present who has prepared a rendering to show the Commission. Mr. Haverstick stated that the concerns he had with this project was the visibility of the building and asked if there are any plans for screening. Mr. Smeigh advised him that it would be difficult to screen the entire building. The warehouse will be close to 40 feet in height. Mr. Haverstick had questions on the elevation of the pad. Mr. Witmer stated that he has more problems with the mound at the landfill than the proposed building. Mr. Witmer stated that anywhere he travels in this area, he can see the pyramid of soil at the landfill and he wondered in time how high that will become. Mr. Witmer stated that when he comes from Columbia he sees a glow on top of Turkey Hill and this facility will create a bigger glow than is seen now. Mr. Haverstick referred to Section 209.6 in the Zoning Ordinance that pertains to residential buffers indicating that he felt screening of some kind should be required. Mr. Caldwell advised him that they looked at this section as adjoining a residential zoning district and not the use of the land. Mr. Mann had questions on the

use of the proposed structure. Mr. Haverstick questioned the waiver for the 45 foot height if the building is only 38 feet. Mr. Smeigh stated that initially the building was going to be 43 feet in height and they found everything could be handled with the building being 38 feet. Ms. Shellenberger asked if the comment on the two points of access had to do with the second point of access being an agreement they are working on. Ms. Shellenberger referred to Page 5 of the plan indicating that the list of modifications needs to be changed to match the modifications they are currently requesting. Mr. Provanzo asked if a new modification has been added since they last looked at the plan. Mr. Provanzo was informed that the Ordinance calls for a pavement design requiring an analysis to be done for equivalent single axle loading. Mr. Smeigh stated the design required by the Ordinance would require a heavier paving thickness than they have designed. They have a soils consultant from ARM Engineers, who did a paving design much thinner which Mr. Smeigh stated that he is uncomfortable with. Mr. Smeigh stated that the paving they are calling for is the same paving utilized in other areas of the plant that has performed well and is what they want to use. The modification is to allow them to use what they already utilize. Mr. Smeigh stated that there will be a lot of earth moving and they will be using all the material on the site that is suitable.

Mr. Haverstick pointed out that Section 509 in the SALDO requires a barrier be provided between industrial uses and contiguous property which is residentially zoned or used for residential purposes. Mr. Haverstick pointed out that the properties across the street are residences. Mr. Caldwell advised him that the properties across the street are not contiguous.

Mr. Henke asked the applicant if they are able to address the comments in the April 8<sup>th</sup> letter. Mr. Smeigh advised him that they do not believe they will have any problem addressing the comments in the April 8<sup>th</sup> review letter from Rettew. Mr. Mann had questions on the lighting.

Mr. Henke made a recommendation that the waiver of Section 305 Preliminary Plan Processing Procedures be recommended for approval based on the Applicant complying with preliminary and final plan requirements outlined by the Township Engineer this evening which is a change from the April 8<sup>th</sup> Rettew letter, Section 403.1.A-Plan Scale recommend approval, Section 403.4-Proposed Features and Plan Information recommend approval, Section 407.1-Water Feasibility Report recommend approval based upon the Township Engineers recommendation, Section 407.2-Sewer Feasibility Report recommending approval based on the Township Engineer, Section 407.3-Traffic Impact Study recommend approval based on justifications that have been submitted, Section 502.5-Reconstruction of Existing Streets recommend approval based upon the justification provided, Section 502.5.G-Right-of-Way recommend approval based on the justification provided, Section 502.12.B.5-Sidewalks recommend approval based on justification provided, Section 502.13.B.2.C & 502.13.B.2.D-Lighting recommend approval based on the lighting fixtures as submitted based on Township Engineer's comments, and Section 505.1-Parking Lot Paving which is the newest modification request and recommend approval based on the information submitted by the Applicant and approved by the Township Engineer. Mr. Harman seconded the motion and the motion carried 6-1 with Mr. Haverstick voting no.

Mr. Henke recommended approval of the Revised Final Subdivision and Land Development Plan for Turkey Hill Dairy based upon the Applicant satisfying the Township Engineer's review letter dated April 8, 2013 as amended this evening. Mr. Harman seconded the motion and the motion carried 6-1 with Mr. Haverstick voting no.

#### New Business

Briefing Item – Separation Subdivision Plan for Lancaster County Solid Waste Management Authority and Frey Dairy Farms, Inc. & Modification Requests - Alex Henderson representing the LCSWMA along with David Wilhelm and Kevin Sadd made a presentation. Mr. Henderson stated that Frey Dairy Farms owns 196 acres that always has been separated by River Road. The 63 acres to the south of River Road

is zoned Industrial and the 133 acres to the north is zoned Agricultural and has an Ag Preservation Easement which is not on the southern piece. The Solid Waste Authority is the equitable owner of the brown tract shown on the site plan but wants to get a subdivision approval so they can file an appropriate deed and have legal title to the tract. On February 28<sup>th</sup> a plan was submitted to the Township that was reviewed by the Township Engineer and as part of that submission two modifications are being requested. 1) To ask the Commission to move this plan from a briefing item if possible to an action item tonight and to recommend it to the Board of Supervisors and 2) ask that the plan be on a scale of 200 feet to 1 inch rather than 50 feet to 1 inch scale. Mr. Henderson received a letter from Rettew dated March 21, 2013 which recommended approval for moving this plan to an action item and for approving the plan scale modification request. There were eight items listed which the Township Engineer believe should be included as part of the plan. All eight requirements have been satisfied in the current version of the plan. There is one residential dwelling allotment remaining which the plan provides in a new note on the plan and will stay with the agricultural zoned section and not be assigned to the section that LCSWMA will own. The review letter mentioned a need for a highway occupancy permit; the applicant stated that they have a highway occupancy permit and will provide that to the engineer. The engineer noted that there should be DEP Form "B" Notice that is on the plan; however, the applicant stated that they do not believe they need to have that and have submitted a waiver to the Sewage Enforcement Officer because they are not proposing to change anything. They are not building any new buildings, no new construction is proposed and there are no changes in the use. Mr. Caldwell advised them that they have received the revised submission by e-mail but have not had the opportunity to look at the revised submission. Mr. Caldwell stated that he is in general agreement with the discussion. Mr. Caldwell stated that they are not looking for a highway occupancy permit but the Municipalities Planning Code requires a note be added to the plan when the land is adjacent to a state highway. Mr. Henderson stated that they have no objection to the note being on the plan. Mr. Henke had questions on the DEP Planning Module.

Mr. Henke made a motion to recommend approval of the two modification requests Section 303.F.2.A-advancing the project from a briefing item to an action item and Section 403.1.A- relating to Plan Scale. Ms. Shellenberger seconded the motion and the motion carried unanimously. Mr. Henke made a motion to recommend approval of the plan subject to the March 21, 2013 review letter issued by Rettew Associates for the Lancaster County Solid Waste Management Authority and Frey Dairy Farms separation subdivision. Mr. Provanzo seconded the motion and the motion carried unanimously.

#### Correspondence

Mr. Haverstick advised the Commission that he received correspondence from the County Economic Development Department.

#### Other – Practice Rural Protection

Designated Rural Areas - Ms. Shellenberger stated that York County has done this since the mid 90's and all 72 municipalities participate. York County uses the term "Interim" and then when adopted the title is changed to "Established Growth or Established Rural Areas". This is accomplished by incorporating this into their comprehensive plan or adopting it via a resolution. Ms. Shellenberger stated that it takes away the idea that rural areas are a holding area for future development. It does not state that rural areas are no growth or limited growth areas but it protects them and gives extra support to say we are protecting this area for its natural features and agriculture capabilities. Ms. Shellenberger stated that she felt it adds support from a planning perspective and Mr. Haverstick agreed. Mr. Haverstick pointed out that the boundaries do not necessarily have to coincide with the existing agriculturally zoned areas. Mr. Haverstick stated that this gives the idea that an agricultural area has equal footing with a growth area. Mr. Henke pointed out that as far as developing agricultural

zoned lands, you do not have the infrastructure or the facilities there to develop and he stated that he does not see how the present codes would allow the agricultural zoned area to be developed. Mr. Provanzo stated that one of his concerns on residential development is that there is a limited amount of land and he questioned if they are looking at the densities that are allowed inside the Urban Growth Boundary to slow the growth. Mr. Mann talked about the street patterns. Mr. Witmer stated many of the issues discussed are being taken care of by the farmers. There are not many farms sold in Manor Township that do not get sold to another farmer compared to years in the past. Mr. Witmer continued stating that there are fewer individual farmers but larger farms. There are farms that are preserved or on a list to be preserved. He asked if someone is going to jump across a preserved farm to obtain a farm to develop. Mr. Witmer stated that he does not object to designated areas. Mr. Henke had questions on the environmental protection in designated areas. Mr. Henke stated that he looks at designated areas as another regulation. Mr. Haverstick advised him that they are not talking about regulations but a designation which is an entirely different thing. Mr. Provanzo stated that he would like more information on the topic than was provided. Mr. Haverstick and Ms. Shellenberger were supportive of a designation area. Mr. Henke stated that he is not here to make more rules and looks at this as infringing. Mr. Haverstick stated that he does not understand the objections as this does not come with any rules and it is just another tool. Ms. Shellenberger advised the Commission that a designation area is not locked in stone and it can be changed. Mr. Haverstick agreed that it is not perpetual. Mr. Haverstick stated that all they are saying at this point in time is that they value these areas as much as they respect the Urban Growth Boundaries. Mr. Haverstick stated that he does not understand what the objections would be. After extensive discussion, Mr. Haverstick asked if anyone objects to asking the Supervisors to have this discussion. There were no objections. Mr. Henke stated that he believes that the Zoning Ordinance has a fair amount of rules and restrictions that prohibits someone jumping four farms over and putting townhouses in the middle of nowhere. Mr. Haverstick questioned how it could hurt to have one more layer that helps preserve land. Mr. Haverstick asked Mr. Wenzel if it would be possible to have this dialogue with the Board of Supervisors. Mr. Wenzel stated that he is one Supervisor and cannot say. However, this is what the Planning Commission should be talking about and it is good dialogue. Mr. Haverstick stated that the Planning Commission does not make policy and Mr. Wenzel stated it is their prerogative to bring it before the Supervisors. Mr. Caldwell asked if it would be beneficial for someone from the Commission to present this to the Supervisors.

Mr. Haverstick advised the Commission that at the last Supervisors meeting he talked to them about a series of articles in the newspaper on demolition of historic properties. If there is a subdivision or land development plan, the SALDO has a process to go through pertaining to a historic structure. Mr. Haverstick stated if an individual wants to knock down a building all they have to do is get a demolition permit from Mr. Ott with no process. Mr. Haverstick stated that he feels there should be some type of process to go through if it pertains to a historic structure. Mr. Henke stated that he sees Mr. Haverstick's side but again he stated that he feels if he owns it, he should make that decision. Mr. Witmer stated that some beautiful houses in the Manor are gone. Mr. Harman stated that he agrees with Mr. Henke in that he is not comfortable with someone else assigning a value to a piece of property or structure that he bought. Mr. Harman asked if it is a nice old limestone structure, can he not put a garage on it or expand it; historical significance or the fact that it is old should not stop someone from doing what they want. Ms. Shellenberger stated that you need to start with an inventory of what is defined as historic. Mr. Haverstick stated that typically you can stipulate a 30 day cooling off period. During that time, historians could look at a structure and come up with an alternative that will save a worthwhile structure. Mr. Haverstick asked if there were any objections to having a minimal process to be determined. Mr. Harman stated in an example that he did not like the idea that if he would buy a property and everyone in Manor Township loves the old house on the property, that he was not comfortable with Manor Township telling him that he needs anybody's approval to demolish that house.

Mr. Haverstick stated that this is not requiring approval; it is just giving time to see if anything can be done with the house instead of demolishing it. Mr. Provanzo pointed out that you are not requiring approval yet but it is the first step. Mr. Provanzo talked about the West Hempfield example that was used. Mr. Provanzo stated if you know where the historic structures are ahead of time, it may help in that it gives people time to work on it. If you know about a structure and people are willing to take the initiative to move it that is one thing; the concern is that you start with a 30 day period; someone says you should move the house. How are you going to go about doing it? Two years later you are still having the discussion. Mr. Provanzo stated that he sees this as a continual process of adding additional steps. Mr. Provanzo stated that he does not have a problem with identifying historic structures. Mr. Witmer stated that he would like time to think about this discussion and possibly continue it at a later date.

Mr. Haverstick asked if anyone had objections to moving the Planning Commission meetings to 7:00 p.m. as opposed to 7:30 p.m. There were no objections to moving the meeting to 7:00 p.m.

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Donald Mann  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, May 13, 2013

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, May 13, 2013 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, Jay Provanzo,  
Donald Witmer and Pamela Shellenberger

Visitors: John May, 100 Red Fox Rd., Millersville  
Gary Price, 2468 Creek View Drive, Lancaster  
Julie Miller, 930 Red Rose Court, Lancaster  
Robert Illo, 971 Corvair Road

Minutes – James Henke made a motion to approve the April 8, 2013 minutes as presented. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Public Comment – There was no public comment.

### New Business

(Briefing Item can be moved to action item by the Planning Commission)

Briefing Item – Lancaster Self Storage LLC & Modification Requests - Julie Miller, Attorney with Russell, Krafft & Gruber, advised the Commission that she would present the application and she was accompanied by Mr. Price and his engineer, Robert Illo. Ms. Miller stated that last month Mr. Price appeared before the Zoning Hearing Board and was granted a variance regarding screening in the setback. Ms. Miller advised the Commission that they received correspondence from Rettew Associates regarding comments on the plan which the applicant does not anticipate any issues with compliance. There is a meeting this week between Mr. Illo, the Township Engineer and the Township Planning Staff. They are asking for this plan to be moved to an action item.

Robert Illo advised the Commission that he is the engineer and architect who prepared the plan and asked Mr. Price to give an overview of what he was proposing. Gary Price, the managing partner for Lancaster Self Storage LLC and Peace of Mind Self Storage, stated that they have experienced a demand for self storage and RV storage. They have purchased an 8.3 acre lot next to their current lot on Charlestown Road and are now ready to proceed with developing the lot into self storage units and RV storage. Mr. Price stated that they plan to add five new buildings and a number of RV storage spaces that would be connected to Peace of Mind Self Storage but would be a separate business entity. They are not requiring any additional curb cuts, electrical service, sewer or water. Mr. Illo advised the Commission that they have received comments from the Lancaster County Conservation District who indicated the E&S plan appears to be in order provided that the stormwater is approved by the Township. The plan is on the agenda for the LCPC's next meeting. The additional comments in the Rettew review letter will be addressed on the drawings. The frontage along Charlestown Road will be continued in the same way to maintain the two sites. Mr. Henke had questions on the security fencing and expressed his personal opinion on the different colored tarps used as covers for boats and recreational vehicles indicating to Mr. Price that they are an eye sore knowing that there was probably nothing that can be done about them. Mr. Henke asked about the comments in the stormwater review letter which they have not seen. Mr. Haverstick asked Mr. Ott who and when the decision was made to bypass the Planning Commission on stormwater management issues. Mr. Ott advised him that Mr.

Smith is in charge of stormwater approval. Mr. Haverstick stated that traditionally they have looked at the plans. Mr. Haverstick stated that it would be helpful for the Commission to have the decisions of a zoning hearing board prior to the planning commission making decisions on a matter. Mr. Provanzo had questions on the number of units that are proposed and the overall number of units. Mr. Provanzo asked Mr. Price what the anticipated time to rent the proposed units was. Mr. Price stated three years. Mr. Price advised the Commission that they are at 100 percent occupancy at the present time with a waiting list. Mr. Haverstick asked if the project will be phased to which Mr. Price replied that it will be done all at one time. Mr. Mann asked if there is a lack of storage County wide and Mr. Price advised him that there is a shortage. Mr. Mann had questions on the lighting proposed for the facility. Mr. Price advised him that they will be continuing the lighting plan used in the current Peace of Mind facility. Mr. Provanzo had questions on the access to the site and he was informed that there are two point of access; one access being the shared drive and the other is directly from second isle back in the existing facility. Mr. Price advised the Commission that there is one point of entry that is the current point of entry at Peace of Mind Self Storage and two points of exit. Mr. Henke questioned the market for the front portion of this lot which is 3 or 4 acres. Mr. Price stated that the overall lot is approximately 8.3 acres and they are using approximately 5-6 acres. Mr. Mann had questions on the sidewalks.

Mr. Henke made a recommendation that the plan be advanced from a briefing to an action item. Mr. Provanzo seconded the motion and the motion carried unanimously.

Mr. Henke recommended the requested modifications be recommended for approval Section 305-Preliminary Plan Processing Procedures, Section 403.3.B.3.5-Existing Features within 200 feet of a tract and Section 509.1-Commercial Landscaping based upon engineer's letter dated May 10, 2013. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Mr. Illo asked to make a clarification that the distance is from the disturbed area not from the property line.

