

## **SUPERVISORS MEETING MINUTES**

### **Manor Township Supervisors Organization Meeting**

Monday, January 6, 2014

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, January 6, 2014 at 7:00 p.m. Chairman Clark introduced the new Supervisors and acknowledged both retired Supervisors who were in attendance. Chairman Clark announced they held an Executive Session at 6:30 p.m. to discuss the Manager's salary. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, John Wenzel, Amber Green and George Mann  
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, Mark Harris and Evelyn Rineer  
Visitors Present: Attached

Appoint Temporary Chairman - Mr. Wenzel made a motion to appoint Jay Breneman as temporary Chairman. The motion was seconded by Ms. Green and the motion carried unanimously.

Elect Chairman - Temporary Chairman Breneman entertained motions for Chairman. Mr. Wenzel nominated Brandon Clark as Chair Person. Mr. Mann seconded the motion and the motion carried unanimously.

Elect Vice-Chairman – Mr. Wenzel nominated Jay Breneman as Vice Chairman. Ms. Green seconded the motion and the motion carried unanimously.

Appoint Secretary-Treasurer – Mr. Clark made a motion to appoint Barry Smith as Secretary-Treasurer. Mr. Breneman seconded the motion and the motion carried unanimously.

Appoint Assistant Secretary-Treasurer – Mr. Clark made a motion to appoint Ryan Strohecker as Assistant Secretary-Treasurer. Ms. Green seconded the motion and the motion carried unanimously.

Establish Treasurer's Bond Amount – Mr. Breneman made a motion to establish a Treasurer's Bond for \$1,500,000. Mr. Wenzel seconded the motion and the motion carried unanimously.

#### **Appointments**

Planning Commission 4 year term – Mr. Wenzel made a motion to appoint Donald Witmer and Mark Harman to serve a four year term on the Planning Commission. Mr. Mann seconded the motion and the motion carried unanimously.

Zoning Hearing Board 3 year term - Mr. Breneman made a motion to appoint Brad Singer to a 3 year term. Ms. Green seconded the motion and the motion carried unanimously.

Solicitor – Mr. Clark made a motion to continue with the services of Goodman – Kenneff. Mr. Mann seconded the motion and the motion carried unanimously.

Associate Solicitor – Mr. Breneman made a motion to continue to use Matt Crème as Associate Solicitor. Mr. Wenzel seconded the motion and the motion carried unanimously.

Labor and Personnel Counsel – Mr. Wenzel made a motion to continue to use Ballard Spahr as Labor and Personnel Counsel. Ms. Green seconded the motion and the motion carried unanimously.

General Engineer – Mr. Clark made a motion to allow Rettew to continue as General Engineer. Mr. Breneman seconded the motion and the motion carried unanimously.

Subdivision Land Development Engineer – Mr. Clark made a motion to use Rettew as Subdivision Land Development Engineer. Ms. Green seconded the motion and the motion carried unanimously.

Alternate Subdivision Land Development Engineer – Mr. Breneman made a motion to continue to use Buchart as alternate Subdivision Land Development Engineer. Mr. Wenzel seconded the motion and the motion carried unanimously.

Storm Water Engineer – Mr. Clark made a motion for Rettew to continue as Storm Water Engineer. Mr. Mann seconded the motion and the motion carried unanimously.

Alternate Storm Water Engineer – Mr. Clark made a motion to continue to use Buchart Horn as the alternate Storm Water Engineer. Ms. Green seconded the motion and the motion carried unanimously.

Traffic Engineer – Mr. Clark made a motion to continue to use Rettew as Traffic Engineer. Ms. Green seconded the motion and the motion carried unanimously.

Planning Engineer – Mr. Clark made a motion to continue to use Hanover as Planning Engineer. Mr. Wenzel seconded the motion and the motion carried unanimously.

Vacancy Board – Mr. Wenzel made a motion that Lester Eckman serve as Vacancy Board member. Ms. Green seconded the motion and the motion carried unanimously.

Manager – Mr. Clark made a motion for Barry Smith to continue as Township Manager. Mr. Wenzel seconded the motion and the motion carried unanimously.

Assistant Manager – Mr. Clark made a motion for Ryan Strohecker to continue as Assistant Manager. Mr. Breneman seconded the motion and the motion carried unanimously.

Public Works Director – Mr. Brandon made a motion that Mark Harris continue as Public Works Director. Ms. Green seconded the motion and the motion carried unanimously.

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

Zoning Officer – Mr. Clark made a motion that Bruce Ott continue as Zoning Officer. Mr. Wenzel seconded the motion and the motion carried unanimously.

Assistant Zoning Officer – Mr. Clark made a motion that Lauren Zumbrun continue as Assistant Zoning Officer. Mr. Breneman seconded the motion and the motion carried unanimously.

Delegate to the State Convention – Mr. Clark made a motion to appoint Jay Breneman as the Delegate to the State Convention. Mr. Wenzel seconded the motion and the motion carried with Mr. Breneman abstaining.

Representative to Lancaster Intermunicipal Committee – Mr. Clark made a motion that Amber Green be the Representative to the Lancaster Intermunicipal Committee. Mr. Mann seconded the motion and the motion carried unanimously.

Representative to the Intergovernmental Insurance Cooperative Board – Mr. Clark made a motion that Ryan Strohecker be appointed as Representative to the Intergovernmental Insurance Cooperative Board. Mr. Wenzel seconded the motion and the motion carried unanimously.

Auditor- Resolution 2-2014 – Mr. Clark made a motion that Bertz-Hess continue as Auditors adopting Resolution 2-2014. Mr. Wenzel seconded the motion and the motion carried unanimously.

Traffic Commission – Ms. Green made a motion to appoint Mark Harris, Todd Graeff and Brandon Clark to Traffic Commission. Mr. Breneman seconded the motion and the motion carried unanimously.

Penn Manor Municipal Representative Lancaster County Tax Collection Bureau – Mr. Clark made a motion to appoint Ryan Strohecker as the Penn Manor Municipal Representative to the Lancaster County Tax Collection Bureau. Ms. Green seconded the motion and the motion carried unanimously. Mr. Smith mentioned that they have heard from adjoining municipalities that make up the district who are in favor of having Mr. Strohecker continue as the Representative.

Blue Rock Fire District Representative – John May advised he is resigning his position as Commissioner on the Blue Rock Fire District. Mr. Clark made a motion to appoint Jay Breneman to continue in his capacity to serve his two year term in addition the motion would also include that Mr. Wenzel will serve the remainder of Mr. May's term for another year as Commissioners on the Blue Rock Fire District. Ms. Green seconded the motion and the motion carried with Mr. Breneman abstaining.

Mr. Clark adjourned the Organizational Meeting and continued with the Supervisor's Regular meeting agenda.

Chairman Clark called the Regular Supervisor's Meeting to order.

Minutes – Mr. Breneman made a motion to approve the minutes from December 2, 2013. Mr. Wenzel seconded the motion and the motion carried unanimously.

Bills and Financial Report – Mr. Breneman expressed his appreciation that the Department Heads and Management have kept their spending in line. Mr. Clark also expressed the Board's appreciation that spending was kept in line. Mr. Breneman made a motion to accept the bills and financial report as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Solicitor's Report – There was no report.

Business from the Floor

Mary Glazier, 269 Chestnut Grove Road, Conestoga, welcomed the new Supervisors and stated she hoped in the coming year that they can work together.

John May, 100 Red Fox Road, Millersville, stated several years ago pictures of the trestle bridge during the construction of the Safe Harbor Dam, and picture of the trestle bridge before the construction of the dam with trains traveling on both levels that were borrowed from the Washington Boro Historical Society for Susquehanna River Heritage. Mr. May stated he had the pictures duplicated and digitally restored and enhanced by David Milisock. Mr. May presented the framed pictures to the Board. Mr. May presented Mr. Harris and the Public Works Department with a replica of the caboose located on the Rail Trail.

David Milisock, 102 Spring Meadow Lane, stated he lives in Letort Manor and wanted to thank Mr. Smith for the way he treated the residents during the sewer project.

## New Business

Resolution – 3-2014 Meeting Dates – Resolution 3-2014 Meeting Dates – The meeting dates will remain the first Monday of the month at 7:00 p.m. with the exception of September 2 that will be a Tuesday and the November meeting will be Thursday, November 6 at 7:00 p.m. Mr. Breneman made a motion to approve Resolution 3-2014. Ms. Green seconded the motion and the motion carried unanimously.

Mr. Clark stated in 2013 the Board approved a resolution highlighting rules for meetings. Mr. Clark advised this was on the agenda as an “FYI” for the new Supervisors and to answer any questions. Mr. Wenzel feels this is an important “FYI” because these rules were not written down a year ago and are now. They help the chairperson run a meeting and after using them for a year they are working nicely and can be used in any meeting. Mr. Smith noted the action taken is applicable to all the meetings Manor Township runs in a public session.

Resolution 4-2014 Police Pension - Mr. Clark stated this resolution highlights the employee contribution of 5% of salary via payroll deduction as stipulated in the 2009 Act 11 Interest Arbitration Award. Mr. Wenzel made a motion to approve Resolution 4-2014. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 5-2014 Bank Depositories – Mr. Wenzel made a motion to approve Resolution 5-2014 for Bank Depositories. Ms. Green seconded the motion and the motion carried unanimously.

Resolution 6-2014 Sewage Enforcement – Mr. Clark advised that this indicates David Lockard will be appointed as the Township Sewage Enforcement Officer as well as fees which have not changed for 2014. Mr. Clark made a motion to approve Resolution 6-2014. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 7-2014 Recognizing John May – Mr. Clark presented Mr. May with Resolution 7-2014 recognizing John May for his distinguished service from January 7, 2002 serving as Chair from January 2003 to January 2013. Mr. Clark stated Manor Township thanks Mr. May for his service and is very grateful for the time a given and countless hours put into establishing the Rail Trail. Mr. May corrected the Chair position stating he served until 2012 and Mr. Clark served as Chair in 2013. Mr. Breneman made a motion to approve Resolution 7-2014. Ms. Green seconded the motion and the motion carried unanimously.

Resolution 8-2014 Recognizing L. Allen Kreider – Mr. Clark presented Resolution 8-2014 recognizing Mr. Kreider for his years of service from January 2004 to January 2012 serving as Vice Chairman from January 2006 to January 2011. Mr. Clark thanked Mr. Kreider for his years of service. Mr. Kreider stated he feels good leaving as this time with good people replacing Mr. May and himself. Mr. Breneman expressed personal comments stating he will miss Mr. May and Mr. Kreider. Mr. Wenzel made a motion to approve Resolution 8-2014. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 9-2014 Managers Compensation – Mr. Wenzel made a motion to approve Resolution 9-2014 compensating the Manager total of 4% additional to his current salary. Mr. Clark noted 3% goes towards salary and 1% towards pension. Mr. Clark seconded the motion and the motion carried unanimously.

Resolution 10-2014 Manor Township Sewer Fee - Mr. Clark noted the increase sewer fee is for both residential and commercial customers. Mr. Wenzel made a motion to approve Resolution 10-2014. Mr. Breneman seconded the motion and the motion carried unanimously.

Tax Collector Letter of Resignation and Appoint of Lancaster County to Collect Municipal Taxes – Mr. Clark stated the have a letter of Resignation from Elizabeth F. Bauder who served as Tax Collector which the County will now be doing. Mr. Breneman made a motion acknowledging letter of resignation from Ms. Bauder. Mr. Mann seconded the motion and the motion carried unanimously. Mr. Breneman made a motion to appoint Lancaster County to collect Manor Township taxes. Mr. Mann seconded the motion and the motion carried unanimously.

Act 14, 67, 68, 120 Notices for Frey Dairy Farms and Grace United Methodist Church – These are for information purposes and no action is required on these items.

Manor Township Planning Commission Annual Report – Mr. Clark made a motion that the Supervisor Board is in receipt and accepts the Planning Commission Annual Report for 2013. Mr. Breneman seconded the motion and stated he is thankful they have served this past year. The motion carried unanimously.

#### Correspondence

Mr. Clark noted there are three training requests two for the Supervisors and one for Mr. Smith and Mr. Strohecker to attend. Mr. Clark made a motion to approve the training requests as submitted. Mr. Breneman added to the motion that PSATS would involve other staff members. Mr. Breneman seconded the motion and the motion carried unanimously.

Chief Graeff provided a letter requesting to purchase computers that were put into the budget. Mr. Clark made a motion to approve the request to purchase the budgeted computers. Mr. Wenzel seconded the motion and the motion carried unanimously.

#### Traffic Commission

There was no Traffic Commission Meeting

#### Reports

Police Report, Public Works Report, Township Manager Report and Building Permit Report – Mr. Smith advised the Supervisors to go on record it is Mr. Smith's duty to make them aware they encourage their residents to contact the Township as well as themselves if they see anything illegal in terms of stormwater management. Mr. Clark made a motion to approve the reports as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## **Manor Township Supervisors Meeting**

Monday, February 3, 2014

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, February 3, 2014 at 7:00 p.m. Chairman Clark introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Brandon Clark, Jay Breneman, John Wenzel, Amber Green and George Mann

Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff

Visitors: Cheryl Love, 743 S. Broad Street, Lititz  
Sandy Kime, 743 S. Broad St., Lititz  
Michael Davis, 126 E. King Street, Lancaster  
Clair Becker, 18 Money Hill Road, Millersville

Minutes – Mr. Breneman made a motion to approve the January 6, 2014 minutes as submitted. Ms. Green 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. Mann seconded the motion and the motion carried unanimously.

Solicitor's Report – There was no report.

### Business from the Floor

There was no business from the floor.

### New Business

SALDO - Grace United Methodist Church – Briefing Item – Cheryl Love from the ELA Group made the presentation. Ms. Love advised that Clair Becker from the church was also available for any questions.

Ms. Love stated they had been before the Board with a sketch plan in October and then submitted preliminary and final plans requesting a waiver for preliminary processing. It was presented to the Planning Commission and they have met informally with Township Staff and Rettew going through the review comments. They have resubmitted plans that are again under review by Rettew. Ms. Love advised that the church addition is to accommodate continued growth that the church is experiencing. They will keep their current facility open and this new site will serve for additional worship space. The total site is 32 acres with a proposed sanctuary that will seat 350 people. The ordinance requires 88 parking spaces and they are providing 168 plus 6 ADA spaces. Ms. Love pointed out the parking areas on the plan. There is a multipurpose field designed to the southwest of the property that helps meet the required ordinance for some of the park and recreation space. This area may be used by private reservation and is available for public use with the understanding that they need to work out details from a scheduling standpoint around church activities. Columbia Water has approached the church requesting an easement on the site to provide water to the neighborhood to the south.

Ms. Love stated they have received sewer capacities and have received a sewer module exemption. They have not received their design approval from Columbia Water and they need their E&S approval as well. Mr. Breneman had questions on the use of the upper corner of the property. Mr. Wenzel had questions regarding the construction as to proposed start and estimated completion of the project. Mr. Smith advised the Board this will be before them again in March when they will have the Planning Commission's recommendations, LCPC recommendations and Staff input. Mr. Smith advised this is relatively straightforward clean plan.

Brunswick Farms Apartment – Briefing Item - Sandy Kime from the ELA Group made the presentation. Mr. Kime advised with him was Mike Davis, Legal Counsel, for the applicants. Mr. Kime stated this project is proposed on just under an 11 acre piece of ground along Donnerville Road. It is currently part of a 37 acre piece of ground that is owned by Leisure Lanes. The property backs up to Weaver Road. Mr. Smith advised this will be a subdivision and land development. Mr. Kime advised the subdivision portion is limited to the 10.9 acre tract which is the western portion of the old Garden Spot Airport. The site drains from south to north with a small stream that disappears into the woods. There is flood plain, wetlands and wooded area on the site. Their intent is to keep as much of the wooded area as possible. They are proposing five buildings with the entrance drive across from Hampden Drive. The driveways within the project will be private drives with parking lots serving all five buildings with handicap spaces in front of each building. There are 60 dwelling units with 122 parking spaces. All the building units are the same with the exception of building three which has a one story link to it that is a community room. Mr. Kime talked about the stormwater stating they are not touching the wetlands or flood plain. Mr. Kime stated per the ordinance they have a fairly dense landscape screening along south property line and along Donnerville Road. There will be interior sidewalks. They will be widening a portion of Donnerville Road which is a State highway and have met with Township Staff and PennDot several months ago. They do not meet the threshold for a full traffic study as required by PennDot but have studied the intersection based on recommendations of Township Staff and there is no problems with levels of service. They have received comments from Rettew and have resubmitted plans addressing the comments. Mr. Clark asked Mr. Kime to point out the emergency access drive and give them more information on the emergency access drive. Mr. Wenzel asked Mr. Kime to point out Donnerville Road, the main access and Columbia Avenue on the plan. Mr. Clark asked if the proposed inlets will take care of the water problem when it rains on Donnerville Road. Mr. Kime stated it is his understanding that the ponding actually is on the north side of road and their inlets would not take care of that issue. They will not add to the water problem. Mr. Clark asked what requirement PennDot is making in widening the road. Mr. Kime advised that PennDot is requiring 18' from the centerline of the road and in the PennDot meeting they asked them to include a 6' shoulder for buggies. Mr. Wenzel asked how many stories are the buildings and Mr. Clark asked if there were any outside elevation drawings. Mr. Smith stated there have been questions as what grants/funding allows this project to happen and could Mr. Kime speak to that. Mr. Kime stated he knows it is PHFA Funded but does not know anything about the funding process for the project. Ms. Green had questions on the community building. Mr. Clark asked what the hours of operation would be for the office.

Act 14, 67, 68, 120 Notices - Rohrer Dairy Farm – Mr. Clark advised this is standard notification and there is no action required.

Lancaster County Solid Waste Management Authority – This is a standard notification and no action is required.

Agricultural Security Areas Petition - Keith and Megan Frey – Mr. Clark noted they are in receipt of the petition from Keith and Megan Frey. Mr. Wenzel made a motion to add the land to the Agricultural Security Area and use it as a standard procedure. Mr. Mann seconded the motion and the motion carried unanimously.

Ryan Funk – Mr. Clark noted they are in receipt of the petition from Ryan Funk. Mr. Mann made a motion to add the land to the Agricultural Security Area and use it as a standard procedure. Ms. Green seconded the motion and the motion carried unanimously.

Joe Nadu Request for Letter of Credit Reduction – Mr. Smith recommends to reduce the Letter of Credit by \$47,132.50. Mr. Breneman made a motion to reduce the Letter of Credit for the Nadu Letter of Credit by subtracting \$47,132.50. Mr. Smith advised the Township holds ten percent and stated as they come to the conclusion of this project because there are no public improvements he recommends the Township does not hold the ten percent for 18 months. Ms. Green seconded the motion and the motion carried unanimously.

Parkfield request for Letter of Credit Reduction – Mr. Smith stated after review it is recommended that they release the entire amount of this Letter of Credit. The outstanding balance is \$253,083.98. Mr. Clark stated he will recuse himself from the vote. Mr. Breneman made a motion to release the Letter of Credit. Ms. Green seconded the motion and the motion carried with Mr. Clark abstaining.

Authorization to Purchase Two New Police Vehicles – Mr. Clark stated this is a budgeted expense. Mr. Clark made a motion to authorize the purchase of the two vehicles that were allotted. Ms. Green seconded the motion and the motion carried unanimously.

#### Correspondence

Mr. Clark noted several requests for Administration, Public Works and Police Department to attend various seminars. Mr. Clark made a motion to allow management to determine who needs to attend the seminars. Mr. Mann seconded the motion and the motion carried unanimously.

#### Reports

Traffic Commission, Police Report, Public Works Director Report, Township Manager's Report and Building Permits Report - Mr. Breneman stated in his commute to the meeting the Township roads were in good condition whereas the State roads had not been completely cleaned off. Mr. Breneman also noted that in the month of January they have used up 35% of the Winter Maintenance Budget for the year. Mr. Clark asked that it be passed on to Mr. Harris on behalf of the Board that they are thrilled with the job they are doing. Ms. Green thanked the Chief and the Officers on behalf of Manor Oaks. Ms. Green stated she had her Board Meeting and they have seen it is much better with the kids coming back to school after winter break the Officers are doing their job. The kids have cut down on their interference and obnoxiousness and Ms. Green stated she does not get 30 homeowner calls on Friday and Saturday nights informing her how awful the community is. Mr. Clark made a motion to approve the reports as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 7:36 p.m.



Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

### **Manor Township Supervisors Meeting**

Monday, March 3, 2014  
P.M.

Time: 7:00

Vice Chairman Jay Breneman called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, March 3, 2014 p.m. Vice Chairman Breneman introduced the Board of Supervisors and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Breneman, George Mann, Amber Green and John Wenzel  
Member Absent: Brandon Clark  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer  
Visitors Present: See Attached

Minutes – Mr. Wenzel made a motion to approve the February 3, 2014 minutes as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

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

Solicitor Report – There was no report.

#### Business from the Floor

Kathy Bowman, 244 W. Front Street, Marietta, talked about her desire for horses to be allowed on the Rail Trail. Mr. Wenzel talked about a personal experience he had that involved his dog and a horse which is proof to him allowing horses on the Rail Trail would be a safety issue. In response to Ms. Bowman's comments, Mr. Breneman stated that when he was circulating an election petition he had two individuals thank him for not allowing horses on the Rail Trail.

#### New Business

SALDO – Grace United Methodist Church Action Item - Cheryl Love with ELA Group made a presentation for the Grace United Methodist Church Final Plan. Ms. Love advised they resolved most of the comments in Rettew review letter and nothing substantial has changed since their presentation last month. They are awaiting LASA and Columbia Water approval letters as well as an approval letter from the Conservation District for the Erosion and Control Plan. They

have several more comments to address. Ms. Love stated they are requesting a modification from collector street standards down to local street standards looking for a lesser installation of paving. Mr. Smith advised they have had discussion from an applicant/staff standpoint and from Staff experience it is Staff's belief that specification is warranted. Mr. Smith noted the Supervisors have the Planning Commission recommendation letter regarding this application which is a very clean application with minimal comments that will easily be addressed. Mr. Breneman commented that the LCPC had the question of this land being in Clean and Green and asked if that was addressed noting he realized this does not preclude them from approving this plan. Ms. Love advised the Clean and Green will be addressed as part of the changeover of the occupancy of the project. Mr. Wenzel made a motion to approve the plan based on the February 11, 2014 Manor Township Planning Commission recommendation and the Rettew review letter of February 7<sup>th</sup>. Ms. Green seconded the motion and the motion carried unanimously.

Brunswick Farms Apartments Action Item – Sandy Kime with ELA Group made a presentation on behalf of Brunswick Farms Apartments. Mr. Kime stated they were before the Board last month. They have received a seconded review letter from Rettew Associates dated February 7, 2014. Mr. Kime addressed Comment #4 from the review letter regarding the park and recreation land. Per the Township Ordinance, they should be dedicating 2.34 acres of open space based on the formula or the Ordinance gives other alternatives such as construct recreational facilities or reserve private land. They are providing 4.1 acres not including the stormwater facility and a tot lot outside the reserved land. They have extensive wooded area and feel they have met the alternatives in Section 511.2.D of the Ordinance. Regarding the emergency access, they met with Staff and there was agreement that they complied with the Zoning Decision but the comment does show up in the Rettew letter. Another item was a short sidewalk extension at the very northwest corner, Comment #11, in the Rettew letter that was actually rescinded by Mr. Caldwell at the Planning Commission meeting. The remaining conditions are clean up with some minor comments regarding the highway plans. Mr. Smith stated the Township will be issuing a letter regarding the emergency access that will be compliant. Mr. Smith advised that pertaining to the park and recreation space or fee in lieu of or other alternatives is typically done at Staff level with review and going back to the Applicant with a recommendation. Approval would be given contingent upon an agreement between the Applicant and the Township. Mr. Kime advised a third comment had to do with a pipe that is actually off of their property but the embankment down to the pipe is on the Applicant's property. For the Applicant to extend it to the property line, they would be filling in the floodplain on top of the rip raff which would make an unsafe situation. Mr. Smith advised this is a legitimate hardship the Applicant should not have to deal with. Mr. Wenzel asked Mr. Kime to comment on access to the bus stop. Mr. Kime stated there was questions how individuals would safely get from the northwest corner of the project to the bus stop located on the west side of Donnerville Road. Mr. Kime stated there is a bus stop located at emergency access. Mr. Kime stated the distance to both stops if measured equal laterally they would end up at the same location in the project. Mr. Kime noted if it is an unsafe situation to use the bus stop at Donnerville there is a safe alternative by using the emergency access to the bus stop at that location. Mr. Smith stated a Staff concern when looking at B & J if construction would have to take place it would probably make B & J more nonconforming in parking than at present. Mr. Mann made a motion to approve the plan based on the February 11, 2014, Manor Township Planning Commission recommendation letter as well as the February 7, 2014 Rettew Associates review letter. Ms. Green seconded the motion and the motion carried unanimously.

Woods Edge Phase 2 Section 4 Revised Final Plan Briefing Item – There was no one present to represent the plan.

Resolution 11-2014 Escalator Clause – Mr. Smith advised this is a standard action taken for several years making it fair to the potential bidders as well as the Township for protection of wide adjustments in the cost of the product. It gives the Township more latitude to complete the projects in a timely fashion as opposed to a contractor trying to delay it. Mr. Breneman made a motion to approve Resolution 11-2014. Mr. Mann seconded the motion and the motion carried unanimously.

Award for the Rail Trail Paving Project – Mr. Smith noted they had six vendors bid with the first three below what the Township had anticipated. Mr. Harris advised he had estimated \$54,000 to pave the parking lot. Mr. Wenzel made a motion to award the Rail Trail paving project to Martin Limestone d/b/a Burkholder Paving in the amount of \$44,982.00. Ms. Green seconded the motion and the motion carried unanimously.

Non-Uniform Pension Amendment-Ordinance 1-2014 – Mr. Strohecker advised this Ordinance and the next one are retroactive to the 1% deduction for non-uniform employees and 5% deduction for the uniform employees dating back to 2013 and 2010 respectively. This must be done to pass the audits. Ms. Green made a motion to adopt Ordinance 1-2014. Mr. Mann seconded the motion and the motion carried unanimously.

Uniform Pension Amendment – Ordinance 2-2014 – Mr. Mann made a motion to adopt Ordinance 2-2014. Ms. Green seconded the motion and the motion carried unanimously.

Notice of Application-Millersville University – Mr. Smith advised this is a standard notice agencies are providing as required by law. This is an update on water withdrawal. There is no action required.

Letter of Credit Reduction-Members 1<sup>st</sup> – Mr. Smith advised the project is completed and they have met their obligation, therefore, they are authorizing the release of the Letter of Credit in its entirety. Mr. Mann made a motion to release the Letter of Credit for Members 1<sup>st</sup>. Mr. Wenzel seconded the motion and the motion carried unanimously.

Ratify hire of Nickolas Ebersole – Mr. Smith advised that Mr. Ebersole has gone through a process for the position of Zoning Officer and Planner and has been presented with a conditional offer of employment that he has accepted. Ms. Green asked Mr. Ebersole to introduce himself and briefly give background information. Mr. Ebersole stated he grew up locally and graduated from Donegal High School and Millersville University. Mr. Ebersole stated he is currently employed at Lancaster County Conservancy in the Land Protection Office and does some stewardship work in the field. Mr. Ebersole stated in the past he worked for a Township in Dauphin County and will be starting for Manor Township in three weeks. Mr. Wenzel made a motion to ratify the hire of Nickolas Ebersole as Zoning Officer and Planner. Mr. Mann seconded the motion and the motion carried unanimously.

Assistant Zoning Officer-Barry Smith – Mr. Smith advised Lauren Zumbrun will be functioning in place of Mr. Ott until Mr. Ebersole begins. Mr. Smith felt it was appropriate to have someone on Staff to have the Assistant Zoning Officer title for necessary signatures and routine work as Ms. Zumbrun will have limited hours at the Township. Mr. Mann made a motion to appoint Barry Smith as Assistant Zoning Officer. Ms. Green seconded the motion and the motion carried unanimously.

Administration – GFOA-PA Conference – Ms. Green made a motion to allow Mr. Strohecker to attend GFOA-PA Conference with expenses paid. Mr. Mann seconded the motion and the motion carried unanimously.

Reports – Traffic Commission, Police Report, Public Works Directors Report, Township Managers Report and Building Permit Report – There was no Traffic Commission meeting in February.

Mr. Breneman stated he and Mr. Wenzel attend the BRF&R Board meetings. Mr. Breneman advised he will make a point of forwarding the minutes and finance reports to the Board for their information. Mr. Smith stated he receives the reports and when he receives the reports he will e-mail them to the other Supervisors.

Ms. Green asked Mr. Harris for an explanation of what is the MSDS audit. Mr. Harris explained it ensures that the water discharged through stormwater is clean and acceptable to the standards of the Commonwealth. There was discussion on the testing of the stormwater and the number of stormwater facilities that are monitored. Mr. Smith advised there will be times he reminds the Board that the public may come to them with a complaint regarding stormwater that should be referred to Mr. Smith and appropriate action will be taken.

Mr. Mann made a motion to adjourn the meeting. Mr. Wenzel seconded the motion and the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

### **Manor Township Supervisors Meeting**

Monday, April 7, 2014  
P.M.

Time: 7:00

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, April 7, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Chairman Clark announced they had an Executive Session this evening at 6:30 p.m. to discuss personnel issues.

Members Present: Brandon Clark, Jay Breneman, George Mann and John Wenzel  
Member Absent: Amber Green  
Staff Present: Barry Smith, Mark Harris, Chief Todd Graeff and Evelyn Rineer  
Visitors Present: See Attached

Minutes – Mr. Wenzel made a motion to approve the minutes from March 3, 2014 meeting as distributed. Mr. Breneman 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. Mann seconded the motion and the motion carried unanimously. Mr. Breneman noted they have surpassed the budget line amount for winter maintenance this year.

Solicitor's Report – Mr. Smith advised there was nothing to report.

#### Business from the Floor

Kathy Bowman, 244 W. Front Street, Marietta, talked about the Rail Trail and horses on the road.

John May, 100 Red Fox Road, Millersville, stated he was interested in the progress of estimates on the bridge. Mr. May thanked the Township for the trees that were planted in honor of himself and Mr. Kreider.

#### New Business

Resolution 12-2014 Recognizing Bruce R. Ott – Mr. Clark stated Mr. Ott had been with the Township for over 20 years, he put a lot of effort into the job, was well respected, and knew a lot about the job. Mr. Clark presented Mr. Ott with Manor Township Resolution 12-2014 recognizing Mr. Ott for his service. Mr. Smith presented a plaque that was created in Mr. Ott's honor that will be placed at the office facility along with a tree that will be planted in Mr. Ott's honor. Mr. Smith stated the Staff has been privileged to know and work with Mr. Ott. Mr. Smith expressed sincere thanks and wished Bruce and Sally Ott enjoyment in retirement. Mr. Breneman made a motion to approve Resolution #12-2014. The motion was seconded by Mr. Mann and the motion carried unanimously.

#### SALDO

Woods Edge Phase 2 Section 4 Revised Final Plan Briefing Item – Todd Vaughn from David Miller Associate was representing the plan along with Mark Stanley, Ernie Hemlick and Bill Murry. The plan is a revised subdivision and land development plan for the units in Woods Edge Phase 2 Section 4. The plan only changes the interior property lines. The outer boundary remains the same which is open space. The public improvements are in and there are no changes proposed to the public improvements. With the proposed improvements, there will be a reduction in twelve townhomes. Based on the current market, this will allow them to build a wider townhouse that the market is more in favor of. The plan has been submitted for review to the Township Engineer with latest review March 6 showing one item to clean up on the zoning data on the cover sheet that is a minor housekeeping item and 2 comments under subdivision land development. They asked for two modifications 1) Briefing Item and 2) Existing Features. Mr. Clark made a motion to move this to an action item and to allow the existing features to be changed as recommended in the Planning Commission letter of March 17, 2014. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Wenzel made a motion of conditional approval based on the letter of March 17, 2014. Mr. Breneman seconded the motion and the motion carried unanimously.

Crossgates – Revised Phasing Schedule – Mr. Wenzel made a motion to allow the requested extension as presented. Mr. Mann seconded the motion and the motion carried unanimously.

Lancaster County Conservation District 2014-2015 Memorandum of Understanding – Mr. Smith advised this is a document that gives the Lancaster County Conservation District the authority to act on the Township's behalf to handle the erosion and sedimentation controls, dam safety, waterway managements and the agricultural related activities that fall under their umbrella. Mr. Clark advised they are in receipt of the memorandum and Mr. Clark made a

motion to authorize Township Manager to sign off on this memorandum as applicable. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 13-2014 Daniel and Amy Yocum Sewage Facilities Planning Module – Mr. Smith advised this is a standard item. The Planning Commission and Staff have reviewed the Planning module and recommend passing the Resolution as presented. Mr. Breneman made a motion to approve Resolution #13-2014. Mr. Wenzel seconded the motion and the motion carried unanimously.

Klint Frey Finishing Barn – Improvement Guarantee Agreement, Letter of Credit, Storm Water Management Agreement - Mr. Mann made a motion to approve the Improvement Guarantee Agreement, Letter of Credit and Storm Water Management Agreement. Mr. Breneman seconded the motion and the motion carried unanimously.

Award Bid In-Place Paving – Mr. Clark noted there were two bids with one from Highway Materials and one from Pennsy Supply. Mr. Smith advised the bid opening was conducted and found the documents to be in order for all three of the items being considered. Mr. Wenzel made a motion to award the In-Place paving bid to Highway Materials. Mr. Mann seconded the motion and the motion carried unanimously.

Award Bid Seal Coat – Mr. Mann made a motion to award the bid to Martin paving. Mr. Breneman seconded the motion and the motion carried unanimously.

Award Bid Materials – Mr. Smith advised they are recommending Highway Materials be awarded the Superpave product and County Line Quarry be awarded the 2A stone. Mr. Clark made a motion to award the bid to Highway Materials for the Superpave and County Line Quarry for the 2A stone. Mr. Mann seconded the motion and the motion carried unanimously.

Agricultural Security Area Petition – Mr. Clark made a motion to approve the addition of this petition into the Agricultural Security area as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Resolution 14-2014 DCNR Enola Low Grade Rail Trail Safe Harbor Trestle Bridge Rehabilitation – Mr. Smith advised they are submitting to DCNR for \$75,000 that is a grant allowing them to provide the engineering and design for the bridge. Mr. Smith stated they have sent in the bulk of an application that is State Transportation Alternatives Program commonly known as the “TAP” Project that they are asking for \$900,000 to help with the construction of the rehabilitation. Mr. Clark made a motion to approve Resolution #14-2014 as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Administration – Mr. Clark noted three training request 1) Annual Managers Conference and for the Police Department 1) Death Scene Awareness Session and 2) Justice and Safety Institute Field Training Officer Program. Mr. Breneman made a motion to approve the three training requests with the designated people to attend. Mr. Mann seconded the motion and the motion carried unanimously.

## Reports

There was no Traffic Commission. There is a Police Report, Public Works Report, Building Permits Report and Township Manager’s Report. Mr. Wenzel made a motion to approve the reports as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

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

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

### **Manor Township Supervisors Meeting**

Monday, May 5, 2014

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, May 5, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann, Amber Green and John Wenzel  
Staff Present: Barry Smith, Chief Todd Graeff, Ryan Strohecker and Evelyn Rineer  
Visitors Present: Steven DiGuseppe, MU  
Jim Quinn, 33 Dublin Dr.  
Lori Borys, 1120 Letort Rd.  
Lisa Lewis, Valley Drive  
Mary Glazier

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

Bills and Financial Report – Mr. Clark made a motion to approve the bills and financial report as submitted. Mr. Mann seconded the motion. Mr. Breneman had a question on one of the expenses. Mr. Clark called for the vote and the motion carried unanimously.

Solicitor's Report – Mr. Smith stated there was no report.

Business from the Floor

There was no business from the floor.

New Business

Ordinance 3-2014 Manor Township Storm Water Management Ordinance – Mr. Clark advised that this is a draft ordinance reviewed by Rettew Associates. Mr. Smith stated that this Ordinance is based on what the County has approved. Mr. Smith stated from a Staff standpoint they are certain this Ordinance is compliant and have not gone beyond imposing anything in addition to what this Ordinance requires. Mr. Clark asked that by adopting this Ordinance do they still have the ability to change it as seen fit throughout the year. Mr. Smith advised only if they wished to increase rather than lower what is compliant. Mr. Wenzel verified this ordinance is at the minimum standards. Mr. Caldwell advised an area that is still open is how they are going to deal with the agricultural community. Ms. Green asked for the deadline for

compliance. Mr. Smith advised that it is Wednesday. Mr. Clark made a motion to adopt Ordinance 3-2014 the Manor Township Storm Water Management Ordinance. Mr. Wenzel seconded the motion and the motion carried unanimously.

Judgment Finding Barbara Jean Haines – Mr. Smith advised that this property has been an ongoing problem for over two years. They have been working with this individual to become compliant which has never occurred. The Township filed the necessary notice and the District Justice awarded a fine in the amount of \$500.00. The property remains cluttered and Staff feels it is reasonable for the Township to take the next step seeking an award to have the property cleaned up. Mr. Smith stated he is asking for permission to do additional investigative work into title search as to whether there are existing liens or obligations. Ms. Green verified that the property owner was contacted verbally as well as in writing. Mr. Clark made a motion to authorize Staff to move forward with lien search. Mr. Wenzel seconded the motion and the motion carried unanimously.

Crash Scene Investigative Unit – The Chiefs of Police of the member municipalities are recommending that East Lampeter Township be included in the Crash Scene Investigative Unit. The five departments included in this unit are Manor Township, Columbia Borough, East and West Hempfield and East Lampeter if they are approved. Mr. Clark made a motion to give Staff the authority to proceed with preparation of documents. Ms. Green seconded the motion and the motion carried unanimously.

Authorize Staff to seek quotes to pump out and inspect on-lot sanitary sewer systems that are non-compliant with Ordinance 4-2011 Section 16 – Mr. Smith advised there are 165 properties that are not in compliance with the Ordinance after three postcards that went out with notification. After meeting with Mr. Goodman, it was determined appropriate to send out an official looking document from the Township giving them one more opportunity by notifying them they are not compliant and what the ramifications will be if they do not comply. Mr. Wenzel questioned the ramifications and the time frame. Mr. Smith stated the time frame that has been discussed is 45 or 60 days. At the next meeting, there will be quotes provided from haulers for the Supervisors to review and award to a specific pumper who will work under the direction of the Township to obtain access and do the proper inspections. Mr. Wenzel asked if a second notice will be sent that we will be pumping out the systems and Mr. Smith advised there would be another notice sent. Ms. Green asked if the notices will be sent certified. Mr. Smith advised it will be standard mail with a request for a response from the landowner after which the next step will be determined. Mr. Wenzel questioned if there will be another period of time given after the seconded notification. Mr. Smith advised there will not be another period of time given. Mr. Strohecker advised a draft copy of the letter will be provided to the Supervisors for their review. Mr. Clark made a motion to authorize Staff to send a formal letter and seek quotes to perform inspections and pump out. Mr. Mann seconded the motion and the motion carried unanimously.

Police Department Request to attend the Pennsylvania Chief of Police Association Education and Training Conference - Mr. Clark made a motion to allow Chief Graeff to attend the Conference. Ms. Green seconded the motion and the motion carried unanimously.

Reports – Traffic Commission, Blue Rock Fire District, Police Report, Public Works Director Report, Township Manager’s Report, Building Permit Report

Mr. Clark stated the Traffic Commission met in April. The Commission approved a “Hidden Driveway” sign to be placed on Anchor Road for 3508 Anchor Road. After a traffic



study was completed on Charlestown Road, there was a motion to place a 50 MPH speed limit sign on Charlestown Road with the exception of the area between Prospect and Water Street that has an existing 25 mph speed limit. Mr. Wenzel had questions on the determination of the speed limit.

Blue Rock Fire District – Mr. Breneman advised there was a problem with the computers, therefore, the Supervisors did not receive the financial report or minutes. Mr. Breneman highlighted the minutes stating they are actively seeking grants, problems with parking in front of Norfolk Southern access, audit taking place, possibility of free internet, suspension of firefighters, discussion on fees imposed by LEMSA, and the events they attended. Mr. Strohecker advised that the BRFR did a great job as well as everyone else who helped at the Country Classic.

Police Report-Chief Graeff highlighted several things in his report talking about the robbery of the M&T Bank in East Hempfield Township and the apprehension of the robbers by Manor Township Officers. Chief Graeff also talked about the License Plate Reader stating he was going to wait for the new one that comes out in July.

Mr. Breneman made a motion to approve the reports as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

Mr. Clark publically acknowledged and expressed appreciation on behalf of the Board for the time put into Turkey Hill Country Classic by Mr. Strohecker and Staff. Mr. Strohecker stated there were 150 individuals involved and he appreciated all the volunteers.

Mr. Clark adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

### **Manor Township Supervisors Meeting**

Monday, June 2, 2014

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, June 2, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann, Amber Green and John Wenzel

Staff Present: Barry Smith, Chief Todd Graeff, Ryan Strohecker, Mark Harris and Evelyn Rineer  
Visitors Present: Ted Gingrich, 110 Bent Tree Dr.  
Mary Glazier, 269 Chestnut Grove Rd.  
Rita & John Young, 163 Seitz Rd.  
Becky & Jim Reeve, 120 Stonewyck Dr.  
Gary Strock, 302 S. School Ln.

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

Financial Report, Accounts Payable and Check Register – Mr. Clark made a motion to approve the reports as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith stated there was an old business item that is further down on the agenda.

#### Business from the Floor

Mary Glazier, 269 Chestnut Grove Road, asked that the financial report and bills be provided in the packet to be viewed by individuals attending the meeting. Mr. Smith advised those reports will be included for the next meeting.

#### Old Business

Update on Barbara Jean Haines Property – Mr. Smith stated he had provided Mr. Goodman's letter regarding the state of the mortgage as well as a number of liens that are out on the property. Mr. Smith stated the outstanding mortgage is \$76,500 with almost \$13,000 in judgments on the property. Mr. Smith advised that there has been no significant alterations of the property since the Township last received a favorable judgment before the District Justice. Mr. Smith stated they are looking to the Board for the next step that is to be taken. There was consensus that that every effort has been made to work with the resident. Ms. Green asked how long they have been working with this resident and if there were any challenges presented by the homeowner as to why they could not clean up their property. Mr. Smith advised the initial contact has been approximately two years ago and the resident has not contacted the Township with any difficulties or hardships only acknowledgement to Mr. Ott that they had received the information. Mr. Clark made a motion that they authorize Staff to move forward with legal action on the Haines property. Mr. Wenzel seconded the motion and the motion carried unanimously.

#### New Business

Police Department New Hire - Mr. Smith stated Rockie Tice is an outstanding candidate and from a Staff standpoint they are very comfortable recommending Mr. Tice to the Supervisors for hire. Chief Graeff stated that Mr. Tice rose to the top of the candidate list and Chief Graeff stated he is very happy to present Mr. Tice tonight. Mr. Breneman made a motion to hire Rockie Tice for the Police Force. Mr. Wenzel seconded the motion and the motion carried unanimously. Ms. Green asked Mr. Tice if there was anything he would like to tell them about himself. Mr. Tice stated he is looking forward to working for the Township.

Resolution 15-2014 PennDOT Grant Application for Rail Trail Funding – Mr. Smith previously reported they were in the process of submitting the Transportation Fund Grant and asked for the maximum allowed within the grant program which is three million dollars. The most recent detailed estimate from the Engineers is it will be close to five million dollars to rehab the bridge. Included in this figure is some of what they believe to be long range and long term maintenance issues with the steel that they may want to look at now. This Resolution is the Board designating Mr. Smith and Mr. Strohecker to execute documents on their behalf. Mr. Clark made a motion to authorize Mr. Smith and Mr. Strohecker to move forward with executing documents and approve Resolution #15-2014. Ms. Green seconded the motion and the motion carried unanimously.

Frey Land Development Extension Letter – Mr. Smith stated the applicant had to make some changes on their land development plan. When a plan is presented, they have 90 days to act upon it. The applicant has made the changes so the Board would be in a position if they hit the time line to deny it or it is deemed approved which the applicant does not want to occur. The applicant has the right to ask for an extension. Mr. Breneman made a motion to approve the request for an extension. Mr. Mann seconded the motion and the motion carried unanimously.

Amend Township Handbook – Mr. Smith stated they had brought in Nancy Hess of N.J.Hess to do a training session on Sexual Harassment as well as other employee issues related to harassment. This is the recommendation Ms. Hess made to amend the handbook and in addition Mr. Strohecker has come across some additional alterations pertaining to grammar and minor substance that is in the handbook. Ms. Green asked for a brief synopsis of the training that all the Staff underwent. Mr. Strohecker described the training that took place with the non-uniformed employees stating the Police Department will have their training in October. Mr. Clark made a motion to amend the Township Handbook as presented in regards to Sexual Harassment, grammatical errors and Substance Abuse. Ms. Green seconded the motion and the motion carried unanimously.

Proposed Change to the Post-Retirement Medical Plan for Non-Uniformed Employees – Mr. Strohecker stated they have been looking at post-retirement medical plan for those individuals over 65 years old. Mr. Strohecker stated in the last two months Highmark, the Township's current insurer, has come up with a product specifically for the IIC Consortium that the Township is a part of that is a product that is more closely matched to what the current health benefits are. A copy of the synopsis of the product has been provided showing two options. Mr. Strohecker stated they are proposing looking at the first option with the only difference between the options is dental benefits that is a separate product that will not be changed through this process. Mr. Strohecker feels there is a good comparison match to both plans. The intent tonight is to get the plan before the Board to look at ultimately with a proposal to move forward. Mr. Wenzel had questions on what is currently established. Ms. Green questioned if there was a deadline and was advised there is not a deadline this is for Step 1, have the Supervisors look at the plan, talk about it, get the issues out on the table and Step 2 would be set up a formal meeting with the retirees to discuss the plan, explain the changes and move forward. Ms. Green stated she would like to have a work session with the Supervisors so they can understand what this actually means. Mr. Smith advised they could bring the consultant from the Benecon Group who can give information and answer questions. Mr. Wenzel agreed that he would like to have a work session. Mr. Clark made a motion to table this discussion until further notice when a work session has been scheduled. Mr. Breneman seconded the motion and the motion carried

unanimously. Mr. Smith advised that when the work session is scheduled the retirees will be made aware of the date of the work session.

James Reeve, 120 Stonewyck Drive, Lancaster, stated he retired several contracts back and his question has been answered by Mr. Smith as Mr. Reeve would like the retirees to be notified of the work session so they can attend and get an understanding.

Correspondence – Mr. Clark stated there are two training request 1) Crimes Against Children Conference for Detective Phenneger and Detective Mazur and 2) Detective and Criminal Investigator Training for Officer Burkholder. Mr. Clark made a motion to approve the training requests as submitted. Ms. Green seconded the motion and the motion carried unanimously.

Reports - Traffic Commission, Blue Rock Fire District, Police Report, Public Works Director Report, Township Manager's Report, Building Permit Report

Mr. Clark stated the Traffic Commission met in May discussing Temple Avenue and Millersville Road intersection that has a No Left Turn sign which is not being obeyed. There was different options discussed and ultimately came to the conclusion that there is enough signage at the location and made the decision no further action would be required.

Mr. Breneman advised that Blue Rock Fire District will not be meeting this month.

Mr. Smith advised late this afternoon the gentleman who operates Cabbage Hill owns property on the west side of Stonemill Road and owns approximately .7 acres on the opposite site which is the east side of Stonemill Road. The gentleman asked if the Township would be interested in the donation of the .7 acre. Mr. Smith stated there is some associated benefits to owning the parcel such as proximity to the stream giving the Township more control.

Mr. Clark made a motion to accept the reports as presented. Mr. Wenzel seconded the motion and the motion carried unanimously.

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

### **Supervisors Meeting Minutes – July 7, 2014**

#### **A. Call to Order**

Chairman Brandon Clark called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA, on Monday, July 7, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann, Amber Green and John Wenzel

Staff Present: Ryan Strohecker, Chief Todd Graeff, Mark Harris & Kelly Clemens

Visitors Present: Jim Reeve, 120 Stonewyck Drive  
Steve DiGuiseppe, 7 Waterleaf Road  
Earl Newcomer, 300 Blue Rock Road  
Dana Edsall, 3064 Miller Road  
Dennis Griffith, 111 Bendermill Road  
Jim Quinn, 33 Dublin Drive  
Melissa & Joshua Gerlach, 108 Carol Drive  
Lisa Lewis, Valley Drive  
Sue Sheeler, 101 Langley Square  
Lori Borys, 1129 Letort Road  
Gary Price, 2800 Charlestown Road

**B. Approve the Minutes – June 2, 2014**

Mr. Clark made a motion to approve the June minutes as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

**C. Approve the Financial Report, Accounts Payable and Check Register**

Mr. Mann made a motion to approve the reports as submitted. Ms. Green seconded the motion and the motion carried unanimously.

**D. Solicitors Report** - There was nothing to report on.

**E. Business from the Floor** - No business from the floor.

**F. Old Business**

**a. Update on On-Lot Disposal System –**

Mr. Strohecker reported that Manor Township is ready to take action for individuals/residents who are non-compliant with their ordinance. They were given until June 30<sup>th</sup> to comply. Several notices have already been mailed out. Currently, there are 88 residents who are non-compliant. Manor Township is at the point to determine action going forward. The Township has contacted all of their approved haulers for the program and solicited bids to pump out those non-compliant. As quotes have come in, Mr. Strohecker has given the supervisors a detailed list of what they would charge. Mr. Strohecker stated that Manor Township is going to come under the threshold for having to bid it, so the Township can move forward with contracting with the hauler to take care of those non-compliant and he recommended they go with the lowest cost hauler of John Kline's.

Mr. Breneman asked if that bid includes the pumper having to open them up or does it just include the pump out? Mr. Strohecker said some of the bids came in with different ways of calculating how they will charge. Each individual property could have a unique situation, but it is just for a straight pump as the Township is trying to make it as simple as possible. The Township may have to handle some properties in an individual basis.

Ms. Green asked how many notifications have been sent to non-compliant residents and Mr. Strohecker replied that each year individuals who are due to pump out are sent 3 notifications. One in January, July and December. The Final one is in bright red as a reminder not to throw it away. Properties due to pump out in 2012 and 2013 were actually sent a regular letter in the mail to get their attention once more. So there have been 4 notifications thus far to residents. Mr. Strohecker believes that number of 88 should come down to about 75 because some individual properties may be rentals or someone might have gotten missed, so the Township will reach out to those individuals and resolve some of that.

Mr. Wenzel asked when the process will begin. Mr. Strohecker said if the Township gets the approval tonight, he would like to wait another 30 days just to make sure any pumper that would have pumped out in June has given us all the information and then he would expect to start in August or September. Mr. Clark made a motion to appoint John Kline's Septic Services at \$165 per 1000 as our pumper for septic services. Ms. Green seconded the motion and it carried unanimously.

**b. Proposed Change to Post-Retirement Medical Plan**

Mr. Strohecker reported the Township held a workshop session last month to discuss **Highmark's Freedom Blue PPO plan**. Since the session, nothing with the plan had changed. Manor Township is at the point of asking the supervisors for approval to move forward with Highmark's Freedom Blue PPO Plan. He stated that Manor Township has two groups of retirees which are uniform and non-uniform. He asked that the board move forward with the non-uniform retirees and probably make it effective within the next 60-90 days. Mr. Strohecker also asked that the board provide the plan as an option for our uniform retirees as well.

Jim Reeve, 120 Stonewyck Drive, asked that if someone would choose to go with the new plan and then something happens and they are not satisfied with it, would they be able to go back to the old plan? Mr. Strohecker said he is totally open to talk about that. Mr. Strohecker said as he thinks about what pitfalls could occur, he doesn't want to sit here tonight and say it is irrevocable or revocable. Being that Manor Township is not switching companies and is staying with the same HighMark company they currently have, Mr. Strohecker said the Township knows the network and infrastructure that Highmark has in place and he has a high degree of confidence that what they are telling Manor Township will occur, will occur. Mr. Strohecker said moving forward, the Township will see how things go. If they switch over and things that were promised don't come true, those are bridges the Township is willing to cross when they pop up.

Mr. Clark made the motion to appoint Highmark's Freedom Blue PPO Plan for all non-uniform retirees and as an option for all uniform retirees. Mr. Clark mentioned that Mr. Strohecker said during the workshop that Manor Township will save 10-12% with this plan, so it is a substantial savings by doing this. Mr. Wenzel seconded the motion and it carried unanimously.

**G. New Business**

**a. Letter of Credit Release- Peace of Mind Self Storage, LP**

Mr. Strohecker confirmed that Mr. Smith reviewed the letter of credit and is comfortable with releasing it. Mr. Clark made a motion to release the Letter of Credit for Peace of Mind Self Storage in the amount of \$90,781.00. Ms. Green seconded the motion and it carried unanimously.

**b. Cash Deposit Release- Country Manor**

Mr. Clark made a motion to release the cash deposit for Country Manor in the amount of \$44,002.05 plus interest. Mr. Wenzel seconded the motion and it carried unanimously.

**c. Act 14 Notification - Spring View Poultry**

**d. Act 14 Notification - Chesapeake Crab**

The Supervisors received Act 14 notifications for Spring View Poultry & Chesapeake Crab.

**e. Storm Water Agreement- Grace United Methodist Church**

(Boiler plate storm water management agreement that Mr. Smith prepared). Mr. Clark made a motion to enter into Storm Water Agreement with Grace United Methodist Church. Mr. Breneman seconded the motion and it carried unanimously.

**f. Ordinance 4-2014- Crash Scene Investigation Unit Agreement**

Mr. Breneman made a motion to adopt ordinance 4-2014. Mr. Mann seconded the motion and it carried unanimously.

Mr. Strohecker stated there was a last minute agenda item he wanted to discuss. Manor Township is asking tonight to throw in **Resolution No. 17-2014** to provide support on a House & Senate Bill that would enable local police officers to use radar guns and the same speeding timing devices that the state police use. It is done by way of resolution and Mr. Strohecker stated that he had it with him tonight and asked the board to get their support on that as well. Mr. Clark made a motion to approve Resolution No. 17-2014. Mr. Mann seconded the motion and it carried unanimously.

**g. Correspondence**

**i. LCATS Golf Outing & ii. MS4 Seminar**

Mr. Breneman made a motion to authorize the respective people to attend the LCATS (Lancaster County Association of Township Supervisors) Golf Outing & MS4 Seminar. Mr. Clark seconded the motion and it carried unanimously. Mr. Strohecker made a quick note that the LCATS golf outing was for supervisors with other supervisors and that it is a good networking event. If any of the supervisors are interested in going, they are supposed to let him or Kelly know and the Township will sign them up and pay for their fee.

**H. Reports (Standard reports)**

a. Traffic Commission

**b. Blue Rock Fire District**

Mr. Breneman said they had a meeting last Thursday and should have a draft budget by their next meeting so that it should be passed in the September meeting. Once they have it, he will forward it on to the supervisors. Also reported the Washington Boro Tomato Festival will be held Saturdays, July 14<sup>th</sup> & 21<sup>st</sup>.

**c. Police Report**

Chief Graeff mentioned that National Night Out will be held on Tuesday, August 5<sup>th</sup> at Leisure Lanes from 6-8 PM and that they are still looking for volunteers for the event. It is supposed to be a night where everyone comes out and gets to know their neighbors. There will be donated food, fun stuff for kids, games, informational displays, ambulances, etc. It is a joint event with Manor Township, Millersville Borough and Millersville University.

**d. Public Works Director Report**

Mark Harris reported that the Township has finished paving in Perth Hills. When the sewer extension occurred, the Township committed to rebuilding the streets. That was delayed because the water company came in and put their infrastructures in place. Mr. Harris said the Township still needs to complete Letort Manor and that it would be his hope to honor that commitment to the citizens by next year.

**e. Township Manager's Report**

**f. Building Permit Report**

Mr. Wenzel made a motion to accept the reports as presented. Mr. Mann seconded the motion and it carried unanimously.

**I. Adjourn**

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

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Kelly Clemens



## Supervisors Meeting Minutes

Monday, August 4, 2014

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, August 4, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann and Amber Green  
Member Absent: John Wenzel  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Graeff and Evelyn Rineer  
Visitors Present: See attached.

Minutes - Mr. Breneman made a motion to approve the July 7, 2014 minutes as distributed. Ms. Green seconded the motion and the motion carried unanimously.

Approval of Financial Report, Accounts Payable and Check Register – Mr. Mann made a motion to approve the Financial Report, Accounts Payable and Check Register as presented. 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

Terry Grinestaff, 732 Rohrer Road, stated he has been having water run off problems for the last three years some of which is due to changes made to a neighboring property. Mr. Grinestaff believes that the Township will take care of the problem but he does not feel the Township should be spending their money to take care of something that was created by an individual. Mr. Grinestaff provided pictures to the Board of Supervisors of a berm put in by a neighbor that he felt was causing the problem. Mr. Clark stated he would look into the situation and get back to Mr. Grinestaff.

Mark Stanley partner with McNess, Wallace & Nurick was representing Don & Laura Dombach who owns 378 and 380 Old Blue Rock Road. 380 Old Blue Rock Road is the mill property at the end of Old Blue Rock Road. Mr. Stanley stated they would like to briefly give their plans for the reuse and revitalization of the mill. They have met with the neighbors to bring them up to speed and will be going to the Zoning Hearing Board. They thought it would be courteous to come to the Supervisors with their proposed plans. Ms. Dombach advised they purchased the mill approximately one and one-half years ago. They have done some repairs and their goal is to keep this piece of history in tack as much as possible with minimal impact to the neighborhood. They are proposing to turn it into a place for events such as weddings and an event venue. They showed the Board pictures of the mill before and after work was done. Mr. Stanley advised the original mill was built in 1770's which burned down and then the present structure was built in 1831. The Board thanked the Dombachs for the presentation.

Mary Glazier, 269 Chestnut Grove Road, advised there is a meeting at the Millersville University at this time concerning the gas pipeline. Ms. Glazier expressed concerns regarding the pipeline through Manor Township. Ms. Glazier asked if the Supervisors would comment on what inquiries they have made or issues that have come to them with regard to the proposed

pipeline. Mr. Clark stated as a Board they have not taken a stance, however, they are proactively working with elected officials to meet with them and have a tour lined up to see the impact so they can better understand it. Mr. Smith stated they have information and have shared the pipeline location information. Mr. Smith stated the Board is informed and they are anxious to hear directly from Williams. Ms. Green stated from her conversation it is her understanding they do not know exactly what their plan is at this time. Ms. Green advised each of them are trying to educate themselves as different answers are being given to questions that are asked.

#### Old Business

Update on On-Lot Disposal System Maintenance Program – Mr. Smith advised progress has been made in a number of properties becoming compliant. Mr. Strohecker advised at present time there is 49 properties that are non-compliant. He feels the number will drop down to 45 which exceeded expectations at this point in time. Mr. Strohecker advised that mid-August is when they will begin enforcement.

#### New Business

SALDO – Homefields Briefing Item – Rob Gabriel with Robert Gabriel & Associates along with Tom Strauss from Homefields were present. Homefields is located along Letort Road and is a non-profit organization who work with individuals with disabilities from Goodwill to raise organic produce which is in turn sold to their co-op. Homefields purchased the adjoining 14 ½ acre farm to the east of them that contains a dwelling unit, barn and several out buildings. They are proposing to subdivide which required a PennDot permit that also requires a “no left turn” into the site. There was perk and probe completed to establish an alternate septic system. There will be on lot water and sewer. They are proposing to add 2.2 acres onto the Grace Baptist Church in Millersville. The remaining land will be added to Homefields farm that will remain in agriculture. They are requesting a modification for plan scale. Mr. Gabriel stated the Planning Commission moved this to an action item. Mr. Breneman made a motion to move the plan to an action item. Ms. Green seconded the motion and the motion carried unanimously. Mr. Mann made a motion to approve the recommendation that the Manor Township Planning Commission gave on July 22, 2014 letter as well as approve the modification as presented. Ms. Green seconded the motion and the motion carried unanimously.

Dave and Gloria Martin Briefing Item – Tom Matteson with Diehm & Sons presented the plan stating the Martin Family owns two properties and they are proposing to transfer a parcel from the farm and join it with the residence that would leave a parcel of 14 acres and one just under 25 acres. Mr. Mann made a motion to move this to an action item. Mr. Breneman seconded the motion and the motion carried unanimously. Ms. Green made a motion to approve the plan modification as submitted in in the Planning Commission letter of recommendation on July 22, 2014. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Breneman made a motion to approve the plan as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

Letter of Credit Release – Members 1<sup>st</sup> – Mr. Mann made a motion to release the Members 1<sup>st</sup> Letter of Credit. Mr. Breneman seconded the motion and the motion carried unanimously.

Improvement Guarantee Agreement and Letter of Credit – Grace United Methodist Church – Mr. Smith stated they have the original Letter of Credit that has been reviewed, it meets the conditions and Mr. Smith recommends they enter into the Improvement Guarantee Agreement and accept the Letter of Credit from Fulton Bank as presented. Mr. Breneman made a motion

to enter into the Agreement and accept the Letter of Credit. Mr. Mann seconded the motion and the motion carried unanimously.

#### Correspondence

Retirement Letter from Township Manager Barry Smith – The Supervisors are in receipt of Mr. Smith’s retirement letter. Mr. Breneman made a motion to accept this letter for purpose of retirement with effective date of December 31, 2014. Ms. Green seconded the motion and the motion carried unanimously.

Police Department – Training request for Police Training Internet Tools for Investigators for Cpl. Geyer to attend and a Drive to Survive Training Program for several officers to attend. Mr. Breneman made a motion to approve the training request as submitted. Mr. Breneman had questions for Chief Graeff pertaining to his budget for the year. Ms. Green seconded the motion. Ms. Green stated she agrees with Mr. Breneman’s comments but believes in continuing education so even if Chief Graeff goes over the budget she asked that he continue to bring the opportunities before them. Mr. Clark called for the vote on the motion and the motion carried unanimously.

#### Reports

Traffic Commission – Mr. Clark advised the Traffic Commission did not meet last month.

BBF&R – Mr. Breneman advised they did not met last month.

LIMC Update – Ms. Green serves on the Lancaster Intermunicipal Committee Board (LIMC). Ms. Green gave a brief description of what the LIMC does stating changes have been made specifically the way in which they allocate funds. The LIMC offices have been moved from the government building in Lancaster City to Millersville University saving money and establishing an internship program between the LIMC, the Township and Boroughs encompassing the LIMC and the students at Millersville University. Ms. Green talked about the students working on storm water management planning for all of the Townships included in the LIMC. The students will be researching grant opportunities for different issues and bringing their recommendations to the governing bodies.

Police Report – Chief Graeff noted National Night Out that will be held tomorrow night at Leisure Lanes from 6:00 – 8:00 p.m. Mr. Breneman mentioned that on July 23 four Manor Township Officers were honored by East Hempfield Township for the bank robbery apprehension.

Public Works and Managers Reports – No additions.

Building Permit Report – Mr. Clark noted additions and alterations are up over 50% that is a good indication the market is healthy that is good for everyone.

Mr. Clark made a motion to accept and approve the reports as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 7:35 p.m.

Respectfully submitted,  
Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## Supervisors Meeting Minutes

Tuesday, September 2, 2014

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 Tuesday, September 2, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann, Amber Green and John Wenzel

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

Visitors Present: See Attached

Minutes – Ms. Green made a motion to approve the August 4, 2014 minutes as distributed. Mr. Wenzel seconded the motion and the motion carried unanimously.

Approval of Financial Report, Accounts Payable and Check Register – Mr. Wenzel made a motion to approve the Financial Report, Accounts Payable and Check Register. Mr. Mann seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith reported they were authorized by the Board to move forward on the Barbara Jean Haines property in Washington Boro. The Sheriff attempted to serve Ms. Haines three times and was unable to, therefore, they need to refile the complaint and have authorized the Constable to attempt to serve the papers.

### Business from the Floor

Mike Jennings, 101 Rockhill Road, stated he is affiliated with Lancaster Against Pipeline and the two citizens group from Martic and Conestoga Townships "SOUL" that stands for Save Our Unspoiled Lands.

Mr. Jennings talked about the proposed pipeline and the impact that they feel it will have on the areas of the proposed pipeline. Mr. Jennings asked if there was a venue where a public information meeting could be set up and if Williams would like to attend they would be welcome but a chance for citizens and people who live in the threat area to get a good sense of what is going on and how it will affect them.

Mike & Patti McKonly, 390 Blue Lane, stated they have an alpaca farm on 8 ½ acres. There is a storm drain pipe that is draining onto their property and in the last three years has become a problem with an increased amount of water draining through the pipe and taking out the fields and fences. Ms. McKonly had pictures of the rain water going through the pipes. Ms. McKonly stated the water comes down Blue Lane and Richland Downs through their property. Ms. McKonly stated that their neighbor is also having problems with the storm water. She stated she was advised by Township Employees that they need to put a pipe in and pipe it to their neighbor's property. She asked to split the cost with the Township and run the pipe through both properties to the river. Mr. Clark asked if the McKonly's were aware of the stormwater easement on the property when they purchased it. Ms. McKonly stated they were not aware of it. Mr. Smith referred to a subdivision plan from 1991/1992 that shows the stormwater, pipes

and easement that not only goes through the McKonly property but Lot #1, owned by the Seigels. In the Township recorded plan, both these properties show stormwater easements. Mr. Clark advised the plan is referred to on the McKonly's deed. Mr. Smith advised the easement goes back to the original subdivision plan when the farm was subdivided and then a subsequent Richland Downs plan. Mr. Smith advised as land gets subdivided they must record the documents with the County and then deeds typically reflect what is on the recorded plan. Mr. Clark suggested they talk to the person who handled the settlement when they purchased their property. Mr. Breneman asked if they talked to the Conservation District and Ms. McKonly stated when the gentleman came out about manure management plan she mentioned the storm water problem but he was not helpful. Ms. Green advised she will talk to someone from the Conservation District who only deals with these issues and will give him the McKonly's contact information. Ms. Green stated there are grant funds to help curb this type issue. Mr. Wenzel asked what changed from 2008/2009 to cause the problem the McKonly's are now having. Ms. McKonly stated she did not know. Mr. Wenzel asked who developed the original plan. Mr. Smith stated he is unable to read the logo on the plan. Mr. Smith stated they recognize that regulations in 1991 for stormwater management are not what they are today. What is a problem for Staff in terms of assisting is the documents that declare that the maintenance of an easement is the responsibility of the homeowner. Mr. Smith stated it is his obligation to make sure the Board is aware of this and he had shared with the Board what he found in terms of the legal documents that were recorded.

John May, 100 Red Fox Road, talked about funds to repair the bridge on the Rail Trail. Mr. May advised he is going to go before the Commissioners to start a public/private fund to repair the bridge. Mr. May feels there is enough popularity of the Rail Trail to start a fund to get the bridge open. Mr. May encouraged the Board not to forget the bridge, bring it up regularly, discuss it and possibly talk to the Township Solicitor what would be necessary to create a proper fund so people can get their charitable deduction and a place to send their money.

Robert Kapp, 2319 River Road, asked if there are any regulations governing large scale farming operations pertaining to their hours of operation. Mr. Kapp stated there has been work round the clock in the fields where he lives and it was interrupting his sleep. Mr. Kapp stated the Landfill is regulated for reasons of traffic and noise. Mr. Smith advised that there is State Legislation that allows Manor Township to regulate where vehicles that are trash collectors can haul but the Township is not given that same statute regarding farming.

#### Old Business

Update on On-Lot Disposal System - Mr. Smith advised they have initiated the process for the inspection and pump out on non-compliant properties. Mr. Strohecker advised they are down to 22 properties that are non-complaint. They started enforcement of the Ordinance and so far everything has gone smooth.

#### New Business

SALDO – Turkey Hill Dairy Revised Final Subdivision Plan Briefing Item – Brian Cooley with D. C. Gohn represented Turkey Hill Dairy along with Nick Kohr from the LCSWMA presented the plan. Mr. Cooley pointed out on the plan the location of the property. Turkey Hill is proposing to purchase 5.14 acres from the LCSWMA. Currently the majority of the property is existing concrete, old barns and utilities. With the new property line there will be two separate sets of setbacks associated with the new property line. As part of that, there is a

demolition agreement that was done on the request of the Township in order to meet the setback requirements for the parking. A demolition permit has been issued that will remove all the existing buildings and pavement within the setbacks so there is no zoning violations. They are requesting the following three waivers: Waiver of the Briefing Item, Plan Scale, and Proposed Feature Plan and Plan Information. The last Rettew letter was dated August 8<sup>th</sup> and all the technical comments have been addressed. Mr. Clark made a motion to move the Turkey Hill Dairy Revised Final Subdivision Plan from a briefing item to an action item. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Wenzel made a motion to approve the plan as submitted and as recommended by the Planning Commission in a letter dated August 13 referencing the August 8<sup>th</sup> Rettew letter. Mr. Mann seconded the motion and the motion carried unanimously.

Frey Dairy Farms Final Land Development Plan Briefing Item – Peter Hughes with Red Barn Consulting represented the plan on behalf of Frey Dairy Farms that is turning from a dairy farm to a proposed turkey operation. This land development plan is directly across the street from the previously discussed plans. They are proposing two 63' x 700' turkey barns as well as two 63' x 600' turkey barns. The farm is preserved through Lancaster Farmland Trust and there was some issues with the impervious areas with the Lancaster Farmland Trust. They are proposing a 40' x 180' covered manure storage facility. There is enough average that they are not a concentrated animal operation and it is not deemed a concentrated animal feeding operation. It is located within a high quality watershed and they have received approval from DEP for their MPS Stormwater Plan as well as for Erosion and Sedimentation Control Plan. Mr. Smith indicated the Applicant requested a 45 day time extension that needs to be included. The Applicant is requesting the time extension in order to meet some of the stormwater related items they must have in place before final approval. There was questions from the Board pertaining to any existing similar operation and the composting. Mr. Wenzel made a motion to move this to an action item. Mr. Breneman seconded the motion and the motion carried unanimously. Mr. Mann made a motion to approve the plan as submitted and as recommend by the Planning Commission letter dated August 13, 2014 and an August 8, 2014 Rettew review letter. Ms. Green seconded the motion and the motion carried unanimously. Mr. Clark stated they are in receipt of a 45 day extension for this project.

Chesapeake Crab Warehouse Land Development Plan Briefing Item - There was no representative present for the plan.

Resolution 18-2014 Authorized Official Resolution – Mr. Smith advised this is for a grant request of \$250,000 through the Commonwealth Funding Authority. They are working with DCNR and it is specific for the rehabilitation of the trestle bridge. Mr. Breneman made a motion to approve Resolution 18-2014 as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 19-2014 – Disposition of Certain Records – Mr. Smith advised this is done occasionally as they comply with the Records Retention Act. Mr. Smith advised this is at Mr. Strohecker's request to pass this Resolution for very specific financial records listed on the Resolution. Ms. Green questioned if the records were backed up and saved. Mr. Breneman made a motion to approve Resolution 19-2014. Ms. Green seconded the motion and the motion carried unanimously.

Improvement Guarantee Agreement and Cash Escrow for Barley Farms – Mr. Smith advised the Improvement Guarantee has been reviewed and recommend that they accept it. The check is in hand and currently in the bank. Mr. Wenzel made a motion to approve the Improvement

Guarantee Agreement and accept the cash deposit. Mr. Mann seconded the motion and the motion carried unanimously.

Storm Water Management and Maintenance Agreement and Declaration of Easement for Barley Farms - Mr. Smith advised this agreement accompanies the project that was before them in the Improvement Guarantee Agreement. This meets the current Storm Water Management Ordinance and as required the Applicant must provide an Operations and Maintenance Agreement and the Declaration of the Easement that is recorded. Ms. Green made a motion to approve the Storm Water Management Maintenance Agreement as presented to us by Barley Farms. Mr. Wenzel seconded the motion and the motion carried unanimously.

Well Isolation Distance Waiver Request 3673 River Road – Mr. Smith stated this is an existing home with an existing well and sanitary on lot sewer system. The potential buyer's financier realized the distance did not comply and would not finance without having this document from the Township. Mr. Breneman made a motion to approve the Well Isolation Distance Waiver for 3673 River Road as presented by our Sewage Enforcement Officer. Mr. Wenzel seconded the motion and the motion carried unanimously.

2015 Minimum Municipal Obligation – Mr. Smith stated this is a standard practice every year. They have an obligation to budget based on the information that their consultant gives. Mr. Smith stated it is a budget tool and there are potential fluctuations that Mr. Strohecker may deal with before the end of the year in terms of funding but they are required to do it at this meeting. Ms. Green made a motion to approve the 2015 Minimum Municipal Obligation as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 20-2014 – Accepting Dedication of Right-of-Way Fieldgate Drive – Mr. Clark stated he sells properties out of this development, therefore, he will not participate in the discussion or the vote. Mr. Smith gave background relative to all three Resolutions. As Staff, they confirmed these roads and right-of-ways have been constructed as provided on the recorded plan and recommend for all three the deed of dedication be accepted. Ms. Green made a motion to accept Resolution 20-2014, Resolution 21-2014 and Resolution 22-2014. Mr. Breneman seconded the motion and the motion carried with Mr. Clark abstaining.

Correspondence – There was no correspondence.

#### Reports

There was no Traffic Commission.

Blue Rock Fire District – Mr. Breneman advised he has distributed the 2015 budget to everyone.

Lancaster Inter-Municipal Committee – Ms. Green stated she will be representing Lancaster County for the Council of Governments Annual Meeting in State College and Manor Township is not paying for it.

Police Report – No addition.

Public Works Director Report – Mr. Harris stated as part of the Parkfield Development the Township received as land dedication 8.8 acres. Mr. Harris met with Matt Kofroth from the Conservation District and did a field assessment of the parcel. Everyone believes this would make a good riparian buffer zone. The proposal of the white areas on the plan would be a natural tree plantings. They would apply for a grant for about \$6,000 through the Conservation District which would be enough to plant the trees. The Township would drill the holes and the Conservation District would get volunteers to plant the trees. For about two years, the

Township will have to mow and spray for evasive competitors to the new trees to get a good riparian buffer zone. The area that would be turned into a riparian buffer zone would be about 2.2 acres. The sanitary sewer easement would be required to keep open for LASA's access but it can be used as walking trails through the riparian buffer zone. Ms. Green noted that the Conservation District is extremely helpful. Mr. Wenzel had questions on the use of the grant money, the type of tree that would be planted, will they be planted in rows and questions on the walking trails. Mr. May suggested the Township contact the Little Conestoga Watershed Group and they will get volunteers.

Township Manager's Report – Mr. Smith reported that in going back through records they realized they did not have a signed Storm Water Management Agreement Declaration of Easement from Gary Price who is the owner of Lancaster Self Storage. Mr. Smith ask that they pass a motion authorizing the Chairman to sign that agreement. Mr. Breneman made a motion for the Chairman to sign the agreement as submitted. Ms. Green seconded the motion and the motion carried unanimously. Mr. Smith stated he is not asking for final approval tonight but they do have two submissions that are fee in lieu of park land dedication. The project Frey Dairy Farms based on calculations that has been reviewed they are offering \$3,627. If the Board chooses to agree to that, it would be welcome. The second is Brunswick Farm whom Mr. Smith is still awaiting for communication from their attorney. The number presented is a combination of a path and playground equipment totaling \$50,885. Mr. Smith is not prepared to recommend to the Board that they accept that at this point in time. In light of Frey Dairy, Mr. Smith suggest the Board agree to the offer of the \$3,627 for fee in lieu of. Mr. Breneman made a motion to approve the fee in lieu of for Frey Dairy Farms. Ms. Green seconded the motion and the motion carried unanimously.

Mr. Wenzel made a motion to approve the reports as submitted. Mr. Mann 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



## Supervisors Minutes

Monday, October 6, 2014

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, October 6, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, Amber Green and John Wenzel  
Member Absent: George Mann  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer  
Visitors Present: See Attached.

Minutes – Ms. Green made a motion to approve the September 2, 2014 as submitted. Mr. Breneman seconded the motion and the motion carried unanimously.

Financial Report, Accounts Payable and Check Register – Mr. Wenzel made a motion to approve the Financial Report, Accounts Payable and Check Register as submitted. Ms. Green seconded the motion and the motion carried unanimously.

Solicitor's Report – There was nothing to report.

Business From the Floor – There was no business from the floor.

### Old Business

Update on On-Lot Disposal System – Mr. Strohecker advised all the properties are completed for the year 2012 and a lien process has begun for some of the individuals. The process went better than anticipated with many transactions dealt with on site.

### New Business

Chesapeake Crab Warehouse Land Development Plan Action Item – There was no one present to represent the project, therefore, no action was taken by the Board.

Randy Kreider Poultry Barns Land Development Plan Briefing Item – Dave Keener from Team Ag gave a brief description of the project stating this is on the Kreider Farm on Charlestown Road. There will be a new entrance for the poultry barns from Charlestown Road. There is a stormwater management plan that was submitted to the Lancaster County Conservation District and they have a MPDS permit. The applicant has review letters from Rettew Associates. They met with the Planning Commission and have addressed all the comments. Mr. Clark advised they have a letter from the Manor Township Planning Commission dated September 9, 2014. Mr. Breneman made a motion to move this plan to an action item. Ms. Green seconded the motion and the motion carried unanimously. Ms. Green made a motion to approve the plan as recommended by the Manor Township Planning Commission in letter dated September 9, 2014. Mr. Wenzel seconded the motion and the motion carried unanimously. Mr. Smith advised the applicant this action approves the requested modifications.

Frey Dairy Farm – Request for Time Extension – Mr. Smith stated Frey Dairy Farm is headed towards settlement and they are uncertain if that time frame would fall within the last extension

they requested. Mr. Smith advised them to go out in time sufficient enough to allow them room if something happens at settlement that is unexpected. Mr. Breneman made a motion to accept the letter and approve the requested time extension. Mr. Wenzel seconded the motion and the motion carried unanimously.

Improvement Guarantee – Mr. Smith advised the agreement has been reviewed by himself and Mr. Goodman and recommends approval. Mr. Wenzel made a motion to approve the Improvement Guarantee submitted by Frey Dairy Farms. Mr. Breneman seconded the motion and the motion carried unanimously.

Letter of Credit – Mr. Breneman made a motion to accept this preliminary Letter of Credit on the condition they receive the original. Mr. Wenzel seconded the motion and the motion carried unanimously.

Storm Water Management Agreement – Mr. Smith advised the agreement was reviewed by the Township Engineer as well as Mr. Goodman and himself. Mr. Wenzel made a motion to approve the Storm Water Management Agreement for Frey Dairy Farms as presented. Mr. Breneman seconded the motion and the motion carried unanimously.

Brunswick Farms – Mr. Smith advised that Cheryl Love and Attorney Mike Davis representing Brunswick Farms would be available to answer any questions the Board might have. Ms. Green requested that Ms. Love and Attorney Davis introduce themselves and where they fall within the project.

Storm Water Agreement – Mr. Smith advised there is two agreements. One is the standard agreement that they typically have for every site development that has been reviewed and meets the Township expectations. The second one the Applicant must get Highway Occupancy Permit from Penn Dot to connect into Donerville that requires some storm water improvements. There is a separate storm water agreement relative to that aspect of the project. Both agreements have been reviewed and is recommended the Board authorize entering into both agreements. Ms. Green made a motion to enter into both Storm Water Management Agreements presented by Brunswick Farms. Mr. Wenzel seconded the motion and the motion carried unanimously. Mr. Smith asked that the Board authorize Mr. Smith as the Manager to sign the Highway Occupancy Permit Application which will be forwarded to the Applicant. Mr. Breneman made a motion authorizing Mr. Smith to sign the Highway Occupancy Permit Application. Mr. Wenzel seconded the motion and the motion carried unanimously.

Improvement Guarantee Agreement - Mr. Wenzel made a motion to accept the Improvement Guarantee Agreement from Brunswick Farms. Mr. Breneman seconded the motion and the motion carried unanimously.

Letter of Credit – Mr. Smith stated the Letter of Credit is in the form that is acceptable but because of the ownership and settlement dates they are proposing to take the Letter of Credit and put it in escrow. Mr. Smith has confirmation from the Bank to that effect and Mr. Goodman and Mr. Smith are both satisfied with the Letter of Credit and the arrangement for the escrow agreement. Ms. Green questioned Attorney Davis why the Letter of Credit was being handled this way. Attorney Davis stated they are only an equitable owner of the property because the partnership is created specific to this property. The Bank would not issue a Letter of Credit in the name of the partnership unless they actually have ownership of the property. The Letter of Credit will be held in escrow in Attorney Davis's office and as soon as the property is conveyed they immediately release the Letter of Credit to the Township. Mr. Breneman made a motion to accept the Letter of Credit with the conditions as listed in attachment from Goodman and

Kenneff letter dated October 1, 2014 authorizing the Manager to sign the escrow agreement. Ms. Green seconded the motion and the motion carried unanimously.

Offer of Recreational Facilities – Mr. Smith stated a developer has the options of land dedication, fee in lieu of and to provide recreational facilities by the developer that is the choice of the developer and what Brunswick Farms have proposed. This has been reviewed and they have meet the provisions as stipulated in the Subdivision Land Development Ordinance, provided documentation to indicate what their commitment is and if it is accepted they are bound to meet that commitment as part of the project. Mr. Wenzel made a motion to accept the offer of Recreational Facilities by Brunswick Farms. Ms. Green seconded the motion and the motion carried unanimously.

Grace United Methodist Church – Requesting forgiveness of real estate tax, Act 319 Program - Mr. Smith stated Act 319 for a particular land owner gives them a tax break and when they take it out of that farm use then they have an obligation to address the Municipality as well as the School District regarding the back taxes that are owed. Ms. Green stated she would be abstaining from the two agenda items for Grace United Methodist Church because she is a member of Grace and will not participate in the discussion or the vote. After discussion pertaining to the request for the forgiveness of the real estate tax, Mr. Wenzel made a motion not to forgive the tax. Mr. Clark seconded the motion and the motion carried 2-1 with Mr. Breneman voting against and Ms. Green abstaining.

Requesting a Waiver of Paving Specifications – Mr. Smith stated the Church is requesting a specification that is different than in the SALDO. It is different in its content and depth. The requirements of SALDO for parking lots requires 2 ½ inches of binder and 1 ½ inches of wearing course. They desire to put down 3 inches of ID3 Modified Binder. Dennis Funk from D. H. Funk & Sons doing the excavation work for Grace United Methodist Church explained their reasons for the waiver request and Mr. Funk gave his professional opinion regarding the request. Mr. Breneman asked Mr. Harris for his thoughts on the request. Mr. Harris expressed his opinion on the waiver request indicating the requirements in the SALDO would be a better job. Mr. Wenzel asked for Mr. Funk's recommendation who stated he recommends the 3 inch modified base in lieu of the 2 ½ and 1 ½ inches. Mr. Smith stated it is their recommendation the Board deny the request as presented and the applicant come back with an alternative. That alternative is whatever they are proposing to put down as a base and then with a top course that would come within five years. After a lengthy discussion regarding the waiver request and letter of credit, Mr. Breneman made a motion that they deny the request. For lack of a second the motion died. Mr. Wenzel made a motion that they grant the request for 3 inches of binder. Mr. Clark seconded the motion and the motion carried 2 to 1 with Mr. Breneman voting against and Ms. Green abstained.

Agriculture Security Area Petition - Mary Heisey – Mr. Smith stated it is a standard petition and recommends it be accepted. Mr. Clark stated they have a letter from the Agriculture Preserve Board dated September 29, 2014. Mr. Breneman made a motion to accept the petition and add the parcel to the Agricultural Security Area utilizing the 180 days procedure. Ms. Green seconded the motion and the motion carried unanimously.

Brian & Pauline McCreight – Mr. Clark advised they have a letter from the Agriculture Preserve Board dated September 29, 2014. Mr. Wenzel made a motion to accept the petition and add the parcel to the Agricultural Security Area utilizing the 180 day procedure. Mr. Breneman seconded the motion and the motion carried unanimously.

Act 67 and 68 Notice Hidden Springs Farms – Notice was received and no action is required.

Pension Investment Policy – Mr. Strohecker stated this is a standard policy that insurance companies are asking for. There was not one in place previously. This will be an acting one for both the Uniform and NonUniform Pension Plan. All investment strategies comply with this policy. Mr. Breneman made a motion to approve the Pension Investment Policy. Mr. Wenzel seconded the motion and the motion carried unanimously.

Request to transfer funds from Capital Fund to General Fund – Mr. Strohecker advised this is a budgeted item that is brought before them every year due to the size of the money involved. The request is made to transfer money to cover operating expenses. Mr. Breneman made a motion to authorize the transfer of money from the Capital Fund to the General Fund. Mr. Wenzel seconded the motion and the motion carried unanimously.

Susquehanna Municipal Trust 2013 Safety Award – Mr. Smith provided to the Board an award received as one of several municipalities for the year 2013 who did not have an employee that lost a day of work due to a Worker’s Compensation Injury.

Fieldcrest Associates Request to reduce Letter of Credit in the amount of \$90,000 - The current balance is \$314,931.55. Mr. Smith has reviewed the request and based on the quantity completed the eligible amount of reduction is \$40,000. Mr. Smith is recommending a reduction of \$40,000 for the work that has been done. Mr. Clark stated he is recusing himself from this vote. Ms. Green made a motion to reduce the letter of credit by \$40,000 and retain a balance of \$274,931.55. Mr. Breneman seconded the motion and the motion carried with Mr. Clark abstaining.

Klinton Frey Request to release Letter of Credit - \$37,403. – Mr. Smith recommends they release the Letter of Credit. Mr. Wenzel made a motion to release the Letter of Credit in the amount of \$37,403. for Klinton Frey. Mr. Breneman seconded the motion and the motion carried unanimously.

Correspondence – LCATS Fall Meeting will take place Monday, November 3<sup>rd</sup>. Mr. Breneman made a motion to approve the attendance of Supervisors and the appropriate staff. Mr. Wenzel seconded the motion and the motion carried unanimously.

Reports – Traffic Commission, Blue Rock Fire District, LIMC, Police Report, Public Works Director Report, Township Manager’s Report and Building Permit Report

Traffic Commission did not meet this month.

Mr. Breneman stated that the BRFR did not meet this month, but he had given the Board a copy of their budget for 2015. Mr. Breneman made motion that they accept the 2015 budget for the BRFR. Mr. Wenzel seconded the motion and the motion carried unanimously.

Chief Graeff stated last year he presented several ordinances to the Board that was an Open Container Ordinance, Three Strikes and You’re Out, and Rowdy Gather Ordinance. Chief Graeff asked if they have been reviewed and the status of the ordinances. Mr. Smith stated at the time the Board decided not to move forward with the ordinances but it is their prerogative to revisit the ordinances. Mr. Clark requested that the ordinances be forwarded to them and they will discuss them next month.

LIMC – Ms. Green stated they will be holding their annual dinner on October 23<sup>rd</sup> at Millersville University. They have invited staff from the Lancaster Housing Opportunity Partnership to give their presentation regarding land use and their housing study.

Mr. Wenzel made a motion to approve the reports as presented. Ms. Green seconded the motion and the motion carried unanimously.

At 8:00 p.m. the Board went into an Executive Session to discuss a personnel matter. The Board reconvened at 8:37 p.m. the meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

### **Manor Township Supervisors Meeting**

Thursday, November 6, 2014

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 6, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann, Amber Green and John Wenzel  
Staff Present: Barry Smith, Ryan Strohecker, Mark Harris, Chief Todd Graeff and Evelyn Rineer  
Visitors Present: See Attached

Minutes – Ms. Green made a motion to approve the October 6, 2014 minutes as distributed. Mr. Wenzel seconded the motion and the motion carried unanimously.

Financial Report, Accounts Payable and Check Register – Mr. Breneman made a motion to approve the Financial Report, Accounts Payable and Check Register as submitted. Ms. Green seconded the motion and the motion carried unanimously.

Solicitor's Report – There was nothing to report.

#### Business from the Floor

Don Witmer, 2484 Gamber Road, Washington Boro, expressed concern with dirt on Letort Road resulting from a PennDot project that was not cleaned up properly making slippery conditions. Mr. Witmer asked if land development plans for agricultural buildings that includes a park and recreation fee is something new. Mr. Smith advised SALDO was passed in 2009 and in 2010 was the first land development for an agricultural building. Mr. Smith stated there are very few applications and it is administered based on new facilities. Regarding the fee in lieu of, Mr. Smith stated they should not lose site of the fact it is not only park and recreation it is for open space. Mr. Smith stated it is not just for putting equipment on park land it is also for potentially acquiring additional open space. Mr. Smith stated they try to make the quote for the

fee in lieu of as reasonable as they can. They do not allocate it to the entire parcel as they would with a residential development but it is based on the actual project area. Mr. Wenzel asked how long the open space tax has been in force. Mr. Smith stated it has been in place for years as it is not just based on the Township SALDO but was part of Lancaster County. Ms. Green stated pertaining to the specific SALDO language she had a constituent present her with highlighted areas that he wants the Board of Supervisors to look at. Ms. Green stated she has a meeting with the LCPC and will ask them for their input which she will bring back to the Supervisors.

Pat Lemay, 78 Sun Lane, thanked Ms. Green for joining the bus tour to find out more about the proposed pipeline. Ms. Lemay shared information regarding the pipeline and the impacts on the health, safety and welfare of residents stating as Supervisors she thinks they have an obligation to take a stand against the pipeline.

Alex Egner, 223 Millersville Road, expressed concerns with the traffic cutting through his neighborhood and the speed of the vehicles. The traffic turns off Millersville Road onto Temple Avenue. Mr. Egner questioned a vote that occurred last month with only three people voting and how they had a quorum. Mr. Smith advised the quorum is three.

David Jones, 553 Sawmill Road, New Providence, expressed concern with the health, safety and wellbeing of individuals regarding the pipeline. Mr. Jones was representing the history in front of the proposal stating he had a letter from the Circle Legacy Center and is working with Professors from Franklin and Marshall and Millersville Universities as well as local anthropologists and archeologists. They are finding a lot of undiscovered history in the path of the proposed pipeline. Mr. Jones stated if the pipeline goes through the area history will be affected. Mr. Jones provided the Board with copy of the letter he was referring to.

Andrea Herr-Turoff, 2185 West Ridge Drive, expressed concern with the proposed pipeline advising the group has a Facebook page "Manor Township Citizens Against Pipeline". When they have a venue and time established, they will convey that to the Supervisors hoping they will be able to attend and engage with them in conversation. Mr. Herr-Turoff asked that the Township convey any information provided to the Township by the pipeline company. She also asked the Supervisors reach out to Conestoga and Martic Township Supervisors to find out more about what is going on in their Townships. Ms. Green advised she has a copy of the Rights Based Ordinance and will make copies for the Supervisors.

Lisa Lewis, 2542 Valley Road, thanked the Board for the Newsletter specifically the article on recycling listing the items that can be recycled.

Erica Runkles, 3348 River Road, stated her opposition to the pipeline. Ms. Runkles stated she has been a Township Resident all of her life and wants to be on record that she opposes the pipeline and wants the Supervisors to do whatever they can to stop it.

#### New Business

SALDO – Chesapeake Crab Warehouse Land Development Plan Action Item - Grant Smith, Group Manager Land Development with Rettew Associates, presented the plan. Grant Smith stated the Board had a recommendation from the Township Planning Commission as well as the engineers recommending approval of a preliminary/final land development plan for Chesapeake Crab. Grant Smith reviewed the plan indicating they are waiting for review letters from LASA and Lancaster City Water. Buchart Horn approved the letter of credit amount. The project is located on Charlestown Road next to Lancaster Home Builders. The proposal is a 27,000 square foot building and they will using the same common drive that Lancaster Home Builders and

Kirchner uses. There is a driveway that goes into the lot with employee parking in the front of the building with dock doors on the east side of the building. Storm water is managed through a large detention basin that was designed for the overall corporate center 10 to 15 years ago. The storm water for this project is collected and sent into the existing system. The coverage is lower than anticipated by the original proposal for the lots. The sewer and water laterals were stubbed in as part of the original development. Mr. Clark had questions on the traffic study. Mr. Smith advised they asked for a waiver for the traffic study offering a fee in lieu of. Mr. Smith stated in Staff conversation there has been many traffic studies as a result of various projects it would be the Staff preference there be a contribution rather than another document coming to the same conclusion. Mr. Wenzel had questions on the traffic study. Grant Smith stated their PMP was just over the threshold that triggers the requirement for a study. Ms. Green made a motion to conditionally approve the plan as recommended by the Township Planning Commission in letter dated September 9, 2014 and letter dated September 24, 2014 from Buchart Horn as well as allowing the applicant provide a fee in lieu of a traffic study. Mr. Mann seconded the motion and the motion carried unanimously.

Randy Kreider Poultry Barns – Improvement Guarantee Agreement and Cash Escrow – Mr. Smith advised they have been provided with appropriate documents and they recommend they approve the improvement guarantee and accept a cash escrow for the project. Mr. Breneman made a motion to approve the Improvement Guarantee Agreement and accept the Cash Escrow. Ms. Green seconded the motion and the motion carried unanimously.

Randy Kreider Poultry Farms – Storm Water Management Agreement – Ms. Smith stated they have reviewed the agreement and the applicant has signed it. Mr. Wenzel made a motion to approve the Storm Water Management Agreement as submitted. Ms. Green seconded the motion and the motion carried unanimously.

Randy Kreider Poultry Barns – Team Ag Fee in Lieu of – Mr. Clark stated the fee is \$1,204.69 that is fee in lieu of dedication of land. Mr. Breneman made a motion to approve the fee in lieu of in the amount of \$1,204.69. Mr. Mann seconded the motion and the motion carried unanimously.

2015 Budget Presentation - Mr. Strohecker stated they have had two budget work shop sessions covering the details of the 2015 budget and the various requests of the department heads. Tonight is a summary presentation that is basically the culmination of all the events with the hopes the budget can be advertised and adopted in December. Mr. Strohecker stated this year was guided by reducing the transfers to the General Fund and in order to do that they had to limit a lot of new items for the budget and focus on replacing things that are needed in 2015. Mr. Strohecker reviewed the taxation and fees and talked about the General Fund, General Fund Revenues, General Fund Expenditures, Employee Complement, Capital Fund, Highway Aid Fund, and Other Township Funds such as Sewer, Deferred Revenue, and Fire Tax Fund. Mr. Strohecker stated as he looks at the various aspects of the Township he likes to give a report card called “The Good, The Mediocre, The Ugly” and Mr. Strohecker talked about these categories. Ms. Green asked if taxes are being raised with this proposed budget. Mr. Strohecker advised there are no tax increases and no service fee increases for 2015. Mr. Breneman thanked the Staff and Department Heads for the time and effort it took to put the budget together and hold the line.