Mr. Henke made a motion that the Lancaster Self Storage LLC Land Development Plan is recommended for approval based upon satisfying Rettew's May 10, 2013 review letter in addition to satisfying Rettew's review of the stormwater management, the Lancaster County Conservation Districts review letter as well as the LCPC's review letter. Ms. Shellenberger seconded the motion and the motion carried unanimously.

#### Correspondence

There was no correspondence.

Practice Rural Protection – Ms. Kadel from the LCPC talked to the Commission about the adopted Comprehensive Plan and what the emphasis was at that time. Ms. Kadel stated in the decade since then, we have heard that we also need good rural planning. With the Comprehensive plan adopted in 2006, we have tried to give more emphasis to the rural aspect of the county and provide planning and development tools. One tool is that there should be a designated rural area to reflect that it is a different area. The small villages and cross roads really play as much or more of a factor in the county character as anything else and as part of the rural area they need to be protected. Mr. Haverstick advised Supervisor May that the Commission has been discussing this idea that came about as a result of the LCPC forwarding the idea of the value of rural areas being equal to the value of the developed areas and there needs to be a plan of some kind. Mr. Haverstick advised Mr. May that this will take the Supervisors participation to make this happen. Ms. Shellenberger stated that the designation of the rural area is important to the character to protect those agricultural lands, significant natural areas, floodplains, wetlands, steep slopes, etc. and the little villages scattered throughout the rural area. Mr. Haverstick stated that he does not see a down side and what objections there would be to rural designation. Mr. May stated as a Supervisor he is receptive to the rural designation and does not see

any down side to it. Mr. May stated that he feels there are natural areas in Manor Township that are just as historic as some structures. Maybe what is undisturbed should stay undisturbed. Mr. May stated that he feels it should be clear that they are not talking just agricultural preservation. Mr. Henke asked if saying preserved means that they are no longer open for development. He was advised that there may be appropriate uses but there may be things that are not appropriate. Mr. Haverstick stated that this will have no affect whatsoever with any development that is allowed by ordinance; we are just taking a larger view of an area and trying to retain its composition and character. Ms. Kadel stated that standing alone, the rural designation does not have any teeth, but it is one of many tools you can use; with the other things it strengthens your ordinances. Mr. Haverstick stated that he does not see a problem. Mr. Henke stated that he feels it is another layer of regulation and if there is no impact and everyone can do what they want, then why do it. Mr. Henke stated that this would be another layer to go through in order to develop. Whether zoned rural or agricultural the codes are the codes so why can they not stand on their own? Mr. Haverstick stated it would give direction as to what they will allow to which Mr. Henke stated that is what the zoning ordinance does. Mr. Haverstick stated this would be above and beyond the zoning ordinance as an overview. Ms. Shellenberger talked about the rural designated areas in York County. Mr. Witmer stated that he feels this is more government even though he sees Mr. Haversticks point. Mr. Provanzo agreed with Mr. Henke that they have the zoning ordinance in place that protects the rural area and he stated that he agrees about giving value to the rural area, but in doing that there should be a look at the urban growth area and reevaluate that before you start designating rural areas. Mr. Provanzo asked the question. Are they comfortable with the urban growth boundaries? Mr. Caldwell stated, if the Commission wants to achieve the goals they are talking about and the prevent issues brought up, then you need to develop a plan for the rural area looking at what traditionally occurred in the rural areas and what can be done to encourage the traditional land uses to occur. For example, you need to state in the plan that it is okay for a farmer to buy land and as long as it is not jurisdictional wetlands which will allow him to clear five areas to grow crops. Those things must be spelled out. Mr. Haverstick stated that the staff at the LCPC is prepared to give guidance. There was discussion on updating the comprehensive plan and what is involved. Mr. May stated that the fear of this prospect of designating the areas comes from paranoia. Mr. May continued by stating that Mr. Henke is afraid that this may affect development that he may do sometime in the future and Mr. Witmer is afraid he may not be able to cut down a patch of woods and plant crops. Both are fears. When Mr. Provanzo mentioned expanding beyond the urban growth boundary and developing land, Mr. Witmer was saying you are going to destroy my Township. Mr. May stated that this designation will protect the areas and give you what you want and yet you are arguing against the idea. We must get beyond the paranoia and have some faith that this is a good idea and a vision. After extensive discussion, Mr. Haverstick made a motion that this Commission request the Board of Supervisors to, at a minimum, sit down and discuss this issue with the Planning Commission with hopes of implementing a rural designation area in Manor Township. Mr. Mann seconded the motion. Mr. Provanzo had a question on the process asking if the Supervisors can actually sit down with the Commission. Mr. Provanzo was advised that this can occur. Mr. Henke verified that the motion was made and seconded just to sit with the Board of Supervisors to discuss this. Mr. Ott stated the motion was with the Supervisors to sit down and discuss the idea of developing a rural designation. Mr. Haverstick called for the vote. The motion passed 4-3 with Mr. Provanzo, Mr. Henke and Mr. Harman voting against.

Historic Structures – Demolition - Mr. Haverstick opened the discussion stating that he feels there is common ground and he believes everyone realizes that there is a deficiency in not having a process at all. Mr. Harman stated that he was not sure he agreed with Mr. Haverstick. Mr. Harman stated that he feels if it is his property and he wants to tear something down, he thinks he should have that ability to

do that without coming in and asking someone's permission unless it is recognized by the State of Pennsylvania Historic Museum Commission. Mr. Harman continued that if he wants to do an addition onto his historic house for an in-law wing or garage, he should not need to have to ask someone's permission to do so provided he meets all the requirements. Mr. Henke agreed. Mr. Harman stated the next step will be that you cannot tear the structure down. Mr. Haverstick stated that they are not talking about not being able to tear a struck down and stated they are talking about demolition only and not adding onto a historic structure. Mr. May stated if you knew you had a historic situation involved when buying a property, it may give you thought to get a property where you can tear something down. Mr. Henke stated if you know going in that you have a historic structure and what you can do with it, that is different than someone who already owns a historic structure and not aware of it and wants to tear it down. Ms. Kadel stated that you can have a basic demolition ordinance that states that you must wait 30 days to be notified if it is a historic resource in case you do not know it and that gives time to whoever makes this determination to make recommendations. Mr. Henke stated that he would love a 1700 dated home but also wants the right to tear it down if he would want to. Mr. Haverstick stated that we are not saying you cannot tear it down but before you do you need to consider. Mr. Henke stated that you say 30 days but the next thing you know it is 60 days. Mr. Haverstick stated that the County has offered to have a specialist come in with a presentation that could be a joint meeting with both Boards. Mr. Henke stated that he will listen but he has a strong belief in property rights and people telling him what he can and cannot do to property he owns. Mr. Haverstick stated presently there is nothing in place to preserve historic structures and Mr. Henke pointed out that the SALDO addresses historic structures. Mr. Provanzo stated that he believes in property rights and believes in less government. Mr. Harman gave a scenario involving obtaining permits and stated that there is cost incurred not just the waiting period. There is an additional burden put on the property owner. Mr. Provanzo stated that if there are houses to be preserved, then they need private groups to do it and it should not be the Township's responsibility. If a group wants to preserve a house on someone's property, they should approach that individual and work something out with the owner. Mr. Provanzo continued by stating that if the group does not approach the owner and the owner wants to build a new home, he would find it hard to tell the owner they cannot build the new home. After discussion, Mr. Haverstick made a motion to approach the Board of Supervisors with this topic in anticipation of developing a process regarding demolition of properties. Mr. Mann seconded the motion and the motion carried 4-3 with Mr. Provanzo, Mr. Henke and Mr. Harman voting against.

There being no further business the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, June 5, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, June 5, 2013 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris  
Township Officials Present: Bruce Ott and James McManus  
Visitors: Mike Julian

### Minutes

Mr. Singer made a motion to approve the May 1, 2013 as presented. Mr. Peris seconded the motion and the motion carried unanimously.

### Old Business

Case #6-12 - The application of Leisure Living, Inc. d/b/a Sundance Car Wash for property located at 2150-2154 Columbia Avenue, Lancaster, PA. The applicant is appealing the denial of a sign permit and is appealing the interpretation of the Zoning Ordinance by the Zoning Officer. In the alternative, the applicant is also requesting a variance from the requirements of Section 315.4.24 of the Manor Township Zoning Ordinance. The property is located in the General Commercial (GC) Zoning District. This hearing is continued from the April 3, 2013 meeting. The applicant is asking the Board for another continuance until October 2, 2013.

Ms. Douglas stated they received the following letter from George T. Cook, Attorney, requesting a continuance. Ms. Douglas read into the record the following letter: "Dear Bruce, Leisure Living, Inc. proposes that the June 5 zoning hearing on the above matter be postponed until the regular Manor Township Zoning Hearing Board meeting for October, 2013, which I believe will be Wednesday, October 2, 2013. The reason for the delay of several months is that it appears that the Manor Township Supervisors will be considering adoption of a zoning ordinance amendment that could have a bearing on Leisure Living's application. It will take several months to draft an ordinance and go through the required MPC procedures before the Supervisors would even be in a position to take a vote on the amendment. Probably that happens in approximately August at the earliest. I have spoken with Attorney Matt Crème about this extension request and under the circumstances he has no objection to it. As with prior continuances, we presume that this continuance will be granted without the necessity for any applicant representative to appear on the evening of June 5. The applicant waives its right to a hearing prior to October 2. We thank the Zoning Hearing Board for its anticipated understanding of this matter. Sincerely, Blakinger, Byler & Thomas, P.C., George T. Cook." Mr. Singer made a motion to accept the request. Mr. Peris seconded the motion and the motion carried unanimously.

Mr. McManus requested that the letter from George T. Cook be marked Exhibit #6.

There being no further business Mr. Singer made a motion to adjourn the meeting. Mr. Peris seconded the motion and the meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, July 8, 2013

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, July 8, 2013 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Vice Chairperson, Pam Shellenberger called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag. Ms. Shellenberger welcomed Keith Hoover to the Board. Mr. Hoover was appointed July 1, 2013 to the Commission by the Board of Supervisors to fill the vacancy left when Scott Haverstick resigned.

Members Present: Pam Shellenberger, Mark Harman, Keith Hoover, Donald Witmer and Jay Provanzo

Members Absent: James Henke and Don Mann

Visitors: Brandon Clark, 125 Farmstead Dr.

Minutes – Don Witmer made a motion to approve the May 13, 2013 minutes as distributed. Mr. Provanzo seconded the motion and the motion carried with Keith Hoover abstaining.

### New Business

Sign Ordinance Amendment – Mr. Ott advised the Commission that the development of this amendment has been ongoing for several months. Mr. Hollinger from Leisure Living Car Wash desired to erect an electronic sign that changed every five seconds which was not allowed by Ordinance. Mr. Hollinger then submitted an application for a sign that would change every 24 hours for which a permit was issued. The Supervisors have been looking at different township ordinances and have come up with this draft that allows a sign to change every hour. Mr. Provanzo asked if PennDot had any regulations and was informed that they had less stringent regulations. Mr. Provanzo questioned why they were only looking at the General Commercial Zone. Mr. Harman stated that he is not concerned with a few signs but what if everyone would want an electronic sign and they changed every five seconds. Mr. Provanzo stated that as these signs become more affordable, the Township will be asked to deal with the timing of the message changing and as a Commission do they feel comfortable with the sign changing hourly versus every five seconds. After discussion, Mr. Harman made a motion to amend Article 3, General Provisions, Section 315 Signs, Subsection 315.4, General Regulations, as presented in the amendment. Mr. Provanzo seconded the motion and the motion carried unanimously.

Official Map Amendment – Mr. Ott stated that there is an undeveloped area behind a resident in Washington Boro that is an unused, unmaintained alley located on the Township Official Map. The resident requested to take his part of the alley which became a legal issue. There is a Court Order requiring the Township to relinquishing their part of what was the alley to this homeowner. There was discussion and unanswered questions pertaining to what percentage of the unmaintained area would go to the homeowner, who owns the alley and what will be done with the remaining portion of the unmaintained alley. Mr. Provanzo made a motion to recommend approval to the Board of Supervisors of the Ordinance amending the Code of Ordinances of Manor Township by amending Chapter 28 Official Map and Ordinance #4-99 and they recommended amending Section 1 the Official Map for Manor Township, Lancaster County, Pennsylvania as prepared by Rettew Associates, Inc. dated August 16, 1999 hereby amending the map by removing from the Official Map that portion of Front Street south of Market Street which has been unopened as depicted on Exhibit "A" which is attached and incorporated by reference. Mr. Witmer seconded the motion and the motion carried unanimously. Mr. Witmer

recommended that the Township look at the remaining unmaintained portion of Front Street. Mr. Hoover seconded the motion and the motion carried unanimously.

Rezoning Petition – The Rezoning petition is Rohrer Properties, LP/Charlestown Dairy, LLC. The Applicant wants to preserve their entire farm and the portion that is zoned rural must be rezoned for the Rohrer's to preserve the entire farm. Mr. Ott advised them that the Ordinance would need to be recommended to the Board of Supervisors who will then advertise the public hearing and the property will be posted. Mr. Provanzo made a motion to recommend to the Board of Supervisors approval of Ordinance amending the Manor Township Zoning Ordinance by amending the zoning map of Manor Township by changing a tract of land located along the easterly side of Shultz Road, containing approximately 4.63 acres, from Rural zone (R) to Agricultural zone (A) in accordance with the legal description shown in the draft Ordinance. Mr. Witmer seconded the motion and the motion carried unanimously.

Correspondence – There was no correspondence.

#### Other Business

Rural Protection – Ms. Shellenberger asked if the Commission would want to wait until Growing Together is updated and at that time it would be incorporated in a discussion with the other municipalities. At the last meeting it was pointed out that there are some parcels within the Growth area zoned rural and technically they probably should only be zoned rural if they are not being proposed for development.

Historic Structures – Ms. Shellenberger asked if there is anything the Commission wanted to do with regard to recommending provisions that you could not automatically demolish a historic structure. There was a question if there would be a cost to the Township to verify any historic structures that may be located in the Township. Ms. Shellenberger advised them that she contacted the Historic Trust of Lancaster whose goal is to contact each municipality and make presentations. Ms. Shellenberger advised the Commission that if a presentation is given, they will give the Township a print out of the properties that they are tracking in Manor Township; there are approximately 94 properties. The National Register of Historic Places list one property located on Blue Rock Road and a property on Donerville Road is listed as eligible for the National Register. Mr. Harman asked if there is a criterion that is used when assessing these properties and if that criteria would be available. The Commission was in agreement to listen to a presentation. Mr. Provanzo asked if the Historic Preservation Trust takes any steps for the preservation of properties. Ms. Shellenberger advised him that they have Historic Conservation Easements held so it is the property owner's decision to protect their historic buildings in perpetuity. There was a suggestion to place an article in the Township Newsletter that provided information on a Historic Conservation Easement.

Mr. Ott stated that he understands from the Commission that pertaining to the Rural Protection they are going to wait until the Growing together is updated and that item will not appear back on the agenda. The Historic Structures will not be put back on the agenda unless there would be something new to discuss or arrangements made for a presentation.

Mr. Harman questioned if there is any plans as a Township to look at how they are developing areas such as Columbia Avenue with the walkability, etc. He stated that he feels that everything is disjointed and not connected. Mr. Ott advised him that most all the properties on Columbia Avenue and the area from Hershey Mill Road to Columbia Avenue is developed. Mr. Ott stated there is nothing formal to link the developments.

There being no further business Ms. Shellenberger made a motion to adjourn. Mr. Witmer seconded the motion and the meeting was adjourned at 8:00 p.m.

Respectfully submitted

Evelyn Rineer  
Recording Secretary

## Manor Township Planning Commission Minutes

Monday, September 9, 2013

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, September 9, 2013 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Vice Chairperson Pamela Shellenberger called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Pamela Shellenberger, James Henke, Mark Harman, Don Mann, Donald Witmer, Keith Hoover and Jay Provanzo

Minutes - Mr. Provanzo questioned the wording in a statement made by Ms. Shellenberger in the first paragraph under Historic Structures. Ms. Shellenberger indicated that it should read "Historic Trust". Ms. Shellenberger noted that in the same paragraph the word "Natural" should be "National". Under Other Business there was a correction in the wording in the last sentence.

Mr. Provanzo made a motion to accept the July 8, 2013 minutes with the three corrections discussed; 1) Under Other Business the last line should read "they are not being proposed for development", 2) Under Historic Structures, the words "Heritage Trust" should be removed and, 3) The word "Natural" should be "National". Mr. Harman seconded the motion. The motion carried with Mr. Henke and Mr. Mann abstaining.

### Reorganization

Mr. Henke made a motion for Pamela Shellenberger to be Chairperson, Jay Provanzo to be Vice Chairperson and Don Mann continue as Secretary. Mr. Harman seconded the motion and the motion carried unanimously.

Ms. Shellenberger informed the Commission that Don Mann was appointed by the Board of Supervisors to take Scott Haverstick's place on the Land Use Advisory Board for the LIMC.

### Presentation – Lancaster Historic Trust

There was no one at the meeting to make a presentation. The presentation will be rescheduled.