Commonwealth Financing Authority Greenways, Trails and Recreation Program Grant for Safe Harbor Trestle Bridge Rehabilitation – Mr. Smith advised they received an award of \$94,000 that is allocated to the rehabilitation of the trestle bridge. Mr. Smith noted the term of

this grant is June 30, 2017 and the hope is the bridge will have been rehabilitated by that time. Ms. Green asked if there is any match required for this grant. Mr. Smith stated this is not a match. Ms. Green made a motion to sign the Trails and Recreation Program Grant commitment letter and to enter into the grant agreement. Mr. Mann seconded the motion and the motion carried unanimously.

Award Fleet and Fuel Management Bid – Mr. Harris stated they advertised for replacement of their fleet and fuel system at the Maintenance Building which fuels the public works vehicles along with administrative and the police department. There were two bidders and Mr. Harris recommends the bid be awarded to Hafer Petroleum. Mr. Smith stated they are recommending Hafer's bid of \$33,750 and the second bid was Center Point Tank Services in the amount of \$35,965. Mr. Breneman made a motion to award the fleet and fuel management bid to Hafer Petroleum Equipment in the amount of \$33,750. Mr. Wenzel seconded the motion and the motion carried unanimously.

Retirement Letter from Ann Woerner – Mr. Clark stated Ms. Woerner was with the Township for 22 years. Mr. Wenzel made a motion to receive Ms. Woerner's retirement letter. Ms. Green seconded the motion and the motion carried unanimously. The Supervisors wish Ms. Woerner a happy retirement and thank her for her service.

Hire Police Records Administrator – Before the Board is an offer of full time employment for Sue Morrison as a Police Records Administrator who is currently with the Police Department. Ms. Green made a motion to ratify the hire of Sue Morrison as the Police Records Administrator and approve the wage and benefits as provided in the letter of employment. Mr. Mann seconded the motion and the motion carried unanimously.

Correspondence – LCSWMA Annual Manor Township Meeting – Mr. Smith advised this is a meeting the Solid Waste Management Authority holds in the Creswell area and the Board is invited to attend the meeting.

Reports – Traffic Commission, Blue Rock Fire District, LIMC, Police Report, Public Works Director Report, Township Manager's Report and Building Permit Report –

Traffic Commission did not meet in October.

Blue Rock Fire District – Mr. Breneman advised there was nothing to report.

LIMC – Ms. Green advised on November 12<sup>th</sup> at 9:00 LIMC will be honoring Bill Ebel for the Conestoga Greenway and all the work he put into getting the Greenway.

Public Works – Mr. Harris stated they have been involved with MS4 inventory and inspections and as they have been doing the inspections they have found a number of outfalls where people have been illegally dumping into the storm water easements. A number of letters have been sent out informing the people of what they are doing and why they should not be doing it. Mr. Harris stated they are being diligent insuring that the waters of the Commonwealth are clean. Mr. Smith stated one of the obligations is to make sure the Board is aware as things occur and reach out to the Board to encourage those they have contact with to emphasize the importance of the Storm Water Program. Mr. Clark advised this is something that is in the Newsletter. Mr. Smith stated it is their obligation to have something in each Newsletter and to continue to maintain information on the Township website.

Mr. Mann made a motion to accept the reports as presented. Mr. Wenzel seconded the motion and the motion carried unanimously.



At 7:50 p.m., Mr. Clark stated the Board is going to enter into an Executive Session to discuss a personnel matter. At 9:45 p.m. the Executive Session concluded. There being no further business the meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

### **Manor Township Supervisor's Meeting**

Monday, December 1, 2014

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 1, 2014 at 7:00 p.m. Chairman Clark led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board of Supervisors.

Members Present: Brandon Clark, Jay Breneman, George Mann, Amber Green and John Wenzel  
Staff Present: Barry Smith, Ryan Strohecker, Chief Todd Graeff, and Evelyn Rineer  
Visitors Present: See Attached

Minutes – Ms. Green made a motion to approve the November 6, 2014 minutes as distributed. Mr. Breneman seconded the motion and the motion carried unanimously.

Financial Report, Accounts Payable and Check Register – Mr. Mann made a motion to approve the Financial Report, Accounts Payable and Check Register as submitted. Mr. Wenzel seconded the motion and the motion carried unanimously.

Solicitor's Report – Mr. Smith stated as the Supervisors are aware the Lancaster Solid Waste Management Authority has been considering a vertical expansion to their Frey Farm Landfill. It was first presented to Mr. Smith and the concept was introduced to members of PALE. Mr. Smith stated they engaged with Special Council Matt Crème and some of the following comments are from him as well as Mr. Goodman. Participating in some of the discussions with the Solid Waste Authority and Attorney Crème were Supervisor Clark, Supervisor Green, as well as Mr. Smith and Mr. Strohecker. Mr. Smith stated it was his understanding that Supervisor Clark and Supervisor Wenzel also had a discussion with members of PALE to talk about some matters. Special Council Crème plans to have a draft agreement for the Supervisors consideration at their January 5, 2015 Supervisor's Meeting. When he gets that final draft to Mr. Smith, he will present that to the Supervisors so they have an opportunity to have a final review of the draft prior to the January 5<sup>th</sup> meeting.

## Business from the Floor

Christine Brubaker, 22 Birch Court, referred to the Manor Township Comprehensive Plan stating the Table of Contents talks about Goals Used to Develop Natural and Historic Resources and Protection. Ms. Brubaker stated she is not a member of the pipeline issue and talked about her history in the Township. Ms. Brubaker feels the citizens of the Township do not understand the depth, the locations and the value of where they live. Ms. Brubaker talked about researching previous plans and finding words about preserving, protecting and honoring historic resources but no one anticipated when these documents were written that they would be dealing with a pipeline. Ms. Brubaker asked the Supervisors to reconsider what has been written in the documents, what the citizens are talking about and figure out what could be a happy medium. Ms. Brubaker talked about people she has dealt with who could help the Township with historic information.

Mike Jennings, 101 Rock Hill Road, handed out prints that was a transparent overlay of one of Williams Pipeline maps and talked about the blast radius. Mr. Jennings stated only people within 300 feet of the right-of-way are required to be notified by the pipeline company. Mr. Jennings stated doing nothing does not mean there is no cost to the Township. Mr. Jennings talked about the Rights Based Ordinance and would like the Township to learn more about it. Mr. Jennings also asked that the Supervisors think about abandonment issues pertaining to the pipeline and consider something put in escrow that would allow for the decommissioning and restoration of the land to its original state.

Mary Glazier, 269 Chestnut Grove Road, seconded Ms. Brubaker's concerns about protection of the cultural resources in the Township and mentioned another potential partner Millersville University in terms of its Archeology Program which has been working in Manor Township searching for the Logan Trading Post. Ms. Glazier expressed concern with the potential change in LCSWMA's permitted height at the Frey Farm Landfill. Ms. Glazier would like to see the public involved in the consideration of what kind of changes are made in terms of limitations and what the Waste Authority does for the Township if it is agreed that this the best possible option. Ms. Glazier talked about the changes in what the Waste Authority is doing as far as it being described as a Regional Authority. Ms. Glazier asked that an effort be made to make people aware of what is being discussed who live within one and one-half radius of the Landfill.

Leslie Osborne, 109 Oak Road, talked about the percentage of waste coming to the Landfill from Harrisburg providing the Board with papers showing the percentages over several years. Ms. Osborne listed the areas that LCSWMA is actively seeking receiving waste from.

## New Business

Resolution 23-2014 Appoint Manager and Set Compensation – Mr. Clark stated in September they advertised the position of Manager and in October they conducted interviews. Mr. Clark stated there were 20 applicants that were narrowed down to three people who were interviewed. Resolution 23-2014 is extending the Manager position to Ryan Strohecker. Mr. Clark advised that Mr. Strohecker was given an offer letter which he accepted. Mr. Wenzel stated they have a man with experience and the transition will be smooth and easy. Ms. Green thanked everyone who submitted their resumes and the final three. Ms. Green stated they had solid candidates who they interviewed and echoes the sentiments that were expressed. Ms. Green stated she wanted to thank Mr. Smith, who was the first and only Township Manager the Township has had. Mr. Smith has held the position of Township Manager for 13 years and has been employed

by the Township for a total of 26 years. Mr. Breneman made a motion to accept Resolution 23-2014. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 24-2014 Fee Schedule – Mr. Smith advised they added to the list the permit fee for fireworks which was in a separate document. Mr. Wenzel made a motion to approve Resolution 24-2014 Fee Schedule. Mr. Breneman seconded the motion and the motion carried unanimously.

Authorize Hiring Police Part-Time Secretary – Mr. Strohecker stated he and Chief Graeff interviewed candidates narrowing the candidates down to two. Mr. Strohecker stated they are ready to recommend a hire and tonight instead of retroactively approving the hire they are asking for permission to move forward to make the offer to an individual they are confident will work out very well. Mr. Mann made a motion to approve the authorization of the hire for a police secretary. Mr. Breneman seconded the motion and the motion carried unanimously.

Act 14 Notification – Mr. Clark stated this is a standard Notification and there is no action required.

2015 Minimum Municipal Obligation Amendment – Mr. Smith stated they are by statute required to present the MMO in September and always have the opportunity to make any appropriate amendments to it. Mr. Strohecker has worked with their consultant and recommended some changes to it which actually went down. Mr. Wenzel made a motion to accept the amended MMO as submitted. Mr. Mann seconded the motion and the motion carried unanimously.

Resolution 25-2014 Adopt 2015 Budget – Mr. Breneman made a motion accept Resolution 25-2014 which is the Budget Certification. Mr. Mann seconded the motion and the motion carried unanimously.

Correspondence – There was correspondence for Storm Water Management Best Practice and First Line Supervision. Ms. Green made a motion to approve the training requests for appropriate staff to attend. Mr. Wenzel seconded the motion and the motion carried unanimously.

Reports – Traffic Commission, Blue Rock Fire District, Lancaster Inter-Municipal Committee, Police Report, Public Works Director Report, Township Manager Report, Building Permit Report

Traffic Commission did not meet this month.

Blue Rock Fire District – Mr. Breneman had nothing to report.

LIMC – Ms. Green stated the LIMC members met for Bill Ebel's plaque dedication for the Conestoga Greenway Trail. The LIMC along with Lancaster County Commissioners wanted to publically recognize Mr. Ebel and all the work he put into making the trail a reality. Ms. Green wanted to highlight a relationship between Millersville University and LIMC. Ms. Green advised that the LIMC operations were moved from the Lancaster County Government Building to Millersville University and out of that relationship formed a Municipal Training Program and internship program for students, Storm Water Management Program where they incorporate students training into Best Practices and also put them into the Townships. Ms. Green reported that the LIMC and Millersville University are up for the Governor's Award for Innovative Practices.

Police Report – Chief Graeff stated he wanted to publically recognize Det. Phenneger, Det. Mazur and Sgt. Gardner who help crack a commercial burglary ring that was operating for the

last couple of years along with City Officers, State and other local police departments. Mr. Breneman stated he would like to thank the Police who responded promptly to his property when his security system went off. Ms. Green asked if possible that the Detectives and Officers involved come to the next meeting so they can be publically recognized.

Public Works Director Report – Mr. Smith asked for permission to place the order for the loader that was approved for 2015. If the loader is ordered now, they can lock into this year's prices. The Board gave permission to place the order for the loader.

Mr. Breneman made a motion to approve the reports as submitted. Ms. Green seconded the motion and the motion carried unanimously.

There being no further business the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Barry L. Smith  
Secretary-Treasurer

Recording Secretary  
Evelyn Rineer

## **PLANNING COMMISSION MEETING MINUTES**

### **Manor Township Planning Commission Minutes**

Monday, January 13, 2014

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, January 13, 2014 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Pamela Shellenberger called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Pamela Shellenberger, Don Mann, Donald Witmer, Keith Hoover and Jay Provanzo

Members Absent: Mark Harman and James Henke

Visitors: See Attached

#### Public Comment

There was no public comment.

#### Re-organization Meeting

Mr. Ott advised the Commission that the Board of Supervisors reappointed Donald Witmer and Mark Harman to the Commission.

Ms. Shellenberger nominated Jay Provanzo as Chairperson for 2014. Mr. Mann seconded the nomination and the nomination carried unanimously.

Mr. Provanzo made a motion to appoint Ms. Shellenberger as Vice Chairperson for 2014. Mr. Witmer seconded the motion and the motion carried unanimously.

Mr. Provanzo made a motion that Mr. Mann continue as secretary for 2014. Mr. Hoover seconded the motion and the motion carried unanimously.

Mr. Provanzo advised them the Commission meets the second Monday of the month at 7:00 p.m. with the exception of October when the meeting is Tuesday. Mr. Hoover made a motion to continue with the meeting date as listed. Ms. Shellenberger seconded the motion and the motion carried unanimously.

#### Minutes

Ms. Shellenberger made a motion to approve the October 15, 2013 meeting minutes as distributed. Mr. Hoover seconded the motion and the motion carried unanimously.

Mr. Provanzo advised the Commission that the Supervisors passed a Resolution in 2013 regarding meeting conduct that is available on Manor Township's website. Mr. Provanzo read from the Resolution indicating that they would be following the rules as listed in the Resolution.

#### New Business

Briefing Item – Final Land Development Plan for Grace United Methodist Church – Cheryl Love with ELA Group presented the plan. Ms. Love stated that they were in front of the Commission in October with a sketch plan presentation and also before the Board of Supervisors. Ms. Love pointed out several things that were possibly different from the sketch plan and indicated they are working through the stormwater review comments. Ms. Love stated that they do not see any real challenges with the comments in the review letter from Rettew Associates. Ms. Love indicated that they are looking at areas for more groomed mowing and areas with longer grass with occasional mowing with the potential for some continued farming to be able to occur on the southwestern corner of the site. Ms. Love went over the parking requirements pointing out what they are providing and areas where parking can be increased. They have purchased capacity from LASA and have received a sewer module exemption. They have not received their review approval on the design plans for the sewer. Columbia Water approached the church requesting permission to work with the church and cross the property with an easement. The water company is looking at providing water service to the neighborhood to the south which would be achieved by extending the water line up Money Hill Road looking to bring a line easement through the site down to southwestern corner of the church property which would be looped in with the previous agreement. There will be fire hydrants. They are waiting for emergency service letters to come back. They have heard back from the police who had no concerns. There were questions from the Commission on the plantings proposed for the site, area that will be mowed, the playing field, proposed number of people who will be using this facility and the areas they come from. Ms. Love advised them their one modification request is not providing a full traffic impact study. The church will not have an intensive week day use and there is one Sunday morning service and that is reason they were looking for the modification on the TIS. Mr. Provanzo asks if there would be an expansion of the facility, would a full traffic impact study be required. Ms. Love stated that it was suggested as a condition and they would not object to that condition. The Commission agreed that this plan would remain a briefing item.

Briefing Item – Final subdivision & Land Development Plan for Brunswick Farms Apartments Association L.P. - Sandy Kime with ELA Group presented the plan. Mr. Kime stated with him was Tom Eisenan, Ken Smith and their Attorney Mike Davis. Mr. Kime advised them that the tract is part of a 37 acre piece of ground owned by Leisure Lanes of Lancaster, Inc. Mr. Kime stated the area they are interested in is the western part of the tract. This 10.9 acre piece of ground has its entire frontage along Donerville Road and is located across the intersection from Hampden Drive. The tract slopes from the south to the north with a small stream along the north property line and it does have flood plain with wetlands that is shown on the plan. There is a significant amount of wooded area that is shown on the plan. Mr. Kime passed out a rendering of the site plan to the Commission members and included with this several documents that were part of the special exception request that was granted in December, which shows the architecture of the buildings and some photographs. There is a proposed private access drive that would serve five garden apartment buildings. Each building has 12 units in it and is three stories. Buildings 1, 2, 4 and 5 are identical and building 3 is different in that it has a community room on the east end. Mr. Kime talked about the access drive stating that there are three parking areas coming off the access drive that serves the buildings totaling 122 parking spaces. The site sheet flows from the church to the south to the stream and the site is relatively flat. Mr. Kime talked about the proposed stormwater for the project. There is an emergency access that is an existing easement right-of-way from corner of the site to Columbia Avenue that will be used for the emergency access. There is public sewer and water with the public water dedicated to the city. It is not known if the internal pipes for the sewer line will be dedicated or not. There is a tot lot between buildings 3 and 4 and a larger flat area to the northeast portion of the site. They are trying to keep as many trees as possible. Donerville road is being widened as required by the Township Ordinance. They have met with PennDot to talk about the improvements. Mr. Kime continued by saying that they received a review letter from Rettew Associates but has not addressed the comments at this point. There were questions on the access drive, sidewalks and how the non-wooded area, basin and open area to the north will be maintained. Ms. Shellenberger questioned the mix of units pertaining to the number of bedrooms. Mr. Provanzo had questions on when construction would begin, the length of time that would be required, the tot lot, sidewalk along Donerville Road and improvements to the centerline. Mr. Kime reviewed the waivers that they are requesting.

Dave Shipley, 629 Greenhedge Drive, stated that he was present to state his opposition to this project. Mr. Shipley expressed concern with traffic, questioned the number of emergency access points, questioned the place this development has in Manor Township and why the Township feels the need to have this in the Township. Mr. Shipley stated that they deal with traffic in their neighborhood from people who do not live in the neighborhood and there is an element there that is undesirable. Mr. Shipley sympathizes with the plight of the homeless but questioned if this is really what we want for Manor Township as a whole and in this portion of Manor Township. Mr. Shipley pointed out that there are two developments less than a mile away from this site that are middle to upper class homes with a very large tax base and there has to be a concern for the safety and care of their homes and families. Mr. Shipley is personally opposed to this type of development this close to his neighborhood and he believes he has valid concerns. Mr. Shipley stated this type of housing already exists less than one-half of a mile away and do they really want to make this little slice of Manor Township a center of low income housing in Lancaster County. Mr. Shipley does not want this near his neighborhood and does not think it is right for Manor Township and is concerned about the process that has already occurred.

Robert Brewer, 401 Greenhedge Drive, stated that he agrees with everything Mr. Shipley stated. He has concerns with traffic, asked if there will be a turning lane added to Donerville Road, and asked about site lighting. Mr. Brewer stated that he does not agree with this project and did not move into this Township and build a nice home to have low income housing right behind him.

Robert Moncak, 320 Greenhedge Drive, asked about a puddle on Donerville Road that every time it rains water comes onto the road and he was advised that this is downstream of the project. Mr. Moncak asked if they have received comments back from emergency service providers, asked the number of children per unit, how they will assure that the people they are renting to do not have a criminal background, with this type of population there is a lot of transients how do they police the number of people living in one apartment, and is there visitation limits. It was suggested that some of the projects Brunswick Farms owns and operate can be visited. Mr. Moncak asked if there is a demand in this geographic area for this type of apartment keeping in mind that there are two other complexes within 1-2 mile radius and where the jobs are for these people that they would be qualified for. Mr. Moncak talked about the income level of the people living in this project and was advised that the tenants must be able to pay the rent. Mr. Moncak stated that the tenants being able to pay their rent are one part of the population, but isn't the other part of the population targeting homeless people. Mr. Moncak was advised under rules of County Commissioners that they require any developer who has any type of funding through the County to provide a certain number of units for people who are homeless. Mr. Moncak was advised there is people everywhere in the County who are homeless and it may be a son who is sleeping in the basement of parents' house. Mr. Moncak asked if the limit to the number of homeless population that is allowed is it mandated towards a single mother and her kids or can it be homeless "Joe" who lives in Lancaster. Mr. Moncak was advised that they expect the people will be families with children. Mr. Moncak asked if they are being funded through tax payer dollars in this municipality or Lancaster. Mr. Moncak was advised that all the monies they use is money they are borrowing. Mr. Moncak asked if there is subsidies for that money. Mr. Davis stated that they have already gone through a Zoning Hearing on this proceeding where they went through the nature of the specific use. Obviously, the reason they are before the Planning Commission is with regard to the specific aspects of the plan. They have allowed some latitude to answer some questions but at this point they are going far afield of the focus of the Planning Commission is this evening. Mr. Moncak stated he would refer to the plan and asked questions on the wetlands.

Mr. Provanzo reminded the people in attendance that the Planning Commission reviews the planning items and they are only a recommendation body. Mr. Moncak asked what the next steps are for the project. Mr. Provanzo listed the schedule for the plan.

#### Correspondence

There was no correspondence.

#### Annual Year End Report

Mr. Ott stated the report was submitted to the Board of Supervisors and a copy is before the Commission. The report lists the activity for the year 2013.

Ms. Shellenberger referred to the historic structures and stated at some point they must decide if they are going to lay it to rest or want to pursue it further. Mr. Ott and Ms. Shellenberger advised the Commission that they had received the list of historic structures and will provide that

list to the Commission members. Ms. Shellenberger talked about mapping the structures to have a visual. Mr. Ott suggested the Commission make a request to the Board of Supervisors regarding mapping the historic structures.

Ms. Shellenberger stated that she and Don Mann are representatives to the LUAB. Ms. Shellenberger advised the Commission that it is difficult to attend the meetings due to the fact they sometimes do not receive notice there is a meeting until the last minute. Ms. Shellenberger stated she is mentioning this for information purposes.

There being no further business on motion of Ms. Shellenberger and seconded by Mr. Hoover the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Planning Commission Minutes**

Monday, February 10, 2014

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, February 10, 2014 at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Mr. Provanzo stated that the Commission wanted to recognize Bruce Ott for his service as this would be his last meeting before his retirement at the end of the month.

Members Present: Jay Provanzo, Pamela Shellenberger, Don Mann, James Henke, Mark Harman,

Donald Witmer and Keith Hoover

Visitors:

Cheryl Love, ELA Group

Mike Davis, 126 E. King Street, Lancaster

Todd Vaughn, David Miller Associates

Sandy Kime, ELA Group

Ernie Helmick, Woods Edge

Michael DeBerbine, Grace UMC

Clair Becker, Grace UMC

Sue Sheeler, Langley Square

Joan Matterness, 213 Sutherland Rd., Lancaster



## Public Comment

There was no public comment.

## Minutes

Ms. Shellenberger made a motion to approve the January 13, 2014 minutes as distributed. Mr. Mann seconded the motion and the motion carried with Mr. Harman and Mr. Henke abstaining.

## Old Business

Action Item-Final Land Development Plan for Grace United Methodist Church – Cheryl Love, from the ELA Group, gave a brief review of the plan stating that there is just over an 11,000 square foot building footprint. The required parking is 88 spaces and the church is providing 174 parking spaces which include the ADA spaces. Ms. Love pointed out that the maintained space and well groomed space within the property includes the storm facilities on the plan. There is an area for a multipurpose field use and in talking with the Township in an informal meeting; this area actually does meet the required size for the park and recreation space. They are working with Mr. Smith as far as the private reservation of the space for public use which would work by the scheduling of the field use around the church's activities. They are still waiting for their LASA sewer design approval. They have purchased sewer capacity and have received their DEP exemption on those items. Columbia Water is extending public water on Bender Road in a southern direction to the edge of the church property and has worked with the church to secure an easement through the church property without impacting any of their improvements. Ms. Love indicated that they have a few outstanding items to address. Mr. Henke had questions on the pipe size for the water line and the athletic field. Ms. Shellenberger referred to an article in the newspaper that commented on a pathway linking to the neighborhood but did not see any reference to it on the plan. Ms. Love advised her that was a miss quote in the newspaper. Ms. Love advised the Commission that they would look at a pathway as a potential when they would come in with any future expansion. Mr. Mann had questions on the number of parking spaces and future plans regarding the church location in Millersville. Ms. Love listed the following modification requests: Section 305-Preliminary Plan Processing, Section 407.3.A-Traffic Impact Study, Section 503.1-Access Drive, Storm water modifications Section 404.4-Minimum Storm Pipe Diameter and Section 403.1.A-Utilize the Rationale Method Instead of the SCS Methodology. Mr. Provanzo verified if they continue to grow and come back before the Planning Commission that they will do a full impact traffic study.

Mr. Henke made a motion that Section 305 Preliminary Plan Processing Procedures be recommended for approval, Section 407.3.A-Traffic Impact Study be recommended for approval, Section 503.1 Access Drive Collector Street Standards be recommended for approval and two storm water Section 404.4 Minimum Storm Pipe Diameter be recommended for approval and Section 403.1.A-Use of SCS Methodology be recommended for approval based on the conditions as suggested by the Engineer Rettew Associates in their letter dated February 7, 2014. Ms. Shellenberger seconded the motion and the motion carried unanimously. Mr. Henke made a motion to recommend that the Final Land Development Plan for the Grace United Methodist Church be recommended for approval based on satisfying the comments outlined in the February 7, 2014 review letter both the development review as well as storm water

management review. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Action Item – Final Subdivision & Land Development Plan for Brunswick Farms Apartments Association L.P. - Mr. Henke recused himself from discussion and voting on this application due to a conflict of interest. Sandy Kime gave a brief overview of the plan stating that this is a 10.9 acre piece of ground that is being subdivided off the total tract of land owned by Leisure Lanes which is approximately 37 acres. The only frontage is along Donnerville Road. They are proposing a private access drive and streets. The access drive will be across from Hampden Drive and will serve 5 buildings each with 12 units for a total of 60 dwelling units. Building 3 is a little larger with a community building on the first floor. There is substantial screening along the south and the west property lines with an existing wooded area to the north. There is flood plain and wetlands of which they are retaining. There will be public sewer and water. There was an initial review letter that the applicant has responded to and now we have a shorter letter. All the modifications are recommended for approval by the Township Engineer. They had a meeting and went over a number of the design issues and resolved many of them. Mr. Kime referred to Comment #7 in the review letter that had to do with the emergency access that has a 30' wide existing right-of-way and 12' wide stone driveway. Mr. Kime had believed they had dealt with that comment but it is still in the review letter. Mr. Caldwell advised them that they are waiting for the Township to issue a letter that states their interpretation of the emergency access. Mr. Kime referred to Comment #11 having to do with the culvert that is actually off the Applicant's property along Donnerville Road. Mr. Kime stated that this was a new comment. Mr. Kime stated that they are extending their sidewalk to the culvert. Mr. Mann asked if the sidewalk could be connected to the frontage on Columbia Avenue. Mr. Caldwell stated it could be at some point in time. Mr. Witmer feels that the sidewalk should be extended to Columbia Avenue for safety reasons. Mr. Caldwell advised that the Commission could make a recommendation to the Board of Supervisors that the sidewalk be extended to Columbia Avenue. Ms. Shellenberger noted the extension of the sidewalk would be an offsite improvement that cannot be a plan condition, but can ask to do something cooperatively with them. There was discussion pertaining to the distance the Commission would like to see the sidewalk extended. Mr. Hoover had questions regarding the culvert. Mr. Mann asked if an overlay has ever been completed for the area. Mr. Kime listed the following requested modifications: Section 305-Preliminary Plan Process, Section 502.5-Existing Road Reconstruction, Section 502.8.G-Horizontal Curve Radii, Section 502.9-Vertical Curves, 502.12.C.1-Sidewalks, Section 503.12.A.1-Access Drive Design, and two having to do with storm pipes. Mr. Provanzo had questions on the existing road construction, Item #14 having to do with sidewalk easement, and whether lighting would be provided for the emergency access drive. Mr. Witmer asked if there would be a gate on the emergency access drive. Mr. Kime advised there would be a locked gate and the police and fire department would have a key. Mr. Witmer asked why put up a gate and is a sign as good as a gate.

Ms. Shellenberger made a motion that Brunswick Farms Apartments Final Land Development modifications Section 305 Preliminary Plan Application, Section 502.5 Existing Road Reconstruction, Section 502.8.G Horizontal Curve Radii, Section 502.9 Vertical Curves, Section 502.12.C.1 Sidewalk, Section 503.1.A.1 Access Drive Design and storm water management modifications to Section 404.4 Minimum Storm Pipe Diameter and Section 404.5 Minimum 1" cover over storm pipe be approved based on justifications provided and Rettew

recommendation in the February 7, 2014 letters. Mr. Hoover seconded the motion. Mr. Provanzo asked if Mr. Caldwell's opinion would be that the Township has done everything it can to require what is necessary and to insure safety of citizens in the Township with this plan. Mr. Caldwell's answer was yes within the jurisdiction of the Ordinance and what they are allowed to do. Mr. Harman felt it should be brought to the Supervisors attention it would be nice to see some additional sidewalk. Mr. Provanzo called for the vote and the motion carried with Mr. Henke abstaining.

Mr. Harman made a recommendation to approve based on the Rettew comment letter being satisfied and would like the Supervisors to consider extending the sidewalk from the parcel to Columbia Avenue in some fashion. Mike Davis from Barley Snyder on behalf of the Applicant stated for his understanding of what is being acted on by the Planning Commission in terms of the conditions being attached, basically the Commission is saying that they want a condition attached to the plan approval that would indicate you are asking the Applicant to undertake offsite improvements that would extend the sidewalk to Columbia Avenue. Mr. Harman stated it is that they are asking the Supervisors to explore the possibility of extending the sidewalk. Mr. Davis verified that it is not a condition of approval just to say that as long as the Supervisors consider it, they can choose to do whatever they wish. Ms. Shellenberger stated that they are suggesting that maybe some sort of cooperative agreement between the property owners and the Township can be worked out. Mr. Davis stated that he knows the way these projects are funded and he knows there is no money budgeted for the extension of the sidewalk to Columbia Avenue. Even though Mr. Smith is not present he can fairly assuredly say the Applicant will not be in a position to put additional funding toward an offsite improvement. Ms. Shellenberger seconded the motion to recommend approval of the Brunswick Farms land development plan based on Rettew's letters dated February 7, 2014 with a comment that the Planning Commission is asking the Board of Supervisors to look into the possibility of extending the sidewalk from the Brunswick Farms project to Columbia Avenue.

Joan Matterness, 213 Sutherland Road, Lancaster, commended the Board on their discussion about a real concern. Ms. Matterness stated it is critical that individuals who live in low income housing have access to public transportation. If they do not, it makes it difficult for them to find employment or to get out of the financial situation they are living in. Mr. Provanzo suggested that Ms. Matterness address the Supervisors with her concerns.

Mr. Provanzo called for the vote. The motion carried with Mr. Henke abstaining.

#### New Business

Briefing Item-Revised Final Plan for Wood's Edge – Phase 2 Section 4 & Modification Requests - Mr. Provanzo turned the meeting over to Ms. Shellenberger recusing himself because of an existing relationship with David Miller Associate. Todd Vaughn from David Miller Associates represented the plan and was accompanied by Ernie Helmick representing the applicant. Mr. Vaughn stated this is revised plan to revise the internal lots. The open space, street right-of-way, street configuration, sidewalks will remain the same. The property lines are being changed to allow for a wider town home to be built. Mr. Helmick stated where they had a six unit building, there will be a five unit building and a four unit building will be a three unit building. There was a total of 56 lots which will be dropped down to 44 lots eliminating 12 lots. The building footprint is the same. Mr. Vaughn advised the Commission that they have a review letter from Rettew dated January 22, 2014 and will be providing the reply to that review tonight. Mr. Vaughn listed the modifications requested and went over the comments. The

modifications are Section 303.F.2-Briefing Item and Section 403.3-Existing Features. Mr. Vaughn went through the comments in the plan review indicating Applicants response to the comments.

Susan Sheeler, 101 Langley Square, had questions on the lots being eliminated and the roads that were involved. Ms. Sheeler talked about a violation of the Township Ordinance regarding the number of units located on a hammerhead street. Ms. Sheeler also asked that the lots be reduced on the private roads to 10 lots instead of 12 lots which would help with parking problems.

Joan Matterness, 213 Sutherland Road, referred to the original plan for Section 4 indicating there may be some things this Commission may not be aware of that were approved on the original plan. Ms. Matterness talked about the problems with parking and the financial burden that is placed on the residents who live on the private streets. Ms. Matterness would like the Planning Commission to look at this plan and make things right pertaining to the private roads and the number of houses.

Mr. Caldwell stated that he believes this plan was filed under the first subdivision ordinance which may not have had the provision in pertaining to 10 unit lots on hammerhead streets. Mr. Caldwell stated he cannot verify that this evening. Ms. Shellenberger asked if this submitted plan revision falls under the new ordinance. Mr. Caldwell advised her that he does not believe it falls under the new ordinance because in land use, if you are moving closer to compliance with the requirement that is okay.

Sue Sheeler talked about the number of people who will have to bear the cost of the private streets and the burden will be greater reducing the number of units. She talked about the problems with snow plowing on these street stating she would like to see these roads be public roads.

Ernie Helmick, Woods Edge Builders, stated he has been building in the development for 25 years. Mr. Helmick handed out an aerial view of the development pointing out the circle that was being discussed. Mr. Helmick advised the Commission that the streets were designed per Township code in 2010 and the circle put in was the Township requirement. Mr. Helmick stated they are only asking to work with the new marketing conditions and reduce the number of lots by 12. They are making no other changes.

Mr. Henke asked what is maintained by Manor Township. Mr. Helmick advised that the Township maintains to the circle. Mr. Henke expressed concern that the original plan approved was with more units on a private cul-de-sac then permitted; also he expressed confusion that Ms. Sheeler and Ms. Matterness want the number of lots to go down to 10 lots which further hinders your homeowners costs.

Ms. Matterness stated two less would add to financial burden. She asked that the Commission members look at the area they are talking about and the problems caused by the parking.

Mr. Henke asked Mr. Caldwell and Mr. Ott if it is their belief that the plan was approved correctly. Mr. Caldwell advised the Commission that a waiver was granted to allow a hammerhead in lieu of a cul- de- sac and the current language in the SALDO states that a hammerhead is a permitted use with up to 10 dwelling units. Mr. Caldwell stated several years ago they were asked to put a paper trail together to make sure everything was done correctly and Mr. Caldwell stated he can say with reasonable assurance that everything was done in accordance with the ordinance in effect at the time. Mr. Henke asked Ms. Sheeler if she believes the Township would change their position and take the streets over as they are today. Ms.

Sheeler stated she hoped they would but she doubted they would. Mr. Henke stated the best scenario for Ms. Sheeler and Ms. Matterness was that the two private roads only have 10 units on each street.

After extensive discussion, Mr. Henke stated he would like more information pertaining to what happened and how it happened. Mr. Henke made a motion to table Woods Edge Phase 2 Section 4 revised final plan until next month. Mr. Witmer seconded the motion and the motion carried with Mr. Provanzo abstaining.

#### Other Business

There was no other business.

#### Correspondence

There was no correspondence.

There being no further business Ms. Shellenberger made a motion to adjourn the meeting. Mr. Witmer seconded the motion and the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Planning Commission Minutes**

Monday, March 10, 2014

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, March 10, 2014, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairperson Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

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

Member Absent: Don Mann

Visitors: Brad Stewart, LCPC  
Joan Matterness, 213 Sutherland Rd.  
Todd Vaughn, DM/A  
Mark Stanley, Woods Edge  
Ernie Helmick, Woods Edge  
Angie Ward, Woods Edge  
Robert & Barbara Wash, 400 Stone Creek Rd.

## Public Comment

There was no public comment.

## Minutes

Ms. Shellenberger made a motion to approve the February 10, 2014 minutes as distributed. Mr. Henke seconded the motion and the motion carried unanimously.

## Old Business

Action Item – Revised Final Plan for Wood’s Edge – Phase 2 Section 4 & Modification Request - Due to a conflict, Mr. Provanzo turned the meeting over to Vice Chairperson Pam Shellenberger. Ms. Shellenberger stated the plan is on the agenda this evening because there was some questions regarding how the plan was approved previously with regard to the number of houses on the street and the street width. The Township Manager has provided the Commission with a written response to the concerns they had on the plan indicating that the plan was submitted to Manor Township August 14, 2009 and was subject to the terms of the current Ordinance dated June 1, 2009. The cul de sac was a modification request that was approved to allow for the 16 units on the private portion of Whitechapel Road as well as the street design. Ms. Shellenberger stated that the way the plan was approved still stands so the only thing they are looking at on this plan is revision to reduce the number of lots.

Angela Ward representing Woods Edge Homeowners Association stated the question that has not been answered is that the Ordinance itself limits hammerhead turn arounds to no more than 10 dwelling units and there is 18 and now going to be 12 which is still a continuing violation of the Ordinance. Ms. Ward stated the fire company will be unable to turn the truck around in a hammerhead. Ms. Ward stated they have issues concerning safety of residents and is wondering why they cannot at this time bring the plan into compliance with the ordinance if they are reducing to 12 why not to 10 or 8 and be within the requirements of the hammerhead ordinance. Ms. Ward stated the June 2009 Ordinance is the one that limits the hammerhead turn arounds to 10 units on each private hammerhead turn around road. Ms. Shellenberger stated the number of units was approved as part of a modification by action of the Board of Supervisors on December 7, 2009. The Commission can only review the plan for the change that is being asked for to the plan. Nothing else is changing. If something was changing with regard to the streets, then the Commission could look at their concern. Ms. Shellenberger stated since the only change before them related to an approved and recorded plan is the change in the number of dwelling units that is the only thing the Commission can technically review and comment on at this time. Ms. Shellenberger stated typically when plans are before the Commission they are required to obtain a letter from the Police, Fire Company and utilities that indicates any concerns they would have with the plan.

Joan Matterness, 213 Sutherland Road, stated when the initial plan was submitted to the Township it was passed and it was wrong. Ms. Matterness stated now the builder comes back and ask for changes. Ms. Matterness talked about the SALDO. Ms. Matterness stated now is the time to change the plan to the way it should have been done. Ms. Matterness stated that some information the Commission received was incorrect as there is another street involved and she said the number of lots that the builder provided is not exactly correct. Ms. Matterness stated that the lots and parking space numbers do not equate. Ms. Matterness stated the builders ask for anything and they receive it under the rules the Township is going by. Mr. Henke

pointed out that is not true. The builder is asking for a specific relief that deals with lot widths. They are not asking to change anything else. That is what they have to look at tonight and that is all they are looking at tonight. Ms. Matterness asked who else can look at her concerns and who has the right to come to the Township. Mr. Caldwell advised the land owner has the rights. Mr. Caldwell stated no one can force someone to make application for something they do not want to. Ms. Matterness stated when the properties are turned over to the HOA, who then becomes the landowner, they can come in and request to make changes. Mr. Caldwell stated theoretically as the land owner Ms. Matterness is correct. Ms. Matterness stated the lots will be taken down to 10 houses who will have most of the responsibility of the private roads. While they have to pay for those private roads, they also are paying the same taxes as their neighbors who are getting their snow removed from the front of their houses and the people living on those private roads are not. Ms. Shellenberger pointed out that those things should be disclosed at the time they go to settlement.

Mr. Henke made a motion to recommend approval of the modification request Section 403.3-Existing Features. Mr. Harman seconded the motion and the motion carried with Mr. Provanzo abstaining.

Mr. Henke made a motion to recommend approval of the revised final plan for Woods Edge Phase 2 Section 4 in accordance with satisfying Rettew review letter dated March 6, 2014. Mr. Harman seconded the motion and the motion carried with Mr. Provanzo abstaining. Mr. Caldwell stated in the March 6 review letter the applicant still had their modification request for Briefing Item which is not really applicable and Mr. Caldwell would guess the applicant will formally withdraw that modification.

#### New Business

DEP Planning Module for Daniel & Amy Yocum Component 4A-Municipal Planning Agency Review – Ms. Shellenberger asked if the project could be explained and what the zoning approval relates to. Ms. Zumbrun advised that the Zoning Hearing Board granted a special exception for conversion apartments. Mr. Provanzo stated this is for information purpose and Assistant Zoning Officer Lauren Zumbrun will sign the form for the Planning Commission.

#### Other Business

Brad Stewart informed the Commission that he was from the LCPC and filling in for Pat Kadel who is on medical leave.

#### Correspondence

There was no correspondence.

Mr. Henke made a motion to adjourn the March 10<sup>th</sup> meeting. Mr. Harman seconded the motion and the meeting was adjourned at 7:30 p.m.

Respectfully submitted,  
Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Planning Commission Minutes

Monday, April 14, 2014

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, April 14, 2014, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag. Chairman Provanzo welcomed Nick Ebersole on behalf of the Commission.

Members Present: Jay Provanzo, Pamela Shellenberger, James Henke, Mark Harman, Don Mann,

Donald Witmer and Keith Hoover

Visitors: Brad Stewart, LCPC  
Peter Hughes, Red Barn  
Tracy Martin, FDF, Inc.

### Public Comment

There was no public comment.

### Minutes

Ms. Shellenberger made a motion to approve the March 10, 2014 minutes as distributed. Mr. Henke seconded the motion and the motion carried with Don Mann abstaining.

### New Business

Briefing Item-Final Land Development Plan-Frey Dairy Farms, Inc. - Peter Hughes with Red Barn Consultants stated they had prepared the plans for Frey Dairy Farms. Tracy Martin from Frey Dairy Farms was also present. Mr. Hughes made a request to table the plan explaining that in checking into the farm easement that has been placed on the farm through Lancaster Farmland Trust they have found that with four turkey barns they are at approximately 6.5% impervious coverage and the Farmland Trust has a 5% impervious coverage requirement. Mr. Hughes advised they will be back with a land development plan for two turkey houses. Mr. Hughes stated they have worked with Rettew Associates through many of the stormwater comments. Mr. Hughes felt it was prudent to appear before the Commission to answer any questions believing there will be the same type of questions with same type of answers whether they have four barns or two. Mr. Hughes had questions on the water feasibility study. Mr. Caldwell suggested when they meet at staff level and that Mr. Hughes bring information along on what their water usage will be and they can look at the demand and put together a plan to address the usage.

Mr. Witmer had questions on the number of turkeys per house, location of the fans on the building, the access drive and if an odor study is required.

Mr. Henke asked Mr. Hughes if they had received a copy of Rettew's review letter. Mr. Hughes advised he has received a copy of the letter and the comments were straight forward.



Mr. Henke had questions on the length of time the turkeys are in the house. Mr. Hughes explained how the turkey house operates.

Mr. Provanzo had questions on the existing use of the farm and the number of available acres listed on the cover sheet of the plan.

Mr. Hoover asked Mr. Caldwell if Item #16 "Street Light" in the review letter is up for discussion. Mr. Hughes noted that Item #17 "Park & Recreational Land Dedication Requirements" is another item to discuss.

Mr. Caldwell stated Stormwater Management plans are seen for agricultural projects but historically in Lancaster County they do not see land development plans for agricultural projects like this. Due to this, Mr. Caldwell stated he is looking for direction when reviewing the projects. There was a question as to why land development was required for this project. Mr. Hoover asked if they could get clarification why land development is needed for this project. There was discussion on the requirement for land development plans for agricultural projects.

Mr. Mann had questions on the impervious coverage requirements. Mr. Mann referred to a letter from the LCPC with comments on this plan.

Mr. Mann talked about bus shelters and there was general discussion regarding the bus shelters.

#### Correspondence

Mr. Mann referred to an article in the Township Planner published in the winter of 2014.

Mr. Provanzo talked about brochures he received on Lancaster County Planning Commission's Educational events and APA Brochure indicating when he received them he would bring them to the meeting in case anyone was interested.

There being no further business motion made by Jim Henke and seconded by Don Witmer the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

#### **Manor Township Planning Commission Meeting Minutes**

Monday, July 14, 2014  
P.M.

Time: 7:00

The Manor Township Planning Commission met on Monday, July 14, 2014, at the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, Pamela Shellenberger, James Henke, Mark Harman & Keith Hoover

Members Absent: Donald Witmer and Don Mann  
Visitors: Tom Strauss, Homefields  
Tom Matteson, Diehm & Sons  
David Martin, 905 Walnut Hill Road

### **Public Comment**

There was no public comment.

### **Minutes**

Ms. Shellenberger made a motion to approve the April 14, 2014 minutes as distributed. Mr. Henke seconded the motion and the motion carried unanimously.

### **New Business**

#### **Project #14-003 Briefing Item – Minor Subdivision and Lot Add-On Plan for Homefields. –**

Tom Strauss, of Homefields, advised the Planning Commission that Homefields wants to sell a 2 acre parcel with a house and barn along Letort Road and additionally convey 2 acres to the Grace Baptist Church. Homefields will have an additional 10 acres that will give them land to grow into.

Mr. Henke asked, in regards to comment #6 in Rettew's review letter, if they knew what that right away distance is. Letort is 50' overall. Walnut Hill should be the same. Mr. Caldwell stated the Manor Township zoning ordinance provides street classifications and then based on that they go with the subdivision ordinance and that provides the required right-of-way.

Mr. Henke mentioned if a road is classified as X and we know what the future right-of-way needs to be, why Rettew wouldn't just show that on the plan instead of just a note. Mr. Caldwell said he would work with Rob to show that on the plans.

Regarding comment #2, Mr. Strauss confirmed that it was pertaining to the concrete monuments being just by the road of the right-of-way.

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

Mr. Henke made a motion that the waiver for Section 403.1.A – Plan Scale be recommended from approval. Mr. Hoover seconded the motion and it carried unanimously.

Mr. Henke made a recommendation that the Homefields Minor Subdivision and Lot Add-On Plan be recommended for approval based on the applicant satisfying the July 14, 2014 review letter from Rettew Associates and subject to our engineer working out the mechanics of the additional right of way located along the subject tract and any adjustments that are associated. Mr. Harman seconded the motion and it carried unanimously.

#### **Project #14-004 Briefing Item – Lot Add-On Plan for Dave and Gloria Martin**

Mr. Matteson from Diehm & Sons showed the Martin's existing 36 acre farm that represents the blue and green areas together on the plans and an existing 1.75 residential lot that is the yellow area on the plan. What they are proposing to do is to take just under 12 acres away from the farm and add it to the one lot, to bring that lot to over 13 acres and take the other lot down to 24.5. The whole area is zoned Ag and will transform the use of the yellow lot from residential to Ag. It will meet the definition of a farm of being 10 acres or more, so that the use of both would be considered Ag. That being done both to facilitate the zoning ordinance but also to make sure the clean and green can be met so that both tracts can be enrolled in clean and green when this is over.

Mr. Matteson stated they were in receipt of Rettew's letter and there was really only one issue which was comment #7 in regards to Subdivision and Land Development. Mr. Matteson stated that in their opinion it doesn't apply because they are not creating additional lots, but if Manor Township were to deem that it does apply, then they would probably look for a modification of that.

The Planning Commission asked Mr. Caldwell if this indeed does apply and he said by policy that it did. Mr. Caldwell stated that the on-lot sewage ordinance that Manor Township has requires primary and alternate testing.

Ms. Shellenberger said she thought this was pretty standard in almost all municipalities to require that.

Mr. Caldwell stated that it was but Mr. Matteson is correct and if you read the ordinance it says for lots to be created. It doesn't say for existing lots that are being subdivided or resubdivided.

Mr. Martin mentioned that they have been getting notices from Manor Township of mandatory septic pumping and it has been done twice now and the paperwork submitted to the Township shows that everything was fine.

Mr. Henke said that if the policy is such that we have been requiring it, he agrees with Pam that most municipalities require a primary and alternate. Mr. Henke noted that it was nice to know that the landowners have a spot on their property that it could be moved to if something failed and of course the OLDS in place so it is a great step forward.

Mr. Hoover asked what exactly the testing consisted of. Mr. Caldwell said they would come out and do a probe, take a backhoe and dig a hole down. Visibly see the soils described and then dig 6 holes to a certain depth based on what the probe tells them. Would then run a perk test and measure how fast the ground absorbs the water.

Mr. Matteson said if they do nothing that lot is 1.75 acres in size. They are increasing it by 5 times only making it substantially better than was is it today.

Mr. Harman said he is not a big fan of waiving modifications like this and he posed the question to the committee as to what the standard would be going forward. If someone comes in

and they are going to double the size of their lot, is the commission not going to have them do this and give them modification or are we going to require for 5 times it. Said he was trying to see what the standard was moving on for the next person who doesn't want to do it.

The Planning Commission gave their thoughts on comment #7 in the Rettew review letter, now it is subject to the engineer working it out with the Manor Township Board of Supervisors.

Regarding comment #9 in the Subdivision and Land Development Section, Mr. Matteson said there was a 25 ft. dimension. East end of frontage.

Regarding comment #2 in the Subdivision and Land Development Section, Mr. Hoover asked what the deal was concerning the Springhouse. Mr. Matteson said it straddles the property line and Mr. Martin confirmed that he works with his neighbor to maintain it. Mr. Matteson said he would note that on the plan.

Regarding Note #1 in the Zoning Section, Mr. Martin verified that tree had been removed.

Mr. Harman made a recommendation that the plan be moved from a briefing to an action item. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Mr. Harman made a motion to recommend for approval waiver of Section 403.1.A – Plan Scale. Mr. Hoover seconded the motion and it carried unanimously.

Mr. Harman made a recommendation that the Lot Add-On Plan for Dave & Gloria Martin be recommended for approval based upon the Rettew letter dated July 14, 2014 being satisfied to the Township engineer's satisfaction. Mr. Hoover seconded the motion and it carried unanimously.

### **Old Business:**

Ms. Shellenberger reported that at the last two LIMC Land Use Advisory Board meetings, the board had been discussing making updates to Growing Together. At the first meeting, they were given a draft outline prepared by Rick Jackson from the ELA Group. Mike LaSalla suggested that the municipalities hire the ELA group to interview all the municipalities to see what their issues and concerns would be with the document and see what they would want to see updated in the plan. The ELA group would also help develop an RFP to find a consultant to do it. She reported that the boards concern was with the cost. Rick Jackson's proposal was \$20,000 plus 8% in addition to that for miscellaneous expenses. The board all felt it would be hard for all the municipalities to pay that money upfront. She said the next step is to approach County Planning to see if they would be interested in helping with that phase of the project. Still in question is whether the municipalities no longer part of the committee, including Manheim Township, East Hempfield Township and Easter Petersburg Borough would be willing to put money towards it as well. There were still a lot of questions that needed to be answered.

Ms. Shellenberger said she would keep the Planning Commission informed and email Mr. Smith as well.

Some of the committee members didn't have a copy of Growing Together so Mr. Ebersole provided a copy to those members.

Mr. Ebersole said he had received plans for the Chesapeake Crab warehouse so that would be coming up at the next Planning Commission meeting.

Ms. Shellenberger asked Mr. Ebersole if he had any indication of how long the Funk property would be meeting with the zoning hearing board and he said for at least two more meetings.

With no further business to discuss, Ms. Shellenberger made a motion to adjourn. Mr. Henke seconded the motion and it carried unanimously. Meeting was adjourned at 7:52PM.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Kelly Clemens

### **Manor Township Planning Commission Minutes**

Monday, August 11, 2014

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, August 11, 2014 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo introduced the Commission Members and led those in attendance in the Pledge of Allegiance to the Flag.

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

Visitors Present: D.C.Gohn Associates  
Eric Hershey, Rettew Assoc., 3020 Columbia Ave.  
Molly Hughes, Red Barn, 3050 Yellow Goose Rd.  
Austin Steffy, Red Barn, 3050 Yellow Goose Rd  
Tracy & Ruth Martin, 2566 River Rd.  
Brad Stewart, LCPC

Public Comment – There was no public comment.

Minutes - Ms. Shellenberger made the following corrections to the minutes.

#### Under New Business

Project 14-003 the second paragraph, second line it says right of way and it should be right-of-way. The

third page mid-way down the page the second time Mr. Harman made a motion that should be approval of the waiver. Under Old Business the third sentence says "He" should be Mike LaSalla. Mr.

Harman made a motion to approve the July 14, 2014 minutes with the changes noted by Ms. Shellenberger. Mr. Hoover seconded the motion and the motion carried with Mr. Mann abstaining.

#### Old Business

Project #14-002 (resubmission) – Final Land Development Plan for Frey Dairy Farms - Molly Hughes,

Consulting Engineer with Red Barn, is working on this project and made the presentation. Ms. Hughes

stated that Frey Dairy is proposing four turkey barns, two that are 63 x 700 feet long and two that were

reduced to 600 feet. They also reduced the driveways. The driveways have been reviewed by the company bringing in the feed trucks so that the trucks have the area to turn around and unload. Ms. Hughes talked about the storm water indicating they are still working on a couple of comments for the Township. There are manure storage and composting facilities that are sized for one year of storage. The operation is designed to be built in phases with the first two barns

being built first to allow cash flow for the second phase. The manure storage is expandable and is a

mirror image for the second phase. They have nutrient management approval. The site is accessed

from an existing driveway off River Road. They are requesting several waivers. One is to have the

the project be moved to an action item and the second is a waiver of plan scale instead 1 to 50 feet to have it 1 to 60 feet so that everything can fit on one plan. They are requesting a waiver of the wetland study and the street lights and access drive standards. There are several minor items to wrap up, including having all the plan certificates finalized, modification approvals, evidence they do not need a planning module for this site, and satisfying requirements by the emergency service providers. They have submitted these plans to the Blue Rock Fire Department for their review and are still awaiting their

response. The last item is satisfying the park and recreation of land dedication requirements.

The

Client has been in discussions with Mr. Smith regarding providing a fee in lieu of the dedication requirements. The financial agreement will be provided. Ms. Hughes stated tonight they are requesting conditional approval of the final land development plan pending satisfying the remaining

items. Mr. Harman asked if there would be any issue with the emergency services. Mr. Caldwell indicated emergency vehicles will be able to get in and out. Mr. Henke stated the last time the plan was before them was the issue with the farm preservation and the amount of impervious coverage that was permitted. Mr. Henke asked if it is her understanding that based on the reduction of the two houses and the elimination of the driveways referenced they are good with impervious coverage. Ms. Hughes stated they are slightly below the impervious requirement. Mr. Henke had questions about the driveway as to whether there was an access agreement and storm water plans. Mr. Witmer had questions on recorded right-of-ways and location of the fans. Mr. Hoover questioned the reduction in the number of birds with the reduction in size of the turkey barns. Mr. Henke recommended that the Frey Dairy Farm Final Land Development Plan that the associated modifications that are Section 305, Section 403.1.A-B, Section 403.6.E, Section 407.4, Section 502.13.A.1.a.1 and Section 503.1 be recommended for approval based on the justifications and the review letter dated August 8, 2014 by Rettew Associates that they would comply with any requests Rettew has identified. Ms. Shellenberger seconded the motion and the motion carried unanimously. Mr. Henke made a recommendation that Final Land Development Plan for the Frey Dairy Farms in accordance with the Applicant meeting the Rettew letter dated August 8, 2014 in addition to meeting any and all remaining additional storm water comments that are part of the plan application. Mr. Harman seconded the motion and the motion carried unanimously.

#### New Business

Project #14-005 Briefing Item – Final Land Development Plan for Chesapeake Crab Warehouse – Eric Hershey with Rettew Associates presented the plan stating the tract is part of the David Charles subdivision on Charlestown Road that is an existing lot. They are proposing to build a warehouse that will be just under 20,000 sq. ft. of warehouse and 6,000 sq. ft. of office space associated with the warehouse building. Storm water management is in the existing basin that was part of the prior subdivision. Mr. Henke had questions on the use for the warehouse. Mr. Harman stated he had a conversation with the owner and he was told that his internet business is exploding and needs to expand which is what this facility will be used for. Mr. Henke asked if there was anything in Buchart Horns August 11<sup>th</sup> review letter that was any concern. Mr. Hershey talked about the comments in the letter and what they would do to comply. Mr. Provanzo had questions on the sidewalk and the height of the building. There was discussion on the sidewalk and grass strip. Mr. Provanzo thanked Mr. Hershey for the presentation as a briefing item.

Brad Stewart asked what the Township desires for the Armstrong property across the street.

Project #14-006 Briefing Item-Revised Final Subdivision Plan for Turkey Hill Dairy - Brian Cooley with D.

C. Gohn presented the plan. Mr. Cooley stated that Bill Gregory from Turkey Hill Dairy was also present.

Turkey Hill is looking at subdividing about five acres from the Lancaster County Solid Authority property.

Mr. Cooley pointed out the five acres on the plan. Existing buildings, utilities, pavement and concrete will all be removed. There are existing buildings and pavement located within the setbacks. They met with the Township at a pre-application meeting and it was indicated a demolition agreement would need to be established and be part of the plan. As part of the submission process, they submitted plans and a draft agreement to the Township. When all the demolition occurs the site will be laid with top soil and seeded. They are requesting three waivers 1) Action Item, 2) Plan Scale, and 3) Proposed Conditions and Existing Features. Ms. Shellenberger asked if they will be labeling the buildings being removed. Mr. Cooley stated there is an exhibit associated with the demolition agreement that identifies all the buildings, pavement and utilities to be removed. Ms. Shellenberger asked if there should be a lot number assigned to this lot being added on. Mr. Witmer questioned why they are only buying five acres and the configuration of the five acres. Mr. Harman made a motion to move the project to an

action item. Mr. Mann seconded the motion and the motion carried unanimously. Mr. Harman made a

motion to recommend to the following modifications for approval Section 303.F.2a, Section 303.F.2b,

Section 403.1.A and Section 403.4 for the justifications as provided in Rettew review letter dated August

8, 2014. Mr. Mann seconded the motion and the motion carried unanimously. Mr. Harman made a

recommendation to recommend for approval the Final Subdivision Plan for Turkey Hill Dairy provided

that the August 8, 2014 review letter provided Rettew that all the comments are satisfied as well as any

additional review comments that the Engineer may provide and a lot number be added to the lot being

added on. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Brad Stewart from the LCPC stated Pat Kadel has retired and Mr. Stewart will be attending the meetings.

#### Correspondence

Mr. Mann stated he had a letter from the LCPC dated July 22, 2014 with plan review comments for Dave and Gloria Martin.

Ms. Shellenberger updated the Commission on the Growing Together Initiative. The members of LUAB are not interested in having the municipalities spend any up-front money to determine if anything needs to be changed. There are several members of the group that are drafting a questionnaire to disperse to Municipal Planning Commissions asking whether they feel recommendations in the current plan are still valid. The MPC only requires a review every ten years it does not require an update. Ms. Shellenberger stated the questionnaire will probably not



be out to the Municipalities until November. Ms. Shellenberger stated she will keep the Planning Commission informed as the discussion proceeds.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Planning Commission Minutes**

Monday, September 8, 2014

Time: 7:00 P.M.

The Manor Township Planning Commission met on Monday, September 8, 2014 at 7:00 p.m. in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA. Chairman Jay Provanzo called the meeting to order, introduced the Commission members and led those in attendance in the Pledge of Allegiance to the Flag.

Members Present: Jay Provanzo, James Henke, Mark Harman, Don Mann, Pamela Shellenberger,

Donald Witmer and Keith Hoover

Visitors Present: Grant Smith, Rettew Associates  
David Keener, Team Ag  
Cameron Renehan, Team Ag  
Brad Stewart, LCPC

#### **Public Comment**

There was no public comment.

#### **Approve the Minutes from August 11, 2014**

Ms. Shellenberger made the following corrections: First page, Old Business, third line change "may reduce" to "reduced". The first item under New Business, the third line should be 20,000 sq.ft. and 6,000 sq.ft. Ms. Shellenberger made a motion to approve the August 11, 2014 minutes with the corrections. Mr. Witmer seconded the motion and the motion carried unanimously.

#### **Old Business**

Project #14-005 Action Item – Final Land Development Plan for Chesapeake Crab Warehouse - Grant Smith from Rettew Associates presented the plan stating they have the August 11, 2014 review letter from Buchart Horn and they have taken care of several of the

comments that were housekeeping items. Mr. Smith went over the comments and how the comments were addressed by the applicant. There was discussion on the placement of the sidewalk and the proposed lighting. Mr. Stewart from LCPC stated in his review letter he had commented that the Township may want to defer the lighting requirement rather than waive the requirement. Mr. Henke made a motion that a waiver to Section 305-Preliminary Plan Application, Section 403.B-Existing Conditions within 200 feet of the Property be recommended for approval in accordance with what the Applicant has generally agreed with Section 502.13B.2.b-Lighting be deferred which is the Lighting along Pedestrian Walkway not to be confused with the lighting in the parking lot and that be deferred until such time that the Township would deem it appropriate or needed and they would go back to the Applicant to ask him to install it accordingly. Mr. Mann seconded the motion and the motion carried unanimously. Mr. Henke made a motion to recommend approval of the Final Land Development Plan for the Chesapeake Crab Warehouse subject to satisfying the outstanding review letters from Buchar-Horn whichever is left with the understanding that the Township will check into and coordinate with the Applicant and Lancaster Home Builders if possible as far as the location of the sidewalk. Ms. Shellenberger seconded the motion and the motion carried unanimously.

Project #14-007 Briefing Item – Land Development Plan for Randall Kreider – Dave Keener with Team Ag presented the plan. Mr. Keener stated there are two 54 x 600 foot poultry barns being proposed on the south side of Charlestown Road towards the east side of their 60 acre farm. This project is proposed in a farm field and will have a new access drive that will connect with Charlestown Road. There is a compost shed along the eastern side of the proposed improvements that will be constructed as part of the plan. The plan has been submitted to the Lancaster County Conservation District and there is a NPDES Permit that is required. The bulk of the storm water is being handled to the south of the proposed improvements with a single basin and conveyance facilities are proposed to convey the water runoff from the barn roofs to the storm water facility. They had submitted this plan as a storm water plan and through conversation with the Township they were advised it also needed to be a land development plan. The Applicant desires to excavate this fall. The plan was submitted as a storm water plan therefore, the Township Engineer reviewed the plan as such and they have their storm water comments which they have addressed in a set of plans. Today they received land development comments, so they will be working at addressing those items. Mr. Provanzo asked if they see any issues with meeting any of the recommendations in the review letter. Mr. Keener referred to #11 regarding the Park and Recreational Land Dedication Requirements indicating he was unable to explain the amount to the Applicant but assumes it is a typical fee based on the size of the project. There was discussion on the justification for Park and Recreational Land Dedication Requirements for a farm project. Mr. Witmer stated the Planning Commission has only started seeing these projects for review that previously they did not review these projects. Mr. Henke advised that a consideration for the Applicant is to request a waiver of the Park and Recreational Land Dedication Requirements. Mr. Ebersole informed the Commission that in speaking with the Manager, the use did not exist on site and that is why they were brought to the Planning Commission for land development. Ms. Shellenberger read from the Ordinance regarding the fee in lieu of. Mr. Henke stated he also has reservations similar to Mr. Witmer on Park and Recreations Land Dedication Requirements for agricultural uses and the need for it as it relates versus a single family development. There was discussion on entrance. Ms. Zumbrun

from Rettew stated they did review the storm water plans several months ago and a decision was made to review as a land development primarily because of the new access. Rettew Associates did not review this plan to the depth they normally would a typical residential or commercial land development plan but tried to focus on what they understand to be the Township's major concerns which would be storm water, the access drive, and making sure there is sufficient emergency access. Mr. Stewart had questions on the width of the drive. Mr. Hoover asked if there was any concerns with the comment regarding the wetland. Mr. Keener stated with the area of the project there would be no concern with the wetlands. They only need to delineate and show they are not within that area. Mr. Mann had questions on the compost shed and where the waste from the poultry barns end up. Mr. Henke had questions on the location of the storm piping. Ms. Shellenberger stated by definition access drive is not applicable to a farm as stated in the Land Development Ordinance. Ms. Shellenberger read the definition of driveway from the Zoning Ordinance. There was discussion regarding the access drive. Mr. Henke made a recommendation for the Kreider Poultry Barns that the requested modifications be recommended for approval Section 303.F.2-Plan Review Process, Section 305-Preliminary Plan Processing, Section 403.1.A-Plan Scale and suggest that the applicant consider requesting additional modifications as soon as possible as they relate to items they feel may be appropriate collector road status, etc. Mr. Witmer seconded the motion and the motion carried unanimously. Mr. Henke made a recommendation to the Board of Supervisors that the Kreider Poultry Barn be approved based on the applicant satisfying the storm water management comments which they do not have as well as satisfying or requesting additional modifications as it relates to the September 8<sup>th</sup> Rettew letter. Mr. Hoover seconded the motion and the motion carried unanimously.

#### Other Business

There was no other business.

#### Correspondence

Mr. Provanzo stated that they received a letter from UGI inviting them to a Weather Ready Seminar on September 18<sup>th</sup> from 6:30 to 8:00 p.m. at the Millersville University.

There being no further business the meeting was adjourned at 7:45 p.m.

Respectfully submitted,  
Don Mann  
Secretary

Recording Secretary  
Evelyn Rineer

# **ZONING HEARING BOARD MINUTES**

## **Manor Township Zoning Hearing Board Minutes**

Wednesday, January 8, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, January 8, 2014 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 Suydam, 116 Armstrong Lane  
Mike Julian

Minutes – There were no additions or corrections to the minutes. Mr. Singer made a motion to accept the December 4, 2013 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

### Re-organization

Mr. Peris made a motion to keep the same officers with Barbara Douglas as Chairman, Bradley Singer as Vice Chairman and Chris as Secretary. Mr. Singer seconded the motion and the motion carried unanimously.

Meeting Dates – Mr. Singer made a motion that the meeting dates will remain the same meeting the first Wednesday of the month if they have an application. Mr. Peris seconded the motion and the motion carried unanimously.

Selection of Solicitor for the Zoning Hearing Board for 2014 – Mr. Peris made a motion to retain James McManus as the Zoning Hearing Board Solicitor for 2014. Mr. Singer seconded the motion and the motion carried unanimously.

Mr. Ott advised the Board that the Board of Supervisors reappointed Bradley Singer for a three year term.

### Old 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). Testimony was closed at the last meeting and a decision will be rendered. Ms. Douglas stated each member of the Board has talked to Mr. McManus and gave them their individual decision. There is no discussion between the Board members. Mr. McManus then makes a draft decision that they receive several days before the meeting and at this time will discuss the decision.

There was no discussion. Mr. Singer made a motion to accept the decision to allow George Suydam and Maryrose Suydam for a special exception to operate a therapeutic massage business as a home occupation within a portion of her residence at 116 Armstrong Lane, Lancaster,

Pennsylvania, Account No. 410-74119-0-0000, pursuant to the provisions of Sections 204.3.5; and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicants shall adhere to the facts and dimensional criteria contained in their application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicants at the hearing held on December 4, 2013. 2) Not more than one person may be engaged in the proposed business. 3) The area of the proposed business, including the lavatory, shall not exceed 257 square feet. 4) The Applicants shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed business. 5) The dwelling and property shall comply with all applicable building code regulations for the intended home occupation use and all associated required permits shall be obtained. 6) The hours of operation of the home occupation shall be limited to Tuesdays, Wednesdays and Thursdays from 9:00 a.m. to 5:00 p.m. 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. Peris seconded the motion and the motion carried unanimously.

Ms. Douglas announced that the next meeting will be held on Wednesday, February 5, 2014 at 7:00 p.m. in this room. There being no further business the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, February 5, 2014  
P.M.

Time: 7:00

The Manor Township Zoning Hearing Board met on Wednesday, February 5, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas opened the meeting

Members Present: Barbara Douglas  
Members Absent: Bradley Singer and Chris Peris  
Township Officials Present: James McManus and Bruce Ott  
Court Reporter: Cheryl Hansberry

#### **New Business**

Case #1-14 – The application of Daniel H. and Amy P. Yocum, property located at 397 Letort Road, Millersville, PA Account #410-96045-0-0000 for a special exception of Section 201.3.4 –

Conversion Apartments in accordance with Section 423 and Section 605.3 – Application for Special Exception. The applicant would like to convert a farm building to a conversion apartment on the property. The property is zoned Agricultural (A). Ms. Douglas turned the meeting over to Mr. McManus. Mr. McManus had Mr. Ott sworn in.

Mr. McManus asked Mr. Ott about the advertising of the hearing. Mr. Ott stated that he is employed as the Manor Township Zoning Officer and in that capacity he receives and administers the applications that come before the Zoning Hearing Board. Mr. Ott stated that he received the application indexed at #1-2014 that of Daniel H. and Amy P. Yocum address at 397 Letort Road, Millersville, PA. Mr. Ott stated that he published a notice of the time, date, place, and subject matter of this hearing in the Lancaster Newspapers on January 22<sup>nd</sup> and 29<sup>th</sup>, 2014. Proof of publication was received from the Lancaster Newspaper. Mr. Ott stated that he posted the property that is the subject of this application with the time, date, place, and subject matter on January 17, 2014. A notice of the time, date, place, and subject matter was posted on the bulletin board in the Township lobby on January 17, 2014.

Mr. McManus requested the Application be marked Exhibit #1 and the Proof of Publication marked Exhibit #2. Mr. McManus asked Mr. Ott if he received the application for Daniel H. and Amy P. Yocum that was marked Exhibit #1 –Case 1-14 consisting of the application form, project narrative describing the project and including a letter from the Agricultural Preserve Board, a written description of compliance with Section 423 – Conversion Apartments including three (3) pages with a plot plan for parking spaces, a written description of compliance with Section 605.3 – Application for Special Exceptions which is two (2) pages, a sketch plot plan showing building locations, a photo of the tobacco barn before conversion, a list of adjoining property owners, a set of three (3) elevation views at 1/4"=1' scale labeled Daniel Yocum, a set of three (3) layout plans at 1/4"=1' scale labeled Daniel H. Yocum, a plan sheet labeled "Proposed Alternative Greywater Drainfield Details" for Daniel H. Yocum, and a plan sheet labeled "Plan to Accompany a DEP Planning Module" for Daniel H. Yocum. Mr. Ott stated that he did receive the application consisting of the material abovementioned.

Mr. McManus stated that due to adverse weather conditions, the electric had been off in the Township Building for most of the day and the applicant's home also was without electric due to an ice storm. Mr. McManus continued by stating that Ms. Douglas was the only Board Member present and the applicant is not present. There were no other individuals or parties present interested in this application at the meeting. Mr. McManus asked Mr. Ott if he had contacted the applicant and if they were in agreement with the hearing being continued to another date. Mr. Ott stated yes. Mr. McManus asked Ms. Douglas when the hearing would be continued to. Ms. Douglas stated the date would be February 12<sup>th</sup>. Mr. McManus stated the hearing has been opened and will be continued February 12<sup>th</sup> at 7:00 p.m.

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

Respectfully submitted,

Barbara M. Douglas  
Chairman

Recording Secretary  
Evelyn Rineer

## **Manor Township Zoning Hearing Board Minutes**

Wednesday, February 12, 2014  
P.M.

Time: 7:00

The Manor Township Zoning Hearing Board met on Wednesday, February 12, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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: Daniel H. & Amy P. Yocum, 397 Letort Rd., Millersville, PA

### Minutes

Ms. Douglas stated members of the Board received a copy of the minutes from the January 8th meeting. Mr. Singer made a motion to approve the January 8, 2014 minutes. Mr. Peris seconded the motion and the motion carried unanimously.

Ms. Douglas stated that members of the Board received copies of the minutes from the February 5, 2014 meeting. Ms. Douglas stated that she reviewed the minutes and has no corrections or additions and the February 5, 2014 minutes will stand approved as presented.

### Old Business

Case #1-14 – The application of Daniel H. and Amy P. Yocum, property located at 397 Letort Road, Millersville, PA Account #410-96045-0-0000 for a special exception of Section 201.3.4 – Conversion Apartments in accordance with Section 423 and Section 605.3 – Application for Special Exception. The applicant would like to convert a farm building to a conversion apartment on the property. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered. Ms. Douglas turned the hearing over to Mr. McManus.

Mr. McManus stated that this hearing is a continuation of a hearing scheduled for February 5, 2014 and opened by Ms. Douglas who was the only member of the Zoning Hearing Board present. There was no quorum. There were no persons in attendance including the Applicants. The reason for the absence of so many people was that the Township had been without power during most of the day and intermittently throughout the rest of the day. At that meeting, Mr. Ott testified as to the manner by which this hearing has been advertised, the property posted and notice in the Township Building given for the time, place, date and subject matter of this hearing. In addition, certain items were marked as exhibits; namely, the application submitted by Daniel H. and Amy P. Yocum as Exhibit #1 and a Proof of Publication of the newspaper advertisement of the time, place, date and subject matter of this hearing as Exhibit #2. Mr. McManus asked Mr. Ott if this was correct and Mr. Ott stated yes. Mr. McManus requested that the applicants be sworn in.

Daniel H. Yocum stated that they are asking for this special exception to convert a 100 year old tobacco barn on the farm into housing for themselves with the possibility of a second dwelling unit. They have looked at several options and this option seems to be the best. The barn is 32' x 48'. Mr. Yocum pointed out the location of the tobacco barn on the site plan indicating what other buildings were shown on the plan. Mr. Yocum stated that the farm was preserved in 2009 and in the agreement there is an opportunity to put another housing unit on the farm. They are proposing to use composting toilets and a gray water drain field due to high nitrate levels. Due to high nitrate levels the State will not approve a traditional septic system. Mr. Yocum stated that there are no animals on the farm but the land is still farmed. Mr. Yocum stated that the barn has vertical wood siding and they would put in windows and doors. The steps for the second floor will be inside steps and there will be a small deck and steps on the outside. Also, the first floor will have a small deck on the back. Mr. Yocum referred to the drawing that showed there are approximately five parking spaces directly opposite the building. Mr. Yocum advised the Commission that they are aware of the impervious surface and would possibly put down stone or pervious pavement. The property is 24.9 acres. The improvements will be containing within the existing structure with the exception of a front porch and a deck. They are consistent with the purpose and intent of the Zoning Ordinance. This use will not detract from the use and enjoyment of adjoining properties. They have adequate facilities such as schools, fire, and ambulance protection. There are wells on the property and an existing driveway. There is no floodplain. The proposal is within the criteria specified for a conversion apartment. The use will not impair the integrity of the Township's Comprehensive Plan.

Ms. Douglas verified that they have two wells. Mr. Yocum stated that one well is relatively recent and is slightly over 200 feet in depth and the other well is approximately 12 feet which is a hand dug well. Ms. Douglas asked if the sewage system works well for the existing house and tenant house. Mr. Yocum stated yes.

Mr. McManus asked if the Applicant's wells had sufficient capacity to serve all uses existing and proposed on the property. Mr. Yocum stated that he believes so. Mr. McManus asked if Mr. Yocum had an analysis made to determine that and Mr. Yocum stated no. Mr. McManus asked if it is a possibility that there will not be enough well water for the total number of proposed dwelling units. Mr. Yocum stated it could be possible there would not be enough water. Mr. McManus asked if they would condition their approval of the application on the requirement that the water volume and rate from the wells shown would be adequate to serve four dwelling units. Mr. Yocum stated yes. Mr. Yocum stated that if there is not enough water to serve the four units, they would drill another well. Mr. McManus stated that as of now, it is uncertain how adequate the existing wells would be for the intended use. Mr. Peris noted that based on the plan, one structure can utilize 500 gallons per day and the other 400 gallons per day for a total of 900 gallons per day and that would be what they are anticipated sewer flow would be. Mr. Yocum stated that he needs something that will provide 900 gallons per day and Mr. Peris stated that was correct. Mr. McManus asked if they are in the process of preparing a sewer module and Mr. Yocum stated yes. Solanco Engineering prepared the sewer module. Mr. McManus verified the existing dwelling units on the farm and that the Applicant was asking the Board for permission to convert the tobacco barn into two additional units for a total of four units on the farm. Mr. McManus asked if the sewer module was planned and designed to accommodate four dwelling units and Mr. Yocum advised them that the sewer module will be only for the proposed two units in the tobacco barn. Mr. McManus asked if the compost toilet



and gray water mode of disposition into the tile field is it an acceptable means of providing for onsite sewerage. Mr. Yocum stated yes. Mr. McManus asked if the module will be approved by the Sewage Enforcement Officer. Mr. Ott stated that the module goes through the Township Planning Commission and DEP. Mr. McManus asked what the general use of the farm is presently. Mr. Yocum stated that the farm contains 5.3 acres in a riparian buffer, 8 or 9 acres in pasture, approximately 7 acres rented to vegetable farmer, the Applicant farms about 2 ½ acres and the rest is in buildings and grass around buildings. Mr. McManus asked if it is fair to say that the tract in its entirety is devoted to agriculture uses and Mr. Yocum stated yes. Mr. McManus asked if the main house will be rented for another tenant farmer. Mr. Yocum stated that it may be another family member. Mr. McManus asked if the second unit (upper unit) of the tobacco barn has yet to be undetermined the occupancy of that unit and Mr. Yocum stated yes. Mr. Yocum stated that he believes that the second unit in the barn will be rented to a family member or individual who will help on the farm. Mr. McManus had questions on the impervious surface and asked Mr. Ott if there is any noncompliance on this tract of land with respect to required impervious surface. Mr. Ott stated probably not. Mr. Ott stated that it is ten percent for an agricultural use. Mr. Yocum talked about a letter from the Township giving figures for the impervious surface area. Mr. McManus asked Mr. Yocum if he knew the percentage of impervious surface on the farm. Mr. Yocum stated that he had the figure. Mr. Yocum stated his calculation is that he had 6,319 square feet left. Mr. McManus asked Mr. Yocum if he is stating that he is allowed a total of 20,000 square feet of impervious surface on the existing land and Mr. Yocum stated yes without a storm water management plan. Mr. McManus asked if Mr. Yocum exceeds 20,000 square feet now and Mr. Yocum stated no. Mr. McManus asked if Mr. Yocum calculated that his coverage is 6,300 square feet and approximately has 15,500 square feet is presently impervious and that he is allowed to have approximately 6,500 square feet more. Mr. Yocum stated that is correct. Mr. Yocum stated that he did not include the driveway in this. Mr. Ott stated at Mr. Yocum's acreage, ten percent of that comes to 108,464 square feet. Mr. Ott stated that Mr. Yocum is confusing storm water with zoning and this is a zoning ordinance regulation which is different than what he dealt with Mr. Smith and stormwater management. Mr. Peris stated that Mr. Yocum would probably not be requires to put pervious surface down. Mr. McManus stated with respect to the proposed conversion of the tobacco barn he will be creating an area of roughly 32 feet x 48 feet for additional parking which will be some type of impervious area and will add to the driveway system. Mr. Yocum stated he may put a porch on front of the house. The only substantial addition of impervious surface would be 32' x 48' and Mr. Yocum stated yes. Mr. McManus stated it is Mr. Yocum's testimony that the addition together with all the other impervious surfaces on the tract is less than the maximum allowed in the zoning ordinance and Mr. Yocum stated yes. Mr. McManus stated for point of clarification for the Board that Mr. Yocum mentioned deeds and some requirements that he may be obligated to under his agricultural preservation agreement with the County which has nothing to do with this Board. Mr. McManus stated they have no lawful authority to enforce or interpret private covenants.

Mr. Peris referred to the well issue and if the Board would require the volume information up front. Mr. McManus stated if the Board believes the application complies, the well issue could be a condition of any approval.

Mr. Peris made a motion to close testimony and make a decision at the March 5<sup>th</sup> meeting. Mr. Singer seconded the motion and the motion carried unanimously.

Ms. Douglas advised the Yocum's that the Board does not discuss this application between them and will make a decision individually and advise their Attorney who will draft a decision that will be discussed at the March 5<sup>th</sup> meeting at which time they will make a decision.

Mr. Singer made a motion to adjourn the meeting. Mr. Peris seconded the motion the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, March 5, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, March 5, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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 Lauren Zumbrun  
Visitors: Daniel H. & Amy P. Yocum, 397 Letort Rd.  
Terri Brown & Brian Hess, 229 Letort Road  
Janelle Erb, 233 Letort Rd.

#### Minutes

Mr. Singer made a motion to approve the February 12, 2014 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

#### Old Business

Case #1-14 – The application of Daniel H. and Amy P. Yocum, property located at 397 Letort Road, Millersville, PA Account #410-96045-0-0000 for a special exception of Section 201.3.4 – Conversion Apartments in accordance with Section 423 and Section 605.3 – Application for Special Exception. The applicant would like to convert a farm building to a conversion apartment on the property. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered.

Ms. Douglas stated each member of the Board individually has discussed their decision with Attorney McManus who drafted a decision that will be discussed at this time. There was no discussion. Mr. Peris made a motion based upon the foregoing, the application of Daniel H.

Yocum and Amy P. Yocum for a special exception to convert a tobacco barn into two conversion apartment units on their property located at 379 Letort Road, Millersville, Pennsylvania 17551, Lancaster County Tax Assessment Account No. 410-96045-0-0000, pursuant to the provisions of Sections 201.3.4; 423 and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicants shall adhere to the facts and dimensional criteria contained in their application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicants at the hearing held on February 12, 2014. 2) The Applicants shall comply with all applicable State and local regulations regarding the construction, use and occupancy of the proposed conversion apartments. 3) The conversion apartments use shall comply with all applicable building code regulations for the intended conversion apartments use and all associated required permits shall be obtained. 4) The Applicants shall comply with all State and local regulations and permits regulating the installation and operation of the proposed on-site sewer system and the adequate supply of potable water for the intended apartment conversion use. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicants, their successors in interest and assigns. Mr. Singer seconded the motion and the motion carried unanimously. Mr. McManus stated for the record the Applicant is present and the Board has just rendered its decision and will hand deliver the executed copy of the decision to the Yocums.

#### New Business

Case #2-14 – The application of Terri Brown, 229 Letort Road, Millersville, PA., Account #410-84480-0-0000 for a special exception of Section 202.3.10 in accordance with Section 435 – Home Occupation and Section 605.3 – application for a Special Exception. The applicant would like to have a beauty salon business in the home. The property is zoned Rural (R).

Ms. Douglas turned the hearing over to Mr. McManus. Mr. McManus verified the Applicant was present and she is owner of the property. Brian Hess, co-owner of the property, joined the application. Lauren Zumbrun, Assistant Zoning Officer, was sworn in by the Court Reporter. Lauren B. Zumbrun stated she is the Assistant Zoning Officer for Manor Township and in that capacity received a file to administer the application of Terri Brown file captioned #2-14 before the Board this evening. The application is filled out on a standard Township special exception application form that contains several documents that have been labeled Item A-Letter accompanied by zoning data information, Item B-four pages the first three of which appears to show the property that is the subject of this application location the last page of which identifies the names and addresses of neighboring property owners, Item C-appears to be a hand drawn plan of a portion of the property showing parking and dwelling location, Item D-labeled legal description and contains colored renderings of the property that is the subject on two additional sheets, there is an additional unlabeled sheet captioned “Building Sketch” that shows a dimensioned second and first floor diagram of what appears to be a dwelling and a copy of a license issued by the Bureau of Professional and Occupational Affairs to a Terry F. Brown. Mr. McManus asked Ms. Zumbrun if this is the contents of the Application and Mr. Zumbrun replied yes. The application was marked Exhibit #1. Mr. McManus asked Ms. Zumbrun if the file in this matter contained a notice of the time, date, place and subject matter of this hearing that was

published in the newspaper of general circulation in Manor Township and Ms. Zumbrun replied yes. Ms. Zumbrun advised that the notice was published on 19<sup>th</sup> and 26<sup>th</sup> of February 2014. The Proof of Publication was marked Exhibit #2. The file reflected that the same notice advertising the time, date, place and subject matter of this hearing was posted on the property on February 12, 2014 and the language of that notice is substantially the same as the notice that appeared in the Proof of Publication. Notice was posted in the Township Building in an area available for public inspection of the date, time, place and subject matter of this hearing on or about the same time as the other postings. There was no questions regarding the manner the hearing was advertised.

Ms. Brown and Mr. Hess were sworn in by the Court Reporter. Mr. McManus explained the procedure for the hearing. Terri Brown stated she was asking for approval to open a one chair salon which she alone will operate in her home. Ms. Brown has been a licensed barber in the State of Pennsylvania for over 30 years. Previously, Ms. Brown operated an in home salon in Pequea Township for approximately 17 years. Ms. Brown is currently self-employed at Identity Hair Salon where she rents a chair to service clients. Ms. Brown stated eliminating the financial hardship of this weekly chair rental fee and becoming more accessible to her clients are the driving factors wanting to operate a salon from her home. Ms. Brown stated the salon will operate on an appointment only basis with hours being Tuesday, Wednesday and Thursday 9:00 a.m. to 8:00 p.m., Friday 9:00 am to 3:00 p.m. and will be closed Saturday, Sunday and Mondays. The salon is located in a separate room in the lower level of the house with its own entrance, there is a powder room for client's use on the same level and clients do not have to use any steps either coming into the salon or using the powder room. The number of clients daily will vary with no more than 8 clients per day. The clients are scheduled one at a time with overlapping occurring only if someone comes early. There is ample parking if overlapping of clients should occur.

Mr. McManus asked Ms. Brown the size of her lot and she replied 3.9 acres. Ms. Brown stated she has on site sewer and water. Mr. McManus asked if Ms. Brown is representing to the Board that the systems that presently exist will be adequate to accommodate the business use of the premises and Ms. Brown stated yes. Ms. Brown provided paperwork from David Lockard concerning the septic system. Application for an on lot sewage disposal system was marked Exhibit #3. Mr. McManus asked how many square feet are in the dwelling. Ms. Brown stated total square foot is 3,283 with the area of the salon being 294 square feet. Mr. McManus verified it was stated there is a separate entrance for the salon as well as separate lavatory facility and Ms. Brown stated yes. Ms. Brown stated this will be the only in home occupation located in the dwelling. Ms. Brown will be the only person employed and will agree to be restricted to being the only person. Mr. McManus asked if the house will be modified in any way other than interior area for the intended use and Ms. Brown stated no. Mr. McManus asked if the parking exists and Ms. Brown stated yes. There is a separate garage located on the property that will accommodate two vehicles. There is three additional off street parking spaces provided. Mr. McManus asked if the parking spaces meet the requirements of the Zoning Ordinance by virtue of their area, length and width and Ms. Brown stated yes. Ms. Brown will not be selling any merchandise or using any mechanical equipment other than blow dryers. Mr. McManus asked if the home occupation will require delivery or pick up by tractor trailer vehicles and Ms. Brown stated no. Mr. McManus asked the type of sign Ms. Brown would be providing on the property to advertise her home occupation. Ms. Brown stated basically a sign with the name of the salon and phone number that would meet the zoning requirements. Mr. McManus stated Ms. Brown

testified the business will be in the home so there will be no accessory buildings involved in this business for either active use or storage and Ms. Brown stated no. Mr. McManus asked if the proposed use of a portion of Ms. Brown's home for a business will it generate any traffic in her estimation that will cause any hazard for vehicles traveling on the street and Ms. Brown stated no. The driveway and parking way is configured so that clients can pull in to the property, turn around on the property and pull out without having to back onto the street. There is existing exterior lighting. The proposed sign will not be lighted.

Janelle Erb, 233 Letort Road, stated she and her husband are next door neighbors to Ms. Brown and have been in her home, saw her proposed new shop and feel it is a great opportunity.

Mr. McManus stated the application shows sufficient exhibits for the Board to fill in any missing pieces with dimensions, areas and locations.

Mr. Peris made a motion to close the testimony and make a decision at the April 2, 2014 meeting in this building. Mr. Singer seconded the motion and the motion carried unanimously. Ms. Douglas stated each member will have an opportunity to discuss this application and the testimony with the Attorney and give him their individual opinions and decision. They will make a decision at the next meeting on April 2 at 7:00 p.m. in this building.

Mr. Singer made a motion to adjourn the meeting. Mr. Peris seconded the motion and the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, April 2, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, April 2, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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 Nickolas Ebersole

Visitors:  
Terri Brown, 229 Letort Road, Millersville  
Roger Lehman, 2266 Prospect Rd  
Vanessa Cowl, 2729 Kimber Rd.  
Hoang Nunyen, 2720 Columbia Avenue  
Mark Donz, 2734 Columbia Ave.  
Charles Pipkin, 2734 Columbia Ave.

## Minutes

Mr. Singer made a motion to approve the March 5, 2014 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

## Old Business

Case #2-14 – The application of Terri Brown, 229 Letort Road, Millersville, PA. Account #410-84480-0-0000 for a special exception of Section 202.3.10 in accordance with Section 435 – Home Occupation and Section 605.3 – application for a Special Exception. The applicant would like to have a beauty salon business in the home. The property is zoned Rural (R). Testimony is closed and a decision will be rendered.

There was no discussion. Chris Peris made a motion that the application of Terri F. Brown for a special exception to operate a hair care salon business as a home occupation within a portion of her residence at 229 Letort Road, Millersville, Pennsylvania, Account No. 410-84480-0-0000, pursuant to the provisions of Sections 202.3.10; 435 and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in her application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicant at the hearing held on March 5, 2014. 2) Not more than one person may be engaged in the proposed business. 3) The area of the proposed business, including the lavatory, shall not exceed 500 square feet. 4) The Applicant shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed business. 5) The dwelling and Property shall comply with all applicable building code regulations for the intended home occupation use and all associated required permits shall be obtained. 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 #3-14 - The application of Charles H. Pipkin, Jr., property located at 2734 Columbia Avenue, Lancaster, PA Account #410-57937-0-0000 for a special exception of Section 207.3.3 in accordance with Section 408-Automobile, Boat, Trailer, Truck, Farm Machinery and Mobile Home Service and Repair Facilities, including but not limited to auto mechanics, drive-thru lubrication services and tires, auto paint, brake, muffler, transmission, windshield, auto body, car radio, and upholstery shops and Section 605.3-Application for Special Exception. The Applicant would like to have a car repair business on the property. The property is zoned General Commercial (GC).

Ms. Douglas turned the meeting over to Mr. McManus. Mr. McManus asked if the applicant was present. Mr. Pipkin was present stating he is the owner of Signature Collision Centers LLC. Mark Donz, Mr. Pipkin's Chief Operating Officer was also present. Mr. Pipkin, Mr. Donz and Mr. Ebersole were sworn in. Mr. McManus called Mr. Ebersole to testify. Nickolas Paul Ebersole stated he is employed as the Zoning Officer with Manor Township and in that capacity receives applications that comes before the Zoning Hearing Board. Mr. Ebersole received the application of Signature Collision Centers LLC. indexed at No. 3-14. The application submitted consist of a standard application form provided by the Township that was accompanied by several additional documents. Attached to the application under the signature of

a Phil Crippen, an authorized representative and property manager of WDS Realty Corporation, was paperwork authorizing the applicant to proceed with this application. There are sheets regarding the relationship between the owner and the applicant signed by the representative of the owner as well as the applicant together with the Powers of Attorney that set forth the legal relationship between the Applicant and Owner. The application contains several sheets 1) Reference to sections of the Zoning Ordinance 702.2, 2) Section 702.3, and 3) Section 408. Accompanying the application were two pages containing photographs first of which is captioned Aerial showing an aerial view of the property that is the subject of this application. The second page captioned Photos of 2734 Columbia shows what appears to be the exterior and interior of the existing building on the property that is the subject of this application. There is an additional sheets showing an outline of the zoning district containing the improvements on the property which is the subject of this application, a sheet showing the property together with the names of the owners of adjoining properties, and a sheet showing the names and property addresses of adjoining property owners. The application is accompanied by two sets of plans at a scale of 1" = 50' the first of which appears to be a site plan of the tract that is the subject of this application and the second appears to be a floor plan and elevations at a scale of 1/8" = 1'. The application was marked Exhibit #1 with Mr. McManus suggesting during the course of the Applicant's presentation if referring to any particular document or plans mentioned they can be marked Exhibit "1A, B, C, and D" as presented by the Applicant. Mr. Ebersole stated a notice was published in a newspaper of general circulation in Manor Township of the time, date, place and subject matter of this hearing on March 19 and 26, 2014. Proof of publication was provided and marked Exhibit #2. The property which is the subject of this application was posted with notice of the time, date, place, and subject matter of this hearing on March 19, 2014. A notice of the time, place, date and subject matter of this hearing was also placed in the Township Lobby on March 19, 2014. All the notices contained the same information as that contained in the Proof of Publication that was marked Exhibit #2. There was no questions regarding the manner the hearing has been advertised and properly posted. Mr. McManus explained the procedure for the hearing.

Charles Pipkin, Jr. stated he is the owner of Signature Collision Centers LLC that is a limited liability company. Mr. Pipkin was appearing as a proposed tenant of the property that is the subject of this application and was authorized through various documentation contained in the application by the owner to appear as the applicant. Mr. Pipkin stated he wanted to operate a body shop at the property that was the subject of this application. Mr. Pipkin stated he feels there is a need in this area for a collision repair facility. It is next door to an existing garage so it would not be as much of a disturbance as it is basically the same type of work that is being done next door. Super Shoes is located in the building on the other side of subject property which is on the same lot and owned by the same owner. Mr. Pipkin advised in the business they do not use the old solvent based paint but use a water born paint. In the back lot, they propose to erect a fence. A plan was put on the board that was marked Exhibit #1A. Mr. Pipkin stated the property is located on Columbia Avenue and is a long rectangular tract that is 5.78 acres. The developed part is mostly on the front third of the lot and the back two thirds of the property is grass and trees. The building to the right of the lot is the building the applicant is proposing to develop that is currently vacant. The building to the left is the existing Super Shoes store. The parking lot is black topped and they do not propose any exterior changes. There is an existing sign that they will only be changing the name. There is adequate lighting. They will be erecting a privacy fence to the rear of the building. Mr. Pipkin stated this is not a custom shop it

is a collision repair facility for Geico that will be a drivable facility. Any vehicles brought to this facility will be driven to the facility by the customer who will then be given a rental car that will be staged at this location by Enterprise. There will be approximately four customers a day with the appointments set at 8:00am, 8:30am, 9:00am and 9:30am. The customer will be greeted by a representative on site who works for Geico along with Mr. Pipkins personnel. The Geico representative will go to the customers' vehicle, look at the damage, take pictures, talk with the customer about the repair and then give them a rental car and the customer then leaves. Mr. Pipkin stated an employee pulls the vehicle into the building and proceeds to tear the vehicle down to locate all damage after which Geico locks their estimate and parts are ordered and repairs completed. The average cycle time to repair a vehicle is 3.5 days. After repairs are completed, Geico contacts the customer who returns the rental vehicle and picks up their repaired vehicle and leaves. There is a low volume of traffic. All the work will be done inside the building. There will be no work done outside the building. While they are waiting for parts the vehicles may be kept outside within the fenced area. The damaged parts removed from vehicles will be kept inside the shop to be picked up by scrap metal people. There will be dumpster that will be kept inside and moved out the day trash will be picked up. Mr. Pipkin stated there will be 6-10 positions available and they will hire from the local community and salaries will range from \$25,000 to \$100,000 a year. Mr. Pipkin pointed out an existing tree line to the right side of the building that acts as screening for the right side of the property that is shown on the plan.

Ms. Douglas had questions on the left over paint products. Mr. Pipkin advised that Safety Kleen will be removing the paint products and explained the process the unused paint goes through before it is removed.