### Correspondence

Mr. Mann advised the Commission that there is a LCPC Fall 2013 Regional Breakfast Meeting October 17<sup>th</sup> and he would provide everyone with the brochure.

Mr. Mann informed the Commission that the Lancaster County Housing Summit will be held on October 22, 2013, at the Double Tree Resort, Lancaster. Mr. Provanzo passed around a brochure on the seminar.

Mr. Henke asked if there was a particular reason the Supervisors Meeting minutes were no longer mailed to the Commission members.

There being no further business the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Don Mann  
Secretary

Respectfully submitted,  
Evelyn Rineer



## Manor Township Planning Commission Minutes

Tuesday, October 15, 2013

Time: 7:00 P.M.

The Manor Township Planning Commission met on Tuesday, October 15, 2013 at the Manor Township Municipal Building, 950 West Fairway, Lancaster, PA. Chairperson Pamela Shellenberger called the meeting to order and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Pamela Shellenberger, James Henke, Don Mann, Donald Witmer, Keith Hoover, and Jay Provanzo  
Member Absent: Mark Harman  
Visitors: Cheryl Love, ELA Group, Inc.  
Joe Patterson, Historic Preservation Trust  
Rev. John Loughlin, Grace UMC  
Clair Becker, 18 Money Hill Rd.  
Linda Valentino, 489 Letort Rd.  
Deb Apple, 487 Letort Rd.

Minutes - Mr. Provanzo made a motion to approve the September 9, 2013 minutes as presented. Mr. Henke seconded the motion and the motion carried unanimously.

Public Comment – There was no public comment.

### New Business

Sketch Plan – Grace Methodist Church – Rev. John Laughlin, Pastor of Grace United Methodist Church, Millersville, provided general background information on the church, growth within the church and the need for expansion. Cheryl Love with the ELA Group, Inc. gave a brief overview of the sketch plan noting receipt of the review letters from Rettew Associates. Ms. Love talked about the size of the building, the number of proposed parking spaces, stated that the plan was looked at for a full design build out based on grading, and the right-of-way has been secured from the adjacent property owners for public water and sewer. Extensions, manhole and stubs have been put into place for the sewer and water connections. Sewer capacity has been obtained through LASA. The applicant will meet the requirements of the Ordinance for lighting, screening, storm water and sight distance. Ms. Love stated that they have much of the ground work in place to move forward with the design stages and they have received an exception for the sewer planning module.

Mr. Henke had asked what the square footage of the existing building is. Mr. Henke asked if in regards to the process, are they preparing a preliminary and then a final plan or looking at preliminary/final plan. Ms. Love stated that they would welcome any consideration to waiving the preliminary plan. Mr. Henke had questions regarding storm water, building materials and the look of the building.

Ms. Shellenberger asked if they had considered the use of any pervious pavement. Ms. Love stated that they could consider pervious pavement.

Mr. Mann asked the following questions: the reason for the expansion, the number of people attending services, the number of people who walk to services, if they considered connecting to the neighborhoods and if there is any particular area that they are seeing their growth coming from.

Ms. Shellenberger stated that it would be nice to have a pathway to connect the two neighborhoods that would enable children in the Perth Hills and Money Hill Road areas to be able to bike to school which is very dangerous now to do. Rev. Laughlin stated they would love to have a walking trail if the

Township would like to partner with them. Rev. Laughlin advised them that they have long term plans that would include athletic fields, etc. Mr. Mann pointed out that if the athletic fields are built and people are not able to walk to them, then everyone must drive to get to these areas.

Deb Apple, 487 Letort Road, asked the time line to begin the project. Ms. Love advised her that they are targeting very late spring.

Mr. Provanzo questioned the approximate time of the opening of the facility and days of the week that the facility will be used. Rev. Laughlin advised them that regarding the opening of the facility, they are looking at nine months from ground breaking to completion, which would be early 2015. Rev. Laughlin stated that there will be evening meetings as well as Sunday service. Mr. Provanzo had questions on the recreational facilities. Ms. Love stated that the recreational facilities do not show on the plan but she pointed out the proposed general area for facilities. Mr. Provanzo asked if there was any thoughts on sidewalks along the road and entrance way coming into the property. Mr. Provanzo asked Rev. Laughlin if they had any time lines for future expansions. Mr. Mann asked if the churches in the area considered sharing their recreational facilities or the erection of a communal center.

Mr. Henke asked if there was any concern of a denial when they apply for a special exception to the Zoning Hearing Board. Rev. Laughlin stated that he feels they are able to build what they need and it will be years out before they will need to consider a special exception.

#### Presentation- Lancaster Historic Trust

Joe Patterson from the Lancaster Historic Trust gave a presentation on historic structures in Manor Township and things that can be done to protect or preserve those structures. Mr. Patterson gave background information on the Lancaster Historic Trust and talked about their outreach program to municipalities concerning the value of historic preservation. Mr. Patterson had pictures and gave highlights of some of the buildings that the Historic Trust was involved in saving. Mr. Patterson noted that some buildings have historic preservation easements on them, which is a legal deed that saves properties from being demolished or defaced in perpetuity; these deeds are held by the Lancaster Historic Trust. These properties are inspected annually to make sure that they are being maintained. Mr. Patterson noted the advantages and disadvantages of the historic preservation easements. Mr. Patterson advised the Commission that if they are notified of properties being demolished, they can go in and take photographs, identify a date stone, gather data from owner's family, etc. and that can be added to their archives. Mr. Patterson noted that research is a key part of what the Historic Trust does. The Historic Trust has received a grant from Steinman Foundation to digitize their records as the records are currently all paper copies so they are vulnerable to damage or loss. Education is important and is one of the reasons for the presentations like they are giving tonight. Mr. Patterson talked about the historic plaque program and the importance of it in that it gives them information on historic properties in Lancaster County and encourages people to maintain historic structures. Mr. Patterson noted that collaboration is important in the preservation of historic structures. Mr. Patterson stated that they have a book entitled "Our Present Past" that list 94 properties from Manor Township that have been identified over the years as being historically significant. Mr. Patterson will provide a copy of the book to the Township.

Ms. Shellenberger asked for an explanation of the criteria that is used to list historic properties. Mr. Patterson advised her that they look at properties that are World War II vintage or older which is an umbrella criteria for historic properties. They then look at properties that have historic significance, a structure that has architectural uniqueness, and in most cases it is a property that has some direct tie to the local area which is better defined by the township or borough that the property is located in than the Historic Trust. Ms. Shellenberger had questions regarding the easements.

Ms. Kadel from the LCPC talked about grants that they received to do surveys of the historic structures.

Correspondence – There was no correspondence.

Other Business

Ms. Shellenberger stated the Lancaster County Housing Summit Seminar was coming up on October 22, 2013. The Regional LCPC breakfast will be held in Columbia on October 17, 2013.

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

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, January 2, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, January 2, 2013 in the Manor Township building, 950 West Fairway Drive, Lancaster, PA. Chairman John Wenzel 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

### Minutes

There were no additions or corrections, therefore, the December minutes stand approved as distributed.

### Re-organization Meeting

Election of Officers – Ms. Douglas made a motion that the Officers remain the same for the year 2013 with Chairperson, John Wenzel; Vice Chair, Barbara Douglas; and Secretary, Bradley Singer. Mr. Singer seconded the motion and the motion carried unanimously.

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

Selection of Solicitor for Zoning Hearing Board for the year 2013 – Ms. Douglas made a motion to continue to hire James McManus for the year 2013. Mr. Singer seconded the motion and the motion carried unanimously.

### New Business

Case #6-12 - The application of Leisure Living, Inc. d/b/a Sundance Car Wash for property located at 2150-2154 Columbia Avenue, Lancaster, PA. The applicant is appealing the denial of a sign permit and is appealing the interpretation of the Zoning Ordinance by the Zoning Officer. In the alternative, the applicant is also requesting a variance from the requirements of Section 315.4.24 of the Manor Township Zoning Ordinance. The property is located in the General Commercial (GC) Zoning District. Mr. Wenzel turned the meeting over to Mr. McManus.

Mr. McManus stated the case before the Board this evening is Case #6-12 the application of Leisure Living, Inc. doing business as Sundance Car Wash. Bruce Ott was sworn in and stated that he is employed as the Zoning Officer of Manor Township and in that capacity received Case #6-12 the application of Leisure Living, Inc. d/b/a Sundance Car Wash that is before the Board this evening. The property is located at 2150-2154 Columbia Avenue in Manor Township. The hearing was advertised and the property was posted with the time, date, place and subject matter. The hearing was advertised in the Lancaster Newspaper on December 19 and 26, 2012. Mr. Ott provided Proof of Publication which was marked Board Exhibit #1. Notice of the date, time, place and subject matter was posted on the bulletin board in the Township Lobby on December 14, 2012. Notice of the time, date, place and subject matter was mailed to the adjoining property owners on December 13, 2012. The application submitted contained the standard application form dealing with an appeal and a variance application that Mr. McManus asked to be marked Board Exhibit #2. Mr. McManus noted that there were no persons in attendance at this hearing representing the applicant or any other persons interested in the application. Mr. McManus advised that the Board had a letter before them addressed to Matthew Crème, Esquire who is serving as alternate solicitor to Manor Township from George T. Cook, Esquire representing the applicant dated December 28, 2012. Mr. McManus read the letter into the record.

“Dear Matt, Pursuant to our phone call, allow this letter to confirm that my client, Leisure Living, Inc., is requesting that the January 2 zoning hearing on the above matter be postponed until the regular Zoning Hearing Board meeting for February, 2013 (presumably to occur on February 6). We presume that such continuance will be granted without the necessity for any applicant representative to appear on the evening of January 2, 2013. In addition, you advised that: (1) if the Applicant presents an amended sign application to Bruce Ott requesting the current sign with changeable portion of the message to switch only once every 24 hours, the Township will promptly issue such a permit; and (2) the Township will be considering possible zoning ordinance amendments to the sign provisions to address issues raised by the Applicant’s application to the Zoning Hearing Board. Please be advised that the Applicant certainly desires to have input into the drafting of any zoning ordinance amendment, and we will look to hear soon from a Township representative as to the same” under George T. Cook’s signature. This letter is to request a continuance and the matter before the Board is to make a motion to accept this request and continue it to February 6 at 7:00 p.m. in this room in this building. Mr. Singer made a motion to accept the request for a continuance. Ms. Douglas seconded the motion and the motion carried unanimously. Mr. McManus asked that the letter be marked Board Exhibit #3. Mr. Singer had questions pertaining to the continuance that was requested in the letter.

Mr. Wenzel adjourned the meeting noting the next hearing will be February 6, 2013 at 7:00 p.m. The hearing was adjourned at 7:14 p.m.

Respectfully submitted,

Bradley R. Singer  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, February 6, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, February 6, 2013 in the Manor Township Municipal Office, 950 West Fairway Drive, Lancaster, PA. Vice Chairperson Barbara Douglas introduced the Board, welcomed Chris Peris to the Board, and welcomed Mike Julian who is the alternate to the Zoning Hearing Board. Ms. Douglas led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris  
Township Officials Present: Bruce Ott and James McManus  
Visitors: John May, 100 Red Fox Road

### Minutes

The Board received copies of the January 2, 2013 meeting minutes. There were no corrections or additions and the minutes stand approved as distributed.

### Old Business

Case #6-12 - The application of Leisure Living, Inc. d/b/a Sundance Car Wash for property located at 2150-2154 Columbia Avenue, Lancaster, PA. The applicant is appealing the denial of a sign permit and is appealing the interpretation of the Zoning Ordinance by the Zoning Officer. In the alternative, the applicant is also requesting a variance from the requirements of Section 315.4.24 of the Manor Township Zoning Ordinance. The property is located in the General Commercial (GC) Zoning District. This hearing is continued from the January 2, 2013 meeting.

Ms. Douglas read a letter from George Cook, Attorney to Bruce Ott the Zoning Officer. "Dear Bruce, Further to a recent e-mail exchange between me and Matt Crème allow this letter to confirm that my client, Leisure Living, Inc., is requesting that the February 6 zoning hearing on the above matter be postponed until the regular Manor Township Zoning hearing Board meeting for April, 2013 to occur on April 3. As with the continuance to February 6, we presume that such continuance will be granted without the necessity for any applicant representative to appear on the evening of February 6, 2013. The applicant waives its right to a hearing prior to April 3. Thank you for your attention. Sincerely, George T. Cook of Blakinger, Byler & Thomas, P.C." Mr. McManus stated the letter that was read is dated January 17<sup>th</sup> addressed to Mr. Ott. The letter was marked Board Exhibit #4. Mr. Singer made a motion to grant the Applicant's requested continuance until the April 3, 2013 hearing at 7:00 pm in this building. Mr. Peris seconded the motion and the motion carried unanimously.

### Other Business

Ms. Douglas stated that they would have the election of officers for the remainder of 2013.

Mr. Singer made a motion to nominate Barbara Douglas as Chairman of the Manor Township Zoning Hearing Board. Mr. Peris seconded the motion and the motion carried unanimously.

Mr. Peris made a motion to nominate Bradley Singer as Vice Chairman of the Manor Township Zoning Hearing Board. Ms. Douglas seconded the motion and the motion carried unanimously.

Ms. Douglas made a motion to select Chris Peris as Secretary of the Manor Township Zoning Hearing Board. Mr. Singer seconded the motion and the motion carried unanimously.

There was no further business and the meeting was adjourned at 7:07 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, April 3, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, April 3, 2013 in the Manor Township Municipal Office, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris  
Township Officials Present: Bruce Ott and James McManus  
Visitors: See attached sheet.

### Minutes

The Board received copies of the February 6, 2013 minutes. There were no corrections or additions and the minutes stand approved as distributed.

### Old Business

Case #6-12 - The application of Leisure Living, Inc. d/b/a Sundance Car Wash for property located at 2150-2154 Columbia Avenue, Lancaster, PA. The applicant is appealing the denial of a sign permit and is appealing the interpretation of the Zoning Ordinance by the Zoning Officer. In the alternative, the applicant is also requesting a variance from the requirements of Section 315.4.24 of the Manor Township Zoning Ordinance. The property is located in the General Commercial (GC) Zoning District. This hearing is continued from the February 6, 2013 meeting. Ms. Douglas read a letter dated March 21, 2013 to the Zoning Officer of Manor Township into the record. "Dear Bruce, Further to a recent e-mail exchange between me and Matt Crème, allow this letter to confirm that my client, Leisure Living, Inc., is requesting that the April 3 zoning hearing on the above matter be postponed until the regular Manor Township Zoning Hearing Board meeting for June, 2013, which I believe will be Wednesday, June 5, 2013. As with prior continuances, we presume that such continuance will be granted without the necessity for any applicant representative to appear on the evening of April 3, 2013. The applicant waives its right to a hearing prior to June 5. Thank you for your attention. It was signed Blakinger, Byler & Thomas, P.C., George T. Cook". Mr. Singer made a motion for the continuance to the June 5<sup>th</sup> meeting. Mr. Peris seconded the motion and the motion carried unanimously. Ms. Douglas noted that the meeting will be held June 5, 2013.

### New Business

Case #1-13 - The application of Gary Price, 2780 Charlestown Road, Lancaster, PA, 17603, Account No. 410-25194-0-0000 for a variance of Section 209.6.4.A-The multi-level screening required under Section 209.6.4.B(screening up to a height of twenty (20) feet needs to be installed within required setbacks where property adjoins the residential properties. The applicant wishes to do a land development plan but cannot meet screening requirements within the setback. A variance is needed to allow screening 145 feet from the property line. The property is located in the Industrial (I) Zoning District. Ms. Douglas turned the meeting over to Attorney McManus.

Mr. McManus asked if the applicant, Mr. Price, and the owner of the property representative of Lancaster Self Storage LLC were present. Mr. McManus was advised both are present. Bruce Ott was sworn in stating that he is employed as the Zoning Officer for Manor Township and in that capacity and on behalf of the Township received the Application before the Board of Gary Price for land located at 2780 Charlestown Road, Lancaster, PA. The Application is indexed at #1-13. The Application was advertised in the Lancaster Newspaper with the time, date, place and subject matter on March 20 and

27, 2013. Notice of the time, date, place and subject matter was posted on the tract that is the subject of this application on March 15, 2013. The same notice was posted on the bulletin board in the Township Lobby on March 15, 2013. The notices posted are identical to the notice in the Proof of Publication. The application contains a completed Township form. Appended to that is a list of adjoining property owners who also received notice of the time, date, place and subject matter of this hearing in accordance to the terms of the Zoning Ordinance. Accompanying the application is a two page narrative addressed to Mr. Ott under the letterhead of Robert Illo, several documents relating to the ownership of a certain PP&L transmission line titled to the land that is the subject of this application, and a site plan. The Application together with its attachments was marked Exhibit #1. The Proof of Publication was marked Exhibit #2. Mr. McManus asked that attachments to the application be referred to as Exhibit #1 then "A", "B", "C", etc., as they wish to refer to them and any additional exhibits will be number sequentially. Mr. McManus asked if there were any individuals present with an interest in the application. Barry Dom, 2709 Chapel Road, Lancaster, stated his property is adjacent to the tract of land.