Mr. Peris verified they are not venting compounds into the atmosphere or odors that may be objectionable. Mr. Pipkin stated the spray booth is a GARMAT spray booth with air filtration pre and post painting as well as dry chemical fire suppression system.

Mr. McManus asked the number of employees and Mr. Pipkin advised he would open with six and a maximum capacity would be ten who will park in the back. Mr. Pipkin advised there are 8 spaces in the back. Mr. McManus had questions on the property and asked if the parking spaces shown are devoted solely to one or other use. Mr. Pipkin advised the parking lot is a common use area and the only parking spaces specific to his business would be the ones inside the fence. Mr. McManus asked the total parking spaces and Mr. Pipkin replied 102 spaces. Mr. McManus asked what modifications would be made to the building to allow entrance for damaged vehicles. Mr. Pipkin referred to a plan that was marked Exhibit #1B. Mr. Pipkin stated there is an existing 8' x 8' door that he will be changed to a 10' x 12' door. The only other change will be the awning in the front will be painted blue. Mr. McManus asked if the Applicant is proposing to use the existing sign but change the identification to Mr. Pipkin's business use and in no other way modify the sign by virtue of its height and width. Mr. Pipkin stated there will be no other changes than the name. It is an illuminated sign. Mr. McManus asked about water and sewer and Mr. Pipkin advised it is public water and sewer. Mr. McManus verified it was Mr. Pipkin's testimony he would not store any flammable materials on site. Mr. Pipkin stated there will be some flammable materials on site but they will be maintained in the GARMAT paint room. Mr. McManus asked if it is a separate room from the existing interior of the building. Mr. Pipkins advise it is a free standing room with its own ventilation system that vents through the roof. Mr. McManus asked what materials are used to construct the GARMAT room. Mr. Pipkin advised it is a heavy steel with a white powder coat



on it with double wall insulated in the middle and probably 2 inch in diameter. It is a four hour firewall. Mr. McManus verified it is a room specifically designed and acknowledged by the industry to safely contain flammable materials and Mr. Pipkin stated yes. Mr. McManus asked if what is vented through the roof would be any type of toxic emissions of any sort. Mr. Pipkin advised it just keeps fresh air in the building. Mr. McManus asked if any ventilation facilities impact adjoining properties and Mr. Pipkin replied no. Mr. McManus asked if apart from the odor are the emissions identified as harmful if anyone would breathe them. Mr. Pipkin stated they are not harmful. Mr. McManus asked Mr. Pipkin to show on Exhibit #1A where the closest residential properties are located. Exhibit #1C is a printout from a GIS originally intended to show zoning district boundaries used to point out the closest residential properties. Mr. McManus stated it appears from the exhibit that the nearest residential building is actually a detached garage located immediately east of the proposed facility and Mr. Pipkin stated yes. Mr. McManus asked the type of fence and Mr. Pipkin stated it will be 8 foot chain link fence with slats that will provide an 8 foot visual barrier to anything happening inside the rear yard. Mr. McManus asked the square footage of the existing building and Mr. Pipkin stated it is 11,617 square feet and they will use the full building for the proposed body shop. Mr. McManus asked what type of vehicles would be delivering parts. Mr. Pipkin advised the delivery vehicles will be small pickup trucks or small box trucks. Mr. McManus asked if there is a particular time of day for the deliveries of parts. Mr. Pipkin advised it would be throughout the day during their hours of operation of 8:00 am to 5:00 pm, Monday through Friday. Mr. McManus asked if there will be any noise produced in the building that will be audible from surrounding residential properties and Mr. Pipkin replied no. Mr. McManus asked if the walls of the building will be insulated in any fashion. Mr. Pipkins advise they will be using the existing building that has a double layer block wall to the rear of the building so any noise would have to go through two walls to be heard from outside. Mr. McManus asked if Mr. Pipkin can say with a reasonable degree of assurance that somebody in an adjoining residential property would not be able to hear the body shop activities contained in this building. Mr. Pipkin stated that was correct. Mr. McManus asked if there are windows in the building. Mr. Pipkin stated there is windows in the front. Mr. McManus asked if for temperature control in the summer months would that be by way of an HVAC system and not through exterior ventilation of opening windows and Mr. Pipkin stated that is correct and it is already existing. Mr. McManus asked the maximum number of employees they are asking the Board to consider and Mr. Pipkin replied 10. Mr. McManus asked if there were curb cuts on Columbia Avenue that would control traffic accessing this property. Mr. Pipkin advised there are existing curb cuts. Mr. McManus asked the width of the entrance drive. Mr. Pipkin advised there are three curb cuts to the property and believes total would be at least 100 feet. Mr. McManus asked if the curb cuts are adequate for any vehicle that Mr. Pipkin would envision using their services and Mr. Pipkin stated absolutely. Mr. McManus asked where Enterprise would park their vehicles. Mr. Pipkin replied they would park in the front of the building. The vehicles would be brought in each morning and Enterprise would take the remaining vehicles away at end of the day. Mr. McManus verified that anyone bringing in a damaged vehicle would enter from Columbia Avenue at the front of the building. Mr. Pipkin stated the customer would come into the front lot and an employee would drive the vehicle into the shop. When the vehicle is repaired it would be driven to the front lot where the customer would pick it up. The customer would never drive a vehicle in or out of the building. The vehicles would be moved in and out through the side 10 x 12' garage door on the western elevation of the building (on the Super Shoes side). Mr. McManus verified the entrance along

Columbia Avenue would be for non-vehicular access and Mr. Pipkin stated correct. Mr. McManus stated it was testimony that no emissions from the facility would be perceptible beyond the lot lines and Mr. Pipkin stated that was correct. It was stated there would be portable dumpster that will be for the most part located within the building and Mr. Pipkin stated it would be located just inside the 10 x 12 foot garage door so it can easily be moved outside on days it will be picked up. There will be no parts stored outside. There will be some wrecked vehicles inside the privacy fence.

Mr. Singer asked the type of HVAC system that was in the building. Mr. Pipkin stated there are four roof top units that are recirculated air. Mr. Singer asked if there is a fire suppression system within the building. Mr. Pipkin replied there is not a sprinkler system in the building. Mr. Singer asked if there would be any type of monitoring for smoke or heat. Mr. Pipkin replied they would do whatever is required by code. Mr. Pipkin stated that the spray booth along with the mixing room has its own dry chemical system. Mr. Singer asked if they are required to obtain permitting from EPA or DEP and Mr. Pipkin replied they are not required to obtain permits from them. Mr. Singer had questions on separation between the front office area and the work area. Mr. Pipkin explained what is between the two areas stating the office area will have its own HVAC system. Mr. Pipkin stated the fire rating for the wall is 1 hour.

Roger Lehman was representing his daughter and her husband Vanessa and William Crowl, 2729 Kimberly Road. Mr. Lehman was sworn in stating he lived at 2266 Prospect Road. Mr. Lehman had questions on the fence, blacktopped area, transport of the rental vehicles, and noise.

Hoang Nunyen stated he owns the business next door and Mr. Nunyen was sworn in. Mr. Nunyen questioned the use in the Zoning District.

A gentleman from J & S Automotive, 2707 Columbia Avenue, located across the street was sworn in. He had questions on the location of the spray booth, the direction the exhaust is vented, the noise decibel and questions on the parking spaces. Mr. Pipkin referred to the aerial photo that accompanied the application that was marked Exhibit #1D to answer the gentleman's questions pertaining to the parking.

Mr. Nunyen asked the projected opening date if approved. Mr. Pipkin replied four months.

Mr. McManus verified there would be no additional exterior lighting associated with the project and Mr. Pipkin stated that was correct.

Ms. Douglas stated testimony was closed and the Board will make a decision on Wednesday, May 7 at 7:00 p.m. in this building. Ms. Douglas stated each Board Member will have an opportunity to individually discuss their decision with the Attorney who will send a draft decision to the Members. That draft decision will be discussed at the meeting and a decision will be rendered at the next meeting. Mr. Singer made a motion to adjourn the meeting. Mr. Peris seconded the motion and the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, May 7, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, May 7, 2014, at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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 Nickolas Ebersole

Visitors:  
Mark Doyle, 20 Ridley Ave.  
Chuck Pipkin, Columbia Ave.  
Michelle & Chad Henry, 128 Bender Mill Rd.  
Jay C. Breneman, 556 Stehman Church Rd.  
Heidi Douts, 82 Charlestown Rd.  
John S. May, 100 Red Fox Rd.

### Minutes

Mr. Singer made a motion to approve the April 2, 2014 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

### Old Business

Case #3-14 - The application of Charles H. Pipkin, Jr., property located at 2734 Columbia Avenue, Lancaster, PA Account #410-57937-0-0000 for a special exception of Section 207.3.3 in accordance with Section 408-Automobile, Boat, Trailer, Truck, Farm Machinery and Mobile Home Service and Repair Facilities, including but not limited to auto mechanics, drive-thru lubrication services and tires, auto paint, brake, muffler, transmission, windshield, auto body, car radio, and upholstery shops and Section 605.3-Application for Special Exception. The Applicant would like to have a car repair business on the property. The property is zoned General Commercial (GC). Testimony is closed and a decision will be rendered.

Ms. Douglas stated each of the Board members have independently talked to the Solicitor and gave him their decision that will be discussed at this time. Mr. McManus stated the Board individually contacted him and gave him their thoughts on the decision, thereafter, he prepared a draft decision which was circulated individually. The Board has had time to review that draft decision and it is that draft proposal the Board is considering this evening. Mr. Singer made a motion that the application of Signature Collision Centers, LLC for a special exception to operate an auto repair and paint facility business within an existing 11,617 square foot building located at 2734 Columbia Avenue, Lancaster, Pennsylvania, Account No. 410-57937-0-0000, pursuant to the provisions of Sections 207.3.3; 408 and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in its application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicant or on its behalf at the hearing held on April 2, 2014. 2) The Applicant shall comply with all applicable State and local regulations regarding the construction, use and operation of the proposed business. 3) The improvement, use and operation of the proposed business shall comply with all applicable building code

regulations for the intended business and the Applicant shall obtain all associated required permits. 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. Peris seconded the motion and the motion carried unanimously. Mr. McManus asked that the record reflect that the Applicant was present and was personally handed a copy of the signed Decision in this matter.

#### New Business

Case #4-14 - The application of Jay C. Breneman, property located at 1252 Breneman Road, Conestoga, PA Account #410-42124-0-0000 for a special exception in accordance with Section 505 - Substitution or Replacement and Section 605.3-Application for Special Exception. The Applicant would like to have a taxidermy shop on the property. The property is zoned Agricultural (A). Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus requested that Nick Ebersole be sworn in. Mr. Ebersole stated his full name is Nickolas Paul Ebersole and is employed as Zoning Officer for Manor Township. Mr. Ebersole stated in that capacity he receives and administers the applications submitted and reviewed by the Board. Mr. Ebersole stated he received the Application Indexed at #4-14 under the name of Jay C. Breneman. Mr. Ebersole published in the Lancaster Newspapers a notice of the time, place, date, and subject matter of this hearing on April 23 and 30. Mr. Ebersole provided Proof of Publication. Mr. Ebersole stated he posted the property that is the subject of this application with notice of the time, date, place and subject matter. The notice was the same as the publication in the newspaper. A notice of the time, date, place and subject matter was posted in the Manor Township Municipal Building in a place designated for public inspection on April 21, 2014. The property was posted on April 23, 2014. The Application consists of an Application for Special Exception on a standard Manor Township Zoning Hearing Board form.

Accompanying the application there were several documents including a one page captioned 1252 Breneman Road History, series of pages that will be identified as a narrative of the proposed use, and a list of adjoining property owners for 1252 Breneman Road. The property owners were notified of the time, date, place and subject matter of this hearing. The application also contains property identification of the property that is the subject of this application and surrounding plots. There is a packet of six photographs that show photographs of various improvements on the property which is the subject of this application. In addition, there is a set of plot plans of varying scales and floor plans of a building for the proposed use that are hand drawn and dimensioned. There is an additional narrative that sites certain provisions of the Zoning Ordinance together with comments. Mr. McManus requested that the Application be marked Exhibit #1 and Proof of Publication marked Exhibit #2. Mr. McManus stated as the Applicant or Applicant's witnesses refer to any of the individual component parts of the application they will be numbered 1A, 1B, etc., as appropriate.

Mr. McManus asked if the applicant was present. Mr. Breneman advised he is the applicant and with him is Chad and Michelle Henry. Mr. Breneman stated the property is for sale and one of the contingencies of the sale is that Mr. Henry will be able to operate his business from the property. Mr. McManus asked that the three individuals be sworn in. The applicant stated his name is Jay C. Breneman, 556 Stehman Church Road, stating that he and his wife had lived at the subject property almost 42 years. He had public sale on November 9 and sold the saw mill business that was established in 1980. The Henrys presently live on Bender Mill Road and would like to have a taxidermy shop as a home business. Mr. Breneman stated as shown the

building is close to the road that was compounded by the Township when the road was widened in 1962. Mr. Breneman stated there was a saw mill operating at this property by a Ralph Manning that was sold in 1970 after which time Mr. Breneman moved onto the property in 1971 and purchased the property in 1982. Mr. Breneman stated he had worked for Mr. Manning after which time Mr. Breneman started his own saw mill business at this location. Mr. Breneman stated there will be no changes to the building, it has a separate electric service, there is a paved area, and the proposed business will have less impact on the neighborhood than with the saw mill business. Mr. McManus asked for an outline of the existing buildings on the property. Mr. Breneman referred to the tax map diagram indicating the property is 1.5 acres more or less. Mr. Breneman advised there is a saw mill building approximately 75' x 25', wood shop that was used for repair of equipment and inventory of parts and the house. Mr. McManus verified there is a single family detached house and only one family lived in the house and one family proposing to live in the house. Mr. Breneman advised they took care of elderly family members and it does have an efficiency addition. Mr. McManus asked if the shop area is a one or two floor building. Mr. Breneman stated there is a main floor with a little storage underneath and it is accessible by ladder for storage under the roof area. The dimensions of the shop are 36' x 25 ½'. There is presently a paved and stone parking area. Mr. Breneman stated they would need 3 plus parking spots and there is room for six parking spaces including 2 for the house and one under the deck. Mr. McManus referred to the drawing of the parking area asking if the stone and paved areas are all one area. Mr. Breneman advised the pavement is at the southern end of the building to the road. Mr. McManus asked if the vehicles will be parked on the macadam area and Mr. Breneman stated yes. Mr. McManus verified there is room for two vehicles for the dwelling and at least three for the shop. Mr. Breneman stated there is room for six without impacting movement in and out and the one car garage is not included in the six off street parking spaces. Mr. McManus asked if property is served by on site water and septic system and Mr. Breneman stated yes. Mr. McManus asked if Mr. Breneman has an agreement of sale with the Henrys. Mr. Breneman advised that they have a tentative agreement of sale. The agreement is presently in the lawyer's hands at this time to be finalized. Mr. Breneman advised they have a draft agreement of sale not a signed agreement of sale at present. Mr. McManus stated technically it is Mr. Breneman's application submitted on behalf of his prospective purchasers and Mr. Breneman stated yes. Mr. McManus asked if by some circumstance the Henrys decide not to go through with the sale what would Mr. Breneman ask the Board to do with this application. Mr. McManus asked if Mr. Breneman would agree that if the Board believed they complied with all of the provisions that a condition that could be attached to the plan would be the actual sale of the facility for taxidermy purposes to prospective buyers and Mr. Breneman stated he agreed. Mr. McManus asked the last time the building was used. Mr. Breneman stated the business was sold November 9, 2013 and Mr. Breneman stated it included the saw mill and equipment in the building. Mr. McManus questioned if the saw mill business was located in the shop. Mr. Breneman advised the saw mill was in the saw mill building but some of the lumber was sawed to length in the shop building. Mr. McManus verified the non-conforming business activity was limited to what is identified as the saw mill building and Mr. Breneman stated correct. Mr. McManus verified the use of the shop and Mr. Breneman stated it was used in the business. Mr. McManus asked if the saw mill to Mr. Breneman's knowledge was a lawfully existing non-conforming use and Mr. Breneman stated yes.

Chad Michael Henry stated he has been a taxidermist for over 15 years and is interested in purchasing Mr. Breneman's property as it would work out well for the Henry family and for the

business. Mr. Henry stated in the shop he would have a show room and work area. There is electric to the building and Mr. Henry stated he will run water to the shop for a utility sink. Mr. Henry stated he will do some cosmetic changes to the exterior of the building. There will be no nuisance or hazards to vehicles or pedestrians. This is a business that people will be calling and will only have people coming when they have something to bring to him. The existing saw mill structure will be used for personal storage. There will be no employees and hours of operation are by appointment only Monday through Friday with occasional Saturdays. There will normally be only one customer at a time with occasional times in the fall when there may be more than 1 customer. Mr. Henry stated one animal will take 8 months to 1 year after which time he will call the customer who will then pick it up or he may make deliveries. There will no large trucks making deliveries. Mr. Henry talked a little about the process used with an animal stating the chemicals he uses is lacquer thinner or Bondo which can be purchased at TruValue Store. The animals he receives usually comes from a butcher shop so he does not have the whole carcass. When dealing with small animals he may receive the entire animal. Mr. Henry takes the hides or skull and freezes them which is how it is given to the trash hauler. The hides are salted and sent to a tannery for processing. When the hides come back they are like leather. Mr. Henry states he uses styrofoam forms, clay mache and for finishing it is nontoxic two part epoxy and airbrush with water based paints. Mr. McManus asked if there would be any toilet facilities in the shop and Mr. Henry stated no. Mr. McManus asked the type of disposal facility and Mr. Henry replied regular trash. Mr. McManus verified there are no dangerous chemicals and asked Mr. Henry to be more specific. Mr. McManus asked if there was fire suppression mechanisms close at hand in the shop. Mr. Henry stated yes and he has a fire proof 6 feet by 3 feet bin with fireproof doors that is used for storage of all chemicals. Mr. Henry stated the bin looks like it is metal but it is high tech flammable yellow bin with doors but Mr. Henry did not know the name of the bin. Mr. McManus asked if taxidermy is Mr. Henry's full time employment and Mr. Henry stated yes. Mr. McManus asked if exterior lights will be installed that will illuminate the shop or the parking area. Mr. Henry stated yes. Mr. McManus asked if the lighting used will produce any glare onto adjoining properties and Mr. Henry stated no. Mr. McManus verified Mr. Henry envisioned illuminating a portion of the shop and the parking area in addition to what lights presently exist on the site and Mr. Henry stated he will look at what is existing but would probably attach several more lights. Mr. McManus asked if Mr. Henry will be placing any business advertising signs on the property and Mr. Henry stated yes. Mr. McManus asked if any sign proposed will comply with the Township requirements in terms of size and area and Mr. Henry stated yes. Mr. McManus asked if there will be more than one sign and Mr. Henry stated no. Mr. McManus asked if the sign will be illuminated and Mr. Henry stated yes. Mr. McManus asked if the taxidermy operation will produce any emissions that will be noticeable off the property and Mr. Henry stated no. Mr. Henry advised he would vent the airbrush water based paint but it is not dangerous. Mr. McManus asked if that is an airbrush venting water based paint and would it be through the roof. Mr. Henry stated it would be through the side window. Mr. McManus asked if Mr. Henry will be using the main level of the shop, the loft area and the basement area that has been described and Mr. Henry stated yes.

Ms. Douglas stated testimony for application #4-14 will be closed. Independently the Board will discuss their decision with Attorney McManus and render a decision on Wednesday, June 4, 2014 in this room.

Case #5-14 - The application of Heidi Douts, property located at 3508 Anchor Road, Washington Borough, PA, 17582 Account #410-76939-0-0000 for a special exception of Section 201.3.10 in accordance with Section 454 Riding Stables and Section 605.3-Application for Special Exception. The Applicant would like to have Riding Stables on the property. The property is zoned Agricultural (A). Ms. Douglas turned the meeting over to Mr. McManus.

Ms. Douts was sworn in. Mr. McManus asked that Mr. Ebersole be sworn in. Nickolas Paul Ebersole stated he is employed as Zoning Officer with Manor Township and in that capacity received the application indexed at 5-14 that of Heidi Douts. The application has been prepared on a standard Zoning Hearing Board Application form. The application is accompanied by a stapled set of pages consisting of what appears to be a narrative and plot plans of the property which is the subject of the application, parking configurations in various forms. The time, date, place and subject matter of this hearing was published in the Lancaster Newspapers on April 23 and 30, 2014. Mr. Ebersole provided Proof of Publication. The property which is the subject of this application was posted with the time, date, place and subject matter on April 21. That notice was the same as what was published in the Lancaster Newspaper. A notice of the time, date, place and subject matter of this hearing was posted in the Township Building available for public view on April 21 which was the same notice that was published in the newspaper.

Heidi Douts stated the property is a 29 acre farm that she purchased approximately three years ago. She removed the greenhouses and clean out the junk located on the property. Ms. Douts stated they are asking for special exception for riding stables. There is an existing bank barn with 14 stalls and in November she built a second barn for additional storage which she would like to put 18 stalls. There is 18 acres of the property that is fenced which complies with zoning. The 18 acres allows 36 horses which is the amount she would like to house. They would have stabling for 32 horses and the remaining would be kept outside with run in sheds. She would be giving riding lessons and keep open the possibility of giving shows in the future. Ms. Douts provided a site plan that shows the distances of the buildings from the property lines. Both buildings meet setback requirements with the nearest one to the property line being 225 feet and the other is 240 feet. One of the greenhouses removed was on a concrete pad with a driveway access from the road which they will use as the parking site allows for 37 vehicles that are 10 x 20 foot spaces. The manure is removed daily from stalls and paddocks to a stacking pad by the bank barn and there is a proposed stacking pad by the lower barn. The manure could be stored on the pad for up to 30 days until it can be spread onto the fields. They have 5 to 6 acres dedicated to raising hay which is the area the manure would be spread. The parking lot is set back 175 feet from the adjoining lot line. If they held any events, they would limit the number to 30 contestants and the operating area is 9 a.m. to 8 p.m.

Ms. Douglas questioned the location of the house. Ms. Douts stated there is no house on this property. There is a foundation and Ms. Douts stated probably by next year they would be building a house.

Mr. Peris asked if there is water. Ms. Douts stated there is water and sewer and they have a porta potty. Mr. Peris asked if there would be any restrooms for the facility. Ms. Douts stated there will be no restrooms in the barn and if there were any events they would bring in more porta potties. Mr. Peris asked if there would be any employees and Ms. Douts stated no.

Mr. McManus verified that the buildings that exist is two barns one being a pole barn and one a bank barn and Ms. Douts stated yes. Mr. McManus asked if there are out buildings and Ms. Douts stated there are two sheds one is 12 x 24 feet and the other 10 x 12 feet. Mr. McManus asked if the fenced in area will remain the same for the riding facility and Ms. Douts stated yes.

Mr. McManus verified the greenhouse is removed. Ms. Douts stated they kept one greenhouse. Mr. McManus stated on the property is a pole barn, bank barn, greenhouse, and 2 sheds. Mr. McManus stated the largest of the unidentified red squares on the plan is simply a house foundation and not a structural improvement. Mr. McManus asked if access to the property is solely by way of Anchor Road and Ms. Douts stated yes. Mr. McManus asked if it is stone or macadam. Mr. Douts stated the lower drive to the band barn is macadam and the upper one to the parking lot is stone. Ms. Douts stated the parking area itself is porous type of cement. Mr. McManus asked what the source of water is and Ms. Douts stated there is two wells on the property. Mr. McManus asked if the water has been tested and is safe to drink. Ms. Douts stated she drinks the water but it has not been tested. Ms. Douts advised they do not encourage anyone to drink the water and if there would be shows it would be a secondary source there would be bottled water.

Ms. Douglas questioned if an area on the plan was a riding area and Ms. Douts stated yes.

Mr. Peris asked if the individuals boarding the horses will be taking care of them and Ms. Douts stated no it will be a full care facility. Mr. Peris asked if they can show up during the hours of operation to ride their horse or visit their horse and Ms. Douts stated yes. Mr. Peris asked if Ms. Douts would be providing the lessons and she replied yes.

Mr. McManus noted Ms. Douts stated the farm is 29 acres and the exhibit shows 30.467 acres and asked what the difference is. Ms. Douts stated it is questionable. They were told it was 31 acres when purchased but the most recent appraisal it was 29 acres. PP & L has a right of way and a neighbor has a drive that she believes was at one time part of the farm and sold the rights to it off so she believes that is the discrepancy. Mr. McManus asked if the 30.467 acre is what is recited on the deed and Ms. Douts stated yes.

Mr. Singer asked if they would be allowing trailer parking on the property. Ms. Douts said yes but she does not believe it will be a large percentage of the boarders who will keep trailers there.

Mr. McManus requested the application be marked Exhibit #1 and the Proof of Publication was marked Exhibit #2.

Ms. Douglas stated testimony is closed and the Board will independently discuss the application with Mr. McManus and render a decision at June 4, 2014 in this building at 7:00 p.m. On motion by Mr. Singer and seconded by Mr. Peris the hearing was adjourned at 8:05 p.m.

Respectfully submitted,  
Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Minutes**

Thursday, May 8, 2014  
P.M.

Time: 7:00

The Manor Township Zoning Hearing Board met on Thursday, May 8, 2014, at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Vice Chairman Bradley Singer introduced the members of the Board and led those in attendance in the Pledge of Allegiance to the Flag.



Members Present: Bradley Singer and Chris Peris  
Township Officials Present: James McManus and Nickolas Ebersole  
Visitors: Caroline Hoffer, 126 E. King St.  
Linda and Tom Strauss, 357 S. Duke St.  
Jeannie Strevig, 227 Holly Lane

#### New Business

Application by HHF Real Estate Development LLC concerning property located at 306 S. Duke Street, Millersville, PA 17551, Account #410-51387-0-0000. Mr. Singer stated it is his understanding that a letter has been submitted by the Applicant. Attorney Caroline Hoffer, representing the Applicant stated the application was submitted and advertised for a public hearing this evening. Subsequent to that application they met with Millersville Borough and the applicant needs to make a slight modification to the plan that was submitted to address a sewer pumping station. The applicant felt it was best to just withdraw the application and resubmit with all the correct information. The Applicant withdrew the application by letter. Ms. Hoffer advised that Mr. Wolf, the Principle of HHF Real Estate Development LLC was also present. Ms. Hoffer stated if there were any questions they would be happy to answer them, otherwise, they will be back with a new application.

Mr. McManus stated the application had a number #6-14 this will be “reindexed” at such time the application is resubmitted and the property will be reposted and notices published in the Lancaster Newspapers as the Township advertised the initial scheduled hearing. With the acceptance of the letter, there are no further actions to take with respect to this application. Mr. McManus noted there is a quorum of the Board present.

Mr. Singer announced the next scheduled meeting will be Wednesday, June 4, at 7:00 p.m. On motion by Mr. Peris and seconded by Mr. Singer the meeting was adjourned at 7:08 p.m.

Respectfully submitted

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, June 4, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, June 4, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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 Nickolas Ebersole  
Visitors: Chad & Madison Henry, 128 Bender Mill Rd.  
Heidi Douts, 82 Charlestown Rd  
Jay C. Breneman, 556 Stehman Church Rd

#### Minutes

Mr. Singer made a motion to approve the May 7, 2014 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

Mr. Peris made a motion to approve the May 8, 2014 minutes as distributed. Mr. Singer seconded the motion and the motion carried with Ms. Douglas abstaining.

#### Old Business

Case #4-14 - The application of Jay C. Breneman, property located at 1252 Breneman Road, Conestoga, PA Account #410-42124-0-0000 for a special exception in accordance with Section 505 Substitution or Replacement and Section 605.3-Application for Special Exception. The Applicant would like to have a taxidermy shop on the property. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered.

Ms. Douglas stated each member of the Board had an opportunity to give Mr. McManus their decision after which he provided them with the draft decision before them this evening for discussion. Mr. McManus noted that the caption in the decision listed the application as that of Application of Jay C. Breneman and Chad Henry and Michelle Henry. Mr. McManus stated on the application form only Jay C. Breneman as the owner was on the application. Mr. McManus made that change because it appears Chad Henry and Michelle Henry do have a status as equitable owners of the property. At the time of our last hearing, there was a pending agreement of sale that has since become an executed agreement of sale for this property. Mr. McManus advised that is why the Decision is different than the stated application. There was no discussion. Mr. Singer made a motion to approve the application and seconded by Mr. Peris. Mr. Peris read the decision that stated a special exception pursuant to the provisions of Section 505 of the Manor Township Zoning Ordinance is granted to permit the substitution/replacement of a taxidermy business within the 1,080 square foot area constituting the entire shop building on the 1.5 acre Property located at 1252 Breneman Road, Conestoga, Pennsylvania, 17516, Account No. 410-42124-0-0000. The approval of the aforesaid special exception is subject to the following conditions: 1) The Applicant shall at all times comply with and adhere to the plans (Exhibit No. 1), Exhibits and all other evidence presented to the Board by the Applicants or on their behalf at the hearing held on May 7, 2014. 2) The Applicant shall not expand, substitute, or subdivide the taxidermy business use of the Property for any purpose or use except in strict conformity with the Zoning Ordinance. 3) The Applicants shall provide six off-street parking spaces for the intended use which spaces shall be designed in accordance with the specifications set forth in the Zoning Ordinance. 4) The Applicants shall comply with all requirements of OSHA regulating the storage and usage of materials employed in the taxidermy business. 5) The Applicants shall comply with all other applicable government rules, ordinances and regulations regulating the construction, use and occupation of the proposed taxidermy business. Any violation of the conditions contained in this Decision shall be a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicants,

their successors in interest and assigns. Ms. Douglas called for the vote and the motion carried unanimously.

Case #5-14 - The application of Heidi Douts, property located at 3508 Anchor Road, Washington Borough, PA, 17582 Account #410-76939-0-0000 for a special exception of Section 201.3.10 in accordance with Section 454 Riding Stables and Section 605.3-Application for Special Exception. The Applicant would like to have Riding Stables on the property. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered.

Ms. Douglas stated each member of the Board had an opportunity to give Mr. McManus their decision after which he provided them with the draft decision before them this evening for discussion. There was no discussion. Mr. Singer made a motion that based upon the foregoing, the application of Heidi Douts for a special exception to operate a riding stable business on the property containing approximately 29 acres located at 3508 Anchor Road, Washington Boro, Pennsylvania 17582, Account No. 410-76939-0-0000, pursuant to the provisions of Sections 201.3.10; 454 and 605.3 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in her application, Exhibits and plans, as well as all testimony presented by the Applicant at the hearing held on May 7, 2014. 2) The Applicant shall comply with all applicable State and local regulations regarding the use and operation of the proposed riding stable. 3) The improvement, use and operation of the proposed riding stable shall comply with all applicable building code regulations for the intended business and the Applicant shall obtain all associated required permits. 4) No equestrian event or public use of the riding stable shall occur unless appropriate and approved water supplies and sanitary sewage disposal facilities are provided. 5) Equestrian events shall be limited to not more than 30 contestants. 6) No exterior lighting to be used for the proposed riding stable shall produce any glare onto adjacent properties. 7) All signs advertising the proposed riding stable shall be erected in conformance with the requirements of the Zoning Ordinance. 8) Thirty-seven off-street parking spaces shall be provided on the Property and designed in conformance with the requirements of the Zoning Ordinance. 9) The Applicant will provide appropriate refuse containers on the Property for use during all equestrian events or public use of the riding stable. Any violation of the conditions contained in this Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies as set forth in the Pennsylvania Municipalities Planning Code. The foregoing Decision shall be binding upon the Applicant, her successors in interest and assigns. Mr. Peris seconded the motion. Mr. McManus advised there was a minor change the conditions Item 9 the word "will" should be "shall".

Ms. Douglas advised the next meeting will be Wednesday, July 2, 2014 at 7:00 p.m. There being no further business Mr. Peris made a motion to adjourn the meeting. Mr. Singer seconded the motion and the meeting was adjourned at 7:20 p.m.

Respectfully submitted,  
Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board

Wednesday, July 2, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, July 2, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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 Nickolas Ebersole

Visitors: See attached list.

### Minutes

There were no additions or corrections. Mr. Singer made a motion to approve the June 4, 2014 minutes as presented. Mr. Peris seconded the motion and the motion carried unanimously.

### New Business

Case #6-14 - The application of HHF Real Estate Development, LLC, property located at 306 South Duke Street, Millersville, PA 17551 Account #410-51387-0-0000 for a special exception of Section 202.3.12 in accordance with Section 448 Nursing, Rest or Retirement Homes and Section 605.3-Application for Special Exception. The Applicant would like to have a Nursing, Rest and Retirement Facility for residents 55 years of age and over on the property. The property is zoned Rural (R) and General Commercial (GC). Ms. Douglas stated they will take testimony until 10:00 p.m. when they will close this meeting. If additional testimony is needed, they will have it next month. Ms. Douglas turned the meeting over to Attorney James McManus.

Mr. McManus asked that Mr. Ebersole be sworn in. Mr. Ebersole stated his name is Nickolas Paul Ebersole and is employed as the Zoning Officer with Manor Township. As Zoning Officer, Mr. Ebersole receives and administers applications to the Township Zoning Hearing Board. Mr. Ebersole received the application indexed at 6-14 of John Hogan HHF Real Estate Development, LLC that was submitted on a standard application form provided by the Township. Accompanying the application was a series of exhibits the first 18 of which are a set of plans prepared by David Miller Associates, Inc. titled Special Exception Plans for the Village at Funks Farm dated 6/11/14. The application also consists of various materials some bound some not as part of the application listed as Exhibits number consecutively to No. 30. Mr. McManus asked that the application be marked Board's Exhibit #A1. Mr. Ebersole published a notice in the Lancaster Newspaper of the time, date, place and subject of this hearing on June 18 and 25, 2014. Mr. Ebersole provided Proof of Publication that was marked Board's Exhibit #A2. Mr. Ebersole personally posted a notice on the property that is the subject of this application with the time, place, date and subject matter of this hearing that can be viewed by the public. The contents of that notice appears in substantially the same form as the newspaper publication. Mr. Ebersole posted a notice of the time, date, place and subject matter of this hearing in a place available for public notice and observation on June 13, 2014. Mr. Ebersole provided notice to the adjoining property owners of the time, date, place and subject matter of this application. The list Mr. Ebersole used was the list provided in the application on Exhibit 2.

Mr. Ebersole verified it was a complete list of adjoining property owners to whom notice was given. There were no questions concerning the manner the hearing was posted and advertised.

Mr. McManus reviewed the format the Board will take this evening. Mr. McManus recognized Caroline Hoffer with Barley and Snyder who stated she is present on behalf of the applicant who is HHF Real Estate Development, LLC the owner of the property. Mr. McManus explained party status and asked if there was anyone present who would like to be party to the application. The following individuals requested party status:

William Murry representing Murry Companies, 1899 Lititz Pike, Lancaster, PA 17601 adjoins the property. There was no objections and party status was granted to Murry Development.

Dave Madonna, 354 S. Duke Street, Millersville, PA 17551 is adjacent property owner. There was no objections and party status was granted to Mr. Madonna.

Linda Strauss, 357 S. Duke Street, Millersville, PA 17551 lives across the street from the proposed development. There was no objections and party status was granted to Linda Strauss.

Bob Vaillancourt, 165 Elizabeth Street, Millersville, PA 17551 lives in the area of the property and is not a resident of the Township. Mr. Vaillancourt is 400 to 500 feet from the proposed development. Mr. McManus asked if Mr. Vaillancourt was affected to a greater degree than other people in the Borough of Millersville. Mr. Vaillancourt stated he lives near the end of Elizabeth Street that connects with South Duke Street so the proposed development would likely increase traffic congestion which would impact him. Ms. Hoffer felt Mr. Vaillancourt's situation is not unique to other residents in the area so unlike the others directly affected he does not front on the road and is an adjoining municipality and Ms. Hoffer has objection to party status but has no objection to his participation in the hearing including making a statement or providing what he believes to be pertinent information. The Board had no objections to Mr. Vaillancourt having party status.

Sandra Hall, 129 Swedesford Lane, Millersville, PA 17551 will be affected by traffic. Ms. Hoffer had objections stating she does not think that particular location has any greater proximity, it is across South Duke Street, not abutting the property and is quite some distance away. Mr. McManus stated the objection to Ms. Hall is similar to the objection to Mr. Vaillancourt with respect to the impact of traffic. The Board allowed party status.

Bobbi Hainey, 103 Walnut Hill Road, Millersville, PA 17551 lives across the street from the proposed development. There were no objections.

Bonnie Burger, 152 Walnut Hill Road, Millersville, PA 17551 abuts the proposed development. There were no objections.

Mr. McManus asked Ms. Hoffer if the list of exhibits attached to the application have been amended in any way. Ms. Hoffer stated the exhibit list has been updated and provided an updated list to the Board. Ms. Hoffer asked to have the following people sworn in: Robert Wolf, Principle of HHF Real Estate Development, LLC; Fred Funk, Principle of HHF Real Estate Development, LLC; Scott Hain with David Miller Associates; Charity Caldwell, David Miller Associates and Jay States from Brookmiller Engineering. Ms. Hoffer was also sworn in. Ms. Hoffer stated HHF Real Estate, LLC owns the property which is the former Funks Farm Market and they are proposing to develop the property for an over 55 Nursing, Rest and Retirement Facility. This is in the Rural Zoning classification and specifically provides for this use by special exception which is why they are before the Board. The application was prepared in accordance with the Township Ordinance and they have experts to talk about the various components of this plan. This did receive an approval in 2010. This is a new application and it

is the same applicant, the same property and basically the same plan. The reason it is a new application is they redesigned some of the components of the plan but did not increase density or number of units. It is a different layout and that is why they are here this evening.

Ms. Hoffer called Robert Wolf. Ms. Hoffer stated in front of Mr. Wolf is an exhibit that is a rendered site plan. In the application that is Board's Exhibit 1, there is a set of plans and this is a rendered site plan from Exhibit 3 in that packet that will be marked Exhibit 3A. Mr. Wolf stated they are proposing a first class state of the art 55 and over nursing, rest and retirement community that will have a 30 to 75 bed assisted living facility and wellness center. The community will consist of 220 independent living cottages that will be spread out through the community in a 2, 3, 4, or 5 plex fashion. In addition, there will be 187 condominium units that will be grouped together in six midrise buildings that is noted on the plans as Building A, B, C, D, E & F. The independent living units both the cottages and condominiums will have state of art technology. Emergency phone numbers will be dialed at the touch of a button, passive monitoring systems will monitor the residents and will alert staff members of any abnormal occurrence in the resident's activities. In addition, in home services provided by the assisted living facility could include nursing, meal preparation, housekeeping and cleaning services. These services will allow the residents the benefit of contracting these services when they are needed which will allow the residents the independence of bringing on services as they age in place and allow the residents to stay in their home longer. The services will be administered and organized out of the assisted living building and those services will be provided based on an a la cart arrangements as the residents age they can bring on those services as needed and stay in the independent units that consist of the cottages and condominiums. The assisted living building will be a state of the art health care facility that will be staffed by nurses and personal care assistants that will meet the psychological, physical and emotional needs of residents who can no longer live in their homes. The assisted living building will be designed around a household concept so that residents will have their own private rooms, full bath, living and dining arrangements as well as community and gathering rooms. There will be a wellness center that will be connected to the assisted living building that will provide services such as exercise, nutrition, education, and life enrichment that will play a large part in the village's commitment to independence as well as healthy life style. It is the developer's commitment to work with a very experienced and first class operator of health care facilities that can manage and provide these services. To date they have had a very good relationship with Homestead Village and although they do not have a formal agreement at this time both parties have had a very good relationship to this point and want to continue that relationship for them to provide those services. The operator and the developer are committed in creating an environment where seniors can have or adapt and change to the services provided and that adaptability will allow them to age in place with what they believe a lifestyle that will create comfort, dignity and grace while they are a resident at the Village of Funks Farm. They believe this is a new concept for nursing, retirement and rest community that they are trying to develop. Ms. Hoffer stated they have an additional exhibit not marked as part of the application they will mark Exhibit 16A. Exhibit 16A is the floor plans for the wellness and assisted living facility.

Elevation and Floor Plans - Mr. Wolf stated the floor plans were designed and drawn by Hillis Architects. In addition to the floor plans, Mr. Wolf will review the elevation of the building as well. Mr. Wolf stated the upper elevation represents the front of the elevation of the assisted living facility. That building has a two story elevation with a changing roof line to the front and connected to that building they are looking at the front of the assisted living building from the

drop off lobby area in the front connected to the building is the wellness center. You are looking at the rear elevation of that structure which shows the two story elevation of the wellness center. From the front of the building, you can see there is a two story elevation with an irregular roof line to the back of the assisted living building due the grade sloping down they will actually have an addition of what is called a daylight basement area of that building. They are under the 70 foot maximum height requirement for both the wellness and assisted living building. Ms. Hoffer noted the plan on the Board is Exhibit 16 in the plan sheets. Mr. Wolf reviewed the floor plans of the assisted living building stating as you enter the front lobby the first floor of that building will be approximately 15,000 sq. ft. and on the one side of the first floor there will be 12 private resident rooms that will open up to small living, dining areas, kitchen areas. Directly on the other side of the first floor is a mirror image of what is on the previous side. The entire first floor will have 24 private rooms with associated living, dining, gathering and congregation rooms. The central area of the first floor will be an open air court yard that the gathering rooms can be connected to. The second floor of the assisted living facility is basically a mirrored image of the first floor with elevator access. The second floor is a duplicate of the first floor with 24 private rooms for a total of the two story building being about 30,000 sq. ft. and totaling approximately 48 private rooms. There will be a lower level that is called the basement level that could be used for additional expansion purposes. The wellness center will be connected to the assisted living building by a common area that can be used for a small gathering room. The connection point can be utilized by both the wellness center and also by the assisted living building. The wellness center has an open floor plan that represents a similar floor plan on the second floor of the wellness center. The open plan will take into consideration exercise needs, education, seminars, life enrichment activities and services to the extent that the wellness will be finished off in an open plan scenario. Exhibit 15 is an elevation of the rear of one of the condominium buildings that shows four floors with underground parking. This plan shows that the elevation of the assisted living building is incorrect. Mr. McManus stated Exhibit 15 is being corrected to be labeled as the condo building elevation. Mr. Wolf showed the front elevation of a two plex of the independent living cottages and then a reverse mirror image of an adjoining two plex. The floor plan is also shown with front garage entries to the cottages. The first floor areas of the cottages are approximately 1200 to 1400 sq. ft. that is in excess of the requirement. The first floor cottage floor plan incorporates a master bedroom, second bedroom, living area, dining, area, open plan kitchen with an island as well as a study and guest room. The front entry garages will allow the residents to go from the garage into the living area of their cottages with no step. It will also allow the backyard atmosphere to be friendlier from the standpoint of having views from their rear living dining area looking out the back windows of their cottages to what will be a yard area. All the units will have access to a second floor that could be finished off as a third guest bedroom and a loft area. Ms. Hoffer noted the plan being talked about was previously marked Exhibit 17. Ms. Hoffer advised the plan now on the easel was previously marked Exhibit 18. They wanted to create a variety of roof lines and number of units attached by the same roof line. Throughout the community there is 2, 3, 4 and 5 plexes. For presentation purposes this evening they wanted to show elevation and floor plans for 2 and 4 plexes. The four plexes have similar architectural design, floor plans, and front entry garages. On Exhibit 18 the upper floor plan elevation shows a rear car garage entry that is not part of this. There are no rear car garages to any of the cottages. Exhibit 14 shows the mid-rise condominium buildings. The front elevation shows four levels of condominiums with eight units per floor so each building has a total of 32 units. The parking for

the condominiums units will be a below grade level but there will also be parking in the front of all the condominium buildings. Mr. Wolf stated the buildings are grouped together so they have six buildings of four stories each and each building will have its own underground parking. The density on the cottages was 220 and the density on the condominiums is 187. One of the six buildings will only have 27 units, five of the six will have 32 units. Ms. Hoffer noted that Exhibit 14 is what Mr. Wolf was reviewing. The height is under 70' height requirement. Mr. Wolf referred to Exhibit 13 the floor plans. There will be eight units per floor, elevator access from parking level to every floor, each floor will have a central corridor running down the middle of the building, four units on each side of the corridor, four corner units and four interior units. All the units will have balconies. The square foot range from 1000 – 1400 sq. ft. There will be 32 units per building. They are providing two parking spaces per unit and one space will be provided underground in the parking level of the building and the second space per unit will be provided outside. Mr. Wolf advised the concept is that the assisted living building and wellness center are the hub of the community and the streets are like invisible corridors. Even though there is no connection by roof lines to the central hub those invisible corridors give a sense of security and provide technology that the cottages and condominiums are equipped with the security knowing from emergency services standpoint you are going to feel a comfort and security level almost like you were under the same roof line of the health care facility. Referring back to the site plan, the assisted living building and wellness center have been located as close as possible to the front main access which is the northern access. They tried to take advantage of a storm water management retention pond that will actually have visible water in it. The grade to the back of the assisted living building and wellness center actually drops down so the elevation drop will create an inviting view of the lake and the entrance coming in will create an inviting entrance to the community. Each cottage will have double wide garages so each cottage will have four off street parking spaces. Mr. Wolf stated they feel there is more of a demand presently for the cottages that is why the cottages are close to the main entrance which would be the first phase and then as they move into the second phase that is where they will group the condominium units. The front car entry garages will eliminate the need for alleyways to the back of the units, thereby, eliminating as much impervious surface as possible. Mr. Wolf stated they are meeting the open space requirement with sidewalks throughout the community. There will be walking paths and areas that can be used for gardening. There is landscaping buffers spread though out the community that are tied into the walking trails and open spaces. Mr. Wolf stated in addition to the two main access points off South Duke Street they do have an adjoining parcel of ground that is a commercial parcel that is not part of this application process. Part of this project will also allow for another access point from that commercial parcel so as part of this community whether or not it ties in time wise with the commercial development that road will be created so that allows for an additional access point to the north side of the development. It will not go out onto any other road than South Duke Street.

Bob Vaillancourt had questions on the height of the buildings. Mr. Vaillancourt also had question on what was being requested tonight by the applicant.

Mr. McManus asked if there is a skilled nursing component to the proposed facility. Mr. Wolf advised that the assistant living building could act as a skilled nursing component. Mr. McManus asked if the general layout will accommodate both assisted living and round the clock skilled care and Mr. Wolf stated yes.

Bobbi Hainey had questions on access points.



Sandra Hall had questions on the number of vehicles in the community as it pertains to added traffic on the roads.

Linda Strauss questioned why the access drives could not be on Walnut Hill Road, how this community compares to Homestead in numbers of people, is there guest houses, where will residents get fresh produce, groceries and she was concerned about water flow as it pertained to her stream.

Dave Madonna asked what the difference is in this facility compared to what Willow Valley offers and questions on whether the cottages and condominiums will be rented or owned.

Bonnie Burger had questions on the resident population in the community. Ms. Burger questioned if there would be a dementia unit and end of life care. Ms. Burger questioned access for emergency vehicles and whether this would be for profit.

Richard Moxley, 110 Foxgate Court, asked if there is declarations and are they part of the approval, number of employees, the ratio of rent to own and if there is any anticipation of their enterprise being the financier for the folks that want to buy fee simple or will that be a third party.

Ken Hoke asked what other experience they had developing this type of facility.

Joanne Diffendall questioned the acreage, provisions made to preserve the cemetery, sewer and water providers and questions on the site plan.

Mr. Vaillancourt asked what benefit this project is to the community.