Mr. McManus explained the sequence of events for the hearing. Gary Price was sworn in. Mr. McManus asked Mr. Price if he is the owner of record and titled to the tract. Mr. Price stated that he has the deed and title to the tract and is a partner of Lancaster Self Storage LLC along with his son. Mr. Price stated that he is the Managing Partner in the corporation. Mr. McManus asked if it is appropriate to list the correct name of this application as Lancaster Self Storage LLC and Mr. Price stated yes. Mr. Price referred to the sketch plan which was marked Exhibit #1-A pointing out the property line. Mr. Price stated that the Zoning Ordinance requires the screening/plantings to be within 30 feet of the property line. The issue is the 30 feet requirement puts it in the PP&L right-of-way in which they will not allow Mr. Price to place anything in that area. PP&L has written letters to that effect. Nothing is allowed to be placed in the stormwater basin which leaves the north side of the stormwater basin at the top edge for the plantings. Robert Illo along with Mr. Price was sworn in. Mr. Illo advised the Board that what they were talking about is that the Board gives them the privilege of moving things to the north side of the stormwater basin. This project is an extension of a previously approved project and access to the lot is through a side lot line. No additional curb cut will be put in and there will be no change in use. It will be a similar use with some outdoor storage of RV's and indoor storage with a fence around the perimeter. The screening being proposed is a combination of deciduous and coniferous evergreen 20 feet in height with an 8 foot solid wood fence. Mr. Price pointed out the area that will have the wood fence and the area that will be chain link fence. Mr. Illo stated the south fence will be made out of wood and the east, west and north fence will be chain link. The wood fence will serve as additional screening for the residential area. Mr. Illo stated that they are asking to be granted permission to move the screen barrier of plantings as indicated on the sketch plan. Mr. McManus summarized what is being asked for stating you are asking for permission to remove the required screening dimension to a place as near as possible so it will not interfere with any other required right-of-way or land use restrictive area. Mr. McManus asked the use of the property. Mr. Price stated it is currently farm land that will be developed into self storage units and RV storage. The first step of that process is to get the variance approval to move the screening to the north side. Mr. McManus asked if a design specialist designed the screening on the southern portion. Mr. Price advised him that Robert Illo had designed the screening. Mr. McManus asked if the screening provides an effective high and low level visual barrier from adjoining residential properties. Mr. Illo advised the Board that the eight feet is a solid wood fence and then the two species of trees provide the high level screening eventually to 20 feet. Mr. McManus asked if it is their belief that the screening as proposed provides an equal or better screen than would be placed in the required setback area. The screening would be exactly the same as required. We are not changing the nature of the screening required by zoning; we are only asking for a change in position of that screening. Mr. McManus asked if placing the screening further from the

property line provides the same visual barrier as if it were placed closer to the property line in accordance with the requirements of the Ordinance. Mr. Illo stated in his view as an engineer it is superior because it is closer to the objectivity being screened and provides less vision from the side. Mr. Price stated that he feels that the people living along the property line would not be happy with the screening in the area that is required by Ordinance based on their current use of the land. Mr. McManus asked if the corporate address is 2468 Creekview Drive and Mr. Price stated yes.

Ms. Douglas advised they would render a decision at their May 1, 2013 meeting at 7:00 p.m. in this building. Mr. Price questioned the advantage of delaying the decision. Ms. Douglas explained the policy at the Township with the Zoning Hearing Board is that they have 45 days to make a decision. They individually review the testimony and exhibits and sometime within the month they will individually contact the Solicitor and give him their decision after which he draws up a draft decision. That draft decision will be discussed and voted on at the next meeting.

Ms. Douglas adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, May 1, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, May 1, 2013 in the Manor Township Municipal Office, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris

Township Officials Present: Bruce Ott and James McManus

Visitors: Gary Price, 2468 Creek View Dr.  
Bob Illo, 971 Corvair Rd.

### Minutes

Mr. Singer made a motion to approve the minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

### Old Business

Case #1-13 - The application of Gary Price, 2780 Charlestown Road, Lancaster, PA, 17603, Account No. 410-25194-0-0000 for a variance of Section 209.6.4.A-The multi-level screening required under Section 209.6.4.B(screening up to a height of twenty (20) feet needs to be installed within required setbacks where property adjoins the residential properties. The applicant wishes to do a land development plan but cannot meet screening requirements within the setback. A variance is needed to allow screening 145 feet from the property line. The property is located in the Industrial (I) Zoning District. A decision will be rendered.

Ms. Douglas stated each member discussed the case individually with the Solicitor who then provided a draft decision that was before them this evening for discussion. There was no discussion. Mr. Singer made a motion that the requested variances to the screening requirements of Sections 209.6.4.A (setbacks adjoining residentially zoned land) and 209.6.4.B (required multi-level screening) of the Zoning Ordinance to develop the Property for mini-warehousing on the Property of Lancaster Self Storage, LLC located at 2780 Charlestown Road, Lancaster, Pennsylvania 17603, Lancaster County Parcel Identification No. 410-25194-0-0000, to allow the placement of fencing and screening parallel to and beginning at a distance of not less than 145 feet from the RM-District as set for on a plan prepared by architecture + engineering innovations, Drawing No. C-101, dated 06/21/12, with last revision dated 07/05/12 (Exhibit 1-A) are 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 Applicant or on his behalf at the hearing held on April 3, 2013. 2) The Applicant shall comply with all other applicable governmental rules, ordinances and regulations regulating the construction, use and occupation of the proposed development. Any violation of the conditions contained 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, his/its successors in interest and assigns. Mr. Peris seconded the motion and the motion carried unanimously.

Mr. Illo advised there was one correction that needed to be made to the Decision for the record. The last revision dated 07/05/12 should be 03/11/13.

Ms. Douglas stated the next meeting will be Wednesday, June 5, in this room. The hearing was adjourned at 7:10 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, October 2, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, October 2, 2013 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris

Township officials Present: Bruce Ott and James McManus

Visitors: Mike Julian  
Scott Haverstick, Washington Boro  
Steve Funk, Washington Boro  
Keith Bauer, Washington Boro  
Chris Dreisbach, Washington Boro  
M. Hovey, Columbia Avenue, Lancaster

### Minutes

There were no additions or corrections to the June 5, 2013 minutes; therefore, they stand approved as submitted.

### Old Business

Case #6-12 - The application of Leisure Living, Inc. d/b/a Sundance Car Wash for property located at 2150-2154 Columbia Avenue, Lancaster, PA. The applicant is appealing the denial of a sign permit and is appealing the interpretation of the Zoning Ordinance by the Zoning Officer. In the alternative, the applicant is also requesting a variance from the requirements of Section 315.4.24 of the Manor Township Zoning Ordinance. The property is located in the General Commercial (GC) Zoning District. This hearing is continued from the June 5, 2013 meeting.

Ms. Douglas stated that they have received the following letter from Attorney George T. Cook. "Dear Bruce, I am in receipt of your e-mail sent today with a revised Use and Occupancy permit for the sequential sign located at 2150 Columbia Avenue. I trust you have sent the original permit on to Leisure Living at its address of record. Accordingly, please withdraw without prejudice the Leisure Living Zoning Hearing Board application no. 6-12. Thank you for your attention. Sincerely, George T. Cook". Mr. Singer made a motion to accept the letter. Mr. Peris seconded the motion and the motion carried. The letter from George T. Cook was marked Exhibit #7.

### New Business

Case #2-13 – The application of Christopher Dreisbach, 1984 Water Street, Washington Boro, PA 17582, Account No. 410-12985-0-0000 for a special exception of Section 216.3.3 – Boarding Houses in accordance with Section 411 of the Manor Township Zoning Ordinance. The applicant wishes to operate a boarding house in the existing building. The property is located in the Village (V) Zoning District.

The hearing was turned over to Mr. McManus. The Applicant was represented by Attorney Matthew Hovey from Wolf, Baldwin & Associates, 800 E. High Street, Pottstown, PA 19464. Attorney Hovey was accompanied by Christopher Dreisbach, the Applicant. In attendance was Scott Haverstick, 1970 Water Street, Washington Boro, PA who had interest in the application. Mr. McManus requested that anyone who may testify including Mr. Ott be sworn/affirmed. Mr. McManus had some preliminary questions of Mr. Bruce Ott. He asked Mr. Ott how he was employed. Mr. Ott stated that he is employed as the Zoning Officer for Manor Township for 20 plus years and in that capacity receives and administers the

applications that are presented to the Zoning Hearing Board for consideration and action. Mr. Ott received the application indexed at 2-13 captioned the Application of Christopher Dreisbach d/b/a New Life LLC. The application is for a property located at 1984 Water Street, Washington Boro in Manor Township within the Village (V) Zoning District. The application contains a standard application form provided by the Township. The application is accompanied Exhibit A – Concise Statement of Proposed Use, Exhibit B – Intake Form, Exhibit C – House Guidelines, Exhibit D – Information on Easy Deploy Fire Escape Ladder, Exhibit E – List of Neighboring Properties, Exhibit F – Site Plan, Exhibit G – Floor Plan, Exhibit H – Letter from the Manor Township Police Department, and Exhibit I – Approval from the Board of Supervisors. Each item is listed in the Appendix attached to the Application that was distributed to the Board. The application was marked Exhibit #1. The time, date, place and subject matter was sent to the Lancaster Newspaper and in the paper on September 18 and 25<sup>th</sup> which are Wednesdays. Proof of Publication has not been received to date but Mr. Ott has an e-mail from the Lancaster Newspaper that the notice was received. Mr. Ott stated that he saw the notice in the Lancaster Newspapers. Mr. McManus stated unless there is an objection it is his suggested that upon receipt of the Proof of Publication from the newspaper, the Proof of Publication be marked Exhibit #2. Mr. Ott posted the property that is the subject of this application with a notice, time, date, place and subject matter on September 20<sup>th</sup>. That notice contained the same information that was contained in the publication in the newspaper. Mr. Ott provided an independent copy of that notice which was marked Exhibit #3. Mr. Ott placed a notice in the Manor Township building in a place generally available for citizen view of the time, date, place, and subject matter of this hearing on September 20<sup>th</sup>. The notice is identical to the notice posted on the property. Mr. Ott notified adjoining property owners of the time, date, place and subject matter by a mailing that went out on September 19<sup>th</sup>. The list of the property owners is part of the application and Mr. Ott verified Exhibit E of the application is the list of adjoining property owners who received a notice. Mr. McManus explained the procedure for the hearing. Mr. McManus asked if there were any objections to the manner by which the hearing was advertised, the property posted and notices given. There were no objections.

Attorney Matthew Hovey placed Exhibit F – the Site Plan on the bulletin board. Attorney Hovey advised the Board that they are presenting their application for approval of a boarding house at 1984 Water Street, Washington Boro, Manor Township. Attorney Hovey informed the Board that Christopher Dreisbach was present to answer any specific questions pertaining to what goes on within the home and how it is operated. Attorney Hovey stated that there are several individuals present who are living at 1984 Water Street. Attorney Hovey stated a Boarding House is defined under the Ordinance as an attached building or portion thereof for sheltering or feeding or both as a gainful business for more than three but not more than ten individuals who do not constitute a family. In terms of the requirement Section 411 of the Ordinance, the following sections of the Ordinance were listed: Section 411.2 – Water – The property is supplied by a well and has public sewer, Section 411.3 – Modification to Residential Character – There will be no exterior modifications to the building with the exception of the fire escape as required by 411.4 as well as planting of the shrubbery required by the Ordinance for screening a parking area. The intention of the recovery home being operated is intended to be residential so it is consistent with that use. The home itself is designed to be a supportive atmosphere for high functioning individuals who possible could be living independently and this is a last step for them to live in a supportive family environment surrounded by those who understand what they are going through. There is no intention to change that residential nature of the property both internally and externally. Section 411.4 – Fire Escape – It is a two level dwelling and there is a requirement that a fire escape be provided from the second floor. There is a fire escape ladder on the parking lot side of the building. Section 411.5 and 411.6 – Parking – The residence consists of six bedrooms and per Ordinance required to have one parking space for each common room plus six bedrooms. They provided a parking lot that is 72' x 30' which according to the Ordinance is capable of parking eight cars. Mr. Hovey advised that an exception was received from the Board of Supervisors

that they do not need to macadam or pave the parking area. The other requirement is that the parking area be screened by shrubbery. The site plan shows a limited number of bushes used to screen the area. Attorney Hovey submitted a series of three photographs showing that all four sides of parking area are amply screened that was marked Exhibit #4. Section 411.7 – Meals – There is no cook on site. All meals are prepared by the residents, individually or collectively. Section 411.8 – Signs – There are currently no signs on the property. Any signage would comply with Section 315 of the Ordinance. General Criteria for Special Exception – Section 605.3.(2)(A)-Consistent with Purpose – The boarding house they wish to operate will be consistent with the purpose of the zoning area. Village Zoning was developed for residences and scattered businesses and according to Ordinance this reflects a pattern of development and provides for the continuation through infill uses and provides for adaptive reuse and conversion of existing structures as a means of stimulating the vitalization and investment. Attorney Hovey stated that is exactly what they are doing. Section 605.3(2)(B) – Detraction from Use of Adjoining Properties – Mr. Hovey stated that the use will not detract from the use of adjoining properties. The individuals living there through the agreement with New Life are required to maintain and take care of the property. Section 605.3(2)(C) – Substantial Change to Character of Neighborhood – The Village (V) Zoning is meant to be a mix of residential and commercial use and the immediate area is a mix of residential and commercial. To the northeast side is a residential property, a farm is behind the property and across the street is the post office. Section 605.3(2)(D)-Adequate Facilities – Exhibit H is a letter from Manor Township Police Department noting that in terms of their ability to service both the home and the surrounding community this use does not place any undue burden upon them. Section 605.3(2)(E) is not applicable. Section 605.3(2)(F) – Compliance with Article 4 has been provided in the above statements. Section 605.3(2)(G) – Integrity of Comprehensive Plan – The Applicant is not aware of any conflict with the Township Comprehensive Plan.

Scott Haverstick asked if this property has been determined not to be in the flood zone. Attorney Hovey replied that part of the property is; however, the structure itself is in the flood plain but no modifications that are being done are within the flood plain.

Ms. Douglas asked the number of people who will be living in the house. Mr. Hovey replied that ten people will be living in the house at this time. Ms. Douglas asked if there would be any indoor building codes that they would be willing to comply with and Attorney Hovey replied yes. Ms. Douglas asked when and where the urine tests are given. Chris Dreisbach, the property owner, advised her that the urine tests are purchased through a place called Medical Disposables and is given by the in house manager or Mr. Dreisbach in the bathrooms and under observation. Ms. Douglas asked the location of the local AA meetings for the residents. Mr. Dreisbach stated there are some in Columbia but many people drive to Lancaster or York.

Mr. Peris referred to Exhibit G, the internal building plans, asking what the occupancy is per room. Mr. Dreisbach was asked to place the number of occupants for each room on the plan.

Mr. McManus asked that the building be described to the Board. Mr. Hovey stated that it is a two story building with the exterior part brick and the second floor siding. There is a shingle roof. You exit the northeast side of the building and step into the parking area. There is an entrance to the home on the Water Street side as well as to the west of the house. There are two entrances/exits to the dwelling. The dwelling is approximately 2,147 square feet which includes a kitchen, dining room, family room, two bath rooms and six bedrooms. Mr. McManus asked if the kitchen is fully functional and the answer was yes. Mr. McManus asked if it is the testimony that there will be no alterations to any of the living areas that would house the occupants by virtue of this application. Mr. Hovey advised not as currently constructed. Mr. McManus verified that there will be no expansion of this existing building into any required setback or yard. Mr. Hovey stated correct. Mr. McManus asked if the building complies with setback regulations of the zoning district. Mr. Hovey stated as far as he know. Mr. McManus asked Mr. Ott if an examination was made of the lot to determine whether it is in compliance with the setback regulations of the Village District. Mr. Ott stated the house itself meets the Village

District zoning. Mr. Hovey provided the modified version of Exhibit G as part of their application which specifies the intended occupancy. Mr. McManus requested it be marked Exhibit 1G-1.

Mr. Singer asked if there is a need for a fire suppression system within a boarding house and does the house have a suppression system. Mr. Dreisbach replied that they have fire detectors and fires extinguishers.