There was a five minute break. The hearing reconvened at 9:05 p.m.

Bill Boyd owner of Brereton Manor Personal Care Home stated he does not see this project as aging in place. Mr. Boyd asked what the staff to resident ratio will be, what is the composition of staffing, number of staff on the smallest shift, what percentage of dementia residents will be accepted, and will they be licensed by the Department of Public Welfare for the personal care home.

James Hall asked how this will benefit the community with regards to the taxes and the cost to the community.

Mr. McManus asked whether or not with respect to every unit proposed regardless of type does your project envision a health care component associated with each. Ms. Hoffer replied that testimony was that all of the units will have the technology wired into the units to connect to the hub by virtue of emergency buttons that would allow for someone to come and check on a resident. There will be additional services provided to all the cottages and condominiums from standpoint of possible nursing needs, meal preparation, housekeeping, cleaning, etc. All units will have advantage of those services. Mr. McManus asked if it is fair to say all of the units will have some minimal base line requirement that includes a health care element. Ms. Hoffer stated each unit is wired in so that it has capability of health care. There may be some residents who do not want to activate the technology immediately although the units will be wired for benefits when they desire to activate them. Mr. McManus asked if it is conceivable even though it may not be likely that virtually every resident in all the units except the assisted living units could say they do not want to participate in any health care arrangement with the developer or any entity that you contract with and would like to live there as though they were living in a separate and distinct apartment complex. The reply was that would not be feasible but Mr. McManus asked if it was possible. Mr. McManus asked if it was a requirement into the community that they have some health care component requirement by contract or otherwise. Ms. Hoffer felt they were making a distinction to what they actually use and what the buildings

will be equipped and designed for. The buildings are equipped and designed for aging in place. Ms. Hoffer stated the facility itself is interconnected and wired. How many services someone wants can be an a la carte question but fundamentally each unit provides for connection to nursing and care.

Mr. Singer asked if a 55 or over individual has the option to purchase a unit in the community and the reply was yes. Mr. Singer stated there is no immediate health needs and a unit can still be purchased. Mr. Singer asked if a minor could move in with the occupant. There are state regulations on a 55 and over community that dictate what the age of the spouses must be and the rules and regulations as far as children. Mr. Singer asked if someone 55 and over with a child and no immediate health needs can that individual purchase a unit in that community. Ms. Hoffer advised they will check on information for an answer to Mr. Singer's question.

Mr. McManus asked if it is fair to say that regardless of whether someone uses the range of health care facilities that may be provided a requirement of residency will be they are paying some portion of a health care component that is available on site. The answer is there is no detailed budget but it is fair to say there will be fees for the health care component that is available. Mr. McManus asked either directly or indirectly is there a health care component available and being paid for, whether being used, and the reply was yes.

Phyllis Boyd had questions on the ratio of patients to employees and how the calls from the cottages and condos are addressed.

Ms. Hoffer stated their next witness is Scott Hain and Mr. Hain's resume was marked Exhibit #32. Mr. Hain was previously sworn in stating he is a partner at David Miller Associates and briefly gave his background, education and experience. Ms. Hoffer offered Mr. Hain as an expert in land planning and engineering. Mr. Hain was accepted as an expert witness. Ms. Hoffer stated the documents have been previously identified and part of the exhibit package the Board has received that includes a plan set and a narrative marked Exhibits #1-12 and 1A. Ms. Hoffer confirmed the exhibits were prepared by Mr. Hain or under his direction and review. The exhibits relating to the elevations and floor plans was previously testified they were prepared by an architect that was provided to Mr. Hain's office to assist in the development of the site plan. Prior to this evening, Mr. Hain submitted the application to the Township Engineer who has prepared a letter dated July 1 that was marked Exhibit #31 which was not part of the packet. The letter from Rettew Associates had several comments relating to the review. Mr. Hain gave the following response to the comments in the review letter. Special Exception Application - On Exhibit #3 on the southern corner of the site there is a pump station lot identified that is .58 acres that will contain the pump station for the sanitary sewer needs of the facility. The number of proposed dwelling units have been reduced from 408 to 407 units as a result of the creation of the separate lot for the pump station. Public water service for this property is provided by the City of Lancaster and they are working to secure a letter for the water capacity. The City has told them there is adequate volume of water in the area and there are some pressure issues that are being worked on. They are still working to get a letter from City of Lancaster. Mr. Hain stated they will talk about the letters from the fire company, police department and school district in later testimony. There is a slight discrepancy in impervious coverage that has been corrected to be 43 percent. The comment pertaining to handicap parking will be addressed in later testimony and there is a neighborhood context map that will be introduced at a later point. Storm water comments – The comments in this section do not have anything to do with this application and will be addressed in the future. General comments – Statements pertaining to the project.

Ms. Hoffer asked Mr. Hain to briefly go through the exhibits.

Exhibit #1 – Identifies the basic zoning and site data, applicants for the project and the other sheets that will be part of the application. It identifies the project is in the Rural Zone, the minimum lot area of one acre, maximum height for the structure, front, side and rear yards, impervious coverage, and total number of units. The pump station is a permitted use in the Rural Zone and meets the minimum lot requirement of Section 202.

Exhibit #2 – Existing Conditions Plan – Shows the existing site based on survey completed and shows the adjoining property owners to the site. Ms. Hoffer stated there was a question regarding a cemetery. Mr. Hain stated the cemetery is located outside the boundaries of the property being discussed tonight.

Exhibit #3 – Special Exception Plan – The plan that has been looked at the majority of the evening. The plan shows the layout of the buildings, setbacks, open spaces are identified, locations of storm water management facilities, and access locations.

Exhibit #4 – Overall Plan – Shows the parking facility proposed for the site.

Exhibit #5 – Detail Look at Parking – Provides in table form calculations for the required number of parking spaces. The parking spaces required in area #1 is 81, area #2 is 192, area #3 is 182 and the parking for the cottages is 440 spaces for a total of 895 spaces required. Of that figure the parking provided is 1,386 spaces. The typical cottage unit shows two parking spaces on the exterior on the driveway and two parking spaces within the interior of the garage for a total of four spots provided for each cottage. Handicap parking space will be compliant. The number of handicap spaces are addressed in the table.

Exhibit #5A – Supplement to the parking layout. An indication of a handicap parking that could be accommodated within a garage or driveway.

Exhibit #6 – Landscape Plan – There is perimeter landscape screen required and internal landscaping required that is identified on the plan.

Exhibit #7 – Blow up of the Landscape Plan – Provides more detail of the interior parking lot trees, 15 foot wide landscape strips and detail of the typical perimeter screening planting and potential plants. Provides breakdown of calculations based on the Ordinance of the amount of landscaping required.

Exhibit #8 – Provided to David Miller Associates by Huble Lighting Inc. – The plan shows a lighting plan for the streets, properties and parking areas. It also shows zero light leaving the site based on the fixtures being provided.

Exhibit #8A – The same plan as Exhibit 8 but is easier to read.

Exhibit #9 – Location of Storm Water Management Facilities – Plan also outlines drainage areas. There is three surface basins proposed and the plan shows they meet the requirements of the Manor Township Ordinance. The engineering for the storm water is part of the land development process.

Exhibit #10 – Identified schematic layout of the sanitary sewer plans.

Exhibit #11 – Water Supply Schematic – Shows water lines within the development and within the streets that would connect to the existing City of Lancaster Water Main.

Exhibit #12 – Phasing Plan – Identified two main phases for the project with Phase 1 contains a large portion of the cottages and assisted living facility. Phase 2 would be the condo apartments and another section of cottages. The pump station would be built as part of the first phase.

Exhibit #19 – Capacity Letter Issued by Millersville Borough - Request was submitted to Millersville Borough for sanitary sewer capacity and their engineer provided a letter confirming the capacity.

Exhibit #20 – Request made to the City of Lancaster for Capacity – They are still working with the City of Lancaster to work out the details.

Exhibit #21 – Traffic Report – This will be covered at a later hearing.

Exhibit #22 – Letter from Lancaster EMS – Identifies they reviewed the plan and have no concerns or considerations from an emergency medical services prospective.

Exhibit #23 – Letter to the Blue Rock Fire Rescue – They are still working with the fire company to clarify some of their questions.

Exhibit #24 – Plans Submitted to the Manor Township Police Department – They came back with two comments. Whether the streets were analyzed to provide sufficient width for emergency vehicles and there was a misunderstanding on the number of spots provided for parking.

Exhibit #25 - A letter was sent to the Penn Manor School District who had several comments. Question on the streets and a provision for a bus stop. There was a question on the ability to transport handicap students. Was the facility for profit or nonprofit which is not known at this time.

Exhibit #26 – Request to provide a letter outlining the details of Retention Basin “A” which is the basin that will withhold water. A letter from their engineer spells out the specifics and identifies it will be built in a way that will not pose a public safety or environmental threat. Details of that design will be worked out in the land development phase.

Exhibit #26A – Storm water Executive Summary that was not marked and is identified as Exhibit #26A. Storm water will be managed on the property.

Ms. Douglas stated testimony will be continued August 6, 2014 in this building at 7:00 p.m. Mr. Singer made a motion to adjourn the hearing and Mr. Peris seconded the motion. The hearing was adjourned at 10:05 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board**

Wednesday, August 6, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, August 6, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman

Barbara Douglas introduced the members of the Board and led those in attendance in the Pledge of Allegiance to the Flag.

Ms. Douglas announced that this hearing will be continued Thursday, August 28, 2014.

Members Present: Barbara Douglas, Bradley Singer and Chris Peris

Township Officials Present: Nickolas Ebersole and James McManus

Visitors Present: See Attached.

#### Old Business

Case #6-14 - The application of HHF Real Estate Development, LLC, property located at 306 South Duke Street, Millersville, PA 17551 Account #410-51387-0-0000 for a special exception of Section 202.3.12 in accordance with Section 448 Nursing, Rest or Retirement Homes and Section 605.3-Application for Special Exception. The Applicant would like to have a Nursing, Rest and Retirement Facility for residents 55 years of age and over on the property. The property is zoned Rural (R) and General Commercial (GC). Testimony to continue from the July 2, 2014 meeting. Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus noted Ms. Douglas stated the next hearing date in this matter has been scheduled for August 28, 2014 in this building at 7:00 p.m. Mr. McManus expects they may be able to conclude the applicant's case at that time although it is not certain that will occur. Mr. McManus reviewed the sequence of events that will take place. Mr. McManus stated the last hearing concluded while Applicant's Witness Scott Hain was testifying with respect to various exhibits the last of which was marked 26A. That segment of the proceedings was concluded with Mr. Hain's direct examination and Mr. McManus asked Ms. Hoffer if she had any further examination before they invite cross examination from those in attendance. Ms. Hoffer stated she does have further examination.

Ms. Hoffer pointed out this is the second meeting and wanted to mention that this project was reviewed by Mr. Hain at the last meeting and also by Mr. Wolf. This project received a special exception approval from the Zoning Hearing Board in 2010 and essentially is the same project with the same development team. The difference being there was some changes in the layout of the site with the same density and use proposed. Mr. Hain was sworn in at the last meeting. Ms. Hoffer handed out additional exhibits that were updated letters pre-marked Exhibit #34 and an updated letter from the City of Lancaster, Exhibit #35 an updated letter from Manor Township Police Department, and Exhibit 36 an updated letter from Penn Manor School District. The Applicant also pre-marked Exhibits 27, 27, 29, 29A and 30 which Mr. Hain will be reviewing this evening as they did not get to those Exhibits at the last meeting. Ms. Hoffer stated at the last meeting she handed out an updated Exhibit List. Ms. Hoffer began examination of Mr. Hain stating at the last meeting Mr. Hain reviewed Exhibit #20 which is the City of Lancaster Water Service Letter asking Mr. Hain of David Miller Associates received an updated letter. Mr. Hain stated they have received a letter dated August 4 from the City of Lancaster from Rob Ruth the Deputy Director of Public Works and City Engineer. This letter clarifies some of the issues from the previous letter stating that the City approved the requested capacity as specified for the project. The capacity requested is 115,000 gallons per day that was granted that was marked Applicant's Exhibit #34. Applicant's Exhibit #35 is a letter from the Manor Township Police Department. Mr. Hain stated that the letter is dated August 6 from the Chief of Police for the Manor Township Police Department and the letter states they have addressed the previous comments he had regarding concerns he had with the project. Mr. McManus asked if the letter

had previously been Exhibit #24 and Ms. Hoffer stated correct. Letter was received from the Penn Manor School District Superintendent that was marked Applicant's Exhibit 36 that follows what they had previously entered as Exhibit #25 which is the School District letter dated April 1, 2014. Mr. Hain stated this letter is dated August 4 from the Superintendent of Schools that bullet points a few of the items and acknowledges that the project will not produce a significant number of students, the roads will not be dedicated but if children need to be transported they would be by the owner and question regarding if it is a profit or nonprofit facility that will be addressed by the next witness's testimony. Ms. Hoffer stated the letter indicates to advise the School District the determination of profit or nonprofit. Ms. Hoffer stated they would move onto Exhibits 27, 28, 29, 29A and 30. Ms. Hoffer mentioned that a number of the items were in the application but some have been updated. New versions were handed out and they are entering new versions updated from the application. Mr. Hain identified the purpose of Exhibit #27 that is supplemental information to the narrative. It explains the section of the Zoning Ordinance within Article 3 in General Provisions and relates if they apply to the project. Article 3 is a section within the Manor Township Zoning Ordinance. This exhibit identifies what all the sections of Article 3 are. Ms. Hoffer stated Mr. Hain has referenced in each item an exhibit that has been entered previously and asked if it is Mr. Hain's opinion this application, exhibits and the testimony he had previously given address all of Article 3 requirements. Mr. Hain stated yes. Applicant's Exhibit #28 is a Summary Table that identifies material in Article 4 of the Manor Township Zoning Ordinance, gives a description of the section of the Ordinance, how compliance is obtained and where that compliance can be found in the previous exhibits presented. Mr. Hain went through the summary of the requirements within the Ordinance. Within Article 4 Section 448.1 – Mr. Hain stated the property is located with Rural Zoning District that is a district that permits this use by special exception. This was demonstrated on Exhibits 2 and 3. Section 448.2 – Mr. Hain stated the property is 65.88 acres and the maximum population allowed would be 2,108 and the proposed maximum population is 1,500. Section 448.3 – To demonstrate sewer and water for the proposed development Mr. Hain referred to previous Exhibit #19 the Millersville Borough Authority Sewer Capacity letter, previous Exhibit #20 updated by Exhibit #34 for the City of Lancaster Water Capacity letter was provided, Exhibit #10 the Sanitary Sewer Plan showed a schematic of how sanitary sewer could be handled within the project and Exhibit #11 Water Supply Plan showed potential layout for a water system within the project. Exhibit 10 and 11 were plan sheets reviewed with this Board at the last hearing. Section 448.4 – All off street parking lots and loading areas are screened and additionally no off street parking lots and loading areas adjoin residentially zoned lands. At the previous hearing, Exhibits 6 & 7 were presented which were over all landscape that showed the entire project and a detailed plan showing the potential layout for buffer plantings and some of the other required plantings. Exhibit 6 and 7 were plan sheets in the pack provided with the application. Section 448.5 – Parking area #1 shown on Exhibit #4 and 5 had 100 parking spaces which will require 5 handicap parking spaces, parking area #2 has 192 spaces which require 10 spaces and there is 12 provided, parking area #3 has 184 spaces which requires 9 handicap spaces and 12 are provided, the independent living cottages has 880 spaces provided which require 25 handicap spaces there is a potential of 440 provided that has to do with the layout of the interior spaces within each unit in the garage. That was covered on plan sheet at the last meeting that was a detailed parking Exhibit #5 plan sheet exhibit that demonstrated the spaces. The overall spaces total 1,386 coming up with total number of required handicap spaces would be 70 spaces and the total spaces provided were 469. Section 448.6 – This project meets the

requirements in this section. The property site is adjacent to South Duke Street which is a collector street, can be served by public water and sewer and the project is plus/minus 65.88 acres. Section 448.6.1 – The proposed project contains 6.17 units per acre as shown on Exhibit #1 and all levels of care will be licensed by the State. Section 448.6.2 – The impervious coverage of the proposed development is 42 percent so they are under the 50 percent requirement shown on Exhibits 1 and 3. Section 448.6.3 – Height of building A thru F will be 69 feet, assisted living building 69 feet high and the independent living cottages will be two stories which would be less than 70 feet high. Any accessory buildings will be less than the 30 feet requirement. All information provided in Exhibits 14, 15, 16, 17 and 18 show compliance. Ms. Hoffer stated the Rural District refers Nursing, Rest and Retirement homes to Section 448 to demonstrate compliance and Mr. Hain agreed. Mr. Hain reviewed all sections under Section 448 and it is Mr. Hain's opinion that this project meets all of the requirements and complies with Section 448 specific criteria for the use.

Ms. Hoffer Exhibit 29 is responsive to Section 605 of the Zoning Ordinance. This is a general requirement of anybody who is applying for permits that they have to give the types of information that is listed in Section 605. This particular application meets the filing requirements that are detailed in Exhibit 29. Mr. Hain stated they identified each Section within 605 identified the requirement provided a response as to where shown and specifically shown under the last column what exhibit or part of the other testimony that was provided and whether it was project narrative or some other application exhibit. Ms. Hoffer stated she wanted to take Mr. Hain through Section 605.3.2 as this addresses the general criteria. Ms. Hoffer stated first qualification to be met is the proposed use is consistent with the purpose and intent of the zoning ordinance and Mr. Hain's response was this is a use provided for in Section 448 requirements are met. It is Mr. Hain's response that this use is consistent with the Zoning Ordinance. It complies with Section 448 and the use is listed as one of the uses allowed by especial exception. Mr. Hain stated there was a Traffic Impact Study submitted as part of the project that will be discussed in detail at the next hearing. The ten acre commercial tract is shown on Exhibit 3 that was previously presented at the last hearing. All points of access of the project are proposed on South Duke Street which is a collector road. No road access is promoted to Walnut Hill Road that is shown on Exhibit 3. Large areas of open space are proposed along the main road frontages. As much of the natural vegetation will be saved as possible. Along the landscaping and planting buffers a perimeter landscape screen will also be provided around most of the property. There was an overall landscape plan Exhibit #6 previously presented. Stormwater runoff will be managed so as not to impact surrounding properties. There was a stormwater plan that schematically showed where stormwater management will be accomplished as part of the design which is Exhibit 9. There is an executive summary of the stormwater management which was previously Exhibit #9A that talked about methods for handling stormwater management. Site lighting has been designed and arranged to minimize impact on surrounding properties. Lighting is proposed in compliance with the applicable Township Ordinances. There is an overall lighting plan that showed zero impact on the property line. An existing ten acre commercial use is adjacent to the subject property presented in Exhibit 3. Configuration of existing property and design layout of the proposed plan minimized visual impact of the surrounding neighborhood and Exhibit 3 demonstrated the configuration of the project as it relates to adjoining uses. Design to blend into the neighborhood Exhibit 13 through 18 showed conceptual outside architectural layouts for the building. There is large areas of open space along road frontages and landscaping and buffer plantings are proposed and as much existing

vegetation as possible is being saved presented in the overall landscape plans in Exhibit 6 and shown schematically in special exception plan Exhibit 3. The existing Funk house is to be preserved and will be considered for public or community use shown on the overall plan Exhibit 3. Within one-quarter to one-half mile radius of subject property there are many other developments that are of a similar or greater density than the proposed project which is Exhibit 29A. Mr. Hain briefly described Exhibit 29A with the help of Charity Kadwill.

Section 605.3.2.D – This has to do with adequate public facilities. Exhibit 19 is sanitary sewer capacity from Millersville Borough, Exhibit 34 water capacity from the City of Lancaster, Exhibit 22 Emergency Services from EMS, Exhibit 35 Police Services, and Exhibit 23 fire service letter from Millersville Fire which they are still waiting for a follow up from them. Exhibit 36 is the school service letter from the Penn Manor School District and Exhibit 21 is the Traffic Assessment Report that will be presented at the next hearing. Section 605.3.2.E – There is no development within the floodplain zone. Section 605.3.2.F – Mr. Hain testified as to the compliance of this application with Section 448 and conclusion was it complies with Section 448. The proposed use must comply with all other applicable requirements contained in the zoning ordinance. Mr. Hain reviewed the Zoning Ordinance for Manor Township and identified on earlier exhibit compliance with Article 3 requirements that was Exhibit 27. It is Mr. Hain's opinion that this application applies with the applicable zoning requirements. Section 605.3.2.G – The Nurse, Rest and Retirement Home is a permitted use within the Rural Zoning District and is consistent with intended use. The assumption is this use would be consistent with the intention of the Comprehensive Plan. Section 605.3.3 points out that the Zoning Hearing Board may attach conditions and Section 605.3.4 indicates the site plan becomes part of the record which is why they are before the Board. It is Mr. Hain's opinion that subject to the testimony of the traffic engineer traffic relating to traffic facilities are adequate to support this use this project meets the general criteria for a special exception. Exhibit #30 is information required in Section 702 of the ordinance related to permits. Mr. Hain briefly identified the purpose of Exhibit 30.

Ms. Hoffer made a clarification with the minutes from last month. Page 5 the minutes read there were six condominium buildings 5 have 32 units and one has 27 units. The minutes indicated an eighth building which was not part of the plan.

Mr. McManus referred to Exhibit #28 which relates to requirements of Section 448 Nursing, Rest and Retirement Homes with respect to sewer and water narrative states with respect to Section 448.6 that the project can be served by public sewer and water that indicates the feasibility of public sewer and water service. Mr. Hain replied correct. Mr. McManus asked if the application is representing to the Board that this project will be served by public sewer and water. Mr. Hain replied correct. Mr. McManus stated the project can and will be served by public sewer and water as evidenced by letters from the applicable agencies. Mr. Hain stated that was correct.

Mr. Peris asked if the applicant would be following up with the questions in the letter from the Penn Manor School District. Ms. Hoffer stated the way they responded in the letter they wrote down the answer. They restated their question they had in the prior letter and then they put the answer after that. Ms. Hoffer stated they simply rewrote their question.

Ms. Madonna had questions on the location of the pump house, water runoff and the proposed lighting.

Mr. McManus made a statement indicating what the Board is here to decide and how they go about evaluating the applications.



Ms. Strauss asked that the Borough and Township Lines be pointed out on the exhibit, had questions on water and sewer, and asked if the flow of water to her stream would be impacted.

Tom Strauss read "The Purpose" from the Rural Zoning section of the Ordinance and asked that the Board read that section themselves to determine if this project fits.

Mr. Vaillancourt had questions on the drainage and whether there would be any environmental concerns regarding the Conestoga River. Mr. Vaillancourt also had questions on the northern end of the property as to what is planned for that tract.

Ms. Hall asked why the hearing would not be continued on the regularly scheduled hearing night as her concern is with the traffic and they will be out of town and unable to attend on the 28<sup>th</sup>.

Mr. Hall had questions on the impervious coverage and stormwater.

Ken Hoak representing the local Historical Society had questions on the plans for keeping the integrity of the existing farm buildings and farm house.

Scott West from Springdale Farms asked if the Board concurred with what the Applicant thought applied such as Article 3. Mr. McManus explained the process for the hearing. Mr. West had questions on the density calculations, the proposed sewage system, and whether the development is considered profit or nonprofit.

There was a five minute break. The hearing reconvened at 9:00 p.m.

Mr. McManus stated he believed there was an inconsistency in some of the testimony regarding the farm house whether it was part of this application and then somewhere in the documentation it was stated going to be preserved. Mr. McManus asked for clarification. Ms. Hoffer stated the intention was to maintain the house. It is not on this tract. The specific question to Mr. Hain was "What are the plans for the property, the restoration plan, the use plan" and Mr. Hain's testimony was it is not actually on this property. In the application the owner of the property indicated that the house was remaining but it is not affected by this application. Mr. McManus verified what was said that this application has nothing to do with your obligation to carry through on that representation of preserving that farm. Ms. Hoffer stated correct that will be part of the commercial district but the intent is there is not any plans to take that down. Mr. McManus asked if you are not representing to the Board that you can guarantee that it will not be torn down. Mr. Hain stated correct.

Ms. Hoffer had a question for Mr. Hain stating there were a number comments made about what is perceived to be the intention of the Rural District with respect to a Nursing, Rest and Retirement Community in regards to the size of that type of community. Mr. Hain was asked to identify the section of the Ordinance that addresses a larger scale Rest and Retirement Home in the Rural District. Mr. Hain stated Section 448 and more specifically 448.6 which Mr. Hain read into the record. Ms. Hoffer verified it specifically identifies an acreage of 60 acres or more. Mr. Hain stated a minimum of 60 acres. Ms. Hoffer asked in Mr. Hain's professional opinion that the express language of this statute contemplates a larger scale retirement community. Mr. Hain stated correct specifically represents something larger than 60 acres. Ms. Hoffer stated the question came up whether the consultant has authority for the Millersville Borough Sewer Authority with respect to granting a capacity letter. Ms. Hoffer asked Mr. Hain if he had direct contact with Millersville Borough with respect to its sewer capacity. Mr. Hain stated a request was sent to the Authority and the response presented is the response received regarding the request made directly to the Authority. Mr. Hain or David Miller Associates has

met directly with the Borough and the Sewer Manager. Mr. Hain stated correct they have had several discussions on this project. Ms. Hoffer asked if it is his understanding from all the communication including the consultant's letter is that the capacity is available for this project and Mr. Hain replied correct everything they have been told is there is adequate capacity for the project. Ms. Hoffer stated Mr. Hain testified in response to the question that there were no upgrades to the facility indicated Mr. Hain's prior testimony had identified the extension of the line to the existing manhole. Mr. Hain replied correct they had identified on the conceptual sewer plan where they connect to the existing Millersville System. There would be connection to that system to allow flows from the proposed use to get to that site. Ms. Hoffer asked if that would be at the cost of developer and Mr. Hain replied correct. Mr. Hain stated any of the improvements shown on the Sewer Facilities Plan would be at the cost of the developer.

Mr. West had questions on what Mr. Hain read from the Ordinance pertaining to the acreage.

Ms. Hoffer called Mr. Motter who was sworn by the Court Reporter. Douglas Motter, President of Homestead Village Retirement Community, stated he is in his 15<sup>th</sup> year as President of Homestead Village. Mr. Motter gave a brief background and experience with nursing, rest and retirement homes. Ms. Hoffer asked Mr. Motter if he participated with the land owner in helping to develop the layout of this site as shown in Exhibit 3A. Mr. Motter stated he was involved and has been since 2007 and have attended meetings here numerous times over the years. Mr. Motter stated their goal is to create the best retirement community in Lancaster County. Mr. Motter stated technology has changed in the last ten years and understanding of what older adults are looking for is clear and the old idea of people needing to move from one place to another as they get older and their needs change is being put on the shelf. Mr. Motter stated Homestead Village is 28 years old and they are trying to convert or modify what they do in Lancaster to create a more aging in place environment. This is designed from day one to be an aging in place retirement community. Every one of these homes is designed for people 55 and older that as they need services they can deliver the services to them from their central building so that they can stay in those homes as long as possible. If people need specialized care, primarily memory support care, their 52 bed assisted living residence will be able to meet those needs whether related to short term stay to get back to their home or long term stay maybe because of memory support or other issues. They will have at least two licensed levels of care on campus with one licensed home care and the other license would be assisted living residence. The building is 13 bedroom apartments. The building is a small house model so there will be four separate houses or apartments each with 13 separate bedrooms, a living room, dining room and kitchen. The idea is to create an environment in this building that is home like. The building will be built to meet all the different code requirements of all levels of health care in Pennsylvania. They are planning on it being licensed assisted living but could be licensed personal care or could even be licensed skilled nursing. Mr. Motter is testifying that the plan as they look at it is licensed assisted living. Ms. Hoffer wanted to make some clarifications. Ms. Hoffer stated there was question as to whether there would be skilled care from the beginning. Mr. Motter's testimony would be the intent is assisted living although it will be designed to skilled care standards. Mr. Motter stated assisted living is a new level of care that encompasses both personal care and skilled nursing and it is so new there is only 25 assisted livings in the State of Pennsylvania at this point. Ms. Hoffer stated another question related to the independent living units on the site and the Ordinance specifically references independent living units as part a rest and retirement home community question was does each one of the units participate in some level of care. Mr. Motter stated as they design the community they are

envisioning it to be a retirement community and a nonprofit charitable retirement community. Like all the other retirement communities in Lancaster County each resident who lives there makes the decision they want to live in a retirement community and understand part of living in a retirement community is they must pay for the services the retirement community offers. So every resident who lives there will be participating in paying the minimum fees of the retirement community that allows them to have the amenities from life enrichment to emergency or first response to transportation all of the things everyone needs to pay for. If you need additional services beyond that, they would pay for those as needed. It will be a nonprofit retirement community. Mr. Motter talked about the impact on the community from a tax standpoint stating Homestead Village is in Hempfield School District and East Hempfield Township. The last information Mr. Motter has seen is that Homestead Village is the third largest taxpayer to Hempfield School District. Mr. Motter stated the last he saw was that the three nonprofits health care retirement communities are funding about 5% of Hempfield School District's budget. This community will have nothing but a positive impact on Manor Township and Penn Manor School District from a tax standpoint. They will maintain all of the services, roads and contribute to the community from a tax standpoint. Ms. Hoffer wanted to make a clarification on the tax structure stating what is typical there is a combination of taxable and exempt areas. Ms. Hoffer stated people elect to choose to have independent cottages to be taxable but if there is a nursing component in a nonprofit that is exempt. Mr. Motter stated they would probably pursue a charitable tax exemption on the one building at this location and everything else would be taxable. Ms. Hoffer stated another question was the rules and regulations applicable to the people who live in the units questioning could they sublease to college students. Mr. Motter stated if you look at other retirement communities in Lancaster County houses are not sublet. People who live in them have a contract that they must follow that is very specific about who can live there, how often you can have visitors, the length of time they can stay, etc., so the plan would be that nearly everyone who lives there will be 55 and older. The reason they are choosing a 55 and older designation is because there is two safe harbors for older adults to choose that the Federal Government gives you. One is 55 and older and the other is 62 and older. Mr. Motter stated Homestead Village is a 62 and older community but the problem is the Federal Government says everyone must be 62. 55 and older community allows people younger than 55 so if you are 62 and your spouse is 59 you could live there and if you are 55 and your spouse is 53 you could live there. It will be a retirement community, so you do not need to fear that suddenly they will allow 35 year olds to move in. Mr. Motter stated 35 year olds will not want to live there and 55 year olds will not want to live there in very large numbers. Mr. Motter stated Homestead Village is 62 and older community and in fifteen years he can count four residents who moved in at age 62. The average resident who moves into a retirement community is in their 70's. Mr. Motter stated in the fifteen years he has been at Homestead Village three residents have had jobs and the rest are retired. Some residents do have two cars but the traffic is very limited because people do not go out to work in the morning, do not come back in the evening and at all costs do not want to be in rush hour. They will choose a time when there is not traffic because they do not want to deal with traffic. A retirement community is a very good neighbor and if you ask people who live next to retirement communities in Lancaster County you will find people like having a retirement community next to them. Mr. Motter stated you cannot control the destiny of this land because zoning can change and everything can change. If you have to pick who your neighbor is going to be, they are going to

be a good neighbor that you will find does not bother you. They are looking to be a pleasant place for retired people to live who are 70 to 75 years old and will be a pleasant neighbor.

Mr. McManus stated Ms. Hoffer asked about the independent living units and whether they would all participate in a level of health care. Mr. McManus stated it appeared Mr. Motter's answer was that they participate by way that they pay a fee that is common to everybody whether or not they need or use any health care facilities and Mr. Motter stated that was correct. Mr. McManus asked if the independent living units would be on a separate lot and Mr. Motter stated he does not believe so. Mr. McManus stated it will be a campus like Homestead and Mr. Motter stated yes. Mr. McManus asked the age restrictions and the duty to pay the fees part of which will be the health component fee would be part of the covenant entered into upon entry and Mr. Motter stated correct. Mr. Motter stated there are residents and care agreement that every resident signs that lays out what they will do and what the resident is responsible for. Mr. McManus asked if the units will be structurally modified in any way to reflect this health care component such as alarm systems, intercom systems, shower access that would permit elderly people to access will that be a matter of course in the initial design and Mr. Motter stated yes. Mr. McManus asked if fair to say the units will be constructed uniquely to serve an elderly population and Mr. Motter stated absolutely. Mr. Motter stated every unit will be ADA compliant. Mr. McManus asked Mr. Motter what relationship he has with the applicant. Mr. Motter stated their relationship throughout the whole process has been working as a consultant partner to the developer with a plan to shortly have a contractual relationship with them. Mr. McManus asked if the applicant is prepared to be bound by the representations made by this witness. Mr. Wolf stated in last month's meeting although they do not have a formal contract with Mr. Motter's organization at this time they have been in working meetings with him for several years and it is their hope to have a formal agreement with them as their partner. Mr. McManus asked if Mr. Wolf adopts and confirms and is bound by representations that Mr. Motter made with respect to the use and purpose of the independent living units and other facilities he described. Mr. Wolf stated yes.

Ms. Madonna had questions on who will own the cottages, traffic, could someone live there who had children and will nursing programs be able to study there.

Ms. Hall had questions on whether individuals could stay until their end of life.

John Newton from Springdale Farms asked if there would be a memory care unit.

Mr. Hall asked the percent vacancies in existing retirement villages in Lancaster County and the percentage of residents in the communities who are from outside Lancaster County.

Ms. Boyd had questions on the traffic.

Allen Herr, 707 Walnut Hill Road, stated he owns the farm adjacent at 295 Walnut Hill Road and wanted to know if the developers and residents are prepared for what comes with farms.

Mr. McManus stated the hearing is continued to August 28<sup>th</sup> at 7:00 p.m. in this building.

Minutes – Ms. Douglas asked if there was any correction or additions to the July 2, 2014 minutes. Ms. Hoffer stated they had testified to two corrections in the minutes and wanted to make sure the area of the description of the buildings there were only six multifamily buildings. Mr. Wolf stated top of Page 5 the third sentence should read “one of the six buildings will have 27 units five of the six buildings will have 32 units for a total of 187. Mr. Singer made a motion to approve the minutes as amended read by the Court Reporter “Top of page five third sentence the sentence reads now one of six condominium buildings will have 21 units one of the six buildings will have 27 units five the of six buildings will have 32 units for a total 187. The rest of the sentence where it says an eighth building will have 27 units needs to be deleted.

There is no seven or eight buildings there is only six buildings. Five will have 32 units one will have 27 for a total of 187. Mr. Peris seconded the motion and the motion carried unanimously.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board**

Wednesday, August 28, 2014

Time: 7:00 P.M.

The Manor Township Zoning Hearing Board met on Wednesday, August 28, 2014 at 7:00 p.m. in the Manor Township Municipal Building, 950 West Fairway Drive, Lancaster, PA. Chairman Barbara Douglas introduced the members of 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: Nickolas Ebersole and James McManus  
Visitors Present: Lisa Madonna, 354 S. Duke St.  
Phyllis Boyd, 28 S. Duke St.  
Michael C. Sheaffer, NAI Commercial Partners Inc.  
J. Diffendall, Red Bud Dr.  
Karen & Mark Talbot, 155 S. Duke St.  
Tom Strauss, 357 S. Duke St.  
Robert McLane, Millersville Boro

Minutes - There were no additions or corrections to the minutes. Mr. Peris made a motion to approve the August 6, 2014 minutes as distributed. Mr. Singer seconded the motion and the motion carried unanimously.

#### **Old Business**

Case #6-14 - The application of HHF Real Estate Development, LLC, property located at 306 South Duke Street, Millersville, PA 17551 Account #410-51387-0-0000 for a special exception of Section 202.3.12 in accordance with Section 448 Nursing, Rest or Retirement Homes and Section 605.3-Application for Special Exception. The Applicant would like to have a Nursing, Rest and Retirement Facility for residents 55 years of age and over on the property. The property is zoned Rural (R) and General Commercial (GC). Testimony to continue from the August 6, 2014 meeting. Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus stated notice of the time, date, place and subject matter of this hearing was stated at the conclusion of the last hearing held in this matter. Mr. McManus stated the last meeting of the Board in this matter concluded with the testimony of Douglas Motter. Ms. Hoffer was present on behalf of the applicant. Mr. McManus determined Ms. Madonna and Mr. Strauss were the only parties present.

Ms. Hoffer recalled Scott Hain who is with David Miller Associates and was previously sworn in. Ms. Hoffer stated a question was posed to Mr. Hain by Ms. Madonna regarding the noise from the pump station which Mr. Hain could not answer at the last meeting. The pump station is proposed on a lot shown on Applicant's Exhibit #3 located at the low point on the lot to allow for the gravity flow. Mr. Hain responded to the question regarding the noise of the pump station that at a typical pump station the generator runs for approximately ten minutes on a cycle to make sure it is functional if the power goes out. The generator only runs if the power goes out so that the station can continue to function. The generator is not the primary source for the pumps they run off electricity. A typical modern generator with an exhaust and muffler on it at a distance of about 20 feet is about 69 decibels. Looking up information on decibel levels of common sounds indicates that conversation speech is about 60 decibels, average radio or normal street noise is 70 decibels so the generator is in these ranges. Mr. McManus asked if the regularly powered electric source would create a drone or hum that is continuous or intermittent. Mr. Hain advised it would have some noise to a regular motor. It does have its own power source, Mr. Hain believes you would have to be in the station to really hear the noise from the motor itself. Mr. Peris asked if the pumps are above ground. Mr. Hain stated there are two ways the station can be built and they will build the station to the Borough requirements. The Authorities like to have all their stations the same so if a station goes out the parts are all the same.

Ms. Hoffer stated there was another follow up. Charity Kadwill with David Miller Associates who has previously been sworn in has been working on the Blue Rock Regional Fire District response letter marked as Applicant's Exhibit #37. This is a letter addressed from Ms. Kadwill to Duane Hagelgans at the Blue Rock Regional Fire District following up on his questions. Ms. Kadwill verified this is a letter she prepared in response to a letter the Fire Company had drafted to them before the first hearing. Listed are the questions that were asked to which Ms. Kadwill provided answers and a PDF of the flat building. Ms. Kadwill advised they had a PDF of the truck turning area and could provide it if requested. Ms. Kadwill contacted Ann Harach, the Commissioner's Secretary, who said everything seems fine and they will draft a letter. Ms. Kadwill stated they have not received the letter and have contacted them several times.

Jay E. States, Senior Traffic Engineer with Grove Miller Engineering, Inc. in Harrisburg was sworn in previously. Ms. Hoffer presented a resume for Mr. States that was marked Applicant's Exhibit #33. Mr. States gave background about himself and his experience in traffic engineering. Ms. Hoffer offered Mr. States as an expert witness with respect to traffic engineering and design. The Board accepted Mr. States as an expert witness. Ms. Hoffer stated they had pre-marked Applicant's Exhibit 21 which is two traffic study volumes with the first volume titled the Village at Funks Farm Transportation Impact Study dated November 25, 2009 revised February 8, 2010 and a second volume that is an updated document dated March 1, 2010 also from Grove Miller Engineering addressed to Barry Smith. These volumes were submitted with the application. Mr. States confirmed that the two documents identified as Applicant's Exhibit #21 were prepared by himself or under his supervision. Mr. States stated the November

25, 2009 last revised February 8, 2010 was a comprehensive study that included what is proposed as part of this project in addition it also included a conceptual commercial portion of the property. The commercial portion was some best estimates of what could be developed on that portion. The reason for doing that was to make sure that the three access locations were ultimately designed to accommodate not only the proposed retirement community but also what could be another project down the road. At the request of the Township's Traffic Engineer they had prepared the March 1, 2010 study that was a supplement to the first study that only looked at the retirement community itself. The recommendations provided in the March 1, 2010 supplement did not reduce any of the improvements from the first study it simply looked at some other intersections to show that the retirement community does not have an impact itself to these off site intersections. Referring to Applicant's Exhibit #3 the northern access as part of the March 1 supplement recommends northbound left turn lane which would widen South Duke Street as well as a southbound left turn lane. It would also show a southbound right turn lane. At some point in the future whenever something would be developed on the commercial tract there could be the potential for a traffic signal at that intersection. With just the retirement community the intersection would be adequate with a stop sign. The central location which is the primary entrance to the proposed facility they would look at widening South Duke Street to provide a northbound left turn lane as well as the southbound right turn lane. The southern access is simply a right out only when exiting. Both the southern and central access would be controlled by stop signs. Mr. States stated South Duke Street is a state route Penn Dot would be the permitting agency for the three access points. The Township would be provided the information for review and comment prior to submitting to Penn Dot. The permitting would not occur until the traffic impact study is approved during the land development process. These improvements are proposed but Penn Dot could ask for additional improvements and they would be obligated to do whatever Penn Dot required. The improvements would be at the responsibility of the developer. It is Mr. States opinion at this point with the improvements and with the conclusions in the Traffic Study, the traffic on this site can be properly managed on the adjoining roads. Mr. States explained how it is determined what kinds of traffic will be generated from the site. The study goes back to the prior approval with the prior plan that received approval from the Zoning Hearing Board and they have not done an updated count at this point. Mr. States explained to the Board why they have not done an updated traffic study. Ms. Hoffer stated basically two issues to address with Special Exception one is traffic generated does not have an adverse effect on the road system with the improvements proposed by the applicant and the second part is with traffic they would have to demonstrate that this particular use as a nursing, rest and retirement home proposed for this site will not have an unusual effect that would be different from other nursing, rest and retirement communities that could be located here. Mr. States is confident with the trip generation analysis with respect to this site that it is consistent with other similar uses. Mr. Peris verified they had no plans to stop traffic on South Duke Street. Ms. Douglas questioned the entrance that had a right turn out only as to whether you would still be able to enter. Mr. McManus referred to Site Plan Exhibit A#3 the only traffic controls proposed at any of the intersections are stop signs and Mr. States stated yes. Mr. McManus asked if they are stating the data that was used in the 2009 study that included school district, college attendance and the Funk commercial facility that those numbers are still being used for the evaluation of this particular project. Mr. States stated they are being used in the two submissions. Mr. McManus asked if they used those numbers for this particular application and Mr. States stated yes. Mr. McManus asked when they determine traffic generations and use

the Institutes Traffic Study Data they go to a land use category and Mr. States stated correct. Mr. McManus asked if there is a distinction between retirement facilities that would have an age of 55 and over versus 65 and over. Mr. States does not believe there is a distinction but when they develop the trip generation there is land use descriptions that talk specifically about what that intended unit will be based on. As part of their scoping of doing a traffic study, all the information is submitted in this case to the Township for review. Land uses is typically based on the IT Trip Generation Description provided as well as their experience with other projects that are similar in nature. Mr. McManus asked if the Institute recognizes that a retirement facility of persons at age 55 may continue to work and their trip would be at peak hours. Mr. States stated it does not account for that. Mr. McManus had questions on the number of trips and what percentage is used for peak hour. Mr. McManus asked if they determined the existing level of service on South Duke Street. Mr. States indicated they evaluated the local service at the three access locations. Mr. McManus asked if their analysis based upon trip generation, average daily traffic, peak hour generation from this proposed development has their evaluation determined that the traffic generated by this development will not adversely affect the present level of service on South Duke Street. Mr. States indicated based on their analysis and supplemental analysis that looks at the retirement community itself there will be no adverse impact to the levels of service along South Duke Street. Mr. McManus asked that Mr. States show the Board how it was arrived at. Mr. States explained how the levels of service were arrived at and what the level of service stands for. Mr. McManus asked if a level of service "C" is more than adequate to handle existing and proposed traffic at any given point on the road system and Mr. States replied yes. Mr. States listed the levels of service at all the access locations. Mr. Singer referred to Volume March 1, 2010, Page 2 Highway Capacity Analysis Summary, Table 1 Level of Service Summary asking questions on the levels of service and the intersections involved. Ms. Hoffer stated to clarify the initial study incorporated the commercial use to establish what kinds of designs would be needed needed. If that commercial plan would come in Penn Dot would relook at the Traffic Study as would the Township to the affect the commercial additional traffic would have. Mr. Peris asked if the speed limit would be changed on South Duke Street. Mr. States replied they are not proposing to alter them. Mr. Peris asked if Mr. States felt the State or Municipality would change the speed limit based on access points. Mr. States advised posted speed limits are typically posted within 5mph of the 85<sup>th</sup> percentile speed. The 85<sup>th</sup> percentile speed along South Duke Street is higher than the posted speed limit.

Ms. Madonna does not feel their traffic statistics are accurate for now. She indicated traffic has greatly increased in the last four years. Ms. Madonna asked if the existing private driveways are taken into consideration.

Mr. Strauss asked if a study of the speed was completed.

Mr. McManus asked if this development did not occur and the Funk Farm Operation were to suddenly begin again in a similar fashion to what it was, is it Mr. States testimony that the traffic generated by the Funk commercial establishment would be greater than the retirement community and Mr. States replied yes.

Scott West, Swedesford Lane, asked about the basis for the possible commercial development area. Mr. West asked who was responsible for improvements that would be required by Penn Dot.

Phyllis Boyd, 28 S. Duke Street, asked for further clarification on the intersection of South Duke, Frederick and Letort Rd area. Ms. Boyd stated she was at a hearing in Millersville Boro



where it was talked about the intersection being changed as a result of the potential development of Funks Farm Market.

Mr. McManus explained that the development of the commercial property and the traffic generated from that development is not something before the Board this evening and they have no power to evaluate this application other than what the applicant has shown can be generated from this particular retirement community. Mr. Peris added when that commercial property could be developed in the future there will be another traffic study that will be done actually take into consideration the actual impact will have.

Robert McLane, Millersville Borough, indicated that Millersville Borough will be tearing down buildings and installing traffic signals and asked who would be paying for that.

Karen Tolbert, 155 S. Duke Street, had questions on the widening of South Duke Street. Mr. McManus asked Mr. States to review the proposed lanes more carefully.

Ms. Hoffer presented herself as a witness. Ms. Hoffer stated at the first hearing the Board saw a phasing plan that was identified as Exhibit 12. When Mr. Hain reviewed this plan the intent was to begin on the north side of the property and move into the south side with the provision that the pump station and the entrance point would need to be completed. The phasing plan showed this could be a long term development due to the fact there is quite a bit of upfront cost. The improvements, houses, and units would be built to demand. In discussion with the Township, Ms. Hoffer asked how they were interrupting Section 604.11 regarding the time to build out a project. The Ordinance reads that if the Board would grant approval than the applicant could proceed to land development which is what would occur next. After land development approval they would begin to construct. The problem is the time period once construction is started to completion. The Ordinance only allows 12 months. They are requesting the Board grant a time period within which this plan could be built out. Phase 1 is the assisted living facility, wellness facility, town house style homes, and other homes would come in later. They talked about a realistic time frame and in speaking with Mr. Ebersole he recommended they ask the Board to establish a time frame. They had testified to the phasing and put in as an exhibit but if it is in conflict with Section 604.11 they felt it was important to address it with the Board. The phasing plan shows if they started this year with land development that they would have six years for Phase 1 and another 10 years for Phase 2. That would be ideal but if the Board felt that was too long they could shorten the timeframe. Their request would be if the Board would willing to agree they would indicate they could meet this schedule of a phasing plan provided that the applicant move expeditiously into land development and continue to actively pursue the approvals. Ms. Hoffer stated they understand the Board has made no decision but she wanted to have a conversation with the Board. Ms. Hoffer asked Mr. Ebersole if he had any input. Mr. Ebersole believes it is something they can talk about as it is difficult to do in the six month time period. Mr. Ebersole believes that it is a short time frame for something of this size. Mr. McManus suggested if Ms. Hoffer on behalf of her client wishes to submit to the Board a proposed recommendation relating to Section 604.11 the Board will look at it and consider it as part of the application. Mr. McManus stated the Board has dealt with Section 604.11 previously in some projects and it has been customary for applicants who have not been able to complete the project for one reason or another to come in and request a continuance which is has been granted by the Board. The request appears to be reasonable and the Board should consider how it can accommodate in the event it does approve the application to accommodate a schedule that would allow the completion of a project of this size.

Ms. Hoffer asked to reserve the right to bring a witness back.

Mr. McManus advised that now is the time for each party to have the opportunity to testify, present witnesses and make statements.

Lisa Madonna, 354 South Duke Street, stated this has a huge impact on where she lives. Ms. Madonna stated her husband bought 27 acres of wooded land with Funks field behind them that was preserved farmland. This project will change the whole area of what all of them in the area moved in there for. It was farmland and they all wanted to live there because of that. The road is not good. Ms. Madonna stated this is not a little change as they are talking about turning lanes and the road was not built for that amount of traffic. Ms. Madonna asked the Board to consider the area is not made for that amount of people and the entire atmosphere will be changed.

Mr. Strauss stated this project will have a serious and long lasting impact on the rural district. The last time he read the Ordinance to the Board but ask that they look at it again what is allowed in the rural district. Mr. Strauss feels they tend to adopt language from other townships and all the townships start to resemble each other in time. Manor Township has not done that in the past. Mr. Strauss ask that the Board read the Ordinance and decide as they will.

Robert McLane, Millersville Boro, talked about the preliminary thoughts of developing Funk's property. Mr. McLane stated he circulated petitions which he presented at the previous application and they were rejected. Mr. McLane was again presenting the same petitions. Mr. McLane read a section from a letter he is writing. Ms. Hoffer objected to the petition being entered. Mr. McLane is not a party and this had nothing to do with this property. It is a general statement on farmland preservation. Mr. McManus stated this is regarding the commercial area which is not before the Board and Mr. McManus asked for a decision of the Board whether to accept this or not have it admitted. It appears to be about a subject matter that is not presently before the Board. The Board decided to reject the petition.

Scott West, Swedesford Lane, Millersville, asked the Board to consider that perhaps the scope of this project may be larger than what the Ordinance is intended to do. There will be an impact that will be irreversible. The scope is excessive for the area. Everything presented is to give a perspective that makes things look golden. Mr. West stated if this is done nothing will alleviate traffic it will only make it worse. Mr. West ask that the Board make a good decision that takes the community as a whole and the good of the community.

Ms. Hoffer asked for a five minute recess. The hearing reconvened at 8:45 p.m.

Ms. Hoffer stated she prepared a set of proposed conditions for this application based on the decision that was given by the prior Zoning Hearing Board but identified the number of units, percentage of impervious area, the requirement to do the public improvements with the Penn Dot street requirements and also addressed the completion of construction of the development as they had just spoke about. Ms. Hoffer marked this as Applicant's Exhibit #38. These are conditions being offered by the Applicant. Ms. Hoffer asked Mr. Wolfe if she had the authority to submit the conditions on his behalf and Mr. Wolf stated yes. Ms. Hoffer stated briefly what they are proposing is if the Board would grant approval of the request before them they would be willing to comply with these conditions confirming what they provided to them and the evidence is the way this plan will proceed. With respect to the timing she has two matters that relate to it. One is Condition #11 which was not part of a prior decision that refers to the requirements to build the sewer pump station and the south access drive even though they are starting in Phase 1 these things must be done in Phase 1 even though they are on the plan as part of Phase 2. Added is

proposed Condition #12 which is that the Applicant would substantially complete construction of the development within ten years from the recording of the first final land development plan for the development unless they would agree to extend. They could come back and request an extension. It was modified slightly to have a requirement in response to the concern “are you going to keep it moving forward” that they would have to submit their land development plan application within a year from the decision. For a project like this, there is a substantial amount of work and a very comprehensive document is required. They feel twelve months is a very fair amount of time. The Ordinance does not have a specific time frame within which that has to happen the Ordinance identifies the time to complete from the date of recording of the final plan. Ms. Hoffer stated these are proposed conditions they are offering in support of this application that would be a modification to Section 604.11 of the Ordinance. They are asking for the modification to be considered along with the application for Special Exception.

Ms. Hoffer stated they presented a lot of detailed testimony. The Ordinance has two components to it. It has rural district which this property is zoned and a special exception that says we allow nursing, rest and retirement homes by special exception subject to the criteria of Section 448. That particular section listed a number of items that if you meet these requirements you are entitled to a special exception. Ms. Hoffer stated she believes they established that they met those requirements. In response to the concern, “was this really anticipated for rural district” that decision has been taken away from the Board. That decision was made by the Supervisors when they adopted the Zoning Ordinance. What they did in the Zoning Ordinance, they said within a rural district we have decided that by special exception this kind of development is appropriate for this district under certain circumstances that are identified it has to be an arterial or collector road. This cannot be anywhere in a rural district it can only be on an arterial or collector road which fits this property. It has to have public water and sewer that will also protect a lot of rural districts in the Township because they are not going to be supplied by water and sewer. It limits the area in the Township where this type of use can be developed. This property meets those requirements. When the property meets those criteria and is in excess of 60 acres the Supervisors have determined that for rest, retirement and nursing home a density that they are less than what would be permitted and the acreage identified are appropriate for this district. That decision was made by the Supervisors. Some of the neighbors are feeling like maybe rural district should not be developed this way, but that is what the Ordinance provides for. It provides for areas within the district that have meet some specific criteria. It is not anywhere in a rural district it is only where these criteria are met. There are only going to be a handful of places in the Township where this type of development could occur. They have addressed the General Requirements for a special exception. The comment was made will this have an impact. Yes it will have an impact. Any use that you propose has an impact but the standards for a special exception look at is this impact of this development greater than a similar use. Does this nursing, rest and retirement home have a component to it that would be a greater impact on the community than an average nursing, rest and retirement home. For instance, if you put a Starbucks in the center of this facility you might feel that is not part of what is a typical nursing, rest and retirement home and it will generate more traffic, will generate a retail use and they do not think that fits. As long as the applicant can establish that this is a fairly typical use that impact has already been determined to be an acceptable impact by the Supervisors by adopting this use into the district. The standard for the applicant does not say there can be no impact. The point made that development has an impact is true it does but the standard states is this impact greater than the impact from a similar type of use and they do not

believe that is the case. They believe they have established that not only this impact similar as Mr. Motter identified to other uses of a nursing, rest and retirement home but also that the way the property has been designed is to help mitigate the impact on the community. Traffic improvements, landscaping, setbacks, larger than required open space they believe it has been carefully designed to minimize impact but they cannot eliminate impact because all development creates impact. The traffic impact from this development is being mitigated by the improvements that are being proposed. The standard is not is there any traffic impact every use creates traffic impact. The issue is are you mitigating the impact and is this particular use generating more traffic than would a similar use as a nursing, rest and retirement community generates and the answer they believe is no this will be a typical amount of traffic generated and the applicant is addressing its impact on the local roads. With respect to the larger impact of traffic, development occurs throughout Manor Township, Millersville Borough and the surrounding communities and planners anticipate when they zone property that there will be more traffic and that they will have to as a municipality address traffic. They believe that has happened in Manor Township. There has been improvements and is happening and has happened in the adjoining Millersville Borough as well. In summary, they believe they have met the criteria for a special exception that is contained in the Ordinance. They do not believe that this impact is of a type that would have an adverse impact over what would be anticipated from this type of use and that determination has been made by the Supervisors in adopting the Zoning Ordinance that this type of use is appropriate here. In the neighborhood context map, they recognize everyone would prefer things stay a farm but this area is developed. It is adjoining a commercial district and high density within its area. There are a lot of very nice homes in the area and they know they would probably prefer this to remain a farm but it is not zoned for that. It is zoned for this type of use and it is in the part of the Township that adjoins high density development and commercial development. They think this is an appropriate place for it and they feel that every effort will be made to make this an integrated use within the community and to make it an attractive and good neighbor for the neighborhood. Ms. Hoffer thanked everyone for their time. Ms. Hoffer spoke with Mr. McManus about timing on a decision. There is a hearing on September 3<sup>rd</sup> and they are concluding this evening. The Board technically has 45 days to come to a decision. Mr. McManus had concerns that may not be sufficient amount of time to write up the decision and have contact individually with each Board member. If the Board needs the additional time, the applicant would be willing to grant to the November meeting. Mr. McManus stated that would be the first Wednesday in November, which is November 5, 2014. Ms. Hoffer stated that is their extension to the Board that must be in the record.

Ms. Hoffer stated they have 38 Exhibits and propose to the Board they would like to move those Exhibits into evidence if they will accept them. The Board accepts all the Exhibits offered.

Mr. Peris made a motion to accept recommendation of counsel that they could put the decision off until November 5<sup>th</sup> meeting. Mr. Singer seconded the motion and the motion carried unanimously. Ms. Douglas stated the Zoning Hearing Board will take the extended time and make a decision on this application at their November 5, 2014 meeting in this building at 7:00 p.m.

Mr. Peris made a motion to adjourn the hearing. Mr. Singer seconded the motion and the meeting was adjourn at 9:00 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, September 3, 2014

Time: 7:00 P.M.

Chairman Barbara Douglas called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Wednesday, September 3, 2014 at 7:00 p.m. Chairman 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: James R. McManus, III and Nickolas Ebersole  
Visitors: See Attached

#### **New Business**

Case # 7-14 - The application of Ms. Tracie Young, property located at 1828 Water Street, Washington Boro, PA 17582, Account #410-62650-0-0000 for a special exception of Section 202.3.1 in accordance with Section 407 Animal Hospital, Veterinary Facilities and Kennels and Section 605.3-Application for Special Exception. The Applicant would like to have a facility for Wildlife Rehabilitation on the property. The property is zoned Rural (R). Ms. Douglas turned the hearing over to Mr. McManus.

Mr. McManus asked that Mr. Ebersole be sworn in. Mr. Ebersole stated his name is Nickolas Paul Ebersole and is employed as the Zoning Officer for Manor Township. In that capacity Mr. Ebersole receives and administers the applications that come before the Zoning Hearing Board. Mr. Ebersole received the application indexed at #7-14 the application of Ms. Tracie Young for property located at 1828 Water Street, Washington Boro. The application was prepared on a standard special exception application form provided by the Township. The application contains the form and seven pages of supplemental information. Mr. Ebersole published the time, date, place and subject of this hearing in the Lancaster Newspapers on August 20 and 27, 2014. Mr. Ebersole provided Proof of Publication. The Application was marked Exhibit #1 and Proof of Publication Exhibit #2. Mr. Ebersole posted the property which is the subject of this application with a notice of the time, date, place and subject matter on August 15, 2014. The contents of that notice was the same as the notice published in the newspaper of general circulation. Mr. Ebersole posted in the lobby of the Township building a notice of the time, date, place and subject matter of this hearing on August 13, 2014. Adjoining property owners were notified of this hearing by mail.

Mr. McManus explained the process for the hearing and party status. The following individuals requested party status: Vince Miller, 6 Front Street, Washington Boro lives behind the property on question. Mary Henry, 1830 Water Street, adjoins the property. David Fisher, 1824 Water Street, lives next door. Rick Vogel property owner of 1830 Water Street. Peggy Hentz, Red Creek Wildlife Center, Schuylkill Haven, asked to be a party to the application. Mr. McManus asked Ms. Hentz if she is directly affected by this application. Ms. Hentz stated she invested a lot of time and energy in training Ms. Young to open up a Wildlife Rehabilitation Center. Ms. Hentz advised they are the closest Wildlife Rehabilitation Center to Lancaster County so Redcreek is taking all the injured animals presently. Mr. McManus asked Ms. Hentz's interest would not change if the applicant wanted to have this refuge center in East Lampeter. Ms. Hentz stated she would have the same relationship. Mr. McManus stated it is nothing specific to this site or this plot of land it is really the business generally and Ms. Hentz stated correct. Mr. McManus informed the Board under those circumstances there is no particular interest in this property and it appears the other four persons have a substantial and direct interest in this, but that is for the Board to decide. Mr. McManus asked if the Board will accept the adjoining property owners, Miller, Henry, Fisher and owner Vogel as parties. The Board accepted them as parties. Mr. McManus asked if the Board accepts Peggy Hentz as a party. The Board did not accept Ms. Hentz as a party.

Mr. McManus asked that anyone on behalf of the Applicant who will make a statement as well as the applicant be sworn in. Ms. Young stated she is a licensed wildlife rehabilitator in the State of Pennsylvania and she and her husband are purchasing a home in Manor Township at 1828 Water Street, Washington Boro. As a licensed wildlife rehabilitator in Pennsylvania she is regulated and inspected by the Pennsylvania Game Commission and the U.S. Fish and Wildlife Service a division of the Department of Interior. She will be temporarily caring for sick, injured and orphaned wildlife until they can be released. There are guidelines that must be followed for caging requirements for the safety of the animal and the safety of the public. Animals will be released in an appropriate manner and will not be released in the same locations. She is also responsible to uphold these guidelines with public safety in mind. There are strict rules and regulations of no public visitation, no public interaction with wildlife at any time on the property. Ms. Young is sponsored and works closely with Redcreek Wildlife Center. The types of wildlife she will be handling and admitting will be mammals, song birds, water fowl and raptors. Having a licensed wildlife rehabilitator in the community is beneficial to the Township, the Police and Government Agencies. This will help with the burden of who to contact for help and advice with wildlife situations. There are laws that need to be followed when working and caring for wildlife. The public is not always aware of the laws and try to raise wildlife on their own. It is illegal and unsafe for the public to handle or try to raise wildlife as there are very stiff fines. Also when working with wildlife there are many parasites and diseases that these animals carry and the public is unaware of them and some of them can be transmitted to humans and their pets. With a wildlife rehabilitator in the area, the public will be more inclined to bring injured or orphaned wildlife to her. Wildlife feel very threatened and defensive when they are handled by the public that is untrained and if not handled correctly by a trained professional it can be detrimental. As a trained professional, she is able to advise and respond to the public's need for help. She will not be involved in the control or removal of domestic animals.

Mr. McManus advised there are certain criteria in the Zoning Ordinance that Ms. Young needs to show to the Board that she satisfies. Mr. McManus asked if Ms. Young is presently the owner of the property. Ms. Young advised they are settling on Friday. Mr. McManus asked if

she had an agreement of sale to that effect. Ms. Young provided the agreement of sale. Mr. McManus stated he is looking at a standard agreement for the sale of real estate between Curt & Tracie Young and Michael & Michelle Schlegemilch. Mr. McManus asked Ms. Young to describe the property she intends to buy. Ms. Young stated it is approximately one-half acre, plans on fencing in the back yard, and a small two story barn in the back yard they plan to rebuild which is where the animals will be taken care of. Mr. McManus asked what the two story barn is presently being used for and Ms. Young stated she believes just for storage. Mr. McManus asked if the animals will be housed and treated in the barn and Ms. Young stated yes. Mr. McManus asked if there is a dwelling on the property and Ms. Young stated there is a home. Mr. McManus asked if it is a single family detached home and Ms. Young stated yes. Mr. McManus asked if there are any other buildings on the property that presently exist and Ms. Young stated no. Mr. McManus stated the application prepared shows what looks to be a modular shed and Ms. Young stated that will be something that will be brought in not built on the property. Mr. McManus asked if it would be a structure and Ms. Young stated yes. Mr. McManus asked the intended use of that building. Ms. Young stated it would be for raptors for them to be able to exercise their wings, to gain their strength and to help them learn to hunt again. Mr. McManus asked if that building would be limited to the care and housing of raptors and Ms. Young stated yes. Mr. McManus asked the size of the barn that exist on the property. Ms. Young stated it is not a huge barn. Mr. McManus asked how many square feet the house is and Ms. Young believed it was 1900 sq. ft. Mr. McManus asked if the barn is two levels and would Ms. Young be intending to use the top level. Ms. Young stated yes. Mr. McManus asked if the barn is larger than the house and Ms. Young stated no. Mr. McManus asked if the barn is half the size of the house and Ms. Young stated it is less than half the size of the house. Mr. McManus asked that is one floor or both floors and Ms. Young stated both floors. Mr. McManus asked that the Agreement of Sale be marked Exhibit #3. Mr. McManus asked what the present use of the property she intended to buy is. Mr. McManus asked if it is developed as a residential property, there is a house for a single family, there is no evidence of any agricultural, horticultural or farming activity on that half acre correct and Ms. Young stated that is correct. Mr. McManus stated there are no other uses on that property that she can determine that are not residential uses and Ms. Young stated correct. Mr. McManus stated as part of the application there is an aerial photo is that from an online service and Ms. Young stated yes. Mr. McManus stated it labeled with various buildings and indexed as to a house, a barn and a proposed enclosure and Ms. Young stated correct. Mr. McManus asked if there is one driveway to the property and Ms. Young stated correct. Mr. McManus asked if there is any area for off street parking on the property. Ms. Young stated there is a grass area across the street that a lot of people in the area park their vehicles there. Mr. McManus asked what is on the property. Ms. Young stated there is a driveway. Mr. McManus asked how far the barn is from the property lines. Ms. Young stated the stakes are not out but there is a hill, a stream and the neighbor's house is next. Mr. McManus asked if Ms. Young could tell him the distance from the barn to the nearest neighbor's house. Ms. Young did not know the distance. Mr. McManus asked if any noise generated in the barn can be heard from any neighboring homes and Ms. Young stated they would not be able to hear anything in the barn. Mr. McManus asked how that was determined. Ms. Young stated injured wildlife is quiet and the only thing in the barn would be incubators for the newborn wildlife. Mr. McManus asked if Ms. Young will be the only person engaged in this occupation on this property. Ms. Young stated she will be the rehabber but she will also have some volunteers as there are some animals that take round the clock care.

Mr. McManus asked how many volunteers and Ms. Young stated probably three at this point. Mr. McManus asked what the maximum number she would have and Ms. Young stated maybe eight. Mr. McManus asked if those eight volunteers would have vehicles and drive to the property and they will park somewhere on the property and Ms. Young stated yes. Ms. Young stated there would not be eight volunteers there at one time. Mr. McManus asked the maximum number of persons other than herself that would be on the property at one time. Ms. Young stated her husband, herself and maybe two volunteers. Mr. McManus asked if there would ever be four volunteers on there at one time and Ms. Young said there could be. Mr. McManus asked if there could be five volunteers and Ms. Young stated no. Mr. McManus asked if she will install any lighting for the intended use of the property and Ms. Young stated a light near the barn over the door. Mr. McManus verified she did not have a floor plan or exhibit showing the specifics of the barn area and Ms. Young stated she did not. Mr. McManus stated the application shows an example of a proposed prefabricated outdoor structure is this going to be identical to the one proposed to be located on the property and Ms. Young stated yes. Mr. McManus asked how large will the one be she will use. Ms. Young stated maybe a 10 x 20'. Mr. McManus asked how large the structure will be and Ms. Young stated a 10 x 20'. Mr. McManus verified that the 10 x 20' structure will house raptors only and Ms. Young stated correct. Mr. McManus asked if the raptors make noise. Ms. Young advised the owls that are raptors will at night. Mr. McManus asked if that noise will be able to be heard on adjoining properties. Ms. Young stated depending on how quiet it is outside there is also a train in front of the house also. Mr. McManus asked if the only access to this property is by Water Street and Ms. Young stated yes. Mr. McManus asked if the properties adjoining this property and along Water Street are for the most part residential properties. Ms. Young stated yes. Mr. McManus asked to her knowledge are there any business, commercial or industrial uses on any of the properties within 300 to 400 yards of this property. Ms. Young stated she did not know. Mr. McManus asked if she agreed her proposed use is not a kennel, veterinary facility or animal hospital and Ms. Young stated correct. Ms. Young stated it is a wildlife rehabilitation center that the animals are injured, abandoned or orphaned. Mr. McManus asked with respect to animal hospital, veterinary facility or a kennel is your proposed use similar to or close to any of those three. Ms. Young stated it would be close to veterinarian but not kennel. Mr. McManus asked if there are licensed veterinarians that will treat these animals on your property and Ms. Young stated yes. Mr. McManus asked if that would be on a regular basis and Ms. Young stated no. Mr. McManus asked if that would be an unusual occurrence or common occurrence. Ms. Young stated it will be unusual as most of the time she takes the animals to the vet. Mr. McManus stated she had certain training with respect to the occupation of wildlife rehabilitation facility and asked what particular training that was. Ms. Young stated she has been studying and training under Peggy Hentz for the last five years, conferences on hand training where Ms. Young goes on weekends to Ms. Hentz and she receives training on triage, how to take care of the animals, and exams that she needed to pass through the Game Commission. Mr. McManus was asking what Ms. Young is trained to do. Ms. Young stated she trained and licensed in care of wildlife. Mr. McManus asked if she could fix a broken limb, apply a splint and Ms. Young stated yes. Mr. McManus asked what other medical or rehabilitative things is she trained to do. Ms. Young stated if the animal is in bad shape she is able to make the call to put down the animal, if needs surgery take to veterinarian, work with veterinarian with medications. Mr. McManus asked if Ms. Young administers antibiotics and Ms. Young stated yes. Mr. McManus asked if a license is required to do that and Ms. Young stated a license is required. Mr.



McManus asked if she is permitted by the Commonwealth of Pennsylvania and Ms. Young stated through the Pennsylvania Game Commission. Mr. McManus asked if the volunteers will be permitted by the Game Commission and Ms. Young stated they will start out as a volunteer then go to a sub-permittee and they also need to get permits for capture and transport. Mr. McManus asked if that means they can only be there as long as she is there supervising their activities or if someone can bring them an animal they will be trained on how to handle that animal until they can get it to her. Mr. McManus asked if Ms. Young is familiar with any other wildlife rehabilitation facilities in Pennsylvania or any other county. Mr. McManus asked if she can describe the other facilities as to the size of the tract located on. Ms. Young listed several facilities and indicated the approximate size of the properties. Mr. McManus asked if she is able to tell the Board the maximum number of animals that would be cared for at one time on this property. Ms. Young stated maybe 30 – 40 in the spring but you could get litter of possums that would be ten babies. Mr. McManus asked if it could exceed 40 depending on the nature the animal and Ms. Young stated yes. Ms. Young said in the instance of a nest of young ones they grow quickly and released quickly. Mr. McManus asked if she will be receiving the delivery of any supplies or food. Ms. Young stated she would bring those things to the property. All equipment and supplies are transported by Ms. Young in a standard vehicle. Mr. McManus asked if the property has public sewer and water. Ms. Young advised there is public sewer and well water. Mr. McManus asked if there is sewer and water service to the barn and Ms. Young stated no. Mr. McManus asked if she requires sewer and water service for those animals that are being treated in the barn and Ms. Young stated yes. She will have contractor take care of it. The raptor enclosure will not have sewer and water to the structure the raptors will have bowls of water. Mr. McManus asked if the aerial photo is the most specific information she can provide to the Board with respect to the locations of buildings and their distances to other properties or property lines and it is not scaled. Ms. Young stated it is the only information and it is not scaled.

Ms. Douglas had questions regarding the parking, where they will be parking on the property and how they will get out. Ms. Douglas asked how many vehicles could park on the paved spot and Ms. Young stated at the top of the driveway two and could put 4 or 5 cars down the driveway. Ms. Young stated she parks her vehicles by the home. Ms. Douglas asked after the animal is healed does she take it somewhere. Ms. Young stated she would be in touch with the Game Commission depending if it was a specialty animal and she usually releases on Game Lands.

Mr. Peris asked if there will be a sign on the property and Ms. Young stated no. Mr. Peris asked how public will know where to go. Ms. Young stated there is a Pennsylvania Wildlife Rehabilitators phone list and by word of mouth. They all work together. Mr. Peris asked if there would be any type of outdoor lighting that may shine on a neighbor's property and Ms. Young stated no. Mr. Peris asked if there is any lighting shining into the driveway for people to park. Ms. Young said that may be something she will do. Mr. Peris asked if there will be any odors that may be a problem for neighboring properties and Ms. Young stated no. Ms. Young stated the cages are cleaned several times a day. Mr. Peris asked if there is any threat or risk to anyone's pet. Ms. Young stated that is why they will fence the yard in. Mr. Peris asked most animals will be released in accordance with Game Commission they will not release into the neighborhood and Ms. Young stated correct.

Mr. Singer asked about the disposal of waste from the cages. Ms. Young takes the waste to the incinerator at Bainbridge. Mr. Singer asked if an animal would die while in her care is there

a way to handle that. Ms. Young stated it would depend what kind of animal. If it is a criminal case the Game Commission gets it and sometimes they recycle the animals.

Vince Miller had questions on the fence and use of the easement. Mr. McManus asked Ms. Young to show them exactly where the fence will go on the aerial photo. Mr. McManus stated the applicant has drawn on the aerial photo which accompanied the application a fenced in area that extends from approximately the middle of the home, northeast to the property line and then follows the property line and extends south from the corner of the property line, northeast corner of the property line and approximately two-thirds of the way down.

Ms. Henry asked if there is a possibility the applicant could have a kennel in the future. Mr. McManus advised that is not the subject of this application. Ms. Henry had questions on the type of fence, the possibility of the animals getting out, and if there would be traffic.

Mr. Fisher had questions on the removal of the waste, how often it is removed, and how it is stored until it is removed. Mr. Fisher asked if there would be a better location. Mr. Fisher questioned the location of the fence since the barn is sitting tight against his property.

Mr. Singer asked if there is a potential of getting deer. Ms. Young stated they would go to Ms. Hentz.

Mr. McManus asked what the largest mammal Ms. Young would take into her care. Ms. Young stated a woodchuck.

Mr. Peris asked Ms. Young to clarify the fence for him on the photo.

Mr. McManus asked if she had access to any larger scale drawings or site plans of this property that would show dimensions to property lines and the specifics of the barn. Ms. Young stated she could get it. Mr. McManus stated it may be that all the testimony is concluded this evening but she has the option to request that this hearing be continued to the next month's meeting in order to supply additional information but Mr. McManus stated that was up to Ms. Young. Mr. McManus advised typically the Board would see a drawing that would contain dimensions and more accurate indications of the proposed use but that is something she must consult with whoever she wished to consult with but an option that remains open to her as an applicant.

David Zink, 1830 water Street, asked how she would keep a groundhog from digging under the fence. Ms. Young advised they are in special cages. There will never be animals outside. Mr. Zink stated he hunts and asked Ms. Young if she would be offended if he had a deer hanging in the back or plucking ducks or turkeys. Ms. Young stated no.

Mr. Young was sworn in. Kurt Trevor Young, 128 Maplewood Lane, Maytown, PA, spoke to the people they will be living next to he told them there will be no kennel. Mr. Young stated what they are proposing did not fall under category that was in the Zoning Ordinance and this section was the closest to what they were proposing. Mr. Young stated no one will be parking in the easement. Mr. Young stated they may have two volunteers at any given time depending on the number of animals. Regarding deliveries, everything they get is donated. They will not be getting deliveries in large vehicles as they will be picking the things up. Mr. Young replied to the concern regarding the noise stating they will not be having anything that is not indigenous to that area. Mr. Young stated the neighbors may hear some birds but 98% of what they do will take place in the barn that will be turned into a rehab center which means the animals won't be able to get out through cracks in the barn. When they are done with it, it will not be a barn anymore it will basically be another enclosed building. The fence line they are proposing to bring it out from the barn because the barn is on the property and not doing anything with the stream and not cutting off the neighboring property. If they would need to use the easement for

anything other than once in a while taking something to the barn, they would certainly talk to the neighbor about it. There will be no chances of animals getting out. They are looking forward to moving into the community and Mr. Young stated if there are any concerns from any of the neighbors, please come to them and talk to them about it. Mr. Young stated there will not be a sign and most of the time you will not know there are animals on the property. The raptors make noise occasionally but no more than a hawk flying over calling out. Their goal is to rehab the animals as quickly as possible and as safely as possible under the jurisdiction of the Game Commission.

Ms. Douglas directed a statement to Ms. Young referring to something that Mr. McManus said and is entirely up to Ms. Young but she personally and probably the other members of the Board would like to see a drawing where they would be able to see how far from the road a house is and from the house to the barn. Mr. Singer advised he would like to see more on the barn as far as dimensions and the improvements as it would give them a better feel for what the neighbors are concerned about and what they are doing to ease those concerns. Ms. Douglas stated it would be helpful to see the distances for the buildings but it is entirely up to Ms. Young whether to provide the information. Mr. McManus advised that technically it is a requirement of the Ordinance for have a dimensioned site plan to accompany the application.

Dennis Warfel, Wildlife Conservation Officer with Pennsylvania Game Commission, made a statement on Ms. Young's behalf stating the public feel strongly about wildlife. Many of the wildlife Ms. Young will be providing care for will be orphaned or injured wildlife that needs that help. Mr. Warfel stated he gets dozens of calls in a year to rescue wildlife and a concern is they have no place to take it. The residents in this area need somewhere for wildlife to go to so they can be cared for and released back into the wild. Some of this wildlife is a threatened species. Location in Manor Township close to the river is beneficial as a large number of water birds get into trouble. They are cared for at the facility and released. If the wildlife is unable to be released, at the evaluation it is determined it will be unable to take care of itself when released it will be euthanized under a policy with the Game Commission. Mr. Warfel stated Ms. Young has already been a valuable asset to him regarding injured wildlife by being the transport for him to Redcreek Wildlife Center. This is not a paid job Ms. Young is doing it out of her love for wildlife. Mr. Warfel feels they will do a great service for Lancaster County as well as the State of Pennsylvania.

John Veylupek, Conservation Officer with the Pennsylvania Game Commission, stated he is the local WCO and has Washington Boro in his District. Any concerns any one has about the place, if they are unhappy he will be unhappy. There are numerous requirements under her permit such as the cages must be strong and secure, stringent cleaning requirements, and any release of wildlife will be coordinated through Mr. Veylupek. Mr. Veylupek referred to a raptor rehabilitator in Hallam stating she has never had any complaints that he was aware of. All the animals are contained and typically when a bird starts making noise it is close to being released. Mr. Veylupek stated as of now there is no rehab in Lancaster County. Presently Mr. Veylupek is taking raptors to York County and water, fowl, ducks, etc. he has been taking to Tri-State Bird Rescue in Delaware and has to take the mammals to Schuylkill if he does not take care of them on site. Mr. Veylupek stated this would be a valuable asset to the Pennsylvania Wildlife and Game Commission. Mr. Veylupek advised that he inspects the facility one time a year. Mr. McManus asked if the permit is renewed every year. Mr. Veylupek stated he believes Ms. Young can renew the permit for three years at a time but would have to be inspected every year. Mr. McManus asked if a list of the conditions of the permit could be produced. Mr. Veylupek

stated he could provide a copy of the inspection report. Mr. McManus asked what the criteria is for obtaining a permit. Mr. Veylupek read the criteria that must be met and provided the Board with a copy. Ms. Young must keep record of all the wildlife she works with and submit a report one time a year. The criteria was marked Exhibit #4. Ms. Young not only needs to go through the State Agency for Migratory birds but also property clearance from the U.S. Fish and Wildlife Service. Mr. McManus asked the agency that has authority over this activity is it the Commonwealth of Pennsylvania Department of Wildlife Conservation or the Game Commission. Mr. Veylupek advised the name is Pennsylvania Game Commission. Mr. McManus ask if that is the regulatory entity through which all of these activities occur and Mr. Veylupek stated yes. Mr. McManus asked if there is a permit by the Fish and Wildlife Service and Mr. Veylupek stated there is. Mr. Veylupek provided the U.S. Fish and Wildlife Service permit application form. Mr. McManus asked if the applicant is permitted by the U.S. Fish and Wildlife Service. Peggy Hentz, Director of Redcreek Wildlife Center and is also on the Pennsylvania Game Commission Wildlife Rehabilitation and Education Advisory Council. Ms. Hentz advised that Ms. Young's permit has been approved but she will not assigned a permit until this is over and she knows she can not only put facilities at this location but also the facilities have to be developed and be inspected to approve the permit. Ms. Young can then apply to the U.S. Fish and Wildlife Service. In Pennsylvania the regulations are so strict the U.S. Fish and Wildlife Service gives you the permit after the formality. Mr. McManus ask if the permit being discussed this evening to enable this rehabilitation activity is pending until such time the facilities are in place. Ms. Hentz stated if she has met all other requirements. Mr. McManus asked if after that an application would need to be made to the U.S. Fish and Wildlife Service for an additional permit. Ms. Hentz stated or the ability to rehabilitate birds that will fly across State lines. Ms. Hentz stated you only need a State permit to rehabilitate mammals and birds that do not migrate such as turkeys and grouse, etc. Even a robin is under Federal Law so she needs a permit from the U.S. Fish and Wildlife Service to take in a backyard robin.

Ms. Hentz stated she has been a licensed wildlife rehabilitator for all species except bear in Schuylkill County since 1991. Typically most wildlife rehabilitators that apply and approved for licensing last three years. By that time they quite because it is a thankless job that you give up your life for. Ms. Young is not taking this on lightly. Most of the people who have gotten their license and quite were not as prepared as Ms. Young. Ms. Young has been volunteering at wildlife centers for five years. Ms. Young took Ms. Hentz's courses two times where she learned just about everything except surgery. Redcreek Wildlife Center takes in about 2,000 a year with about 500 coming from Lancaster County. Many of them by the time they reach Redcreek are habituated because people ended up keeping them because they did not want to drive the distance. By the time Redcreek gets it the wildlife cannot be rehabilitated they must test it for rabies and euthanize it. To alleviate fears, Ms. Hentz stated she has been rehabilitating wildlife for 23 years and the loudest it gets is her owl. Ms. Hentz talked about her property and the area. Ms. Hentz advised she is on the council that oversees these permits and talked about Ms. Young's qualifications. Ms. Hentz stated Ms. Young knows what she is doing, she is very professional and has a lot of support. One of Redcreek's missions is to get more rehabilitators in Pennsylvania as there is only about 32 centers throughout the entire State. There is 50 some counties and only 30 some centers. Redcreek is a nonprofit Wildlife Center and Ms. Young is their first student. Ms. Hentz stated Redcreek Wildlife center has never had complaints and only one escape and that was when some Animal Rights people came onto their property with a lock

cutter and cut the locks on the raptor cages. Ms. Hentz stated Ms. Young is putting the fence up not to keep the animals in but keep people out.

Mr. McManus stated it appears for the time being the testimony has concluded. It depends on whether the applicant wants to end this hearing tonight or provide additional information at next month's meeting which is the first Wednesday of October. Ms. Young requested the hearing be continued. Mr. McManus stated the applicant requested this hearing be continued to the October 1<sup>st</sup> meeting date so she can supplement the testimony with additional plot plans and drawings and Ms. Young stated that was correct.

Mr. Peris made a motion to continue this hearing to October 1<sup>st</sup> at 7:00 p.m. Mr. Singer seconded the motion and the motion carried unanimously.

Mr. Peris made a motion to adjourn the meeting. Mr. Singer seconded the motion and the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, October 1, 2014

Time: 7:00 P.M.

Chairman Barbara Douglas called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Wednesday, October 1, 2014 at 7:00 p.m. Chairman 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: James R. McManus, III and Nickolas Ebersole  
Visitors: Lewis & Jean Bechtold, 175 Manor Church Rd.  
Janice Longer, Esquire, 120 N. Shippen Street, Lancaster  
Adrienne & David Groff, 201 Carol Dr., Washington Boro  
Ken Newcomer, 170 Central Manor Rd.  
John Fisher, 1847 Windrow Dr., Lancaster  
Tyler Groff, 145 Colonial Crest Dr., Lancaster  
Kurt & Tracie Young, 1828 Water St., Washington Boro  
Rick & Patti Colyer, 151 Manor Church Rd.  
David Fisher, 1824 Water Street, Washington Boro

Minutes – There were no additions or corrections to the September 3, 2014 minutes. Ms. Douglas stated that the minutes are approved as distributed.

## Old Business

Case # 7-14 - The application of Ms. Tracie Young, property located at 1828 Water Street, Washington Boro, PA 17582, Account #410-62650-0-0000 for a special exception of Section 202.3.1 in accordance with Section 407 Animal Hospital, Veterinary Facilities and Kennels and Section 605.3-Application for Special Exception. The Applicant would like to have a facility for Wildlife Rehabilitation on the property. The property is zoned Rural (R). Testimony to continue from the September 3, 2014 meeting. Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus stated at the request of the Applicant the hearing held last month was continued to this date in order for Ms. Young to provide additional information. Ms. Young stated that was correct. Mr. McManus advised that Ms. Young was sworn at the last hearing.

Ms. Young stated she and her husband are now the owners of the property. Ms. Young provided pictures and the measurements of the barn. Mr. McManus referenced what Ms. Young provided the Board that consists of five sheets of paper the first of which appears to be a site plan with dimensions, the second looks to be an outline of the property along Water Street, the third page is a black and white photograph of what appears to be a barn with dimensions indicated on the top of the photograph, the fourth sheet is a similar photograph captioned "Right Side of Barn" again with dimensions of the structures and what appears to be setback distances labeled, and the last page looks to be a part of a HUD settlement statement dated 9/10/14. Mr. McManus asked Ms. Young if she was offering the last page as evidence of their ownership of the property. Ms. Young stated that was correct. Mr. McManus asked the above exhibits be numbered consecutively as described, Exhibit #5, 6, 7, 8, and 9. Ms. Young stated she enlarged Exhibit #6 which is Exhibit #5. Ms. Young stated the fencing they are going to put up will be placed diagonally due to a hill down to the stream, trees and brush that they want to keep. Ms. Young pointed out the proposed area for the flight cage for the raptors that will measure 10' by 15'. Ms. Young stated it is 20 feet from the property line but they want to come in ten feet from the proposed fence. It is 65 feet from the corner of the flight cage to the house and 90 feet from the barn to the house. Exhibit #7 shows the distance for the proposed fence as well as Exhibit #8. Mr. McManus referred to Exhibit #5 stating that there is what looks to be a property line and then outside the property line looks to be trees and then a 20 foot dimension from the barn extending beyond the proposed fence that looks like it is beyond the property line to the rear of the trees. Ms. Young pointed out the back property line indicating there is an easement that is public property and stated they are in the process of arranging for a survey of the property. Mr. McManus asked if it is Ms. Young's belief that the 20 foot distance from the barn to the end point of brush is still the Young's property. Ms. Young stated correct. Mr. McManus verified that Mr. & Mrs. Young are now the fee simple owners of this tract.

David Fisher, 1824 Water Street, had questions on the proposed fence area, the property line and if this was approved concerned that at a later time the property may be used for something else.

Charles Fisher expressed concerns about keeping the stream from washing out.

Ms. Young concluded her application. Mr. Peris made a motion to close testimony and render a decision at the next meeting on November 5, 2014 at 7:00 pm in this building. Mr. Singer seconded the motion and the motion carried unanimously.

## New Business

Case #8-14 - The application of Mr. George Mann, property located at 966 Central Manor Road, Lancaster, PA 17603, Account #410-36234-0-0000 for a special exception of Section 201.3.4 in accordance with Section 423-Conversion Apartments and Section 605.3-Application for Special Exception. The Applicant would like to convert an existing structure into a one bedroom apartment. The property is zoned Agricultural (A). The hearing was turned over to Mr. McManus.

Mr. McManus asked that Mr. Ebersole be sworn in. Nickolas Paul Ebersole stated he is employed as the Zoning Officer for Manor Township and in that capacity receives and administers applications for Special Exceptions before the Zoning Hearing Board. Mr. Ebersole received the application indexed at #8-14 of George B. Mann. The completed application was submitted on a standard Township Application containing the following documents: a brief narrative, description of some of the site plan criteria namely the provisions of Section 702.2 and Section 504 of the Zoning Ordinance, list of neighboring property owners, series of three color photographs showing the front, side and rear elevation of a building, a portion of a floor plan on an additional page, what appears to be another floor plan on a second floor plan page, property line plot showing the tract as well as surrounding properties encircled is a portion of one of the structures labeled "Existing Structure", and a narrative relating to Section 423. The application was marked Exhibit #1 and Mr. McManus stated as the applicant wished to present or refer to any of the individual pages that were identified they would be marked Exhibit #1A, 1B, etc., as the applicant desires. Mr. Ebersole published notice of the time, date, place and subject matter of this application in the Lancaster Newspapers on September 17 and 24. Proof of publication was marked Exhibit #2. Mr. Ebersole posted the property that is the subject of this application with a notice of the time, date, place and subject matter that was substantially the same information as advertised in the Lancaster Newspapers on September 12<sup>th</sup>. Notice of the time, date, place and subject matter was posted in the Township lobby bulletin board that is intended for public inspection on September 12<sup>th</sup>. Notification of this hearing was sent to adjoining property owners and the list that is appended to the application was used as a source for the persons who were sent notice. There was no questions regarding the manner this application has been received and advertised. Mr. McManus asked if there was anyone present who had an interest in the application. Mr. Newcomer stated he lives on an adjacent property and the access lane to this proposed apartment goes right next to his property. Mr. Newcomer stated he has been having a major dust problem with this lane. Jay Kenneth Newcomer, 970 Central Manor Road adjoins the applicant's property requested party status to the application. There was no objections to Mr. Newcomer being a party to the application. Mr. McManus explained the sequence of events for the hearing and asked that Mr. Mann and anyone wishing to speak be sworn or confirmed by the Court Reporter.

George Mann, 181 Supervisors Road, stated he is here to ask for a special exception to convert an existing farm building that has been there since 1868 from essentially a self-storage area into a new apartment for his farming operation. This building was built originally for butchering and as a granary. Those uses were discontinued many years ago and it has basically fallen into nonuse or disrepair or storage for various individuals. Mr. Mann's contractor, John Lewis Fisher, Jr., stated the exterior of the structure will remain the same as well as the footprint. They are going to rehab the inside into a one bedroom apartment. Mr. Fisher stated a majority of the application does not apply that a majority of the application process is in regards to an expansion, alteration or a new structure where this is actually an existing structure that is not being expanded only rehabbing the inside. Mr. Fisher stated they are looking for a single one

bedroom apartment and basically converting what is existing into an apartment. Ms. Douglas asked Mr. Fisher to point out the area of the parking on the plan. Mr. Mann stated the access lane going into the farm will not change. The area of the lane that comes down to the apartments they will be adding a little area for the occupant of the proposed apartment to park their car. Mr. McManus asked that the applicant describe the tract of land, what buildings are there, where they are located by pointing them out on the plan, show with certainty and clarity where they intend to make the apartment. Mr. Mann stated the entire tract is 112 acre farm and pointed out the buildings and indicated their uses. Mr. Mann pointed out the building on the plot plan that he wants to turn into an apartment. Mr. Mann indicated that one of the buildings on the plan is no longer on the property. Ms. Douglas had questions on the driveways. Mr. Mann stated that the stone lane was put in originally by the Barleys and was widened by Mr. Mann when he put the constructed the chicken houses. Mr. Mann stated the paved driveway is a safety hazard due to a blind spot, therefore, the traffic in and out of the farm uses the gravel driveway. Mr. McManus asked that Mr. Mann label the various buildings and put an "X" through the one that is not there. Mr. Mann identified the uses for each of the buildings. Mr. McManus verified that there are two tobacco sheds, two chicken houses, one barn, one garage, a structure separated from the house which Mr. Mann stated was the building that was demolished years ago. Mr. McManus asked if the area circled on the plan as "existing structure" is in its entirety the former butcher shop. Mr. Mann stated it was the former butcher shop and granary. Mr. McManus stated the circle on the plan only shows a portion of that as an existing structure. Mr. Mann described the structure use as the main house with a summer kitchen attached and behind the kitchen is the former butcher shop and granary portion. Mr. Mann stated the summer kitchen can be accessed from the basement of the main house but there is no door from the summer kitchen to the butcher shop and granary. Mr. Singer referred to photos to help understand the layout of the structure and the area to be renovated. Mr. McManus stated he understood there was a reason only a portion of the gray block was circled because part of it is the house and part is the former butcher shop. Mr. McManus asked that Mr. Mann take a copy of the plan and label the buildings so everyone would be able to identify which buildings are for what use. Mr. McManus asked that the revised site data plan be marked Exhibit #3. Mr. Peris asked if the tenant for this apartment would be connected to the employment of the farm and Mr. Mann stated it would be a general tenant. Mr. Peris had questions on the capability of the well to handle the additional load. Mr. Mann stated yes he has drilled several wells on the farm and they produce over 200 gallons per minute. Mr. Peris asked if the apartment would be tied into the existing septic system. Mr. Peris asked if Mr. Mann had evidence tonight that the septic system would be capable of the additional load. Mr. Mann stated he has evidence that the existing system is sound and capable of doing what it is but may require some improvements. Ms. Douglas stated she saw a note on the application that Mr. Mann would have a letter at this meeting. Mr. Mann stated he has the septic system inspected by Thomas Erb & Son and he had the letter with him which he provided the Board. Mr. McManus asked that Mr. Mann identify what the letter is. Mr. Mann stated Thomas Erb came out and performed several tests, the results of which are in the letter. They found the existing system is basically sound but may need to put another 1,000 gallon tank on the property. Mr. McManus stated the letter appears to be from Thomas H. Erb & Sons, Inc. and they are Home Improvements Contractor that relates to an inspection of the onsite sewage system on this tract of land. Mr. McManus stated it appears to be a septic system inspection and it makes certain assessments and recommendation letter dated September 22, 2014. The recommendations include that all waste water lines from the structure



be tied into the existing septic system. Mr. McManus read from the letter “as with all septic systems we recommend water conservation measures be practiced in each home and recommend soil tests or hydraulic load test be run on absorption system to determine if it can be expected to handle additional waste water flows”. Mr. McManus stated this letter does not measure the adequacy of the existing system for the intended use as a sewage enforcement officer would come out and make an assessment saying this operates efficiently for the capacity of certain number to accommodate certain number of dwelling units. This letter does not appear to be that form of an appraisal but rather an assessment and concerns of an existing on lot system Mr. McManus asked if that is fair to say. Mr. Mann stated yes and it gives recommendations for what should be done if they put in another apartment. Mr. McManus requested the letter from Thomas H. Erb & Son be marked Exhibit #4. Mr. Singer referred to the attached drawing of the proposed unit asking questions on the wall and questioned the reference to an existing oven. Mr. Singer referred to the drawing stating it appears there will be a 10’ x 10’ deck so there will be an alteration to the building. Mr. Fisher stated it is not official. Mr. McManus asked you are not requesting approval of a deck at this point in time and Mr. Mann stated correct. Mr. Peris had questions on the proposed exterior lighting. Ms. Douglas stated it is mentioned there will be motion lights. Mr. Mann stated he could put them in that area. Mr. McManus referred to Exhibit #3 stating it shows one access drive and Mr. Mann stated correct. Mr. McManus verified that would not be changed and Mr. Mann stated except for adding the stone parking lot at the end. Mr. McManus asked if the stoned parking lot is the outlined area and not the solid gray on the plan. Mr. Mann stated correct. Mr. McManus stated that includes an additional vehicle lane plus an area intended for two vehicles. Mr. Mann stated it will be off to the right from where the present tenant parks. Mr. McManus asked if they proposed to add two parking spaces and Mr. Mann stated one or possibly two. Mr. McManus asked if there is a specific proposal. Mr. McManus stated he believed the application mentioned two parking spaces. Mr. Mann stated two parking spaces will be fine. Mr. McManus asked if the parking spaces will meet the dimensional criteria of the Zoning Ordinance and Mr. Mann stated yes. Mr. McManus asked what the driveway surface was. Mr. Mann stated the existing lane is macadam and the additional parking will be stone. Mr. McManus asked if the lane shown is an all-weather macadam surface but the extension including the parking area is intended to be gravel. Mr. Mann stated that was correct. Mr. McManus stated as part of the application there was two floor plans and asked if that represents different levels of the shop. Mr. Fisher stated it is a continuation of the floor plan. Mr. Fisher stated it is one level. Mr. McManus stated the total is 1100 sq. ft. and Mr. Fisher stated correct. Mr. Fisher verified it is a 1 bedroom unit. Mr. McManus asked the housing structure including the butcher shop conversion area and the existing house when the renovation is completed there will be total of 4 dwelling units on this tract and Mr. Fisher stated correct.