Mr. McManus referred to Exhibit 1G1 as the modified floor plan indicating the number of persons in each of the bedrooms. Mr. McManus stated there is nothing designated in bedroom six. Mr. Dreisbach advised the Board that it is for the future and at this time it is used for storage. Mr. McManus asked if each occupant signs a lease or rental agreement. Mr. Dreisbach stated Exhibit C is what they sign. Mr. McManus asked if Exhibit C is a listing of house rules and conditions for continued residency in the building and Mr. Dreisbach replied yes. Mr. McManus asked how compensation is received. The compensation is received weekly. Mr. McManus verified that each individual agrees to pay certain monthly or weekly room rate and Mr. Dreisbach replied correct. Mr. McManus asked who supplied the food and he was informed each individual is responsible for their own food. Mr. McManus asked if there will be any exterior lighting of the building and Mr. Dreisbach advised him that there is a motion detector in the parking area that lights when anyone walks by. Mr. McManus asked if the proposed planting will eventually screen the parking area from the adjoining properties. Mr. Dreisbach stated the place the plants were purchased from advised him that the plants will grow to a height of potentially 12' and width of 4' each. Mr. McManus verified access to the property will remain by way of one driveway and Mr. Dreisbach stated yes off Elizabeth Street. Mr. McManus asked if that driveway will be widened or improved to accommodate proposed parking. Mr. Hovey stated it should not need to be widened; it is sufficiently wide enough for two vehicles. Mr. McManus stated that there appears to be a stoned driveway on the site plan and are they stating that the driveway width will be of a width that meets requirements of the Zoning Ordinance. Mr. McManus asked for an estimate of the width. Mr. Hovey estimates it was approximately 10 feet in width.

Mr. Haverstick asked Mr. Hovey if he noted the definitions in Section 1 Article 1 where a definition is given for a group home and he is wondering why this is not considered a group home. Mr. Haverstick indicated concerns with the process. Mr. Haverstick asked when the property was purchased, when the application was made and when occupancy as a boarding house took effect. Mr. Hovey advised him that the property was purchased in February 2013 and occupancy has been increasing since that time and application was filed for the boarding house in September 2013. Mr. Hovey advised him that there were two legal points that allowed them to apply for a boarding house. Mr. Hovey stated that there were discussions with the Township in reaching the decision to apply as a boarding house. Mr. Hovey stated case law is rife with instructions that the Ordinance is to be interpreted as expansively as possible to promote use for the applicant. Any type of restrictions will need to be narrowly defined. In examining this use with the definitions of a group home, they do not feel this meets that definition. There is no requirement for the home to be licensed and it is their position there is no treatment being given to the individuals in the home. These are high functioning individuals who are exiting treatment and rather than going directly into independent living and jumping right into the community if they do not have any support network of their own, the recovery home is designed to give them a sober home and be surrounded by other individuals who understand what they are going through and can provide support. The second consideration is the requirements of the Federal Housing Act Amendments; if this were to come in as a group home it would have to meet the zoning of a single dwelling and it is their position that would run afoul with the requirements of the Federal Fair Housing Act and potentially open up problems for the Township and not be in the best interest long term. Through discussion with the Township Staff and Solicitor it was determined that they do meet the definition of a boarding house. Mr. Haverstick stated that a layman reading the definition of a group home may find it somewhat ambiguous and it would be possible to believe this may be a group home. Mr. Hovey agrees that it is ambiguous but based on the definition used by Manor Township they do not feel it is a group home.

Mr. Peris clarified that there is no supervision or treatment for the individuals. Mr. Hovey stated there is no treatment. Mr. Dreisbach advised that at this point treatment is on an outpatient basis so treatment is done at different treatment facilities that are already licensed and approved for their level as an outpatient. Not all the individuals living in the home are receiving treatment. There is a house manager on the premises that provides a supportive home environment type of supervision.

Mr. McManus asked if the six persons identified as occupants of the facility, are they the only occupants who pay rent as boarders or does it include those individuals plus any staffing. Mr. McManus was advised that there are nine plus the manager for a total of ten people in the facility. Mr. McManus asked of the ten how many are staff. Mr. Hovey stated one of the ten is a staff member.

Mr. Haverstick stated he does not oppose the use but is appalled by the process. Mr. Haverstick stated he was on the Manor Township's Planning Commission and one of the reasons he left was what he saw to be a disdain for order of law. Mr. Haverstick feels this is a perfect case of allowing the use that is not permitted. Mr. Haverstick suggests this be denied and the Supervisors are encouraged to make a text amendment allowing this use in this zone and other zones. Mr. Haverstick does not understand allowing a use that is not permitted. Mr. Haverstick asked Mr. Ott if he is aware either personally or coincidentally of other uses of this nature in the Township. Mr. Ott stated he knows of this use because he had someone call him on this house. Mr. Haverstick asked Mr. Ott the normal procedure for dealing with discrepancy in zoning as to a potential violation. Mr. Ott stated it depends on how the Township wants to handle the situation. In this case, Mr. Ott stated that they met with the Township Solicitor and it was determined after meeting with Mr. Dreisbach and two of his staff people that they needed to put an application together for this board. Mr. Haverstick asked if this was months after Mr. Ott was aware of the situation. Mr. Ott stated he was not aware of the home until May. Mr. Haverstick verified the application was submitted in September so it is arbitrary whether the Township enforces their zoning laws or not. Mr. Ott stated a letter was sent to Mr. Dreisbach with a time frame to submit the application. Mr. Haverstick believes the citizens of Manor Township can expect to have their laws administered in a fair and non-partial way and that seems not to be the case. Mr. Haverstick stated this is one of several examples he can site.

Mr. Hovey moved for the admission of Exhibits presented. There were no objections. Mr. Peris made a motion to accept the exhibits. Mr. Singer seconded the motion. Ms. Douglas stated there was a motion made and seconded that they will accept all the testimony and exhibits that have been given to them tonight. Mr. McManus stated it appears all testimony is concluded and the Board has 45 days to render a written decision. Ms. Douglas stated that they close testimony and will take it under advisement and make their decision at the next Zoning Hearing Board meeting which will be November 6<sup>th</sup> in this room at 7:00 p.m. Ms. Douglas explained the procedure of the Board in considering the testimony and rendering a decision.

The meeting of the Manor Township Zoning Hearing Board was adjourned at 8:00 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, November 6, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, November 6, 2013 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman, Barbara Douglas introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris

Township Officials Present: James McManus and Bruce Ott

Visitors Present: See Attached Sign in Sheet

### Minutes:

Mr. Singer made a motion to approve the October 2, 2013 minute as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

### Old Business

Case #2-13 – The application of Christopher Dreisbach, 1984 Water Street, Washington Boro, PA 17582, Account No. 410-12985-0-0000 for a special exception of Section 216.3.3 – Boarding Houses in accordance with Section 411 of the Manor Township Zoning Ordinance. The applicant wishes to operate a boarding house in the existing building. The property is located in the Village (V) Zoning District. Testimony was closed at the October 2, 2013 hearing and a decision will be rendered tonight. Ms. Douglas advised the Board that the members of the Board have discussed the decision independently with the Attorney and have received a copy of the draft decision before the meeting. The members of the Board have not discussed anything on this application among themselves outside of this meeting. Ms. Douglas asked the Board is there was any discussion. There was no discussion. Mr. Peris submitted a motion to read the decision and the motion was seconded by Mr. Singer. Mr. Peris made a motion that the application of Christopher Dreisbach, d/b/a New Life, LLC for a special exception pursuant to the provisions of Sections 216.3.3 and 411 of the Zoning Ordinance to utilize the property and existing building erected thereon for a “boarding house” use located at 1984 Water Street, Washington Boro, Pennsylvania, Account No. 410-12985-0-0000, is approved subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in his application, as well as all testimony presented on their behalf at the hearing held on October, 2, 2013. 2) The Applicant shall adhere to the area allocations and locations of uses and improvements as set forth in its application, site plan and floor plan, attached as Exhibits A through F. 3) Not more than ten (10) individuals may reside within the proposed boarding house. 4) The Applicant shall comply with all applicable Federal, State and local regulations, and property maintenance and building codes regarding the construction, use and operation of the proposed boarding house. 5) The Applicant shall provide an adequate and effective fire monitoring and suppression system within the proposed boarding house, ensure that each occupant shall in the event of a fire have a safe, convenient and unobstructed means of exit from the building and comply with all applicable provisions of 34 Pa. Code, Labor and Industry. 6) No prescription medications related to the drug and alcohol recovery process shall be stored, dispensed, or otherwise provided to any resident on the Property unless such activities are conducted by a licensed medical professional. 7) When required, the Applicant shall ensure that residents are registered in accordance with all applicable Federal, State and local laws. 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. Mr. Singer seconded the motion and the motion carried unanimously.

### New Business

Case #3-13 - The application of Brunswick Farms Apartments Associates, L.P., Donerville Road, Lancaster, PA 17603, being a portion Account No. 410-97472-0-0000 for a special exception per Section

214.3.2-Cluster Developments in accordance with Section 417 and 605.3.2 of the Manor Township Zoning Ordinance. The applicant wishes to construct apartments on the property. The property is located in the Mixed-residential/Commercial (MRC) Zoning District. Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus identified the Applicant and Applicant's Council, Mr. Davis. Everyone who may make statements before the Board were sworn in or affirmed. Mr. McManus explained the procedure for the hearing and party status. The following individuals requested party status: George Morgan/Morgan Towing, 3530 Columbia Avenue, Lancaster is an adjoining property owner and has concerns with water runoff; Nathan Lehman, 3622 Columbia Avenue with a business at 3626 Columbia Avenue adjoins the property and has concerns with the bus stop location; Melvin Breneman, 336 Weaver Road is an adjoining property owner and has concerns with water runoff; Jim Stauffer, 365, 360, 345 & 346 Weaver Road stated that he has existing problems with water runoff and it is getting worse; Leslie McKinney, 107 Donerville Road is concerned with water runoff and asked if this was going to be a low income housing development. There was no objections to the above individuals who requested party status. Mr. McManus stated that the Application that is before the Board has the burden to show compliance with the applicable provisions of the Zoning Ordinance that are fairly specific. There is another process the developer must go through called the land development process that is regulated by an entirely different set of rules and regulations. The Township Subdivision and Land Development Ordinance among other design criteria talks about stormwater requirements, detention requirements and the like. Mr. McManus stated whether the Board grants or denies this application, it will only relate to the use requirements in the Zoning Ordinance and not the development requirements that the Township otherwise requires through its Subdivision and Land Development Ordinance and that is regulated by the Board of Supervisors.

Mr. Ott was sworn in. Bruce Ott stated that he is employed as the Zoning Officer for Manor Township and in that capacity administers the provisions of the Township Zoning Ordinance. Mr. Ott receives applications that come before the Zoning Hearing Board. Mr. Ott received the application indexed at 3-2013, the Application of Brunswick Farms Apartment Associations, LP. Mr. McManus listed the contents of the Application which consisted of a spiral bound booklet containing the standard Manor Township Special Exception Application Form. Additionally the Application contains a supplemental narrative in support of the Application prepared by the applicant. The packet contains a list of adjoining property owners, letters from the ELA Group, Inc. the Consulting Engineer and Landscape Architect on the project, addressed to the Manor Township Police Department, the Blue Rock Fire Rescue Station 5 Department, the Lancaster EMS, the Penn Manor School District, correspondence addressed to the applicant from the Lancaster Area Sewer Authority, the Columbia Water Company, PP&L Electric Utilities, UGI Gas Services and each of these letters relate to a description of the proposed development. The spiral bound packet includes a set of floor plans and building elevations. The packet also contains a set of plans prepared by ELA Group and they are bound and consist of 9 pages first of which is captioned Site Plan Subject Cover Sheet. There is another bound document entitled Flood Study Analysis for Brunswick Farms Apartment Associates LP. Mr. Ott verified the above listed items constituted the packet received by Mr. Ott for this evening's hearing. The packet was marked Board Exhibit #1. Mr. Ott prepared a notice for public view of the time, place, date and subject matter of this hearing that was in the Lancaster Newspaper on October 23 and 30<sup>th</sup>. Copy of the notice was marked Exhibit B#2. Proof of publication was received from the Lancaster Newspaper and marked Exhibit B#3. Mr. Ott posted the notice as set forth in Exhibit B#2 on the property that is the subject of this application on October 18<sup>th</sup>. The notice that is marked Exhibit B#2 was also posted in the Township Bulletin Board that is visible from the outside on October 18<sup>th</sup>. There was no questions regarding the manner of advertisement and notice given.

Mike Davis from Barley, Snyder was present on behalf of the applicant, Brunswick Farms Apartments Associates. With Mr. Davis was Tom Eisen, from Brunswick Apartment Associates, Sandy Keim, Cheryl Love and George Smith from the ELA Group, and Bruce Weinstein from Architectural Concept's, PC. Mr. Davis stated that they intend to have Mr. Keim testify this evening but the other individuals are

present in the event the Board, Solicitor or members of the audience would have questions outside the area of expertise of Mr. Keim. Mr. Davis stated that the subject property fronts on Donnerville Road. It's part of a larger tract of land that is owned by Leisure Lanes of Lancaster. The property will need to be subdivided and it was previously indicated that the applicant recognizes that the Subdivision and Land Development approvals are separate and apart from this zoning approval process. The Applicant is the equitable owner of the property pursuant to an agreement of sale dated July 16 of this year which has been previously marked Applicant Exhibit #2. Mr. McManus verified what Applicant Exhibit #1 is the single binder that was one of several documents that was identified that collectively was the application as set forth in Board Exhibit #1 that would be the spiral bound documents, the set of plans and their contents. Mr. Davis stated what was provided previously marked Applicant Exhibit #2 is a copy of the executed agreement of sale for the subject property. The subject property is zoned Mixed Residential Commercial Zone (MRC) and the proposed use is permitted by special exception in the MRC Zoning District. The proposed use is a 60 unit residential cluster development that will involve five freestanding buildings and will have 12 units per building for the total of 60 units.

Sandy Keim provided ten exhibits to the Court Reporter and so far has mentioned Exhibit #A1 and A2. Exhibit #A3 is the actual site plans which are part of Board Exhibit #1. Exhibit #A4 is the letter from Columbia Water Company included within the packet and #A5 is a letter from LASA indicating that they have capacity included as part of the packet. Exhibit #A6 is a rendering of the site plan primarily based on the landscape plan that was included with the site plan packet. Exhibit #A7 will be a series of two sheets of photographs from the site both within the site and views toward adjacent properties. Exhibit #A8 is a perspective which was not included in Board Exhibit #1 of the buildings being proposed for the project site. Exhibit #A9 is a packet of the service providers who have responded to their letters as of this date. Exhibit #A10 is labeled written plan for common open space ownership that includes a narrative and an exhibit highlighting the limits of the open space being proposed as part of this project. Mr. Keim referred to Sheet 3 of 9 of the site plans showing the entire property owned by Leisure Lanes of Lancaster, Inc. as primarily on the south side of Columbia Avenue and there is a small portion that extends over to Donnerville Road which is the portion of the site of interest to Brunswick Farm Apartments. The entire property is approximately 37 acres and this shows a proposed subdivision of approximately 10.98 acres which is going to be subdivided and acquired by Brunswick Farm Apartments. Adjacent to the site to the south is the Faith Bible Fellowship Church, a single family house at the southwest corner of the property on the east side of Donnerville Road, which is immediately adjacent to the south side. Across from the property is Hampden Drive which leads into both a townhouse and an apartment complex. The townhouses are on the south side of Hampden Drive and the apartments are on the north side of Hampden Drive. There is another single family house diagonally to the southwest across Donnerville Road. To the north are series of mixed residential commercial building that primarily front on Columbia Avenue from Donnerville Road to the remaining lands of Leisure Lanes. Sheet 2 of 9 within the project itself shows the existing conditions that was the old Garden Spot Airport and the remains of that air strip are still on the site. It travels through whole site from west to east. North of that is soybeans and further to the north is a wooded area that goes down to the stream. There was a wetland study to identify the wetlands associated with this property that is shown on this plan by a series of numbers, which are the flags the wetland specialist puts on the site and the surveyors located those points shown by a solid line with numbers around it. There is an existing floodplain that is shown in gray based on a flood study by the ELA Group. Generally, the site slopes northward from the church property and single family house portions of which drain onto the site and flows towards both the wetlands, trees and the floodplain. As indicated, the site is Mixed Residential Commercial per Section 214 of the Township Zoning Ordinance. Exhibit #A6 illustrates the scope of the project based on the landscape plan that shows all the driveway, parking, buildings, sidewalks, grading both existing and proposed, the trees, the retention basins, the wetlands, pretty much including all the landscape screening that is required by Ordinance. The site is within the Urban Growth Boundary and the uses being proposed are permitted as a use within the cluster development which does require a special exception per Section 214.3.2. Within Section 214 there is a number of setback requirements but those