Mr. Newcomer stated the access lane is only partially macadam and that lane is not the one that 99.9 % of traffic uses. The traffic goes out the stone lane.

Mr. McManus asked that all property access be identified. Mr. Mann referred to Exhibit #3 pointing out the macadam lane and the gravel lane. Mr. Mann stated the gravel lane was put in by the previous owner and widened by himself. Mr. McManus verified there are two accesses from the property onto Central Manor Road. Mr. McManus stated one access is mostly macadam or partially and the second is gravel and Mr. Mann stated correct. Mr. McManus verified that the penciled line added to the drawing is the gravel lane. Mr. McManus asked that the Newcomer tract be identified stating the gravel lane appears to intersect the macadam lane

opposite the Newcomer property and Mr. Mann stated correct. Mr. McManus asked which of the two access ways is the primary access for vehicles. Mr. Mann advised it is the gravel lane as it is the safe lane. Mr. McManus asked if Mr. Mann has any plans to macadam the gravel lane. Mr. Mann stated he is going to work with a paving company regarding the dust problem. Mr. McManus asked if it is Mr. Mann's position that he wants to solve the dust problem and if it requires a macadam or all-weather surface Mr. Mann would do that as part of this application. Mr. Mann stated yes. Mr. McManus asked if on Exhibit # 3 is the gravel lane is shown with relative accuracy. Mr. Mann stated yes. Mr. McManus asked the width of the gravel lane. Mr. Mann stated he believes it is approximately 15 feet wide. Mr. McManus stated two vehicles could pass and Mr. Mann stated yes.

Mr. Newcomer stated Mr. Mann clarified the gravel lane is the one used and he has a major dust problem. Mr. Newcomer asked Mr. Mann if he is saying he will macadam the lane. Mr. Mann stated he did not know until he talked to Martin's Paving but will find a permanent solution to the problem. Mr. Mann stated he has applied oil to mitigate the dust problem and has looked into getting it paved which would be costly. Mr. Mann stated he is going to talk to Martin's Paving to see what can be done on a permanent basis. Mr. McManus stated he assumes that the macadam access is a problem is because of the location of the tobacco shed. Mr. Mann stated in the future he may take the tobacco shed down in which case the gravel lane would probably go away.

Mr. Newcomer stated his concern is the dust from the lane and he and Mr. Mann have talked about this in the past and nothing has changed. Now that there is another apartment, Mr. Newcomer felt this was the time to draw attention to the issue. Mr. Newcomer feels the problem is severe. Mr. Newcomer stated he did not have a dust problem until the gravel lane was put in. Mr. Newcomer agreed that the macadam lane is not safe and that is the reason for the gravel lane. Mr. Newcomer stated there is a prevailing west wind and his property is covered with dust. Mr. McManus stated the gravel lane is being used for more than vehicle traffic but is used by farm equipment, delivery, and multi axle vehicles. Mr. Mann stated Mr. Newcomer is talking about the Wenger Feed trucks that make deliveries in and 18 wheelers that go to the chicken houses to deliver and remove chickens. Mr. Mann stated the day to day traffic is mostly tenants going in and out. Mr. McManus asked if the 112 acres is in agricultural use and Mr. Mann stated yes. Mr. Mann advised it is crop and poultry. Mr. McManus asked if the gravel lane did not exist is there any dispute that the existing macadam lane would be dangerous for access by any vehicle. Mr. Mann stated he would not recommend anyone using the macadam lane to access Central Manor Road with the tobacco shed there. If the gravel lane were removed, Mr. Mann stated he would have to tear down the tobacco shed and widen the lane at the end.

Mr. Singer made a motion to close testimony and render a decision at the November 5, 2014 meeting. Mr. Peris seconded the motion and the motion carried unanimously.

Case # 9-14 - The application of Mr. Dave Groff and Tyler and Adrienne Groff, property located at 171 Manor Church Road, Columbia, PA 17512, Account # 410-13129-0-0000 for a special exception in accordance with Section 505 Substitution or Replacement and Section 605.3-Application for Special Exception. The Applicant would like to utilize an existing structure as a warehouse. The property is zoned Agricultural (A). Ms. Douglas turned the hearing over to Mr. McManus.

Mr. McManus asked that Mr. Ebersole be sworn in. Nickolas Paul Ebersole stated he is employed as Zoning Officer for Manor Township and in that capacity receives and administers applications for special exceptions that come before the Zoning Hearing Board. Mr. Ebersole received application indexed at #9-14 of David Groff, Tyler and Adrienne Groff. Mr. Ebersole placed a notice of the date, time, place and subject matter of this hearing in the Lancaster Newspapers on September 17 and 24. The application was prepared on a standard Township special exception application form. The application contains a two page narrative summarizing some of the provisions of the Ordinance, followed by a plan of the property and surrounding properties, a hand drawn sketch with dimensions of the property showing a warehouse, pages captioned "Warehouse Building" and also captioned "Lot Proposed to be Removed", a recorded document captioned "Deed of Right-of-Way", and finally a series of photographs of which there are ten showing various views of a building and a list of adjoining property owners. Mr. McManus asked that the application be marked Exhibit #1 and to the extent the applicant wishes to refer to any of the individual components of the application they will be marked Exhibit 1A, B, C, etc. The Proof of Publication was marked Exhibit #2. Mr. Ebersole posted the property with the date, time, place and subject matter on September 12 and a notice was placed on the bulletin board of the Township Building that is designated for public view on September 12. All the notices contain essentially the same information as the Proof of Publication. There were no questions regarding the manner in which the hearing has been advertised and property posted.

Mr. McManus explained party status and the following individuals requested party status: Douglas Funk, 141 Manor Church Road, adjoins the property; Richard T. Coyler, 151 Manor Church Road adjoins the property; and Lewis A. Bechtold, 175 Manor Church Road adjoins the property. The Board had no objections to the individuals requesting party status. Mr. McManus described the sequence of events for the hearing.

Mr. McManus asked that anyone who may make a presentation to the Board be sworn or confirmed. Attorney Janice Longer is the applicant's representative. Ms. Longer called Mr. Groff who stated his name is David L. Groff and the applicant for substitution of a nonconforming use for 171 Manor Church Road. Mr. Groff stated Tyler is his son and employee and Adrienne is his daughter. The applicant has an Agreement of Sale for the property at 171 Manor Church Road and will become the owners of that property if they obtain zoning approval to continue the nonconforming use. Mr. Groff's business is Flooring Concepts Retail Store in Mountville and he is looking to use this building as a warehouse. Mr. Groff's plan is to continue to use the warehouse building as a warehouse and Mr. Groff's son and daughter would be living in the residence on the property. There is a shed on the property that would be used as storage for Mr. Groff's son and daughter. Currently there is no one living in the residence and the shed that was being used for storage but has been cleaned out. Ms. Longer referred to a drawing that was marked Exhibit #1A and asked Mr. Groff about an area colored in light green to the left of the warehouse asking if that area was a parking area and Mr. Groff stated that area was grass and will remain a grassed area. Ms. Longer asked Mr. Groff to point out the parking area that Mr. Groff stated it will be on the backside towards Mr. Funk's property. Mr. Groff referred to a slashed area on the drawing indicating that is where two small dumpsters will be located. Mr. McManus asked if Mr. Groff was referring to the Funk property that is immediately to the north and Mr. Groff stated that was correct. The area of the dumpsters is an asphalt area. Mr. Groff pointed out the access drive on the drawing stating it was to the west of the Bechtold property actually running along the Bechtold property. The access drive is paved. The use proposed does not require Mr. Groff to change any of the dimensions of the warehouse,

the asphalt area or the access drive. There will be no changes in the distances noted on the drawings with the used proposed by Mr. Groff. Mr. Groff stated he was told by Mr. Colyer's son that County Mechanical used building as their warehouse. Mr. Moon is the current owner of the property and his sons operated the business that utilized the warehouse. Mr. Groff stated regarding truck traffic for his operation daily he may have two to three trucks going in and out and sometimes maybe four. They will be carpet vans that load up in the morning between 7 and 7:30 am and then come back the next morning. The trucks used in the business are extended vans. Mr. Groff advised there will be suppliers dropping off supplies that will be three to four deliveries per week. Those deliveries will be by tractor trailers with trailers that are around 30 foot lengths and some straight trucks. The delivery trucks will come in along the access lane along the Bechtold property. Mr. Groff pointed out on the plan the area the trucks will unload and how he believed they would leave the property. Mr. Groff stated he has six employees and other than to load, cut carpet and put things away in the warehouse there will be no employees working on site. There will be employees working from the warehouse but will be there in the morning to load up and sometimes come back if they cannot get everything on one load. Mr. Groff stated he has an extra truck and there may be a car on the site occasionally but employee vehicles will not be parked on the site. There will be no manufacturing or production type activities in this warehouse. There will be no office personnel at the warehouse. There will be changes to the utilities that are currently supplying the warehouse. There will be no alteration or development of the property for the use being proposed. There will be no changes in the perimeter of the residence. The shed on the property will be used for storage for Mr. Groff's son and daughter. The current configuration of the access drive is adequate to accommodate the delivery trucks allowing them to enter, back up and turn around safely. Mr. Groff advised the differences between his use and the current use is that Mr. Groff will have less vehicles and no manufacturing. The Deed of Right-of-Way relates to the access drive that comes into the warehouse area and there is a separate access for the residence that is from the same road but not part of the right-of-way access. Mr. Groff provided names and addresses of adjoining land owners with his application that was supplied by Mr. Ebersole, the Zoning Officer. Mr. Groff stated there are no amendments to the two page narrative submitted with the application that addressed the proposed use and certain sections of the Zoning Ordinance. Ms. Longer stated they had provided a number of photographs which Mr. McManus asked that they be labeled 1B, C, etc., and give a brief description of each one. Mr. Groff gave a brief description of the following photographs that he had personally taken: Exhibit #1B is the grass area looking from the northwest at the building. Exhibit #1C is the east side of the building showing the two garage doors. Exhibit #1D is the view from the southeast corner of the building. Exhibit #1E is from the corner of the Bechtold property looking northeast. Ms. Longer asked if 1E is the shed and Mr. Groff replied yes. The debris around the shed has been cleaned up. The vans in the photograph belong to the current operation. Exhibit #1F is view looking to the west along the back of the Bechtold property. Exhibit #1G is looking from the west along the north side of the building where vehicles will be parked and shows the area of the dumpsters. Exhibit #1H is from the north side and the dumpsters will be where the back of the truck is. Exhibit #1I is the view from the garage doors east towards Mr. Colyer's home. Exhibit #1J is a closer picture of the garage doors. Mr. Groff stated that the debris in the picture has been cleaned up. Mr. Groff will not have anything outside with the exception of a few skids. Exhibit #1K is a better picture of the location of the dumpster. Mr. Groff advised this is the north elevation. Mr. Groff stated according to Mr. Funk the warehouse was built in 1979 and the use

proposed will be to continue to use the warehouse as it has been in the past. Ms. Douglas had questions on the driveway and asked Mr. Groff to point out the house location on the drawing. Mr. Groff marked on the building plan the house, garage and driveway. On the scaled drawing that was submitted with the application Mr. Groff added the footprint of the house and the garage showing the access to the house off of Manor Church Road which was marked Exhibit #1A-1.

Mr. Singer referred to the GIS plan showing roads and surrounding property that was marked Exhibit #1A-2. Mr. Singer verified the building locations, adjoining property owners and the access drive.

Mr. Peris asked if there would be any signs and Mr. Groff replied no. Mr. Peris asked if there would be any changes in exterior lighting that may affect the neighbors. Mr. Groff advise he was not changing the lighting.

Mr. McManus verified Mr. Groff has an Agreement of Sale with the record owner, Alfred & Janet Moon. An Agreement of Sale was marked Exhibit #3. Mr. McManus said it was stated the former use of the building was a warehouse with minor manufacturing, for a HVAC contractor. Mr. McManus asked how long the property has not been used for that purpose. Mr. Groff stated when they were inside the facility there was some schedules in the office area that were dated June of this year. Mr. McManus stated there has been testimony as to the intensity of use and he asked how this information was obtained. Mr. Groff stated that was from Mr. Coyle's son who worked for the former owner. Mr. McManus asked the right-of-way width and Mr. Groff advised it is 30 feet. The right-of-way is paved and only serves the property Mr. Groff wishes to purchase. Mr. McManus asked if the access and area around the warehouse building is oriented and sufficient in size so that a truck could turn, move along the south elevation of the building, drive around the building and exit the same access way. Mr. Groff stated they would probably have to go around the north side of the building, they would back up to the garage doors to unload and he assumes they would pull out and go back the same way they came in. Mr. McManus asked if there was sufficient area so if there was one way in from the southern access and one way out from the northern access around the warehouse is it physically possible to achieve that. Mr. Groff pointed out the direction he feels the trucks would travel. Mr. McManus asked how many tractor trailer deliveries would be made to the site per week. Mr. Groff advised 3 to 4. Mr. McManus asked if deliveries would be during normal business hours and Mr. Groff stated yes. Mr. McManus asked if it is Mr. Groff's understanding that multi axle vehicles serviced the prior use of this tract on a more frequent basis and how much more. Mr. Groff stated there was more trucks but did not know how much more. Mr. McManus asked if it is Mr. Groff's testimony that the only employees on the site would be employees driving those extended vans for purposes of loading and unloading and Mr. Groff stated yes. Mr. McManus asked if there is a specific area of the tract that is designated for van parking and if so to show on the exhibit. Mr. Groff stated in the morning when they load up will be right in front of the garage doors. Mr. Groff stated any parking would be along the north side of the building. Mr. McManus asked if it is testimony that there is ample macadam surface on this portion of the tract to accommodate all of the required vehicular access to this tract and Mr. Groff replied yes. Mr. McManus asked if the existing warehouse building has a water source and Mr. Groff replied yes. Mr. Groff advised the water source is on site which is located in the front yard. Mr. McManus asked if there is a subsurface line from the well and Mr. Groff stated actually from the basement of the house. Mr. McManus asked if there are lavatory facilities in the warehouse serviced by an onsite system. Mr. Groff stated as far as he knows there is a storage tank. Mr. Groff stated they do not plan on using the bathroom. Mr. McManus asked if it is an approved

system and Mr. Groff did not know. Mr. McManus asked if it is Mr. Groff's understanding that regardless whether the lavatory is intended to be used is it capable of being used. Mr. Groff stated he believes so. Mr. McManus asked if there is any portion of the warehouse that is seen on Exhibit #1A-1 that is screened by fencing or vegetation from any adjoining property. Mr. Groff advised there is a hedge at the back of the Bechtold property that is on Mr. Bechtold's property. Ms. Longer stated if they referred to Exhibit #1F the hedge can be seen. Mr. Groff advised the hedge looked to be four to five feet tall. Mr. McManus asked if there is presently any security lighting on this portion of the tract and Mr. Groff stated he did not know. Mr. McManus asked if Mr. Groff intended to install security lighting and Mr. Groff stated he would like to have something there. Mr. McManus asked where the lighting would be located and what affect if nay it would have on adjoining property. Mr. Groff stated the lighting would be at the east end of the building at the garage doors. Mr. Groff stated it looks like there is an existing light and Mr. McManus asked if Mr. Groff would be adding any light other than what is present and Mr. Groff stated no. Mr. McManus asked if it is Mr. Groff's belief that his intended warehouse use of this property will produce less traffic and impact to a lesser degree adjoin properties in terms of noise, dust, and glare. Mr. Groff stated yes. Mr. McManus asked the intended hours of operation. Mr. Groff stated the earliest they would get there would be 6:00 a.m. and usually they would be done at 3 – 3:30 p.m. if anybody would be coming back to the warehouse Monday through Fridays with occasional Saturdays with Saturday hours from 7:00 a.m. to 12:00 p.m. Most days the employees go straight home. Mr. McManus stated Mr. Groff indicated the warehouse will be used for storage and is that storage primarily of equipment, carpet materials, both or anything that is used in the business. Mr. Groff stated the warehouse will contain anything that will be carpet, vinyl, hardwood, ceramic, some tools, and some of his files. Mr. McManus asked if he is storing his end sale product is it fair to say he is going to maintain certain levels of humidity and temperature in this building. Mr. Groff stated he needs to keep the temperature above 20 degrees and is not planning on doing anything with air conditioning. Mr. McManus verified there would be no air compressors, no air conditioning units that will produce any noise that is discernable off the property and Mr. Groff stated that was correct. Mr. McManus asked if Mr. Groff would be venting the building in any way to emit anything that occurs inside by way of handling of product, treating of product, etc. Mr. Groff stated other than sweeping the floor no.

Douglas Funk asked if there would be an office/showroom on the property. Mr. Groff advised his showroom is on Columbia Avenue in Mountville.

Mr. Coyler stated the shed on the property is an eye sore and Mr. Groff agreed it needed work. Mr. Coyler stated that if the spot lights are turned on they will glare on his property. Mr. Coyler asked if Mr. Groff would consider motion lights on that end of the building and Mr. Groff agreed.

Ms. Longer asked Mr. Groff if the shed is need by Mr. Groff. Mr. Groff stated they did not really need the shed it was going to be used for personal storage. Ms. Longer asked if it would have any relation to the business use of the warehouse and Mr. Groff stated it would not.

Mr. Bechtold asked if there would be carpet cleaning in the ware house and Mr. Groff stated no.

Mr. Funk stated the right-of-way was done in the early 70's and there is no maintenance agreement. If the Board approves this, the maintenance would all be done by Mr. Groff or his son and Mr. Groff agreed to assume the maintenance.

Ms. Longer moved the admission of these Exhibits. There was no objections to the admission of the Exhibits. The Board accepted the Exhibits as offered which included the adapted sales agreement.

Testimony is closed on this application. Mr. Singer made a motion to close the testimony and render a decision on November 5, 2014. Mr. Peris seconded the motion and the motion carried unanimously.

Ms. Douglas stated there is a meeting on November 5, 2014 in this building at 7:00 p.m. at which time the decision will be rendered. Mr. Singer made a motion to adjourn the meeting. Mr. Peris seconded the motion and the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

### **Manor Township Zoning Hearing Board Minutes**

Wednesday, November 5, 2014  
P.M.

Time: 7:00

Chairman Barbara Douglas called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Wednesday, November 5, 2014 at 7:00 p.m. Chairman 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: James R. McManus III and Nickolas Ebersole  
Visitors Present: See Attached Sheet

#### Minutes

Mr. Singer made a motion to approve the August 28, 2014 minutes as distributed. Mr. Peris seconded the motion and the motion carried unanimously.

Mr. Peris made a motion to approve the October 1, 2014 minutes as distributed. Mr. Singer seconded the motion and the motion carried unanimously.

#### New Business

Case # 10-14 & 11-14 - The application of Mr. Donald Dombach, Jr and Mrs. Laura Dombach, property located at 378-380 Old Blue Rock Road, Millersville, PA 17551, Account # 410-58039-0-0000 and 410-55215-0-0000 for a special exception of Section 211.9.5 Historic Structure in the Floodplain Zone, in accordance with Section 605.3-Application for Special Exception and a use variance of Section 203.2 in accordance with Section 605.4 - Variances. The Applicant would like to operate a special events venue. The property is zoned Low Density

Residential (RL) and is in the Floodplain Zone (FP). Ms. Douglas turned the meeting over to Mr. McManus.

Mr. McManus recognized Mark Stanley was present representing the Applicants. Mr. Stanley stated he is a partner with McNeese, Wallace & Nurick and represents the Dombachs. Mr. Stanley advised that today they learned that several neighbors had some questions with respect to the application. They would like the opportunity to meet with them prior to the initiation of the hearing so they ask the Board to table the application and continue it until the December 3, 2014 hearing and they would extend the time by which the Board must initiate the hearing until that hearing date. Mr. McManus verified they are extending that time on the record and will they follow up with a written request to that extent. Mr. Stanley stated he would put that in writing and send it both to Mr. McManus and to the Zoning Officer. Mr. McManus stated he understands Mr. Thomas is present on behalf of someone who has an interest in the application and Mr. Thomas stated he is. Mr. Thomas stated his name is Jim Thomas with Blakinger, Byler and Thomas in Lancaster and he is representing the neighbor Stephen and Ann Smith who live at 365 Old Blue Rock Road which is the adjoining property to the south going back Old Blue Rock Road. Mr. Thomas's clients take no position on the request for a continuance but Mr. Thomas entered his appearance to be made party so they receive notice of any further proceedings on this matter. Mr. McManus stated with respect to the notice this hearing would be continued to the next regular meeting date of the Board which would be the first Wednesday in December that is December 3, 2014 at 7:00 p.m. in this building. Mr. McManus suggests at that time unless there is an objection from the Applicant or Mr. Thomas is that to the extent anybody is present this evening or will be present at that meeting wishes to become a party to the Application they may do so and be admitted as a party if appropriate at that time. There were no objections.

#### Old Business

Case #6-14 - The application of HHF Real Estate Development, LLC, property located at 306 South Duke Street, Millersville, PA 17551 Account #410-51387-0-0000 for a special exception of Section 202.3.12 in accordance with Section 448 Nursing, Rest or Retirement Homes and Section 605.3-Application for Special Exception. The Applicant would like to have a Nursing, Rest and Retirement Facility for residents 55 years of age and over on the property. The property is zoned Rural (R) and General Commercial (GC). Testimony is closed and a decision will be rendered. Ms. Douglas stated the members of the Board have received copies of the Decision from their Attorney. Individually the Board took the testimony, reviewed it and independently advised Mr. McManus of their decision after which time Mr. McManus drafted a decision. Ms. Douglas turned this case over to Mr. McManus.

Mr. McManus stated the matters before the Board this evening include four applications for which there are decisions. As to each of the applications, the Board consulted with Mr. McManus and directed Mr. McManus to prepare a draft of a Decision based upon their review of the testimony and their desire with respect to each application. With respect to Application #6-14, that of the Application of HHF Real Estate Development, LLC there is a draft decision before the Board that consists of Findings of Fact and Conclusions of Law. The Decision as prepared would grant the Special Exception Application of HHF Real Estate Development, LLC with address at 616 Paxton Place, Lititz, PA to develop the 65.88 acre property located at 306 South Duke Street, Millersville, PA for nursing, rest or retirement homes use subject to the following conditions: 1) The design and layout of the development shall be substantially the



same as depicted in Applicants site plan (Applicant Exhibit No. 3). 2) The Applicant shall at all times comply in all material respects with and adhere to the plans, Exhibits (as amended) and all other evidence presented to the Board by Applicant or on its behalf at the hearings held on July 2, 2014; August 6, 2014; and August 28, 2014. 3) Not more than 407 independent living units shall be located on the Property. 4) Not more than 43% of the Property may be improved as impervious area. 5) All streets and access drives to, from and within the Property shall be designed to not less than the minimum standards set forth in the Manor Township Subdivision and Land Development Ordinance adopted June 1, 2009. 6) All access drive setbacks, clear-sight triangles, slopes, surfacing, and widths shall be designed to not less than the minimum standards set forth in the Manor Township Subdivision and Land Development Ordinance adopted June 1, 2009. 7) 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. 8) All off-street loading areas and access drives to off-street loading facilities shall be designed to not less than the minimum standards set forth in Article 3, Section 313, of the Zoning Ordinance. 9) All ponds and impoundments shall be designed to not less than the minimum standards set forth in Article 3, Section 302.7 of the Zoning Ordinance. 10) Unless otherwise amended by PennDOT, the Applicant shall construct all road improvements shown on Applicant Exhibit No. 3 and identified in Applicant Exhibit No. 21 that relate to South Duke Street and the access driveways. 11) The Applicant shall construct the sewer pump station and the southern access drive providing access to the pump station shown on Applicant's phasing plan (Applicant Exhibit Nos. 12) as part of the Phase 2 improvements, concurrently with the Phase 1 improvements. 12) The Applicant shall submit a land development plan pursuant to the provisions of the Manor Township Subdivision and Land Development Ordinance within 12 months from the date of this Decision or final order of a Court of competent jurisdiction in any appeal therefrom, whichever date shall last occur. 13) The Applicant shall substantially complete construction of the development within 10 years from the recording of the first final land development plan for the development, unless such date is extended by the Board. 14) The Applicant shall comply with all applicable governmental rules, ordinances and regulations regulating the construction, access drive location and design, use and occupation of the proposed use. There was no discussion on the Application. Mr. Peris made a motion to approve the Decision as read by Mr. McManus. Mr. Singer seconded the motion and the motion carried unanimously. Mr. McManus asked that all parties receive a copy of the Decision.

Case # 7-14 - The application of Ms. Tracie Young, property located at 1828 Water Street, Washington Boro, PA 17582, Account #410-62650-0-0000 for a special exception of Section 202.3.1 in accordance with Section 407 Animal Hospital, Veterinary Facilities and Kennels and Section 605.3-Application for Special Exception. The Applicant would like to have a facility for Wildlife Rehabilitation on the property. The property is zoned Rural (R). Testimony is closed and a decision will be rendered. Ms. Douglas stated as mentioned before each Board member individual gave their decision to Mr. McManus and at this time they will discuss the draft decision. There was no discussion. Mr. Peris made a motion to grant the application as submitted. The application of Tracie A. Young for a special exception to use an existing barn and erect a prefabricated enclosure for use as wildlife rehabilitation facility on property located at 1828 Water Street, Washington Boro, Pennsylvania 17582, Lancaster County Tax Assessment Account No. 410-62650-0-0000, pursuant to the provisions of Sections 202.3.1; 407 and 605.3 of

the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicant shall adhere to the facts and dimensional criteria contained in her application, Exhibits, and plans, as well as all testimony presented by the Applicant or on her behalf at the hearings held on September 3 and October 1, 2014. 2) The Applicants shall comply with all applicable State and local regulations regarding the construction of all improvements including the proposed raptor enclosure structure, and the use and occupancy of the proposed wildlife rehabilitation facility. 3) The Applicant shall comply with all applicable building code regulations for the intended use and shall obtain all associated required permits. 4) The Applicant shall obtain and maintain all licenses issued and required by regulating governmental entities for the capture, transportation, care and rehabilitation of wildlife including those issued by the Commonwealth of Pennsylvania, Pennsylvania Game Commission, Bureau of Wildlife Protection. 5) The wildlife rehabilitation facility shall be limited to small mammals. 6) No domestic animals shall be housed on the Property as part of the wildlife rehabilitation facility. 7) This application does not authorize the use of any portion of the Property as a kennel. 8) All animals cared for in the wildlife rehabilitation facility shall be housed in an enclosed structure. 9) No exterior lighting shall be installed on the Property which will produce any glare onto or otherwise adversely affect neighboring properties. 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.

Case #8-14 - The application of Mr. George Mann, property located at 966 Central Manor Road, Lancaster, PA 17603, Account #410-36234-0-0000 for a special exception of Section 201.3.4 in accordance with Section 423-Conversion Apartments and Section 605.3-Application for Special Exception. The Applicant would like to convert an existing structure into a one bedroom apartment. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered. There was no discussion on the application. Mr. Singer made a motion they approve the application of George B. Mann for a special exception based on the following conditions: 1) The Applicant shall adhere to the facts, representations and dimensional criteria contained in his application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicant and on his behalf at the hearing held on October 1, 2014. 2) The Applicant shall provide two macadam or equivalent dust-free surfaced off-street parking spaces on the Property within the area shown on the site plan for the conversion apartment which spaces shall be improved in accordance with the provisions of the Zoning Ordinance. 3) The Applicant shall improve and maintain Access Drive No. 2 from its intersection with Central Manor Road to its intersection with Access Drive No. 1 and from said intersection south along Access Drive No. 1 to the southernmost extent of the Jay Kenneth Newcomer property located at 970 Central Manor Road with a macadam or equivalent dust free surface. 4) The Applicant shall comply with all applicable State and local regulations regarding the construction, use and occupancy of the proposed conversion apartment. 5) The Applicant shall obtain all permits and shall comply with all applicable building code regulations for the intended conversion apartment use. 6) The Applicant shall install on-site sewerage disposal and water supply systems on the Property that shall be approved by the Commonwealth of Pennsylvania, Department of Environmental Protection for all existing and proposed residential uses located thereon and shall comply with all State and local regulations and permits regulating the installation and operation of on-site sewerage disposal systems and the adequate supply of potable water. 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. Peris seconded the motion and the motion carried unanimously. The Applicant was not present, therefore, Mr. McManus requested that Mr. Ebersole mail the Decision to him. Mr. Newcomer received a copy of the Decision.

Case # 9-14 - The application of Mr. Dave Groff and Tyler and Adrienne Groff, property located at 171 Manor Church Road, Columbia, PA 17512, Account # 410-13129-0-0000 for a special exception in accordance with Section 505 Substitution or Replacement and Section 605.3-Application for Special Exception. The Applicant would like to utilize an existing structure as a warehouse. The property is zoned Agricultural (A). Testimony is closed and a decision will be rendered. There was no discussion. Mr. Peris made a motion to approve the Decision. the application of David L. Groff, Tyler Groff and Adrienne Groff for a special exception to replace a nonconforming warehouse and light fabrication use on the Property with a nonconforming warehouse use for Applicant David L. Groff's carpet and flooring business on property located at 171 Manor Church Road, Columbia, Pennsylvania 17512, Lancaster County Tax Assessment Account No. 410-13129-0-0000, pursuant to the provisions of Section 505 of the Manor Township Zoning Ordinance is hereby granted subject to the following conditions: 1) The Applicants shall adhere to the facts and dimensional criteria contained in their application, Exhibits, plot plan and floor plans, as well as all testimony presented by the Applicants or on their behalf at the hearing held on October 1, 2014. 2) The Applicants shall comply with all applicable State and local regulations regarding the construction, use and occupancy of the proposed warehouse use. 3) The Applicants shall comply with all applicable building code regulations for the intended use and shall obtain all associated required permits. 4) The Applicants shall comply with all State and local regulations and permits regulating the installation and operation of any proposed sewer or water service water to the proposed warehouse use. 5) The Applicants shall maintain and improve the Easement access in a macadam or equivalent dust free surface for so long as they shall operate the proposed warehouse use. 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.

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 7:40 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## Manor Township Zoning Hearing Board Minutes

Wednesday, December 3, 2014

Time: 7:00 P.M.

Chairman Barbara Douglas called the meeting to order in the Manor Township Municipal Building at 950 West Fairway Drive, Lancaster, PA on Wednesday, December 3, 2014 at 7:00 p.m. Chairman 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: James R. McManus III and Nickolas Ebersole  
Visitors Present: Don and Laura Dombach, 378 Old Blue Rock Rd

### Minutes

There was no corrections or additions to the November 5, 2014 minutes. Chairman Douglas stated the minutes stand approved as distributed.

### Old Business

Case # 10-14 & 11-14 - The application of Mr. Donald Dombach, Jr and Mrs. Laura Dombach, property located at 378-380 Old Blue Rock Road, Millersville, PA 17551, Account # 410-58039-0-0000 and 410-55215-0-0000 for a special exception of Section 211.9.5 Historic Structure in the Floodplain Zone, in accordance with Section 605.3-Application for Special Exception and a use variance of Section 203.2 in accordance with Section 605.4 - Variances. The Applicant would like to operate a special events venue. The property is zoned Low Density Residential (RL) and is in the Floodplain Zone (FP). Testimony to continue from the November 5, 2014 meeting. Ms. Douglas turned the meeting over to Jim McManus.

Mr. McManus stated Mark Stanley on behalf of the Applicants made a request to continue the hearing from last month's meeting until today which was confirmed by letter from Mr. Stanley dated November 21, 2014. Mr. McManus asked that the letter be marked as Board Exhibit #1. Mr. McManus stated he has another letter from Mr. Stanley on behalf of his clients the Dombach's a letter dated November 26, 2014 asking for an additional continuance to the Board's next regular meeting date of January 7, 2015 that would be at 7:00 p.m. in this building. The November 26, 2014 letter was marked as Board Exhibit #2. Mr. Stanley confirmed that was the specific request of the Applicant. Mark Stanley stated he represents the Dombach's and apologizes for bringing them out to this meeting just for this request. At the last meeting, they advised the Board they wanted to meet with several neighbors. Due to schedules, Thanksgiving and hunting season, the time between meetings came and went quickly. They are still in discussion with some of the neighbors dealing with both requests and concerns they have with respect to the request. They spoke to Jim Thomas who represents their immediate neighbor and who entered his appearance at the last meeting. They advised Mr. Thomas that they would be asking for this continuance and Mr. Thomas indicated they had no objection and would consent to the continuance. Mr. Stanley stated they again ask that this matter be continued to January and they will be a position to present their application at that time. Mr. McManus stated if the Board continues this matter as requested he asks that the Zoning Officer post a notice of the rescheduled date of this hearing in the Township Building in addition to the web site the Township provides for public access. Mr. Singer made a motion to continue this hearing based

upon the request of the Applicant to January 7, 2015 at 7:00 p.m. in the Township Building at 950 West Fairway Drive. Mr. Peris seconded the motion and the motion carried unanimously.

There being no further business on motion of Mr. Peris the meeting was adjourned at 7:08 p.m.

Respectfully submitted,

Chris Peris  
Secretary

Recording Secretary  
Evelyn Rineer

## **TRAFFIC COMMISSION MEETING MINUTES**

### **Manor Township Traffic Commission Minutes**

Wednesday, January 29, 2014  
A.M.

Time: 8:30

The Manor Township Traffic Commission met on January 29, 2014 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, Chief Todd Graeff and Brandon Clark

#### Re-organization

Chairman – Mr. Clark made a motion that Mark Harris serve as Chairman. Chief Graeff seconded the motion and the motion carried unanimously.

Secretary – Mr. Harris made a motion that Chief Graeff serve as Secretary for 2014. Mr. Clark seconded the motion and the motion carried unanimously.

#### New Business

Mr. Harris advised an e-mail was received from Mr. Ferrick who lives on Central Manor Road expressing concern with speeding and asked if pavement markings could be placed on the road. Mr. Harris advised that Chief Graeff had responded to Mr. Ferrick that there was a possibility of putting radar speed signs in the area. Mr. Harris stated Central Manor Road is a State road and any pavement markings or signage would fall under PennDot. Mr. Harris feels there is proper signage on the road and Chief Graeff agreed. There was agreement to do a speed check and then review that data before determining what action should be taken.

Mr. Harris stated that a no parking request was made to Bruce Ott from Gregory Slaugh who lives on Richmond Road. Mr. Slaugh requested no parking between the corner of Stratford and Richmond Road to the driveway of 1131 Richmond. Mr. Ott passed the request to the Traffic Commission. Mr. Slaugh also felt there was a pedestrian and traffic hazard due to a hedge at 1131 Richmond Road. After looking at the situation, Mr. Harris feels the hedge at 1131 Richmond should be removed. After discussion, the Commission agreed that Mr. Harris contact the resident at 1131 Richmond Road requesting that the hedge be removed and ask that the resident does not park vehicles between the corner of Stratford and Richmond to his driveway.

Mr. Harris stated that Chief Graeff had received a request for handicap parking at 176 Stone Creek Road. Chief Graeff had asked the individual to bring a copy of the handicap placard to the office which he has not provided. Stone Creek Road is a private road way and the Township would not erect a sign for handicap parking. Chief Graeff stated he would contact the resident advising him since it is a private street the Township will not put signage up for handicap parking. Chief Graeff would inform the individual that he could put up his own sign but it will not be enforced by the Police Department. There was some discussion regarding handicap spaces that are no longer needed and the procedure to have them removed.

Parking In Front of Cluster Mailboxes – Mr. Clark advised that Supervisor Green e-mailed Mr. Clark that she had received numerous complaints this month regarding parking in front of the cluster mailboxes. Chief Graeff advised there is nothing illegal about parking in front of mailboxes at this time. The Township would have to make a change to the parking ordinance to incorporate that it is illegal to park in front of mailboxes. Mr. Harris stated in the past as a Township they made decals and posted them on the cluster mailboxes that stated “Do Not Park In Front of Mailboxes”. Mr. Harris stated that the HOA’s paid for the decals that were made up by the Township. Mr. Harris noted that this seems to be working for the developments who put them on their cluster mailboxes. After discussion, it was decided the first course of action should be the decals for the mailboxes and then if that did not work the Township may have to look at passing an ordinance. Mr. Clark stated he will advise Supervisor Green of their discussion.

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

Respectfully submitted,

Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

## **Traffic Commission Minutes**

Wednesday, April 30, 2014

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, April 30, 2014 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, Brandon Clark and Chief Todd Graeff

### **New Business**

Speed Zone Establishment on Charlestown Road – Mr. Harris advised that the Police Department was provided with data and Chief Graeff gave their report. Chief Graeff advised he had forwarded the request to Sgt. Gardner and Officer Snyder. Off. Snyder provided a report regarding the speed limit on Charlestown Road that stated a traffic count conducted on Charlestown Road in both east/west directions from March 18-22, 2014 showed a total of 2,514 vehicles. The traffic survey showed the 85<sup>th</sup> percentile speed to be 52-54 mph. Officer Snyder recommends based on the traffic survey and the roadway design that a 50 MPH Speed Zone be established. The speed zone would be for the entire length of Charlestown Road running from Donerville Road to the Washington Boro line. Mr. Harris advised that Charlestown Road between Prospect Road and Water Street the speed limit has already been established at 25 mph due to the population and density. Mr. Harris made a motion to approve Officer Snyder's report with the exception of the area that has already been established. Chief Graeff seconded the motion with the stipulation of the 50 mph speed zone only to Prospect Road and the motion carried unanimously.

No Parking Request at Intersection of Acorn Lane and Oak Ridge Drive – Mr. Harris advised they had received a request from Judy Johnson in regards to parking at the intersection of Acorn Lane and Oak Ridge Drive. Mr. Clark stated he is against sign litter and there was discussion regarding the intersection pertaining to the request. Chief Graeff stated it is in the vehicle code that you cannot park within 25 or 30' of an intersection and the Police Department is enforcing that violation. After discussion, Chief Graeff made a motion to deny the request for no parking signs. Mr. Clark seconded the motion and the motion carried unanimously.

Request for a Hidden Driveway sign at 3508 Anchor Road – Heidi Douts is requesting a Hidden Driveway sign near the entrance of 3508 Anchor Road, Washington Boro. Mr. Harris noted that this is warning sign not a regulatory sign. After extensive discussion, Mr. Clark made a motion to approve the request from Heidi Douts for a Hidden Driveway sign to be located at the discretion of the Public Works Department. Chief Graeff seconded the motion and the motion carried unanimously.

Temple Avenue – Chief Graeff stated that Temple Avenue is a "No Left Turn" onto Millersville Road but he has observed individuals making that turn. Chief Graeff stated that several suggestions were made 1) make Temple Avenue a one way street or 2) right turn only coming from Temple headed west on Temple. Mr. Harris suggested East Hempfield be

contacted to determine what is included in the traffic signal permit before they discuss the options.

Chief Graeff stated the radar speed sign has been on Central Manor Road for several weeks that shows the average 85 percentile speed is between 37 and 43 mph. Mr. Clark asked if the new radar equipment has been used verifying that people are not slowing down when seeing the flashing sign. Chief Graeff advised it has not been used on Central Manor Road but noted that on Charlestown Road both the speed sign and the radar were used with the same results.

There being no further business on motion by Mr. Harris and seconded by Chief Graeff the meeting was adjourned at 9:05 a.m.

Respectfully submitted,  
Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer

### **Traffic Commission Minutes**

Wednesday, May 28, 2014

Time: 8:30 A.M.

The Manor Township Traffic Commission met on Wednesday, May 28, 2014 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, Brandon Clark and Chief Todd Graeff

#### **Old Business**

Mr. Harris reported that the speed limit signs were placed on Charlestown Road and the "Hidden Driveway" sign was installed on Anchor Road.

Intersection of Temple Avenue and Millersville Road – At last month's meeting there was discussion regarding the intersection of Temple Avenue and Millersville Road pertaining to the no left turn signs and the number of drivers who do not obey those signs. Chief Graeff informed the Commission that the Officers have reported that there are numerous individuals making left turns at this intersection and Chief Graeff noted he has observed this occurring when he is on his way home from work. After discussion regarding the intersection, it was decided that there are three signs indicating "No Left Turn" and the Police will continue to write tickets for the individuals who do not obey the signs. No further action will be taken.

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

Respectfully submitted,  
Todd A. Graeff  
Secretary

Recording Secretary  
Evelyn Rineer



# **PARK & RECREATION BOARD MEETING MINUTES**

## **Manor Township Park & Recreation Board Minutes**

Monday, January 27, 2014

Time: 7:00 P.M.

The Manor Township Park & Recreation Board met on Monday, January 27, 2014 at 7:00 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, Elizabeth Leaman, Maher Hattar  
and Kyle Ream  
Member Absent: Karla Vinson

### Minutes

Ms. Leaman made a motion to approve the October 28, 2013 minutes. Ms. Barry seconded the motion and the motion carried unanimously.

### Reorganization

Chairman – Ms. Leaman nominated Ed Rand for Chairman. Ms. Cattell seconded the nomination and the nomination carried unanimously.

Vice Chairman – Ms. Leaman nominated Courtney Barry for Vice Chairman. Mr. Hattar seconded the nomination and the nomination carried unanimously.

Secretary – Ms. Barry nominated Elizabeth Leaman for Secretary. Mr. Ream seconded the nomination and the nomination carried unanimously.

### New Business

Mr. Strohecker advised the Board that the Turkey Hill Country Classic and the Summer Playground will run the same as previous years. He noted they would have another meeting before the Turkey Hill Country Classic. Mr. Strohecker stated in regards to the Country Classic he has made contacts with the various vendors and individuals who support it.

Ms. Barry asked if the cross country skiing is working out on the Rail Trail and Mr. Strohecker stated there has been no problems.

There being no further business Ms. Cattell made a motion to adjourn the meeting. Mr. Ream seconded the motion and the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Elizabeth N. Leaman  
Secretary

Recording Secretary  
Evelyn Rineer

## Park & Recreation Board Minutes

Monday, October 27, 2014

Time: 7:00 P.M.

The Manor Township Park & Recreation Board met on Monday, October 27, 2014 at 7:00 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: Kyle Ream, Elizabeth Leaman and Maher Hattar  
Visitor: Christine Brubaker, 22 Birch Court

### Minutes

Ms. Barry made a motion to approve the January 27, 2014 minutes as distributed. Ms. Cattell seconded the motion and the motion carried unanimously.

### Business from the Floor

Christine Brubaker stated she has expressed in writing the following observations/concerns to Mr. Smith and Mr. Strohecker. The 30 acres owned by the Conservancy at the Low Grade has been posted as a Pennsylvania Game Commission cooperative and Ms. Brubaker does not feel the Township wants hunting on the property. Ms. Barry stated they do not have control over what the Conservancy does with their land. Ms. Brubaker talked about the Lancaster County Solid Waste Authority Chestnut Grove land and what activities will be allowed when that is open. Ms. Brubaker advised that area will not be open at the time that was first given. Ms. Brubaker talked about the Native American Paths that are in Manor Township indicating the Lancaster County Planning Commission is hosting a Heritage Workshop on October 31<sup>st</sup> from 10:00 a.m. to 12:00 p.m. Ms. Brubaker talked about the impact the proposed gas pipeline may have on the Old Indian Town property. Ms. Brubaker stated there was no signs at the Rail Trail regarding smoking. Mr. Harris corrected her stating all the rules as posted in addition to specific rules "No Smoking". Ms. Brubaker talked about Georgetown Hills property and her concern with ATV's on the property damaging the property and stream banks and the noise from the ATV's. Ms. Brubaker stated she expressed her concerns to Mr. Smith and Mr. Strohecker but has not heard back from them. Ms. Barry stated she lives in the area Ms. Brubaker is talking about and Ms. Barry has not heard the ATV's. Mr. Harris asked questions to make clear the area Ms. Brubaker was talking about noting it was the area at the LASA Pumping Station off Monticello Lane. Ms. Brubaker stated she would take the Board on a tour and Ms. Barry pointed out it is private property and it would not be legal to walk around on the private property.

### New Business

Mark Harris talked to the Board about the paved volleyball court in Charlestown Park and the lack of use of the court. Mr. Harris stated there has not been any use of it in the last five years and it is an unutilized area of the park. Public Works has been discussing how they can make this space more beneficial to the users of the park and if the possibility of another pavilion would be an enhancement to the park. Mr. Harris advised the Board he would like them to come back in January with several options that could be discussed for this area. Mr. Harris stated as areas are developed and the developer does not want to put a park on the parcel being developed he

would give a fee in lieu of the park ground that is called a Deferred Revenue Fund. The Township through the developments that have occurred in the last ten or so has been contributing to the Deferred Revenue Fund. Mr. Harris stated in the past they have built pavilions from that fund and the installation of the playground equipment at Creswell Park came from that fund as those funds must be used for new enhancements to parks. Mr. Harris stated they are working through the budget presentation and have marked \$20,000 for 2015 hoping to be able to do something with this space. Mr. Harris stated he is hoping by January to have a recommendation from this Board to order the equipment to begin construction in the spring of 2015 for whatever the Board would want to see built. Ms. Barry asked Mr. Harris if he has had any feedback from the Summer Playground as to something they would like to have. Mr. Harris stated he has not heard anything from the program. Mr. Rand asked what other requests besides ball fields and pavilions the Township has not been able to honor. Mr. Harris state if you classify soccer fields with ball fields they are really tight for soccer fields. Mr. Harris stated they had to turn people away who were looking for soccer fields.

Mr. Harris advised the Board the Township received 8.8 acres of open space in the Parkfield Development which is along Hershey Mill Road that is bound by Fieldgate Dr. and Farmstead Drive. Mr. Harris stated through the Clean Water Act he was participating in Chesapeake Bay Foundation Webinar and they were explaining the benefits and advantages of riparian buffers. This is a low lying area that has a tendency to flood and they planted a thousand trees along the West Branch of the Little Conestoga and that open space will be forested open space. This was a grant and the only cost was an individual there all day drilling a thousand holes with the skid loader. Mr. Harris estimated 40 to 50 volunteers came and planted the trees that are all native trees. There will be walking paths that go through the forest area. Mr. Harris stated an interesting fact with the riparian buffers is they have committed for three years of maintenance program and when they get to the third year of the growth you can pull back from the mowing and spraying. Their job is to keep the invasive out for the first three years to give the trees the best chance possible to get established growth.

Mr. Harris informed the Board that if there is any parcels in the Township they would like to look at and get more familiar with he would meet with them on a Saturday morning and look at the areas they would be interested in.

There was no other business and on motion by Ms. Cattell and seconded by Ms. Vinson the meeting was adjourned at 7:44 p.m.

Respectfully submitted,

Elizabeth N. Leaman  
Secretary

Recording Secretary  
Evelyn Rineer