are superseded by another Section 417 which specifically has to do with cluster development. There is one setback applicable in this section and that is Section 214.5.4, which is a residential buffer strip and that does require a 25 foot setback from any adjacent residential properties. The applicant has exceeded the 25 foot setback. The total setback is 45 feet so the required setback is exceeded by 20 feet for the building closest to the residential property. Building 3 and 5 have a 25 foot setback and they are not adjacent to a residential lot. Section 214.6 indicates a maximum height of 35 feet and the elevations submitted indicate that they are in compliance. Section 214.13 talks about dumpsters in side and rear yards must be screened and they cannot be located in a front yard. The driveway serving the entire project is private access drive and serves three parking areas that serve all the buildings as shown. The front yard is off Donnerville Road parallels in a north south direction. The rear yard is facing the remaining portion of Leisure Lanes and the side yards would be the south and north boundary lines. There are three dumpster pad areas that are located in front of building #1, #3 and #5 and to the east of building #4. All dumpsters are centrally located in the site and none are in any kind of designated front, side or rear yards and they are all screened. The remainder of Section 214 is superseded by the criteria within Section 417. Section 417 indicates that the use is permitted by special exception and needs to have public sewer and water which they have. They actually show where the sewer and water lines will be tentatively subject to the Subdivision process and approval by those agencies. Sewer is gravity fed to the existing manhole in Donnerville Road and water lines would be looped through the site. Section 417.4 has lot design requirements for multi-family dwellings which this is considered. Minimum lot area for this use is one acre and taking out street right-of-way, the lot is at 10.82 acres. Maximum permitted density is 14 dwellings per acre and they are proposing a density of 6.13 dwellings per acre. The minimum lot width measured along Donnerville Road needs to be at least 100 feet and they are approximately 442 feet. The maximum lot coverage would be 70 % and they are at 27.84 %. As indicated, Donnerville Road is the front yard which typically requires a 25 foot setback, but Donnerville Road is considered a collector road which does require a 30 foot setback. The plan shows that we are further away than the 30 foot requirement. Side yards are required to be at least 20 feet but along the north and south property lines, the side yard would be 30 feet. Within this section there is also criteria when there are multiple buildings on a property. Paragraph 3C is the type of units proposed; that is the end of the unit to front and rear of the unit in each case is required to be 30 feet and the plans submitted indicate that they are in compliance with all these requirements. The distance between buildings to any type of access drives or parking spaces is required to be 15 feet and the plan shows each of the buildings is set back at least 15 feet from the adjacent parking areas. The cluster development does require 20% open space and they have provided 48.70% open space. Shown on Exhibit A10 is an 11 x 17 hand out that indicates the common open space exhibit which does not include the stormwater area. There is an open meadow area to the east and a tot lot area between buildings 3 and 4 which is not included in the open space calculation. Mr. McManus asked Mr. Keim to outline the 4.2 acres that they are suggesting exceeds the open space requirement. Mr. Keim indicated that it is the shaded area on Exhibit A10. The intent of the open space is to protect natural resources including streams, wetlands, steep slopes, woodlands and wild like habitats. Section 417.6 refers to a written description of the cluster development application and is part of Exhibit A10. Mr. Keim has indicated that the developer has committed to maintaining the open space for at least 30 years. After that time, there are other sections within other provisions for maintaining open space. If for some reason the applicant decided not to maintain it, they will put a deed notice with the deed indicating any kind of transfer of ownership or maintenance would require compliance with that section of the Ordinance which specifically outlines the different ways typically a homeowner's association would be responsible for maintaining the open space. Section 311 has to do with access drive requirements but this is a private access drive. Access drives cannot be closer than 15 feet to side and rear property lines. The closest point is about 150 feet off Donnerville Road. Mr. Keim described the access drive. Section 311.3 requires a clear sight triangle and they have shown that and in addition with Donnerville Road being a PennDot road they have their own classification of sight triangles which are measured ten feet back from the edge of the cartway and based on speed. They have good sight distance in both

directions. The access driveway can be no more than 4% for the first 40 feet and their maximum grade is 3.75%. The access drive widths are required to be at least 12' each lane and with this being a two way lane, the drive would be 24 feet along with the entrances into each of the parking areas. The Subdivision Ordinance requires 25 feet so they are compliant with both ordinances. Section 312.5 deals with off street parking and requires parking to be separated and guarded by curbs. The entire project will be curbed both along the access drive and along each of the parking areas. They do have a system of sidewalks and will be required to widen Donerville Road along their frontage. There will be a curb along Donnerville Road for their entire frontage as well as sidewalks. There will be a sidewalk extending along the south side of the access drive for the entire length of the access driveway. There will be a series of sidewalks connecting the access drive to all parking space and all the doors of all the buildings. Section 312.6 requires the parking area be drained adequately with a minimum slope of 1%. The grading plan does show that all parking spaces and parking areas are more than 1%. There are handicap spaces. Section 312.7 deals with the size of the parking spaces required being 9' x 19' and they are showing parking spaces of 9' x 20' feet. They are required to have at least five ADA spaces and they are showing six. Their ADA spaces are nine foot parking space with nine foot aisle that is in excess of the Township requirement and the ADA standard. All the handicap spaces will be van accessible. There will be ADA signage as required and curb cuts and ramps for accessibility as required by ADA. All the sidewalks in the area of the handicap spaces will have 2% crosswalk. There is a requirement that curb cuts be within 30 feet of an accessible door and all the doors on these buildings are all accessible. They show two spaces close to Building 1 and 2, two spaces close to Building 3 and 4, two in front of Building 5. The Ordinance requires that the curb cut for the spaces be within 30 feet of a door. The way it is laid out, the parking has to be at least 15 feet away from the building and they are trying to serve two buildings because all their buildings have accessible doors and the buildings must be 30 feet apart. To comply with the requirement, they have enough room that they can split each of the spaces so each handicap space will have its own space and maneuvering area and still exceed the Ordinance. Mr. McManus verified that it is Section 312.8 Paragraph 4C. Section 312.9 talks about drive widths that have been covered. They are complying with all the drive widths. Within the parking lots, there is a level of landscaping required. They provide lighting that is shown on Sheet 9 of the plan set which will be an acorn type light with the height of the poles at 12 feet. There is a plan that shows the location of the poles and there is a photometric plan that shows the lighting internally and excluding the effect of the wooded areas. There is required landscaping within the parking lot. There is a 25 foot landscape strip along Donnerville Road per Section 214.5.4 as shown Exhibit A6. Interior parking lot landscaping is over 8% in each of the parking areas. The islands are required to be 9 feet every 10 spaces. There is a tree within each of the islands. There is 122 parking spaces. There is a Community Building at the eastern portion of Building 3 that has office space of approximately 220 square feet which requires an additional space but they have added two spaces. Section 313 regarding off street loading facilities is required for more than 100 units which do not apply to this development. Section 314.2 does require landscape strips and interior landscaping to be 8% vegetative. There is also a requirement for trees and they are showing evergreens with deciduous trees with shrubs underneath. The plan is showing six foot shrubs under a deciduous tree canopy and along the southern property line a mixture of evergreen and shade trees six feet high within two years of installation. They have evergreen shrubs under the trees and a double row of evergreens to provide screening between the apartments and the field to the south. Exhibit A7 are photographs of the site and shows the closest house to them is on the south property line. Sheet 1 shows the photographs as standing on the runway looking toward the house. There are a fair amount of mature trees on the property. The next photo is from the west looking back showing the mature trees on the property. The plan shows that the project is supplementing those trees with rows of evergreen and deciduous trees on the Applicant's property. There is extra width due to a water line from Donerville Road to the church. Trees cannot be planted in that easement but they can plant shrubs. There will be a project sign along Donerville Road which will be outside the clear sight triangle and will be behind the sidewalk along Donerville Road. The Ordinance requires that the sign will not exceed 20 square feet, a height not more than six feet and must be ten feet from the right-of-

way line of the street. There is a note on Plan Sheet #1 that indicates that they will comply with the sign requirement. Section 605.3 are filing requirements that were met with floor plans and elevations that were shown for the buildings, showed first floor and second floor for each of the buildings and showed details of each unit. Building #3 has a floor plan including the Community Building. They provided elevations that are two dimensional; this is what is planned for the buildings to be located at this site. Within the packet there were the names and addresses of all adjoining to their property and a written description. They feel with the testimony and documents provided that the use is consistent with the purpose and intent of the Zoning Ordinance, the use will not detract from the use and enjoyment of the adjoining and nearby properties, the use is permitted by zoning, they have adequate sewer and water facilities, they have contacted fire, police and emergency services, they have shown the floodplain on the property and a flood study has been completed showing the 100 and 500 storms and they are not getting close to the floodplain. There will be a wall along the northern portion of the access drive closest to the northern property. This is not a regulated FEMA Floodplain so the flood study was based on the hydraulics of the drainage area. They believe they have complied with the specific criteria in Article 4 and all the regulations of the Ordinance and the use in this location is consistent with the Zoning Ordinance and Township Comprehensive Plan.

Mr. Morgan asked if there was a road onto Columbia Avenue. Mr. Keim advised him that there is an emergency access drive being proposed. Mr. Morgan had concerns regarding water runoff.

Mr. Lehman was concerned with the bus stop location. Mr. Keim advised him that they have not heard anything from RRTA and that they would not be changing their bus routes or stops due to this development. Mr. Lehman would like the Applicant to make inquiries as to how the residents of the apartment complex will be getting to the bus stop and hoped it would not be where it was before because it disrupted business for them. Mr. McManus asked that the current bus access be identified on the plan. Mr. Keim stated Sheet 3 of 9 shows the overall site and Mr. Lehman was asked to point out the current bus stop. Mr. Keim stated that they would contact RRTA. Mr. McManus verified that Mr. Lehman is satisfied with the bus pickup and drop off as they exist currently.

Mr. Breneman asked why the ten acres was not rezoned instead of the whole property. Mr. Keim advised him that it is not being rezoned. It was already zoned Mixed Residential Commercial. The Applicant is only interested in a small portion of the overall property. Mr. Leisure owns the remaining 27 acres and the Applicant does not know if he has any plans for the remaining property.

Mr. Stauffer asked why there is no access to Columbia Avenue. Mr. Keim advised him that it is an access easement through the remaining lands of Leisure Lanes and it may be a legal issue. Its only designated use is for emergency access. Mr. Stauffer asked the Board to address the access issue.

Mr. McManus asked how the emergency access will be regulated and restricted if at all. Mr. Keim advised him that they are installing a flush curb so vehicle can cross and a break away chain. There is nothing that will restrict pedestrians. Mr. McManus wanted clarification regarding the proposed gravel access to Columbia Avenue as shown on Sheet 5 of 9. Is that located entirely on the proposed project tract or off the tract? Mr. Keim advised him that there is a section that will be on the tract and a section of approximately 375 feet that is on the Leisure Lane's Property that is an access easement for emergency purposes only. Mr. McManus asked if that is a separate access easement document that will be to the benefit of the applicant and recorded as such. Mr. Keim replied yes. Mr. McManus asked if the document will recite the conditions of the access easement as to the use, maintenance and restrictions if any. Mr. Keim replied yes. Mr. McManus asked if there is any Township rule or regulation that he is aware of that would require more than one vehicular access to serve this proposed development. Mr. Keim stated he is not aware of any requirement.

Mr. Stauffer asked who would maintain the stone driveway. Mr. Keim replied it will be in the access agreement and would be their responsibility.

Mr. McKinney had questions regarding stormwater runoff. Mr. Keim pointed out the stormwater facilities on the plan. Mr. Keim advised him that they are obligated to decrease the rate of runoff by 50%. There is a small amount of increase in paving on a ten acre piece of ground. Mr. McKinney stated at the corner where the garage is located, there was a gully that went into the stream to keep the

water off of Donerville Road. It is filled in and now and the water backs up onto Donerville Road. Mr. McManus advised him that this Board has no authority to address his concern but perhaps the Board of Supervisors could help answer some of his questions.

Edward Wiegand, 67 Donerville Road, lives directly behind home plate of the church softball field and indicated there is many balls hit over the fence into the field. Mr. Wiegand is concerned someone will be hit with the balls. Mr. Keim advised him that there will be an evergreen screen double wide the entire length of the property.

Tom Eldon, 304 Greenhedge Drive, asked if there would be a traffic study. Mr. Keim advised him that they had a scoping meeting with PennDot and the Township. The main issue is peak hour which everything is measured by. A full traffic study is required if there is 100 trips coming in or out or combination of that. Based on 60 dwelling units they did not need to do a traffic study; however, the Township has asked them to look at intersection being proposed. They are required to do an analysis of the intersection.

Mr. McManus asked Mr. Keim if he was identifying a provision of Section 312 regarding parking spaces in Paragraph 4C that required a distance between the curb cut and the entrance. It was Mr. Keim's statement that the plan as submitted does not comply but that the applicant is able to comply and Mr. Keim stated that is correct. Mr. Keim stated that the two spaces in front of Building 5 are within the 30 foot requirement. There are two spaces in front of Building 3 and 4; the one space currently is 35 feet from Building 4 and that space is not within the required distance. To remedy the issue, they would take that space that is 35 feet and move it to be closer to Building 4, so the distance to the building can comply with the requirement. In front of Building 1 and 2, the parking spaces because of the sidewalk are a little further away approximately 54 feet to the front door and 35 feet to the front door so they will do the same thing and split the spaces taking the one space closest to Building 2 and bringing it around corner and make it within compliance distance and the other space at Building 1 will slide over to be closer to the front door of Building 1; Mr. Keim stated that they feel they can comply to the requirement by adjusting the location of the spaces. Mr. McManus asked the Board if they wanted to see what Mr. Keim just suggested as supplement to the Application showing graphically the reconfiguration of those parking spaces to comply with the Zoning Ordinance. Mr. Peris asked if there would be an additional review process in the ongoing process of this that would address that more thoroughly. Mr. Keim advised him that this plan will go through subdivision and land development process that is fairly extensive. Mr. McManus advised procedurally that they are looking at the standards in the Zoning Ordinance. There has been no variance requested. Procedurally, if there was a plan shown that showed compliance with this requirement, the Board could look at that when it evaluates whether it meets the standards or does not. At the subdivision and land development stage, the Supervisors have the authority to waive certain provisions of the subdivision and land development so that it may be that the configuration that Mr. Keim is saying makes more sense and would eventually be realized. The dilemma for the Board is that they have before them an admission of what they have shown does not comply with one of the standards which are a basis for denial. Mr. McManus is asking if it is desirable to supplement the record with an additional exhibit showing the proposed reconfigured parking areas to comply with the standard in the Zoning Ordinance. Mr. Keim stated that they can do that and Mr. Davis stated that they would ask that the record be held open until that would be submitted. Mr. McManus stated if this hearing is concluded this evening, it is the custom of the Board to render its decision at the next monthly meeting. If the record is kept open and there is another exhibit, it may cause a delay. Mr. Davis stated that they were hoping to have action by the Board next month. Mr. McManus suggested any supplement to the parking design be sent not only to the Zoning Officer and the Board but to each of the parties that have appeared today. Mr. McManus asked the parties, if they have an objection to that parking reconfiguration, to immediately notify Mr. Ott and notify Mr. Davis. Mr. Davis asked Mr. Keim if the exhibit they provide will be consistent with the testimony just provided to the Board and Mr. Keim stated yes it would. Mr. Davis asked if based upon Mr. Keim's testimony just presented if the exhibit is consistent with the testimony presented whether the parties would have any objections to it or not. The parties had no objections. Mr. McManus

stated in that regard he saw no reason why for purposes of this record that there could not be a supplemental exhibit and still be in a position to render a decision at next month's meeting. The Board was in agreement to render a decision next month. Mr. McManus advised the applicant that the Township's Engineer, Rettew Associates should also receive a copy of the supplement. Mr. Davis asked that their exhibits be admitted and there was no objections. Mr. Peris made a motion to accept all the exhibits. Mr. Singer seconded the motion.

Mr. McManus verified that the Township Consultant Rettew was present this evening and Mr. Ott stated that was correct. Mr. Caldwell from Rettew Associates was present. Mr. McManus asked Mr. Caldwell if he reviewed the plans submitted and Mr. Caldwell stated he had. Mr. McManus asked if Mr. Caldwell prepared a report and Mr. Caldwell stated he had. Mr. McManus asked Mr. Caldwell if he reviewed the plans submitted and prepared a report. Mr. Caldwell replied he had reviewed the plans and prepared a report. Mr. Caldwell was sworn in by the Court Reporter. Mr. McManus asked Mr. Caldwell to identify himself. James Caldwell gave testimony. James Caldwell stated he is employed as a Group Manager with Rettew Associates. Mr. Caldwell listed his educational experiences. In that capacity Mr. Caldwell stated that he has reviewed subdivision and land development plans to determine compliance with zoning and subdivision and land development regulations. Mr. Caldwell stated that he performed that function with respect to the submission before the Board this evening. Mr. Caldwell stated that they conducted a review primarily for zoning compliance in an effort to assist the Township and Board this evening. Mr. Caldwell noted by their letter dated November 6, 2013 that there were five items noted to be addressed by the Applicant. 1. The first one being the size of the parking space which was the handicap parking spaces that was addressed earlier. Their total width is actually greater than what the Ordinance requires including the unloading zone. 2. The discussion that just occurred concerning the location of the curb cuts within 30 feet of the entrances. 3. The further identifying of the specific open space objectives that they were achieving through this project. 4. A written plan for the ownership and maintenance of the open space. 5. Responses from emergency services providers and Penn Manor School District. In addition to the Zoning Review, they conducted what Mr. Caldwell a sketch plan type review as it relates to the subdivision and land development ordinance, which is not part of this proceeding and they noted the following six comments. The stormwater management plan would need to be prepared, a copy of the wetlands report would need to be provided, improvement to Donerville Road would be required including additional right-of-way, the applicant would need to satisfy the park and recreational land dedication requirements and they are asking for additional information on the flood study submitted to justify some of the conclusions that were made in the study. Mr. McManus asked if Mr. Caldwell's testimony with respect to the flood study, does not relate to the application for zoning compliance this evening and Mr. Caldwell replied that is correct. Mr. McManus asked if Item #1 in the review letter is the handicap parking spaces needed to be 20 feet long by 12 feet wide is satisfied and Mr. Caldwell stated yes. Item #2 curb cut accesses to entrances were just discussed and Mr. Caldwell stated yes. Item #3 which deals with the specific identification of common open space objectives and demonstrate those specific measures employed to achieve these objectives which were addressed by virtue of testimony this evening. Item #4 applicant needs to provide a written plan for the perpetual ownership and maintenance of the common open space has been addressed by virtue of today's testimony. Mr. Caldwell stated it was not addressed within its entirety as they did not receive the written plan. Mr. McManus stated Mr. Caldwell's comment with respect to Item #4 was that they did not see a draft of the actual document to be executed and recorded and Mr. Caldwell stated that was correct. Item #5 dealt with responses from emergency services providers and Penn Manor School District was satisfied by this evening's testimony. Mr. McManus asked if it is Mr. Caldwell's testimony based upon his review of the plan submitted that it satisfies all applicable requirements for cluster developments as set forth in the Manor Township Zoning Ordinance. Mr. Caldwell replied everything but the written plan for the open space. Mr. Caldwell offers, from the Township's perspective, if it is acceptable by the Zoning Hearing Board that it would be a condition of approval. The Rettew letter dated November 6, 2013 was marked as Board Exhibit #4.

Mr. McManus asked if anyone wanted to ask a question or make a statement. There was no responses.

Mr. Keim stated in response to Mr. Caldwell's concern about a letter from emergency services and Penn Manor School District that the Penn Manor School District did send a letter in response that states they appreciate being informed of the plans as to the addition of 60 apartment units and will likely have an impact on their bus routing and enrollment projections. Mr. Singer asked what is the projection of school age children that may be in this 60 unit project. Mr. Thomas Eisemann answered that it is a variable question. They would say possibly 1 child per unit; however, it is generally occupancy and populations have changed. There may be as many as 17% seniors. Someone asked about low income housing and is this what it is deemed to be. They prefer to call it affordable housing or work force housing. There are certain income qualifications to live in the apartments and a broad range of incomes based on a medium incomes determined by Lancaster County which is public information.

Ms. Douglas closed the testimony for this application and the Board announces that it will make their decision at the December 4, 2013 meeting at 7:00 p.m. in this building. Meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, December 4, 2013

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, December 4, 2013 in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris  
Township Officials Present: James McManus and Bruce Ott  
Visitors Present: George Morgan, 3530 Columbia Ave.  
Shery Morgan, 207 Yorkshire Way, Mountville  
Sandy Kime, 745 S. Broad St., Lititz  
Tom Brunswick, 941 Wheatland Ave., Lancaster  
Jeff Hawks, Lancaster Newspaper  
Dave Fichler, 308 Greenhedge Dr. Lancaster  
Dan & Deb Jandzio, 452 Greenhedge Dr., Lancaster

Minutes – There was no additions or corrections to the minutes. Mr. Singer made a motion to approve the November 6, 2013 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

### Old Business

Case #3-13 - The application of Brunswick Farms Apartments Associates, L.P., Donerville Road, Lancaster, PA 17603, being a portion Account No. 410-97472-0-0000 for a special exception per Section 214.3.2-Cluster Developments in accordance with Section 417 and 605.3.2 of the Manor Township Zoning Ordinance. The applicant wishes to construct apartments on the property. The property is located in the Mixed-residential/Commercial (MRC) Zoning District. Testimony was closed at the November 6, 2013 hearing. A decision will be rendered tonight. Ms. Douglas stated each Board Member independently discussed this case with Mr. McManus giving him their opinion. Each member of the Board received a draft copy of the Decision and have not discussed this case between themselves. They will now discuss the draft decision. There was no discussion.

Mr. McManus summarized the Decision. Mr. McManus stated that based upon consultation with each of the Board Members he prepared the Decision that they are reviewing this evening. The Decision they are considering and will be voting on is a Decision that grants the application for cluster development subject to certain conditions. The following are the summarized conditions: It requires that the design and layout of the development be substantially as depicted on the Applicant's plan as prepared by their consultant. It requires that the tract constituting the Property be subdivided and approved by the Board of Supervisors in accordance with the Township's Subdivision and Land Development Ordinance. It requires that the Applicant comply in all material respects with and adhere to the plans and exhibits presented to the Board at last month's meeting. It requires that the Applicant's plan for the disposition and maintenance of the common open space be conspicuously noted on the approved final subdivision and land development plan for the proposed cluster development. It requires as a condition of approval that the Applicant's plan for the disposition and maintenance of the common open space including owner obligations be noted on the deed for the property prior to any conveyance. It limits the number of dwelling units on the property to 60. It states that not more than 48% of the property may be improved as impervious area. It requires that all streets and access drives to, from and within the Property shall be designed to not less than minimum

standards set forth in the Manor Township Subdivision and Land Development Ordinance. It requires that all streets and access drives to, from and within the property shall be designed such that there is no impediment to or limitation of access by local fire fighting and emergency medical services to all portions of the development. It requires that the proposed 30 foot wide emergency access drive located in the northeastern portion of the property not be utilized as ingress to or egress from the property and Applicant shall provide appropriate on-site signage prohibiting its use as an entrance or exit. It requires that all storm water conveyance and detention facilities be designed in accordance with the Manor Township Storm Water Management Ordinance. It requires the Applicant to comply with all applicable governmental rules, ordinances, and regulations regulating to the construction, use and occupation of the proposed cluster development. Mr. Singer made a motion to grant the special exception application of Brunswick Farms Apartments' Associates, L.P. Mr. Peris seconded the motion and the motion carried 2-1 with Mr. Singer voting against the Application.

#### New Business

Case #4-13 – The application of George and Maryrose Suydam, property located at 116 Armstrong Lane, Lancaster, PA Account #410-74119-0-0000 for a special exception of Section 204.3.5 in accordance with Section 435-Home Occupation and Section 605.3 – Application for Special Exception. The Applicant would like to have a therapeutic massage business in the home. The property is zoned Medium Density Residential (RM). The hearing was turned over to Mr. McManus.

Mr. McManus verified that the applicants were present and there was no one else in attendance that had an interest in the application. Mr. McManus asked that Mr. & Mrs. Suydam and Mr. Ott be sworn or affirmed. Bruce Ott stated that he is employed as the Manor Township Zoning Officer and in that capacity receives and administers the applications that come before the Zoning Hearing Board. Mr. Ott received the application indexed at #4-2013 that of Maryrose and George Suydam address at 116 Armstrong Lane. Mr. Ott published a notice of the time, date, place and subject matter of this hearing in the Lancaster Newspapers on November 20 and 27, 2013. Proof of publication was received from the Lancaster Newspaper. Mr. Ott posted the property that is the subject of this application with the time, date, place and subject matter on November 15, 2013 and Mr. Ott provided a copy of the notice that was posted on the property. The notice is the same notice that appeared in the newspaper. A notice of the time, date, place and subject matter was posted on the bulletin board of the Township lobby that is visible from outside on November 15<sup>th</sup>. Mr. McManus stated that the application consist of a standard application form of Manor Township for a Special Exception. In addition, there are accompanying documents including a narrative, section that recites certain sections of the Zoning Ordinance, a License from the Commonwealth of Pennsylvania, chart of square footage relating to the residence the proposed occupation will be located in, and a list of adjoining property owners who were notified of the time, date, place and subject matter of this hearing. The application includes a set of scaled plans consisting of three pages that is a first floor plan, lower floor plan and a site plan. The application was marked Exhibit #1, proof of publication was marked Exhibit #2 and the notice Exhibit #3. There was no questions regarding the manner this application was advertised and posted.

Ms. Suydam stated that her home business is therapeutic message that will be open on Tuesday, Wednesdays and Thursdays from 9:00 a.m. to 5:00 p.m. by appointment only. There will be a limited clientele with no more than four appointments per day. The business will not grow beyond that number. Appointments will be spaced far enough apart to insure only one client is there at a time. Client parking is available in the driveway. Both the driveway and front door entrance are illuminated by motion sensor lighting. Ms. Suydam went through Section 435 listing compliance. Ms. Suydam stated that their property is located in the Medium Density Residential Zoning District. Mrs. Suydam stated that she is requesting one business for message therapy, the home owner is the therapist and there are no employees. The home will not be modified in anyway, there will be only one vehicle at a

time and there will be no noise, products will not be sold, there is no mechanical equipment, and nothing is displayed or stored outside of the home. The total habitable floor area is 1582 square feet; the total square footage includes the message room, bathroom, hall, and foyer areas and is 257 square feet which is less than the 25% allowed. The driveway remains unchanged, no large deliveries will occur that require tractor trailers, there will be no drive thrus, no other buildings or structures on the premises that will be used for the business, there is a two car garage with a two car driveway, there are no non-residential employees and patrons will park in the driveway. No signs will be displayed and a copy of Ms. Suydam's license is included in application packet. Section 605.3 requires ground floor plans which are included in packet, the names and addresses of adjoining property owners which are in the packet, and a scaled drawing of the site which is in the packet. Message therapy is the manipulation of muscle and connective tissue using various technics to enhance function, aid in the hearing process and promote relaxation and wellbeing. This in-home business is consistent with the purpose of the Ordinance, the business operation will not be noticeable to neighbors, the business operation will have no effect on the neighborhood, and all necessary public facilities, utilities and public access are available. The home is not in the flood plain, the proposal complies with Section 435 Home Occupations and the in-home business will not impair the integrity of the Comprehensive Plan.

Mr. McManus asked if there would be any outside lighting and Ms. Suydam advised him that there is existing lighting above the door and above the garage. Mr. McManus asked if they must comply with any ADA access requirements and Ms. Suydam stated that she does not. Mr. McManus asked what the hours of operation would be and he was advised that they are 9-5 on Tuesday, Wednesday and Thursday. Mr. McManus asked if there are any Saturday hours and Ms. Suydam stated no. Mr. McManus asked Ms. Suydam if she would like to be able to operate the business Monday through Friday. Ms. Suydam advised him that she would restrict the business to Tuesday, Wednesday and Thursday which is by choice. Mr. McManus asked if dwelling has a two car garage and the client parking would be located in front of one the garage bays and Ms. Suydam stated yes. Ms. Suydam stated that she will not be selling any products.

Ms. Douglas explained the procedure in reaching a decision and that it would be rendered at the next meeting on January 8, 2014.

There was no other business before the Board. Mr. Singer made a motion to adjourn the meeting and Mr. Peris seconded the motion. The hearing was adjourned at 7:30 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Traffic Commission Minutes

Wednesday, January 30, 2013

Time: 8:30 A. M.

The Manor Township Traffic Commission met on Wednesday, January 30, 2013 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

### Reorganization

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

### Old Business

Mr. Harris stated in October Mr. Broome expressed his concern pertaining to the number of accidents that have occurred at his property on Ironstone Ridge Road. Mr. Harris handed out Speed Sentry Summaries provided to him by Lancaster Township for the area of Ironstone Ridge Road at Mr. Broome's property. Mr. Harris advised that Lancaster Township and Manor Township swap services and the Speed Sentry Summary is one of those services. Mr. Harris advised that the speed limit is 25 mph and the summary showed the average speed to be around 38 mph. Chief Graeff advised that technically the Police would not write tickets until 40 mph. Mr. Harris advised that this data is for information purposes no action was required. Mr. Harris will advise Mr. Broome that the average speeds are above the speed limit but not within the protocol for the Police Department to issue tickets.

Mr. Harris stated as a result of concerns expressed by a resident a traffic count was taken on Redwood Drive that showed 90% of traffic traveled less than 30 mph indicating speed is not a problem on Redwood Drive.

Mr. Harris stated there was also concern expressed for lane identification at the intersection of Redwood Drive and Columbia Avenue. Mr. Harris advised after looking at that intersection he does not feel there is a need for lane identification.

Mr. Breneman asked if Mr. Harris had talked to the resident who had concerns with the bus stop on Owl Bridge Road. Mr. Harris stated he had talked to the individual personally and she accepted their decision.

### New Business

Mr. Breneman stated he was approached by a citizen asking if the stop sign at Rock Hill Road and S. Creek Road could be removed as there is very little traffic on S. Creek Road since the bridge has been closed. After discussion, Chief Graeff made a motion to have a traffic study done on Rock Hill Road and S. Creek Road. Mr. Breneman seconded the motion and the motion carried unanimously.

Parkfield Phase 3 – Mr. Harris stated the streets in Phase 3 were paved in November. Mr. Harris advised there are four intersections in Phase 3 that will require traffic studies for placement of stop signs as well as speed limit signs. Mr. Harris stated that Greenhedge and Shade Tree Drive are 28' widths, therefore, Mr. Harris suggest they keep no parking on the same side as the previous section of Greenhedge Drive. Mr. Harris made a motion to forward this under direction of Chief Graeff to Officer Gardner for traffic studies for the February meeting. Chief Graeff seconded the motion and the motion carried unanimously.

Chief Graeff received statistics covering the last three years for the intersection of Redwood Drive and Columbia Avenue. Chief Graeff stated for information purposes there were two accidents at the intersection of Redwood Drive and Columbia Avenue in the last three years. In 2012, there was seven citations issued for speeding or stop signs violations and 15 warnings issued on Redwood Drive.

Mr. Breneman made a motion to adjourn the meeting. Chief Graeff seconded the motion and the meeting was adjourned at 9:00 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Traffic Commission Minutes

Wednesday, February 27, 2013

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, February 27, 2013 at 8:30 am 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 and Chief Todd Graeff  
Member Absent: Jay Breneman

### Old Business

Mr. Harris stated that Officer Gardner has completed two traffic studies for the Commission. Chief Graeff advised that a study was completed in the development of Parkfield for Phase 3. Officer Gardner recommended that the 25 mph speed limit posted in Phase 1 & 2 be continued in Phase 3. Officer Gardner stated that in Phase 3 there are three and four-way intersections which require Stop Signs to regulate the safe movement of vehicles through the intersections. Officer Gardner recommended the following intersections for the establishment of Stop Signs: 1) On Shade Tree Drive @ Greenhedge Drive, 2) On Shade Tree Drive @ Farmstead Drive, 3) On Shade Tree Drive @ Fieldgate Drive and 4) 4 Way Sop – Farmstead Drive (north end) @ Greenhedge Drive. Officer Gardner recommends that the following roadways be posed with “No Parking Zone” signs limiting parking to one side of the roadway. The signs should be erected opposite any sidewalks established within the area. The roadways are Greenhedge Drive, Shade Tree Drive and Farmstead Drive. Mr. Harris made a motion to accept Officer Gardner’s report and make a recommendation to the Board of Supervisors. Chief Graeff seconded the motion and the motion carried unanimously.

Officer Gardner completed a traffic study for the elimination of a “Stop Sign” on Rock Hill Road at South Creek Road for southbound traffic and the establishment of a stop or yield sign on South Creek Road. Officer Gardner recommends that the southbound stop sign on Rock Hill Road be removed and the northbound sign remain. The designs of Rock Hill Road at this intersection are close to a 90 degree turn for traffic traveling on Rock Hill Road. The present speed limit on Rock Hill Road is 35 mph. The roadway design would not permit southbound traffic to safely negotiate the curve at this speed. A critical speed calculation for the curve was conducted and found that the maximum negotiated speed would be 24 mph. Based on traffic safety criteria the 85<sup>th</sup> percentile speed would lower this speed to 21 mph. In accordance with Penn Dot regulations the speed limit can be adjusted to lower by up to 10 mph. Based on this information Officer Gardner recommends that a cautionary left curve sign be erected prior to the intersection for southbound traffic with a cautionary speed sign of 15 mph to be include. The placement of these signs should be approximately 175 feet from the intersection. A continuation of the double yellow lines through the intersection for Rock Hill Road should also be placed. A “Stop Sign” should be placed on South Creek Road at Rock Hill Road. After discussion on Officer Gardner’s recommendation, Chief Graeff made a motion to accept Officer Gardner’s recommendation but do not proceed with the work until line striping is available. Mr. Harris seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 8:40 am.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

Manor Township Traffic Commission Minutes

Wednesday, March 27, 2013

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, March 27, 2013 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 Todd Graeff

Visitor Present: Ray Heisey, 1960 Water Street, Washington Boro

Old Business

Parkfield Phase 3 – Mr. Harris advised that the regulatory signs and street name signs have been installed. The “No Parking” signs will be erected after the sidewalks are installed.

New Business

Ray Heisey, 1960 Water Street, advised that he enters his driveway from a common alley off Rockfish Street. Mr. Heisey stated that due to a neighbor parking their vehicle in the area he has trouble making the turn into the common alley to access his drive. Mr. Heisey stated he has talked to his neighbor who ignores his request to not park in the area. Mr. Heisey also has called the police who told him there was nothing that could be done since there are no signs limiting parking in the area. Mr. Heisey advised he would like to leave his driveway and make either a left or right hand turn without difficulty. After discussion, Mr. Breneman made a motion to install lines indicating no parking in the roadway and also on the south side of Rockfish Street paint yellow line signifying the area of no parking to be determined necessary from the intersection. Chief Graeff advised that painting lines to prohibit parking is not enforceable by the Police Department because the alley is not a public roadway. Mr. Breneman modified his motion to install “No Parking Between Signs”. Chief Graeff seconded the motion and the motion carried unanimously.

Mr. Harris made a motion to adjourn the meeting and Mr. Breneman seconded the motion. The meeting was adjourned at 9:05 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Minutes

Wednesday, July 31, 2013

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, July 31, 2013 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

### Old Business

Mr. Harris stated at the February meeting there was a motion to alter the intersection of Rock Hill Road and S. Creek Road. The motion was to change a stop from Rock Hill to South Creek Road that was to occur after the line striping was completed. The line striping has been completed and the signs were placed at the intersection.

### New Business

Mr. Harris indicated they had received an e-mail from Susan Sheeler, President of WoodsEdge Homeowner's Association, expressing concern with the intersection of Stone Creek Road, Stonemill Road and S. Centerville Road. Mr. Harris had a photograph of the intersection of Stone Creek Road and S. Centerville Road looking north on S. Centerville Road. It was the Commission's opinion that the picket fence and bushes are what is causing a problem with sight distance. Chief Graeff read from Officer Snyder's report that he had completed an informal traffic study and indicated that he saw no problem. Officer Snyder observed traffic at both entrances between the hours of 7 – 9 a.m. on May 27 and May 31, 2013. Officer Snyder indicated he observed heavy vehicle traffic and did not see any obstructions keeping motorist from pulling out from Stone Creek Road or Stonemill Road onto S. Centerville Road. Officer Snyder suggests if motorist are concerned with the heavy traffic volume pulling out to travel northbound on either roadway, that the motorists leave the area using other routes out of Woods Edge. Officer Snyder stated based on his observations, no further modifications or additional signage is required at these intersections. Chief Graeff made a recommendation to accept Off. Snyder's recommendations and recommend to the Woods Edge Homeowners Association that they remove two sections of the picket fence and the two east most bushes. Mr. Breneman seconded the motion and the motion carried unanimously. Chief Graeff will inform Ms. Sheeler of the Commission's decision with a letter.

Chief Graeff received an e-mail from a gentleman concerning vehicle speed on Letort Road in the area of Sheep Lane. Mr. Harris noted the Township does not typically do speed checks on State Roads. Mr. Harris made a motion to forward this concern to Penn Dot and ask them to do a study on that section of Letort Road. Mr. Breneman seconded the motion and the motion carried unanimously. Chief Graeff will forward the Commission's request to Penn Dot.

Mr. Harris advised that Pittsburg Hill Road has been widened between Safe Harbor Road and River Road. It has been past practice to consider speed limit on a road after it has been widened. After discussion, it was recommend that Mr. Harris place the traffic counter on the road for approximately one week after which Officer Snyder will do a traffic study for speed.

On motion by Mr. Harris, seconded by Mr. Breneman the meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Traffic Commission Minutes

Wednesday, August 28, 2013

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, August 28, 2013 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 stated last month there was a traffic study requested on Pittsburg Hill Road and a traffic count was provided. Officer Snyder provided a traffic study stating a traffic count was conducted on Pittsburg Hill Road showing a total of 395 vehicles. The traffic survey showed the 85<sup>th</sup> percentile speed to be 38 mph. Based on the traffic study and roadway design, Officer Snyder recommends that a 35 mph speed zone be established. The speed zone will be for the entire length of Pittsburg Hill Road running from River Road to Safe Harbor Road. Mr. Harris made a motion to accept Officer Snyder's recommendation. Chief Graeff seconded the motion and the motion carried unanimously.

Mr. Harris stated last month there was a concern regarding the speed vehicles traveled on Letort Road in the area of Sheep Lane. Chief Graeff was forwarding that concern to PennDot. Chief Graeff advised he sent a letter to PennDot and has received a reply indicating engineering and a traffic study will be completed and the Traffic Commission will be notified of PennDot's findings.

Chief Graeff advised he had sent a letter to Ms. Sheeler, President of Woods Edge Homeowner's Association, advising Ms. Sheeler the Commission had determined that the shrubbery and picket fence is what is causing a problem with the sight distance at Stone Creek, Stone Mill and South Centerville Road. Chief Graeff stated he believes the shrubbery has been removed but no changes have been made to the fence.

### New Business

Mr. Harris stated that Mr. Ott had given him an e-mail from Erin Zimmerman that was forwarded to Mr. Ott just before the Commission meeting. The e-mail indicated Ms. Zimmerman lives on Bradford Street and makes a left hand turn onto Cartledge Drive every day on her way to work. She indicates her line of vision is impeded due to vehicles parked up to the intersection. Ms. Zimmerman requested a stop sign at the corner of Cartledge Drive and Bradford Street or a no parking zone. After discussion, Mr. Breneman made a motion to erect "No Parking From Here to Corner" signs at Cartledge Drive and Bradford Street 20 feet each way. Chief Graeff seconded the motion and the motion carried unanimously.

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

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer



Manor Township Traffic Commission Minutes

Wednesday, September 25, 2013

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, September 25, 2013 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

Old Business

Mr. Harris advised that the speed limit signs have been posted on Pittsburg Hill Road. The "No Parking From Here to Corner" signs were installed on the northeast intersection of Cartledge Lane and Bradford Street.

Chief Graeff had sent a letter to PennDot and was in receipt of a letter stating they will be doing some enhancements to the signage and pavement marking on Letort Road between Central Manor and the Township Line. Chief Graeff advised that PennDot will not lower the speed limit on Letort Road.

New Business

Speed Limit on Charlestown Road – Mr. Harris stated the Public Works Department has completed widening Charlestown Road. Mr. Harris feels it would be wise to consider posting speed limit signs for Charlestown Road. Mr. Harris advised a number of years ago they had posted 25 mph from Water Street to Prospect Road. It was Mr. Harris's suggestion to complete a speed check from Washington Boro to Donnerville Road and the Commission was in agreement.

Mr. Harris stated he and Mr. Smith were in Manor Oaks and traveled Cartledge Lane to Knollwood Road. Vehicles were parked so tight on the corner that Mr. Smith felt the Traffic Commission should consider making the corner of Cartledge Lane and Knollwood Road "No Parking From Here to Corner". There was discussion regarding the parking in Manor Oaks. Mr. Harris made a motion they place a "No Parking Here to Corner" at Cartledge Lane and Knollwood Road and "No Parking" within 20 feet of the intersection on Knollwood Road approaching Cartledge Lane. Mr. Breneman seconded the motion and the motion carried unanimously.

Mr. Harris received an e-mail from Susan Sheeler requesting that the Commission make Langley Square one way. Chief Graeff advised he drove Langley Square both directions and did not see any problem. Chief Graeff stated he talked to a few residents in the area regarding make the street one way. Several of the residents were in favor and one was against. The residents felt the problem was that motorists did not yield correctly. Chief Graeff asked if a yield sign would solve the problem and the residents he was talking with agreed stating they would like the yield sign on the west side of the street. The residents suggested a "No Outlet" sign be posted at the beginning of Langley Square to curtail through traffic. Chief Graeff made a motion that they do not make Langley Square a one way Street but post a yield sign on the left side and also post a "No Outlet" sign off Stone Creek. Mr. Harris seconded the motion and the motion carried unanimously.

There being no further business 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, October 30, 2013

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, October 30, 2013 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 Todd Graeff

Old Business

Mr. Harris informed the Commission that all signs that had been approved have been installed.

At the request of the Traffic Commission a traffic study was completed by Officer Snyder on Charlestown Road. Chief Graeff read the study stating it is Officer Snyder's recommendation that a 50 MPH Speed Zone be established. The speed zone would be for the entire length of Charlestown Road running from Donnerville Road to the border of Washington Boro. There was discussion on a 45 mph speed limit rather than 50 mph. After discussion, the Commission decided to table a recommendation until Chief Graeff came back with a clarification on regulations pertaining to speed limits.

New Business

The Commission received a note from Mrs. Findly who lives along the raised section of Columbia Avenue questioning the "No Parking This Side of Street" sign. Chief Graeff advised he had asked Officer Gardner to look at the situation and Officer Gardner reported that there is a "No Parking This Side of Street" sign just east of the street sign at Yale Avenue facing westbound traffic. Officer Gardner advised the sign be turned facing eastbound traffic since it the street is one way eastbound. Mr. Harris made a motion to go along with the recommendation of Officer Gardner just reversing the "No Parking This Side of Street". Chief Graeff seconded the motion and the motion carried unanimously.

Mr. Breneman advised an individual asked him about a "Deer Crossing" sign. The Commission members were in agreement that these type of warning signs are not effective. The Commission members agreed not to consider the request. Mr. Breneman will notify the individual of the Commission's decision.

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

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## Park & Recreation Board Minutes

Monday, January 28, 2013

Time: 7:30 P.M.

The Manor Township Park & Recreation Board met on Monday, January 28, 2013 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, Elizabeth Leaman, and Maria Cattell

Members Absent: Maher Hattar and Kyle Ream

### Reorganization

Chairperson – Ms. Leaman nominated Edward Rand for Chairperson. Ms. Barry seconded the motion and the motion carried unanimously.

Vice Chairperson - Mr. Rand nominated Courtney Barry for Vice Chairperson. Ms. Leaman seconded the motion and the motion carried unanimously.

Secretary – Mr. Rand nominated Elizabeth Leaman for Secretary. Ms. Vinson seconded the motion and the motion carried unanimously.

### Minutes

Ms. Barry made a motion to approve the minutes from the October 22, 2012 meeting. Ms. Leaman seconded the motion and the motion carried unanimously.

### Old Business

Mr. Strohecker advised that he has received no new information pertaining to the GPAB Board.

### New Business

Mr. Strohecker updated the Board on changes that has occurred within the Township in the past month, updated the Board on the work that has been completed on the Rail Trail, and advised the Board that he has started working on the Turkey Hill Country Classic that will be held on May 4th.

On motion from Ms. Courtney the meeting was adjourned at 8:05 p.m.

Respectfully Submitted,

Elizabeth N. Leaman  
Secretary

Recording Secretary  
Evelyn Rineer

## Park & Recreation Board Minutes

Monday, July 22, 2013

Time: 7:30 P.M.

The Manor Township Park & Recreation Board met on Monday, July 22, 2013 p.m. in the Manor Township Municipal Building located at 950 West Fairway Drive, Lancaster, PA. Secretary Elizabeth Leaman led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Elizabeth Leaman, Karla Vinson and Kyle Ream  
Members Absent: Edward Rand, Courtney Barry, Maria Cattell and Maher Hattar  
Visitor: Al Kreider

### Minutes

The January 28, 2013 minutes were before the Board for their review. No action was taken.

### New Business

Mr. Strohecker advised the Board that the Supervisors and Planning Commission meetings have been moved to 7:00 p.m. Mr. Strohecker asked that the Board consider moving the Park and Recreation meetings to 7:00 p.m. in the year 2014 so that all the meetings would be consistent.

Mr. Kreider stated as a Supervisor he wanted to thank the Park and Recreation Board for all they do.

Discussion on Park Rules and Regulations and Rail Trail Rules and Regulations – Mr. Strohecker stated he had compiled the suggestions and revisions into one document that he hoped they could critique tonight. Mr. Strohecker went through the document highlighting the changes that are proposed indicating the Rail Trail will also fall under these rules. Mr. Strohecker advised he used category headings that he felt made it easier to read. Mr. Strohecker pointed out that there are some specific rules that apply only to the Rail Trail and the Rail Trail has a specific category. The following rules are specific to the Rail Trail: To operate motorized vehicles on the trail except for the use of emergency and maintenance vehicles or authorized by the Manor Township Office, To ride any form of equestrian. There was discussion pertaining to no horse riding on the trail. The Board suggested wording that pertained to presence of horses on the trail not just riding. Mr. Strohecker suggested To have, bring, ride or walk equestrians and/or equestrian accessories on any Manor Township property continuing with To deviate from the trail surface onto private property, To climb, To leave trash at any place. It is a Carry In/Carry Out facility. Trash and recycling containers are not provided. Mr. Strohecker advised he would put something together that the Park & Recreation Board has agreed upon and e-mail to the Board members for their review after which it would be presented to the Board of Supervisors for their consideration. The Park & Recreation Board was in agreement to present the rules and regulations to the Board of Supervisors for their approval.

There being no further business the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Secretary  
Elizabeth Leaman

Recording Secretary  
Evelyn Rineer

## Park & Recreation Board Minutes

Monday, October 28, 2013

Time: 7:30 P.M.

The Manor Township Park & Recreation Board met on Monday, October 28, 2013 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, Maria Cattell and Karla Vinson  
Members Absent: Elizabeth Leaman, Maher Hattar and Kyle Ream  
Visitor: Christine Brubaker

### Minutes

Ms. Barry made a motion to approve the July 22, 2013 minutes. Ms. Vinson seconded the motion and the motion carried unanimously.

### Business from the Floor

Christine Brubaker, 22 Birch Court, gave background information on the land that is now owned by Manor Township, the Solid Waste Authority and the Lancaster County Conservancy. Ms. Brubaker stated the Solid Waste Authority Chestnut Grove land will be open for the public next year and will include horse trails. The Turkey Hill Trail is a lease agreement that has a renewal in 2015. Ms. Brubaker talked about the following: 1) signage for safety coming down Turkey Hill, 2) Rail Trail edge maintenance issues due to erosion, 3) animal waste and staph MRSA infection due to dogs, 4) trail etiquette model from DCNR, 5) use of helmets when riding bicycles, 6) hunting on Lancaster County Conservancy lands, 7) waterway signage for Mann's Run, Fry's Run and Fisherman's Run, 8) Chestnut Grove trails and horses multiple use, 9) geocaching site of the Lancaster County Conservancy to be removed from River Road, 10) Turkey Hill Trail entrance signage and parking reserved space recommendation and 11) blind curve on entrance road to Low Grade Park a passing issue. Ms. Brubaker expressed her thanks for the entrance marked with a white turn divider, fine gravel allowing road bikers to use the road and trail, fine gravel helps mark the shoulder widths and the brush cutting along the entrance road that helps vehicle viability and wider roadway. Ms. Brubaker wants everyone to understand the history of the land, be good stewards and realize that the river hills are spectacular. Ms. Brubaker also stated she does not want to see horses using the Rail Trail.

Mr. Rand asked the future for the trail connection through Conestoga and beyond. Mr. Harris stated it is his understanding that Martic and Conestoga Township are working on funding for the Martic Forge Bridge and the Township is planning to budget for 2014 for the Township bridge at Safe Harbor. Mr. Harris advised when he met with the Conservancy approximately ten days ago they talked about the linking of the Turkey Hill Trail all the way to Observation Site Road. They have taken GPS coordinates. A problem is the geometry of the different parcels as they were following the trails they were walking on people's property other than Manor Township, LCSWMA or Conservancy property. The Conservancy wants to go out and where they knew they were on private property try to bring in those lines. Ms. Brubaker asked that people be consulted who understand trail building. Ms. Brubaker suggested Manor Township contact LCSWMA asking the Solid Waste Authority to contact the tree removal service to cut out the slash and move it so the trail can be used.

Mr. Strohecker stated going forward the Township has completed and opened the Trail and had informed the Board about that when it occurred. The response to the Trail has been phenomenal. Mr. Strohecker noted that the Township Staff is not necessarily a professional staff in rail trail work but has done a job to the point that people from all across the Country have commented on the fantastic job.

There are small projects to be finished such as picnic benches, signage, and kiosks for the Conservancy and reroute the entrance for the Conservancy trail. Next year there will be renovations to the parking lot and focusing efforts on the engineering of the bridge. Mr. Harris stated last winter due to the small amount of snow they were able to spend a lot of time on the trail. Mr. Harris advised he has had meetings with engineers and the first task at the bridge is to get the vegetation off the bridge. Mr. Strohecker advised they are also looking at funding sources for the bridge.

#### New Business

Review Manor Township Park Rules and Regulations – Mr. Strohecker advised he wanted the Board to have the formal copy of the Rules and Regulations that was done by Ordinance.

Meeting Time Change for 2014 – The Board was in agreement to begin their meetings at 7:00 p.m. beginning in 2014 to be consistent with the other Township meetings. Ms. Courtney asked if they should begin to meet bimonthly in 2014. Mr. Strohecker recommended keeping the meetings quarterly at this point and schedule any additional meetings as they would be needed.

Ms. Courtney asked about the Summer Playground and Mr. Strohecker advised he had an excellent program this year with no major issues.

There being no further business the meeting was adjourned at 8:30 p.m.

Respectfully submitted

Elizabeth N. Leaman  
Secretary

Recording Secretary  
Evelyn Rineer